

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**

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11<sup>th</sup> June 2018

Mr Chairman, Lady and Gentlemen

**Meeting of Commissioners**  
**19<sup>th</sup> June 2018**

I enclose the Agenda for the Meeting of the Commissioners to be held at the Middle Level Offices, March at 2.30 pm on Tuesday the 19<sup>th</sup> June 2018.

Please telephone or e-mail to confirm your attendance as soon as possible.

Yours truly

D C THOMAS

Clerk to the Commissioners

**To the March Sixth District Drainage Commissioners**

## 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 of the Commissioners held on the 20<sup>th</sup> June 2017.

(Copy pages 9-18)

4. Matters arising from the Minutes

5. Appointment of Chairman

To appoint the Chairman of the Commissioners.  
(Present Chairman – D G West Esq)

6. Appointment of Vice Chairman

To appoint the Vice Chairman of the Commissioners.  
(Present Vice Chairman – Miss E Alerton)

7. Land Drainage Act 1991  
Fenland District Council

The Clerk will report that Fenland District Council have re-appointed Councillors M Cornwell and S R Court to be Commissioners under the provisions of the Land Drainage Act 1991.

8. Water Transfer Licences

Further to minute C.862, the Clerk will refer to a letter received from ADA dated the 27<sup>th</sup> October 2017 and to his response to Defra and also to the fact that licencing of water transfers came into force on the 1<sup>st</sup> January 2018.

However, a licence is only required for transfers from EA main river. No inter-IDB transfers require licencing hence this new arrangement will not directly impact the Commissioners.

(Copy pages 19-20)

9. Contingency Plans in the Event of Pump Failure

Further to minute C.863(ii), the Clerk to report.

10. Association of Drainage Authorities  
Further Research on Eels

Further to minute C.872(d), to consider whether to make a further contribution towards the research on eels.

11. Potential Amalgamation with March Third and March Fifth DDCs

Further to minute C.873, the Clerk to report.

12. Consulting Engineers' Report

To consider the Report of the Consulting Engineers.

(Copy pages 21-32)

13. Capital Improvement Programme

To review and approve the Commissioners' future capital improvement programme.

(Copy page 33)

14. Environmental Officer's Newsletter and BAP Report

The Clerk to refer to the Environmental Officer's newsletter, previously circulated to the Commissioners, and to consider the most recent BAP Report, together with the information sheets about floating pennywort.

(Copy pages 34-47)

15. Pumping Station duties

- a) To give consideration to the payments in respect of pumping station duties for 2018/2019.
- b) To give consideration to the fuel allowance payable to Mr Alterton.

16. 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.

17. Environment Agency – Precept

The Clerk will report that the precept for the financial year 2018/2019 has been fixed at £1,050 representing a rate (including special levies) of 1.62p.

The precept for 2017/2018 was £1,035.

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

a) The Clerk will report that following his submission of claims for contributions the gross sum of £999.64 (inclusive of supervision) has been received from the Environment Agency (£1,482.15 representing 80% of the Commissioners' estimated expenditure for the financial year 2017/2018 less £482.51 overpaid in respect of the financial year 2016/2017).

b) Further to minute C.871 (b), the Clerk will refer to the discussions with the Environment Agency over the monies available to fund highland water claims.

19. Association of Drainage Authorities

The Clerk will:-

a) Annual Conference

Report that the Annual Conference of the Association of Drainage Authorities will be held in London on Wednesday the 14<sup>th</sup> November 2018.

b) Annual Conference of the River Great Ouse Branch

Report on the Meeting of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 6<sup>th</sup> March 2018 and the fact that the administration of this branch has now been passed to the Middle Level Commissioners.

c) Subscriptions

Report that it is proposed by ADA to increase subscriptions by approximately 1% for 2018, viz:- from £536 to £542.

d) Liability of Board Members

Refer to a Guidance Note received from ADA dated the 28<sup>th</sup> September 2017.

(Copy pages 48-50)

e) Updating IDB Byelaws

Refer to a letter received from ADA dated the 20<sup>th</sup> October 2017.

(Copy pages 51-63)

f) New Model Policy Statement

Refer to the publication of the new model Policy Statement issued in late April by ADA.

(Copy pages 64-71)

g) Floodex 2019

Report that Floodex 2019 will be held at The Peterborough Arena on the 27<sup>th</sup> and 28<sup>th</sup> February 2019.

20. Capital Programme Strengthening and Delivery

The Clerk will refer to the slides presented by the Environment Agency at the Great Ouse IDB and EA Strategic Group meeting on the 19<sup>th</sup> April 2017.

(Copy pages 72-78)

21. Middle Level Commissioners and Administered Boards Chairs Meeting

The Clerk will report that all of the Middle Level Commissioners' administered Boards met on the 8<sup>th</sup> March 2018 to discuss the challenges facing Boards. Innes Thomson, Chief Executive of ADA, spoke on the arrangements adopted by other Boards around the country.

Matters raised included:-

- 1) Advantages, disadvantages and barriers to amalgamation.
- 2) Future meetings and the opportunity for Boards to request items be added to the agenda.
- 3) Reviewing Board membership numbers.
- 4) Frequency of Board Meetings.

22. Member training and the appointment of a Health and Safety Officer

The Clerk to report.

23. Defra IDB1 Returns

The Clerk to report on proposed changes to the Annual Defra IDB1 Returns and will refer to a letter received from Defra dated the 24<sup>th</sup> April 2018.

(Copy pages 79-88)

24. Requirements for a Biosecurity Policy

The Clerk to report.

25. The General Data Protection Regulation (GDPR)

The Clerk will refer to the Guidance Note on the implementation of the GDPR and that all organisations must become fully compliant by the 25<sup>th</sup> May 2018.

(Copy pages 89-90)

26. Charging for Environmental Permits

The Clerk will report on the consultation on charging for Environmental Permits which closed on the 26<sup>th</sup> January 2018. It is suggested within the consultation that charging should be designed to recover costs and as such there may be significant increases in the charges for obtaining Environment Agency permits for some IDB activities which require such consents. ADA have responded on behalf of the industry and their response is available on their website, [www.ada.org.uk/2018/01/ada-responds-environment-agency-charge-proposals-2018](http://www.ada.org.uk/2018/01/ada-responds-environment-agency-charge-proposals-2018).

27. Completion of the Annual Accounts and Annual Return of the Commissioners – 2016/2017

a) To consider the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2017.

(Copy pages 91-95)

b) To consider the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2017.

(Copy pages 96-98)

28. Governance and Accountability for Smaller Authorities in England

The Clerk to refer to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1<sup>st</sup> April 2018 which is available on our website at [www.middlelevel.gov.uk/MarchSixthDistrictDrainageCommissioners/GovernanceandAccountability](http://www.middlelevel.gov.uk/MarchSixthDistrictDrainageCommissioners/GovernanceandAccountability).

29. 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 99)

30. Review of Internal Controls

- a) To consider the system of Internal Control.
- b) To consider the appointment of the Internal Auditor and the proposed Audit Strategy and Audit Plan for 2019-2021.

(Copy pages 100-109)

31. Risk Management Assessment

- a) To give consideration to the Commissioners' Risk Management Policy.
- b) To review the insured value of the Commissioners' buildings and to give consideration to having a revaluation of the Commissioners' real estate assets, as required for audit purposes.

(Copy page 110)

32. Appointment of External Auditor

Further to minute C.847, the Clerk to report.

33. Transparency Code for Smaller Authorities

The Clerk to report.

34. 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.

35. Annual Governance Statement – 2017/2018

To review and complete the Annual Governance Statement.

(Copy page 111)

36. Payments 2017/2018

The Clerk to report on payments made during the financial year 2017/2018.

(Schedule pages 112-113)

37. Anglia Farmers

To consider the contractual arrangements with Anglia Farmers. The Clerk to report.

38. Annual Accounts of the Commissioners - 2017/2018

To consider the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2018 and the completion of Section 2 of the Annual Return as required in the Audit Regulations.

(Copy pages 114-117)

39. Expenditure estimates and special levy and drainage rate requirements 2018/2019

To consider estimates of revenue expenditure and levy and rate requirements in respect of the financial year 2018/2019.

(Copy pages 118-119)

40. Date of next Meeting

41. Any other business

## MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Sixth District Drainage Commissioners  
held at the Middle Level Offices, March on Tuesday the 20<sup>th</sup> June 2017

### PRESENT

D G West Esq (Chairman)	M Cornwell Esq
Miss E Alterton (Vice Chairman)	S R Court Esq
T E Alterton Esq	M J Mottram Esq

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

### Apology for absence

An apology for absence was received from M Arnold Esq.

### C.855 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 any of them.

### C.856 Confirmation of Minutes

### RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 21<sup>st</sup> June 2016 are recorded correctly and that they be confirmed and signed.

### C.857 Clerk to the Commissioners

- a) Further to minute C.819, Miss Ablett reported that Mr David Thomas had been appointed as Clerk to the Commissioners and that Miss Lorna McShane had been appointed Solicitor/Assistant Clerk.

Miss Ablett reported that the Chairman had authorised a donation of £100 towards the gift to mark Iain Smith's retirement and that Mr Smith had asked that his thanks be passed on to the Commissioners for their generous contribution towards his retirement gift and would like it recorded that it had been a pleasure for him to serve the Commissioners and that he wished them all the best for the future.

- b) Changes to bank mandate

Further to minute C.841, Miss Ablett reported that, as most of the invoices raised came through the engineering department, the Internal Auditor had advised that David Thomas should not be named on the bank account and that the Treasurer and Assistant Treasurer of the Middle Level Commissioners should be the officers authorised to make payments of authorised accounts and that in pursuance of minute C.841, the Chairman had authorised the appropriate changes to the mandate.

## RESOLVED

- i) That the action taken be approved.
- ii) That the donation to mark the retirement of the Clerk to the Commissioners, authorised by the Chairman, be approved.

### C.858 Appointment of Chairman

## RESOLVED

That D G West Esq be appointed Chairman of the Commissioners.

### C.859 Appointment of Vice Chairman

## RESOLVED

That Miss E Alterton be appointed Vice Chairman of the Commissioners.

### C.860 Land Drainage Act 1991 Fenland District Council

Miss Ablett reported that Fenland District Council had re-appointed Councillors M Cornwell and S R Court to be Commissioners under the provisions of the Land Drainage Act 1991.

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The Vice Chairman welcomed Mr Court who was attending his first meeting of the Commissioners.

### C.861 Water Framework Directive

Further to minute C.823, Miss Ablett reported that there had been no further developments, apart from Mr Paul Sharman being appointed as the IDB representative following the retirement of Mr Iain Smith, but advised that, due to the Environment Agency no longer being able to support it, the River Basin Liaison Panel had since been disbanded. She also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

### C.862 Water Transfer Licences

Further to minute C.824, Miss Ablett reported that ADA had met with Defra officials, including Sarah Hendry, on the 11<sup>th</sup> October to discuss the Water Transfer Licences and it appeared that the Minister was keen to avoid over regulation. ADA had proposed certain points to Defra, including that ADA would hold one licence for the industry or that the opportunity should first be given for the information which the Environment Agency allege that they do not have to be provided other by regulation but perhaps through a form similar to the present IDB1. Defra officials had, it was understood, agreed to consider these proposals.

Miss Ablett gave a brief update on the current position in relation to proposed licensing changes and made it clear that unnecessary bureaucracy and unfair charging would be resisted.

### C.863 Contingency Plans in the Event of Pump Failure

Further to minute C.818, Miss Ablett referred to the Consulting Engineer's report and to the options available to the Commissioners regarding contingency plans in the event of a pump failure. The Commissioners considered that, having discussed the options and given them serious consideration, the matter should be discussed on a regular basis as and when other concerns arose.

Miss Ablett reminded the Commissioners that there was no engineering insurance in place and enquired whether they wished for a quote to be obtained.

#### RESOLVED

- i) That no further action be taken at this time.
- ii) That the Middle Level Commissioners be requested to obtain a quote for engineering insurance.

### C.864 Consulting Engineers' Report

The Commissioners considered the Report of the Consulting Engineers.

Mr Lakey referred to the Consulting Engineer's report and to their recommendation that the Commissioners should have appropriate signage in place for Health and Safety purposes. The Commissioners discussed the type and form of signage required and Mr Lakey reported that some Boards were using external lockable cabinets to display Health & Safety notices and others were choosing to use laminated notice boards indicating the risks; providing contact details in an emergency, together with the grid reference to identify each location.

Mr Lakey reported that the gravity outfall was prone to getting jammed with weed and seizing open and that the outfall getting jammed was more of a problem than the weed. He recommended that the outfall be refurbished so that it operated correctly which would cost in the region of £1,500.

Miss Ablett referred to the Planning Engineer's report with regards to the development at Thorby Avenue, March (MLC Ref. Nos. 128,133 & 134) and enquired whether the Commissioners wished to take any action.

#### RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance

That the recommendations contained in the Report be approved.

- iii) That the Middle Level Commissioners be requested to supply health and safety signage at the pumping station to include indication of risks; contact details in an emergency, together with the grid reference.
- iv) That the Middle Level Commissioners be requested to repair the flap door at the gravity outfall.
- v) That the Planning Engineer be requested to send a reminder to the developer in relation to planning application (MLC Ref Nos. 128, 133 & 134)

### C.865 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

#### RESOLVED

That the Capital Programme be approved in principle and kept under review.

### C.866 National Flood Resilience Review

Miss Ablett referred to the publication of the above review by the Government in September 2016 and to the response from ADA and drew attention to the lack of reference to the SUDS issue, which still remained unsatisfactory.

### C.867 Environmental Officer's Newsletter and BAP Report

Miss Ablett referred to the Environmental Officer's Newsletter dated December 2016, previously circulated to the Commissioners.

The Commissioners considered and approved the most recent BAP report.

### C.868 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.

### C869 Pumping Station duties

- a) The Commissioners gave consideration to the payments in respect of pumping station duties for 2017/2018.
- b) The Commissioners gave consideration to the fuel allowance payable to Mr Alerton.
- c) The Commissioners discussed their spraying requirements and agreed that it would be in their interests for this to be carried out by the Middle Level Commissioners in the future. As a consequence, the services of Mr Butt would no longer be required, although the Commissioners acknowledged that he had already carried out some spraying works in 2017/2018.

#### RESOLVED

- a) That the Commissioners agree that the sum of £615 be allowed for the provision of pumping station duties for 2017/2018.
- b) That the Commissioners agree that a £50 fuel allowance be allowed to Mr Alerton.

c) That the Clerk advise Mr Butt that alternative arrangements were being made in regard to the spraying of the District; that the Commissioners thanked him for his services and request that he sends in his invoice for the work he had already carried out in 2017/2018.

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

C.870 Environment Agency – Precept

a) Miss Ablett reported that the Environment Agency had issued the precept for 2017/2018 in the sum of £1,035 (the precept for 2016/2017 being £1,020).

b) Local Choices Update

Further to minute C.834, Miss Ablett referred to the Environment Agency's newsletter dated October 2016.

C.871 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Miss McShane reported that the sum of £1,459.22 (inclusive of supervision) had been received from the Environment Agency (£1,627.44 representing 80% of the Commissioners' estimated expenditure for the financial year 2016/2017 less £168.22 overpaid in respect of the financial year 2015/2016).

(b) Further to minute C.835(b), Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

That the position be noted and the situation kept under review.

C.872 Association of Drainage Authorities

a) Annual Conference

Miss Ablett reported that the Annual Conference of the Association of Drainage Authorities would be held in London on Thursday the 16<sup>th</sup> November 2017.

RESOLVED

That the Clerk be authorised to obtain a ticket for the Annual Conference of the Association for any Commissioner who wishes to attend.

b) Annual Conference of the River Great Ouse Branch

Miss Ablett reported on the Annual Conference of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 7<sup>th</sup> March 2017.

c) Subscriptions

Miss Ablett referred to an e-mail received from ADA dated the 16<sup>th</sup> December 2016 and reported that the Clerk had been advised that the subscription for 2017 will remain unchanged at £536.

RESOLVED

That the requested ADA subscription for 2017 be paid.

d) Further Research on Eels

Miss Ablett referred to an e-mail received from ADA dated the 15<sup>th</sup> November 2016 and the research specification from the Environment Agency regarding the eel research proposed over the next 2 years.

The Commissioners discussed the ongoing eel research and the request from ADA seeking contributions.

RESOLVED

That the Commissioners contribute £50 for the first year towards further research on eels and review in 2018.

C.873 Potential Amalgamation with March Third and March Fifth DDC's

Miss Ablett reported that March Third DDC had approached March Fifth DDC with a view to amalgamating and that, at a meeting held on the 14<sup>th</sup> September 2016, the Chairman and Vice Chairman of March Fifth DDC, Iain Smith (former Clerk) and Robert Hill, Treasurer, had discussed the matter further. It had been suggested that, given the membership numbers and ages of both March Third and March Fifth DDC's, those Commissioners might not be viable after a few years and there could be merit in also including March Sixth DDC. Miss Ablett advised that differential rating for all three areas could also be investigated.

Miss Ablett advised that following that meeting, the Chairman and Vice Chairman of March Fifth DDC had agreed to discuss the position further and to speak with members of the other Boards, however due to the Chairman's ill health, no further action had been taken.

She further advised that at their meeting last month, March Third DDC had requested that the views of March Sixth DDC also be sought regarding a potential amalgamation.

Miss Ablett gave a brief report on the financial position and rate set of each Board.

Having discussed the advantages and disadvantages of a potential amalgamation the Commissioners agreed that they were not opposed to the idea and wished to be included in any future discussions.

RESOLVED

That the Chairman and Vice Chairman be included when any future meetings/discussions regarding a potential amalgamation between all the Commissioners involved were held.

### C.874 Governance of Water Level Management in England

Miss Ablett referred to the publication of the National Audit Office's (NAO) Report on Internal Drainage Boards, available on their website, [www.nao.org.uk/report/internal-drainage-boards](http://www.nao.org.uk/report/internal-drainage-boards); to the Report Summary and to the response from ADA.

### C.875 Health and Safety Audits

Miss Ablett drew attention to the continuing need to ensure that the Commissioners complied with Health and Safety Requirements and reminded Members of the arrangements with Croner and that if the Commissioners had any issues they could seek advice from Croner via the Middle Level Commissioners.

Miss Ablett reported that the Middle Level Commissioners had put together a pack consisting of a practical guide, templates and examples relating to health and safety requirements, which they hoped would assist the Commissioners with their health and safety responsibilities.

### C.876 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.839, Miss Ablett reported the main issues considered and discussed by the Partnership were:-

1. The proposal to extend the provision of rain gauges in catchment.
2. Discussions over the maintenance of Sustainable Drainage Systems (SUDS).
3. The provision of Community flood kits. The LLFA are sourcing funds to provide kits to certain groups, i.e. March town council, but certain criteria are having to be met.
4. Work on the A14 project has now commenced.
5. The Supplementary Planning Document on flood risk has now been endorsed by Cambridgeshire County Council.
6. An update on the surface water management plan. Requesting quotes for surveys to be undertaken for property level protection (PLP).
7. Partner projects were discussed including Embankment raising in the Middle Level (MLC) and in the Ouse Washes (EA).

### C.877 Authorisation to appear in court to obtain distress warrants

#### RESOLVED

That under the provisions of section 54 of the Land Drainage Act 1991, in addition to Mr R Hill and Miss S Ablett, Miss Lorna McShane be authorised generally to institute or defend on behalf of the Commissioners proceedings in relation to a drainage rate or to appear on their behalf in any proceedings before a Magistrates' Court for the issue of a warrant of distress for failure to pay a drainage rate.

### C.878 Potential Changes in Rating Valuation

Miss Ablett reported the consideration presently being given by ADA and Defra to possible changes in the way in which drainage rates and special levies may be calculated in future. She advised that the present system, under the Land Drainage Act 1991 and the Internal Drainage Board (Finance) Regulations, provides for agricultural property to be valued at a notional rental value for that property

as at 1<sup>st</sup> April 1988 with non-agricultural hereditaments being valued at the "average acre" rate, calculated by reference to pre-1988 development within the District of the individual Board. The current legislation does however require that properties that existed before 1<sup>st</sup> April 1988 are valued according to their old rateable values, records for which may no longer exist and this causes problems for IDBs which are looking to extend their boundaries and particularly where there are proposals to create new IDBs. Miss Ablett understood however, that, at present, Defra are unlikely to progress the issue urgently and that some further consideration will have to take place before any change is proposed. In addition, as a change to primary legislation would be required, Parliamentary time would have to be found for this. At this stage Miss Ablett wished therefore to simply alert the Commissioners to these discussions and further reports will no doubt be made to the Commissioners in the future should legislative amendment be proposed.

#### C.879 Completion of the Annual Accounts and Annual Return of the Commissioners – 2015/2016

- a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2016.
- b) The Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2016.

#### C.880 Governance and Accountability for Smaller Authorities in England

Miss Ablett referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1<sup>st</sup> April 2017.

#### C.881 Budgeting

Miss Ablett referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31<sup>st</sup> March 2017.

#### C.882 Review of Internal Controls

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

#### C.883 Risk Management Assessment

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

#### C.884 Transparency Code for Smaller Authorities

Miss Ablett reported that from 2017/2018 smaller public bodies (Boards with income or expenditure less than £25,000) would not be required to undertake a formal audit but would need to have greater publication requirements in place. She advised that it would also be necessary to question the effect of “one off” payments such as development contributions taking the Commissioners above the £25,000 limit, in a particular year.

#### C.885 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.886 Annual Governance Statement – 2016/2017

The Commissioners considered and approved the Annual Governance Statement for the year ended on the 31<sup>st</sup> March 2017.

#### RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Commissioners, for the financial year ending 31<sup>st</sup> March 2017.

#### C.887 Payments

The Commissioners considered and approved payments amounting to £15,389.32 which had been made during the financial year 2016/2017.

(NB) – Mr Alerton declared interest in the payment made to him.

#### C.888 Annual Accounts of the Commissioners – 2016/2017

The Commissioners considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2017 as required in the Audit Regulations.

#### RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Commissioners, for the financial year ending 31<sup>st</sup> March 2017.

#### C.889 Expenditure estimates and special levy and drainage rate requirements 2017/2018

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2017/2018 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 58.01% and 41.99%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £10,361 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 £6,010 and £4,351 respectively.
- iv) That a rate of 16.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £4,351 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 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.

C.890 Display of rate notice

RESOLVED

That notice of the rate be affixed within the District in accordance with Section 48(3)(a) of the Land Drainage Act 1991.

C.891 Date of next Meeting

RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 19<sup>th</sup> June 2018.

From: Innes Thomson  
To: Ian Moodie ; David Thomas; Andrew Newton; Kekeke, Pauline (Defra)  
cc: Robert Caudwell; David Sisson - ADA Trent Branch; Trevor Purllant  
Subject: Water Transfer & Abstraction licencing

Sent: Fri 27/10/2017 08:32

Hello All,

Having just met with Sarah Hendry, she has informed me that it is Defra's intention to require licenses for the abstraction of water from Main Rivers from 1st January 2018 and that an announcement to that effect is expected to be made by the Minister on 6th Nov !

Apparently, the EA and Defra have been working on this for some time and I expressed our real concern that we heard nothing about what to expect and when.

I was told that current exemptions for all abstractions will end on 31st December and that licenses will be required for any water passing from a Main River into another system. If I understood correctly, there will be a single licence fee payable per abstraction of £1,500 which will be valid for 12 years. I was also told that the EA would not be licencing transfers within IDB areas.

I expressed concerns in particular about water needs for environmental sites and how IDBs do not have the means to recuperate the licence fees from those sites. I also mentioned concerns about highland water and what happens when the EA want to transfer water into IDB areas at times of flood to relieve pressure on the main river systems.

Sarah did not have all the detail to hand and promised to provide as much information as possible without delay so we could be of much assistance as possible in landing this news in the short term. I strongly advised that the Minister will need to say something about her plans at Conference and be prepared to take some challenging questions on the subject.

We left the subject with me saying that Defra and the EA must very carefully think about the detail and to use the practical experience of one or two IDBs to sense check any process being applied.

Watch this space,

With best regards,

Innes

Eur Ing J Innes Thomson BSc CEng FICE

Chief Executive

**ADA | Representing drainage, water level & flood risk management authorities**

Rural Innovation Centre, Avenue H, Stoneleigh Park, Warwickshire, CV8 2LG

Mobile: 07827 279 209 | Office: 02476 992 889

[www.ada.org.uk](http://www.ada.org.uk) | [@ADA\\_updates](https://twitter.com/ADA_updates)

**ADA 80<sup>th</sup> Annual Conference** | 16 November 2017 | One Great George Street, Westminster,  
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From: David Thomas  
To: Kekeke, Pauline (Defra)  
cc: Innes Thomson  
Subject: RE: For meeting with Sarah Hendry tomorrow

Sent: Fri 27/10/2017 10:20

ftao Sarah Hendry

Dear Sarah,

I have just heard some very concerning news from Innes on the plans for the new arrangements for water transfer licencing.

I know the Board will be disappointed when I have to report to them next Thursday that after our significant efforts to engage there has been a very prolonged period of silence and it now appears from what Innes has told me that work on this matter has continued with no further engagement with the IDBs and that changes are to be implemented with virtually no notice. I am particularly disappointed as over the summer we have worked very closely with DEFRA and been extremely supportive with the sampling that has been carried out for *Ralstonia Solanacearum*, lending our board room, office space and facilities for over a month at no charge and in advance of this with providing detailed information, support, maps and technical data. I do not believe that we could have done more.

Can you advise me if it is correct that licencing for transfers will become mandatory from 1<sup>st</sup> January next year and that a fee of £1,500 will be payable? Beyond this what level of detail will be required for the licence?

As you know we have concerns that most of these transfers are required to support SSSIs, SACs and RAMSAR sites and for facilitating abstraction. Whilst I appreciate the need to record where transfer takes place and also understand that the impacts of water transfers need to be assessed in areas where there is concern and hence would want to work with the EA and DEFRA to deliver improvements, in line with Water Framework objectives, I am also conscious that as a public body our ratepayers are currently covering the burden of the cost of this. If the principal within the DEFRA family is that each of its partner public bodies recover their costs from other partner public bodies, which seems to be what this indicates, this should be more widely publicised.

I can only speak for the MLC and associated IDBs, but for us the costs of managing water for the benefit of abstractors, who pay fees only to the EA is not insignificant. Should we be aiming to recover all of these costs from the EA in future?

Regards.

David

**Chief Executive**  
Middle Level Commissioners

## March Sixth D.D.C.

### Consulting Engineers Report – May 2018

#### Weed Control and Drain Maintenance

The maintenance works carried out last year generally accorded with the recommendations approved by the Commissioners' at their last annual meeting.

Roundup herbicide applications were made to the Commissioners' drains included within last year's machine cleansing programme, and to other District drains where it was required to control dense stands of reed and emergent aquatic vegetation.

Concrete steps at Point 13, Gravity Outfall



Following the Chairman's prior approval, a set of concrete steps has been installed at the Commissioners' gravity outfall at Point 13. The steps are required to improve pedestrian access to the structure and ensure the Commissioners are compliant with current Health & Safety guidelines. The outfall flap valve has also been repaired.

A recent joint inspection of the Commissioners' District drains has been undertaken with the District Officer. The inspection revealed that the majority of drains are in a generally satisfactory condition and being maintained to a good standard. The inspection indicates that many of

the District drains that fall within this year's machine cleansing programme will only require light machine cleansing to retain them in good status.

#### Drains to the West of the Prison

The Commissioners' District drains to the west of the prison are generally in a good condition. The inspection did highlight that aquatic vegetation is prevalent throughout many drains of the western area. The affected reaches fall within this year's phased programme of machine cleansing works and can be addressed following harvest of the adjacent crops. It is recommended that the emergent aquatic vegetation is treated with a Roundup application prior to machine cleansing to remove the weed mass from the water channel.

## Drains to the East of the Prison

The District drains to the east of the prison remain in a generally satisfactory condition, however the inspection revealed sporadic stands of reed and emergent aquatic vegetation in the Norwood Farm drains; it is recommended they are treated with an application of Roundup herbicide following the harvest of the adjacent crops.

As the Commissioners have previously agreed, in recent years, it is recommended that the main Norwood Pumping Drain, reach 1-2-10, is included within this year's phased machine cleansing programme. Historically this has proven to be an effective method of reducing the weed mass at the manually cleansed weedscreen during winter pumping periods.



Reach 12-13

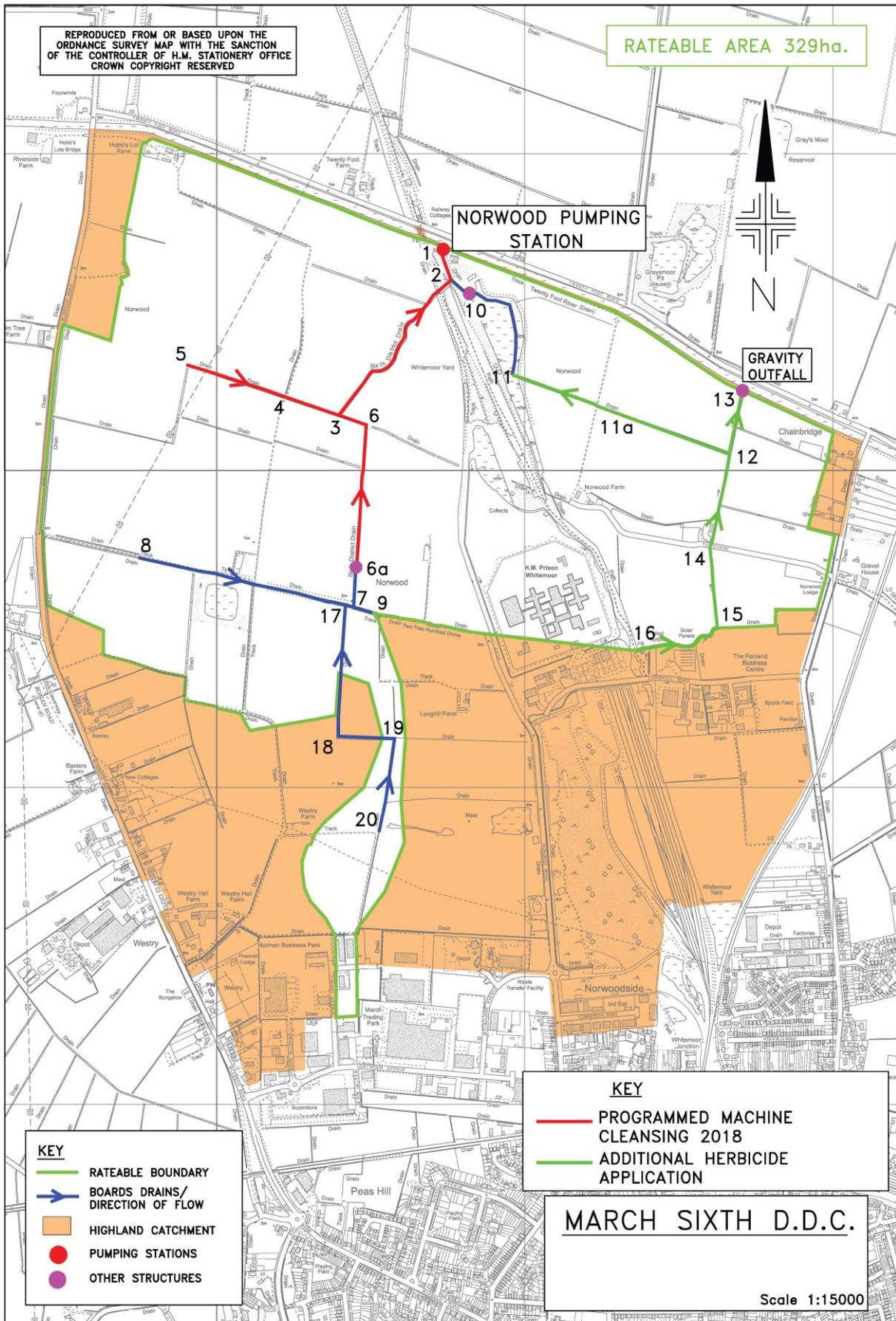
A sum has been allocated within the Commissioners' estimate to allow for Roundup applications to be made to drains, as required, and for flail mowing of the District drains to be undertaken this year.

A provisional sum has also been included within the estimate for any other emergency machine cleansing, culvert clearance or cott removal works that may be deemed necessary later in the year.

The estimated costs of this year's recommended drain maintenance works are as follows:

### Phased Machine Cleansing Programme

<b>1. Drains to West of the Prison</b>				
(i)	Reach 2-3-4-5	1100 m @	1.10	1210.00
(ii)	Reach 6a-6-3	525 m @	1.10	577.50
<b>2. Machine cleanse</b>				
	Norwood Pump Drain	160 m @	1.10	176.00
<b>3. Allow sum for Roundup application to control Japanese Knotweed at Norwood Pumping Station, if required, self-sown saplings and emergent aquatic weed within the Commissioners' drains</b>				
		Item	Sum	750.00
<b>4. Allow sum for flail mowing</b>				
		Item	Sum	950.00
<b>5. <u>Provisional Item</u></b>				
	Allow sum for emergency machine cleansing or cott removal work	Item	Sum	700.00
<b>6. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works</b>				
		Item	Sum	550.00
<b>TOTAL</b>				<b>£ 4,913.50</b>



Orders for the application of herbicides by the Middle Level Commissioners are accepted on condition that they are weather dependant and they will not be held responsible for the efficacy or failure of any treatment.

## **Pumping Station**

Only routine maintenance has been carried out since the last meeting and the pumping plant is mechanically and electrically in a satisfactory condition.

## **Pumping Hours**

	Total hours run May 12 - May 13	Total hours run May 13 – May 14	Total hours run May 14 – May 15	Total hours run May 15 – May 16	Total hours run May 16 – May 17	Total hours run May 17 – May 18
Norwood Pumping Station	(6058) - (6549) 491	(6549) - (6789) 240	(6789) - (7177) 388	(7177) – (7364) 187	(7364) – (7546) 182	(7546)- (7760) 214

## **Insurance**

The Commissioners' new insurer AXA/HSB does include Engineering Insurance cover for sudden and unforeseen breakdown of pumping plant, however two recent claims made by local IDBs were rejected as AXA/HSB considered that the pumps should have been removed for service on a 5 yearly frequency. This was contested by the MLC and the frequency extended to 10 years; however even this is considered unacceptable in most instances, hence an alternative insurer is being sought. In the interim there is no cover in place.

## **Eel Regulations**

Following sustained pressure from the IDB sector, notification has been received that a paper was presented to the EA Executive Directors' Team proposing some changes to their current regulatory process. It is understood that Executive Directors supported the recommendations in the paper and that work is now underway to establish how the EA will transition the changes and what this means in the interim for operators such as IDBs.

In line with what IDBs have been calling for, there is to be a new approach identifying the best achievable eel protection (BAEP), in terms of what is technically feasible and generally affordable. The EA also proposes to change when and where it applies its eel cost benefit analysis tool; how it considers affordability of eel protection at individual sites; and how it balances costs with risk to eel at individual sites. The EA will also investigate where there are opportunities to revise its current programming approach to optimise outcomes for eel. Finally, it will work with sector leads in developing new guidance and processes.

However, it is important to note that the EA will not be in a position to introduce its new regulatory approach until it has developed all of the new, interdependent, components of the process which the EA advise will take up to 12 months.

## **Internal Consultation with the Commissioners**

The process of “internal consultation” between the Middle Level Commissioners and the Commissioners (usually, but not always, with the Chairman and/or District Officer) to seek the Commissioners’ comments and thus aid the decision-making process, is generally working well and will be continued and reviewed at a later date.

## **Planning Procedures Update**

### ***Informatives on Decision Notices***

Despite positive steps being taken, a review of the decisions that have recently been made in other Boards/Commissioners for whom the Middle Level Commissioners provide a planning consultancy service, has identified that very few informatives are being added to Decision Notices advising the applicants of their separate legal obligation to comply with the requirements of the Board’s/Commissioners’ Byelaws and the Land Drainage Act.

It is left to the Commissioners’ discretion whether it wishes the Middle Level Commissioners to make a formal response to the Councils concerned directly on its behalf, or whether it requests that its Council representatives ensure that such informatives are requested.

### ***Planning Agents Training Day***

Having identified engagement issues between “Developers” and the Commissioners and Associated Boards, a Training Day was held in late October. Approximately 50 invitations were sent out to a cross section of interested parties representing developers, agents and consultants and including all the LPA areas that we deal regularly with. Council Officers were also invited. The event was oversubscribed with twenty-five people attending but several others are on a ‘short list’ if another similar event is held. The feedback suggests the event was well received.

The format of the event was to inform those attending of the unique nature of the area; where the IDBs fit into the development process; what the issues are; and how the Middle Level Commissioners deal with them.

Analysing the figures very crudely 46% of attendees were agents; 34% consultants; 18% developers and less than 1% Council Officers. The areas covered were 37%, predominantly consultants, all the LPAs; 45% Fenland and 18% West Norfolk. There was no specific representation from Huntingdonshire District, East Cambs District, South Cambs District or Peterborough City Councils.

## **Planning Applications**

In addition to matters concerning previous applications, the following 3 new applications have been received and dealt with since the last meeting:

<b>MLC Ref.</b>	<b>Council Ref.</b>	<b>Applicant</b>	<b>Type of Development</b>	<b>Location</b>
151	F/YR17/0845/F	Mr & Mrs Thomas	Residence (Extension)	Wisbech Road, Westry
152	F/YR17/1114/F	Mr & Mrs J C & M A Martin	Residential (8 dwellings)	Wisbech Road, March
153	F/YR18/0003/F	Ms C Dean	Residence	Church Gardens, Westry*

A development that is known to propose direct discharge to the Commissioners' system is indicated with an asterisk. The remainder are understood to propose surface water disposal to soakaways/infiltration systems or sustainable drainage systems, where applicable. The applicants have been notified of the Board's requirements.

No further correspondence has been received from the applicants or the applicants' agents concerning the following developments and no further action has been taken in respect of the Board's interests:

- *Erection of industrial buildings hardstanding on land West of 30 Thorby Avenue, March – Elliott Charles Group (MLC Ref No 079 & 108) and RFGM Ltd (MLC Ref No 150)*
- *Residential Development on land north of Woodville, Wisbech Road, March – Prudential Property Investment Managers Ltd (MLC Ref No 065 & 078) and Grosvenor Partnership 3 LLP (MLC Ref No 142)*
- *Re-development of the former Brimur Packaging Ltd and Agrihold facilities at 1-3 Hostmoor Avenue and 1 Martin Avenue, March – Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 139) & Harrier Developments Ltd (MLC Ref No 143)*

**In view of the absence of recent correspondence and any subsequent instruction from the Commissioners it will be presumed, unless otherwise recorded, that the Commissioners are content with any development that has occurred and that no further action is required at this time.**

*Residential development at Phoenix House, Wisbech Road, March – Mrs C Dean (MLC Ref Nos 117, 119, 124, 147 & 153) & Shire Home Building Service Ltd (MLC Ref No 141)*

Further to the last meeting an application for the pre-paid Soakaway Checking Service was requested by the applicant's consultant, ESP Ltd, for both surface and treated foul effluent water associated with Plot four (MLC Ref No 147). Both checks met current design standards.

A further planning application (MLC Ref No 153) was submitted to the District Council in December. Planning permission was granted in April.

*Extension to existing switches and crossings building and erection of lean-to to enclose house jet wash equipment at Whitemoor Yard, Hundred Road, March – Network Rail (MLC Ref No 126)*

According to the Commissioners' records the surface water disposal aspect of this development remains incomplete.

**Therefore, in order to resolve this matter and guide further discussions it would be beneficial to receive the Commissioners' opinion, further instruction and approval to initially write to the parties concerned in order to resolve this potential issue.**

*Erection of 13no business units for B1, B2 and B8 plus non-food retail warehouse with associated parking and erection of 1.8 (min) metre high security fence at land east of 33 Thorby Avenue, March – Mr & Mrs Fink (MLC Ref Nos 128 & 134) & Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 133)*

Despite the response from FPP Facade Solutions dated 17 October 2016 advising:

“We do not plan to connect to the surface water and treated effluent disposal drain until approx.. April 2017. We therefore have not made an application as of yet and plan to do this early part of next year....”

The appropriate documentation together with any associated contributions remains outstanding although this development appears complete.

**Therefore, in order to resolve this matter and guide further discussions it would be beneficial to receive the Commissioners' opinion, further instruction and approval to initially write to the parties concerned in order to resolve this potential issue.**

*Erection of up to 8 x dwellings on land south east of 433 Wisbech Road, Westry, March - Mr & Mrs JC & MA Martin (MLC Ref No 152)*

This planning application was submitted to the District Council in November.

Planning permission was subsequently refused in March primarily because the site was considered to be “situated within the open countryside”.



Extract from Hay Associates Limiteds Drawing No. L300-040 P01 Rev. A

## **Re-Opening of The March – Wisbech Railway**

The first meeting of the Cambridgeshire and Peterborough Combined Authority (CPCA) agreed the allocation of funding for the Wisbech Garden Town, which includes the re-opening of the rail link.

Known as “Governance of Railway Investment Projects” (GRIP), this is the third of eight stages essential in managing the risks and costs associated with the project. This stage investigates all the engineering options and their cost by assessing potential options and selects the most appropriate one to deliver.

## **March Neighbourhood Plan 2015-2030**

The March Neighbourhood Plan was formally adopted by the District Council on 2 November 2017 following a successful examination, subject to some modifications, and referendum.

## **Fenland District Council (FDC)**

No further correspondence has been received from FDC concerning the Neighbourhood Strategy and no progress has occurred with its District Wide Level 2 SFRA.

No further action has been taken in respect of the Board's interests.

### ***FDC Liaison Meeting***

A meeting attended by representatives from the Commissioners and FDC was held in November to improve working relations between the two authorities.

The actions arising from the meeting included:

- Development of a joint protocol/leaflet to clarify the inter-relationship between FDC, CCC (in its role as the LLFA), the Commissioners & associated IDBs and the EA in relation to flooding and surface water drainage for developers.
- The Commissioners to offer a seminar for “planners”.
- The Commissioners to review their approach to responding to planning applications with a focus on major schemes/Broad Concept Plans (BCP's).
- Meeting to discuss the potential tourism opportunities on our waterways perhaps initially focusing on March.
- Communication opportunities for FDC to promote/signpost the Commissioners' information and pre-application process or to join this up with its own processes.
- Investigate whether the FDC Local Validation List review can include requirements to benefit the Commissioners or drainage in general.

Another meeting is to be held in May this year.

## **Cambridgeshire Flood Risk Management Partnership (CFRMP)**

The Commissioners' Planning Engineer has represented both the Middle Level Commissioners and their associated Boards since the Commissioners' last meeting.

The main matters that may be of interest to the Commissioners are as follows:

### ***The Great Ouse Tidal River Baseline report***

This EA document is complete and available in PDF format. The report sets out the status of flood risk management on the tidal River Ouse. One of the most critical/important maps highlights cost benefits in terms of GiA and other funding sources. The report also sets out issues going forward with regard to long term funding of managing the catchment.

### ***The Future Fenland Project***

Phase 1 of this EA project, which concerns all of the Fens, has commenced. This will take a couple of years to complete and will include Lincolnshire and Northamptonshire. Workshops for stakeholders were held in January and March 2018. One of the aims of this phase is to outline the total cost benefit analysis of maintaining the Fens.

Phase 2 will assess how the Fens may change in the future based on information from phase 1. This may include considering changes in land use and funding streams.

There are varying views on the future of the Fens and the development of the project. One of the concerns raised was the source of future funding for the management of the Fens and the conflicting views on how it should be managed.

### ***Programme Development Unit (PDU)***

This EA team will focus on helping partners deliver projects more efficiently. There are a number of large EA projects that the PDU will be involved with, therefore a hierarchy of projects will need to be established to ensure clarity of their involvement.

### ***Flood risk activities: environmental permits (formerly flood defence consents)***

There is currently a proposal by the EA to raise the costs of permitting in stages from the current £170 minimum potentially up to £1441.

Cambridgeshire County Council (CCC) has advised that the Lead Local Flood Authority (LLFA) has also been involved in a similar process with ADA. A response has been prepared by ADA and for more detail see item 26 on the Agenda.

Members will be aware that the statutory fee for obtaining consent stated within the Land Drainage Act has, for many years, been only £50.00 which does not cover the real costs of processing such a consent.

**Cambridgeshire County Council – Flood and Water Team** – Ordinary watercourse consents have been considered and issued when required.

The Bedford Group of IDBs has advised that Ordinary watercourse consents in its area were not originally considered with protected provisions in the Development Control Order (DCO), a planning document. A legal agreement was subsequently agreed that reflects IDBs' byelaws and protected provisions.

It is understood that the EA had a similar situation at Peterborough on a Main River, even though it was a stakeholder in the project.

IDBs are reminded that they are not Statutory Consultees in such consultations but do need to be aware of forthcoming schemes in order to protect their interests.

### ***Rain Gauges Project***

**Note.** *The Official Journal of the European Union (OJEU - previously called OJEC, the Official Journal of the European Community) is the publication in which all tenders from the public sector which are valued above a certain financial threshold according to EU legislation, must be published. The legislation covers organisations and projects that receive public money, such as Local Authorities, NHS Trusts, MOD, Central Government Departments and Educational Establishments.*

The Eastern Regional Flood & Coastal Committee (RFCC) area (largely Norfolk, Suffolk and Essex) will be joining this Central RFCC project which is likely to be Project Managed by the EA.

The gauges will be located on secure and accessible EA or Anglian Water Services Ltd (AWSL) structures, such as water recycling centres (WRCs), and the Botanical Gardens in Cambridge.

It is intended that information from the rain gauges will be for the use of all partners for flood investigations etc with all sites available via telemetry using a web interface, possibly with three levels of membership – Administrator, Partners and the Public - and associated viewing rights within the web interface with the latter only seeing “local” information. This interface will be based on the software that AWSL already uses for its existing rain gauges and combined sewer overflows (CSOs). The data will not be directly compatible with EA data however a widget will be developed for this purpose. Discussions/negotiations are ongoing with the Met Office regarding a data swap.

The size of the project is causing delays but draft OJEU tender documents, a business case and inter LLFA and AWSL legal agreements are currently being drafted.

As members of the CFRMP, the Middle Level Commissioners have been asked to comment on the proposed location of rain gauges. The LLFA advises that the proposed new gauges have been chosen because they are adjacent to major areas of population and known “wet spots”. The nearest rain gauges to the Commissioners’ area are at March WRC (EA gauge) and the Middle Level Commissioners’ Office. In respect of the Commissioners’ interests the District Council suggested a rain gauge within the town itself, on Anglian Water’s facility off Creek Road (MRCCSM), near River Down.

### ***Strategic Flood Risk Planning Advisor***

Funded by the Local Levy the EA has employed a Strategic Flood Risk Planning Advisor on a two year contract. The role will include providing input to LPA’s Local Plans (most of which, within Cambridgeshire, are approaching completion) and highlighting flood mitigation opportunities within strategic development proposals.

### ***Integrated FRM PhD research project***

A PhD researcher at the Flood Hazard Research Centre (FHRC) Middlesex University is working on integrated flood risk management within Cambridgeshire with the aim of understanding the connectivity between different networks (such as the RFCC, CFRMP, catchment partnerships, local resilience forums, enterprise partnerships) and to see how these influence the integration of different FRM objectives (preventing new risk, reducing existing risk and managing residual risk) and other wider sustainable development objectives. An interview attended by the Chief Executive and Planning Engineer was held with the researcher on 5 January to discuss their roles and the role of IDBs and partnership working, amongst other things.

### **Fenland Flooding Issues Sub-Group**

Following the extreme rainfall event experienced within March during August 2014, a March Flood Investigation Sub-Group was formed. The meetings associated with this investigation have proven beneficial to all the stakeholders involved and may lead to the resolution of many historical issues and, as a result, the responsibilities of the Sub-Group were extended to cover any local flooding issues within the District Council’s area. There are currently no issues within the Board’s catchment.

29 May 2018

March Sixth (315)\Reports\May 2018

Consulting Engineer

March Sixth District Drainage Commissioners

Capital Improvement Programme (2018/2019)

		PREVIOUS YEARS	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	FUTURE YEARS	ALL YEARS
		Pre Yr 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Post Year 10	Total Expenditure
Norwood p/s	Pumping station replacement	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Pumping station pumping and control equipment replacement	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	40.0	40.0
	Pumping station automatic weedscreen cleaning equipmet	0	0	0.0	0.0	0.0	0.0	0.0	80.0	0.0	0.0	0.0	0.0	80.0
	Pumping station Control building refurbishment/replacement	0	0	0.0	0.0	0.0	0.0	0.0	10.0	0.0	0.0	0.0	0.0	10.0
	Pumping station compound/surrounds improvements	0	0	0.0	0.0	0.0	0.0	0.0	0.0	10.0	0.0	0.0	0.0	10.0
Drainage Channels														
		0	0	0	0	0	0	0	90	10	0	0	40	140

## March Sixth District Drainage Commissioners Biodiversity Action Plan Report 2017-18

### Drainage Ditch Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Manage ditches for biodiversity as well as for drainage	1.1	Establish and maintain a management plan for routine IDB operations incorporating key biodiversity features	Environmental Officer	2015	Plan finalised and followed each year	<i>A map-based plan has been established and will be added to as further information becomes available.</i>
		1.2	Look for opportunities to provide natural erosion protection such as marginal plant ledges when re-profiling ditches	Environmental Officer	Ongoing	If re-profiling is carried out, opportunities identified	<i>No appropriate sites for this method were identified during the period.</i>
		1.3	Provide natural erosion protection as in 1.2 if opportunities available	Environmental Officer	Ongoing	Length of ditch with ledge / natural vegetation revetment	<i>As above.</i>
2	Identify ditches of conservation interest and manage appropriately	2.2	Ensure appropriate management of ditches for priority species	Environmental Officer, Plantlife, Wildlife Trust	Ongoing	Specified in management plan	<i>Priority ditches are marked on the Biodiversity Action Plan map.</i>
3	Support the Environmental Officer in working with landowners to benefit wildlife in the district	3.1	Refer private landowners to the Environmental Officer for advice on creating field margin buffer zones and wildlife-friendly ditch management	Environmental Officer, Natural England, Wildlife Trust, FWAG	Ongoing	Number of contacts received and passed to Environmental Officer	<i>No formal contacts received.</i>

4	Control invasive species	4.1	Report any sightings of non-native invasive species immediately to the Environmental Officer and control as appropriate (see Appendix F for species list)	Environmental Officer, Environment Agency, Plantlife, Wildlife Trust	Ongoing	Reports to Environmental Officer	<i>No invasive species noted.</i>
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## Reedbed Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Identify, assess and map any areas of reedbed over 0.5ha in size	1.1	Pass details of any known areas to MLC Environmental Officer	Wildlife Trust, Natural England, Environment Agency	2012	Review of reedbed areas carried out	<i>No areas of reedbed over 0.5ha identified, other than the former BRASA Pit and Whitemoor Prison wetland which are already County Wildlife Sites.</i>
2	Support appropriate reedbed creation	2.2	Manage the District adopted drains, where possible, to assist private landowners who wish to create areas of reedbed on their own land	Wildlife Trust, Environment Agency	Ongoing	(a) Number of requests received (b) Number of landowners assisted	<i>No approaches received.</i>
3	Take conservation value of reedbed into account when planning and carrying out ditch and river maintenance	3.2	Where reeds are present, commence mowing or cleansing work outside the bird breeding season (7 <sup>th</sup> April – 15 <sup>th</sup> July). Where reeds are growing in water be aware of the potential for late-nesting reed warblers being present until late August and avoid mowing in that location	Environmental Officer, Wildlife Trust, RSPB	Ongoing	Reeds not cut during bird nesting season	<i>Reeds were not cut during bird nesting season.</i>

## Open Water Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Promote the creation of ponds, lakes and reservoirs in appropriate areas	1.1	Consider pond creation as mitigation when a ditch has to be filled in or culverted	Local authorities, Amphibian & Reptile Conservation, Wildlife Trust	Ongoing	(a) Number of mitigation opportunities (b) Number of ponds created	<i>(a) No ditch infilling occurred, (b) No pond creation opportunities in mitigation available.</i>
		1.2	Support creation of flood storage areas and reservoirs	Environment Agency, Natural England, Wildlife Trust, RSPB	Ongoing	Number of projects involved with	<i>No application for flood storage areas or reservoirs received.</i>
		1.3	Assist private landowners with advice, information or contacts as necessary	Amphibian & Reptile Conservation, Wildlife Trust	Ongoing	(a) Number of information requests (b) Number responded to	<i>(a) No formal information requests received, (b) No responses required.</i>
2	Look for opportunities to create open water habitat when managing ditches	2.1	Create a pool at an appropriate ditch junction when re-profiling (see the Drainage Channel Biodiversity Manual, technique CL3))	Environmental Officer	2010	One pool successfully created	<i>No opportunities of this type were identified during the period.</i>
3	Support appropriate habitat creation as part of gravel pit restoration	3.1	Support inclusion of wetland habitats such as wet woodland, wet grassland, scrub and open water in gravel pit restoration schemes	Aggregates companies, local authorities, RSPB, WWT, Wildlife Trust	Ongoing	Number of schemes involved with	<i>No gravel pit schemes currently active.</i>

## Water Vole Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Manage ditches according to the law and to best practice for water vole	1.1	Assume water voles are present when carrying out works (discuss special circumstances with the Environmental Officer) and follow the ADA water vole mitigation guide	Environmental Officer	Ongoing	Measures incorporated in management plans	<i>Water vole friendly ditch maintenance practices were adhered to.</i>
		1.2	Publicise good practice for rat control near drainage ditches	Environmental Officer, Wildlife Trust	Ongoing	Good practice publicised	<i>Good practice for rat control was publicised via the Environmental Officers newsletter issue 5.</i>
2	Enhance drainage ditch habitat to benefit water vole	2.1	Look for opportunities to add a marginal shelf when re-profiling banks	Environmental Officer	Ongoing	(a) Opportunities identified (b) Measures taken	<i>(a) No opportunities identified. Many of the District drains are too narrow for this measure to be practical. (b) No measures taken.</i>
		2.2	Consider using coir roll to stabilise banks and provide marginal vegetation	Environmental Officer	Ongoing	(a) Sites considered (b) Measures taken	<i>No appropriate sites for this measure identified during the period.</i>
3	Monitor water vole populations	3.1	Set up a survey programme to monitor water vole populations	Environmental Officer, Wildlife Trust	2010	Surveys carried out	<i>Informal surveys are carried out by the Environmental officer.</i>
		3.2	Provide data on water vole to the relevant Biological Records Centres	Environmental Officer, CPBRC, NBIS	Ongoing	Data sent via Environmental Officer annually	<i>Records passed to the Environmental Records Centre.</i>
4	Control mink as necessary	4.2	Carry out mink control as part of the Middle Level programme and report all sightings to the Environmental Officer	Environmental Officer	Ongoing	(a) Number of trapping days (b) Number of mink caught	<i>Some signs of mink on the Twenty Foot Drain on the margin of the District. Mink trap volunteers welcomed within the District. Traps, rafts, training &amp; support available from the Environmental Officer.</i>

## Otter Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Improve otter habitat	1.1	Identify and maintain existing key bushes and trees near watercourses likely to be important for otters	Environmental Officer	2012 and ongoing	Sites identified and listed in management plans	<i>Any key bushes and trees will be identified as the management plan map is developed.</i>
2	Monitor otter populations	2.3	Ensure any dead otters are reported to the Environmental Officer and transferred to the Environment Agency for post mortem	Environment Agency	Ongoing	Otters reported to Environmental Officer, if found	<i>A large female otter was found dead at Hobbs Lot Bridge beside the Twenty Foot Drain on 06/07/17 with injuries indicating a road traffic collision. It was taken to the EA for post mortem at Cardiff University.</i>
3	Reduce otter deaths related to eel and crayfish trapping and road traffic	3.1	Report incidents of suspected illegal netting, trapping or fishing to the Environment Agency Fisheries Officers and the MLC Environmental Officer	Environment Agency, Angling Clubs & syndicates	Ongoing	Incidents reported, if discovered	<i>Otters being drowned in illegally set nets remain a concern. Members are requested to be watchful for suspicious activity and report it to the Environmental Officer on 07765 597775 or the Environment Agency hotline 0800 807060 immediately.</i>

## Bats Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Improve habitat for bats	1.1	Put up at least one bat box at an appropriate site, e.g. a pumping station	Bat Conservation Trust	2015	Number of bat boxes sited	<i>One bat box previously installed at Norwood Pumping Station on 26/06/12.</i>
		1.2	Pollard suitable trees to provide bat roosts		Ongoing	Number of trees pollarded	<i>Suitable trees to be identified.</i>
		1.3	Identify potential sites for a bat hibernaculum, e.g. in disused buildings or tunnels	Environmental Officer , Bat Conservation Trust	As opportunities arise	(a) Potential sites looked for (b) Site created	<i>To be considered during management plan map creation.</i>
2	Collect information on bat populations	2.1	Monitor bat boxes	Bat Conservation Trust	2015 onwards	(a) Number of boxes monitored (b) Number of boxes used by bats	<i>(a) One (b) 1. Bat droppings present again inside the Norwood PS box on 29th May 2018 indicating the box had again been occupied during summer 2017.</i>
		2.2	Pass bat box information to CPBRC and NBIS	Environmental Officer, CPBRC, NBIS	2015 onwards	Data via Environmental Officer annually	<i>Data will be passed on.</i>

## Kingfisher Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Improve the quality of kingfisher habitat	1.1	Provide at least 2 potential nest holes in sheet pilings	Environmental Officer	Ongoing	Number of nest sites provided	<i>Opportunities to provide holes in sheet piles are limited by lack of freeboard at Norwood PS. An alternative site is being considered.</i>
		1.2	Leave kingfisher fishing perches where possible (e.g. occasional branch)	Environmental Officer	Ongoing	Number of perch sites left	<i>Many natural perches are available throughout the District.</i>
2	Collect records of kingfisher breeding between March and July	2.1	Note sightings of potential breeding kingfisher and pass information to CPBRC and NBIS via the Environmental Officer	Environmental Officer, CPBRC, NBIS	Ongoing	Data sent via Environmental Officer annually	<i>No specific breeding sites identified but kingfishers are regularly active at the Norwood PS, on the former Brasa pit and the adjacent Twenty Foot River.</i>

## Barn Owl Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Improve the quality of barn owl habitat	1.1	Put up at least one barn owl nest box in a suitable location	Wildlife Conservation Partnership	2015	Number of nest boxes provided	<i>One barn owl box was previously installed at Norwood Farm in 2012.</i>
		1.2	Pollard suitable trees to provide natural nest sites	Environmental Officer	Ongoing	Number of trees pollarded	<i>Any suitable trees will be identified as Management Plan map is developed.</i>
2	Collect records of barn owl presence	2.1	Monitor nest boxes for use. Have occupied boxes checked for success by licensed barn owl ringers.	Wildlife Conservation Partnership	2015	(a) Number of nest boxes checked by licensed ringers (b) Number of nest boxes used	<i>(a) One (b) One. Barn owls had laid 10 eggs in the Norwood Farm box by 29/06/17 and raised young successfully. Barn owls laid a clutch of seven eggs in 2018 and one chick had hatched by 29/05/18.</i>
		2.2	Pass barn owl box information to CPBRC and NBIS	Environmental Officer, Wildlife Conservation Partnership, CPBRC, NBIS	2015	Data sent via Environmental Officer annually	<i>Data will be sent.</i>

## Procedural Action Plan

Target Reference	Target	Action Reference	IDB Actions	Partners	Date	Indicators	Report
1	Provide training on IDB BAP and conservation management of drainage channels for all relevant staff by 2013	1.1	Establish programme of 1-day courses for IDB staff and members	Environmental Officer, Wildlife Trust, Natural England, other specialists	2013	(a) Number of courses held (b) Number of Board members / staff attending courses	(a) Two meetings/courses held. A course on the Identification of water vole and otter signs was held on May 3rd & 5th 2018. The IDB BAP Partnership meeting was held on 6th December 2017. (b) 0. Any Board members or officers able to attend the next IDB BAP meeting on <b>5th December 2018</b> . would be very welcome.
		1.2	Establish suitable training for contractors' staff	Environmental Officer, Contractors	2013	Contractors attended training course	No courses specifically run for contractors during the period.
2	Take biodiversity into account when planning and undertaking capital works	2.1	Consult with the Environmental Officer and choose the best possible mitigation solutions for biodiversity, e.g. fish-friendly pumps	Environmental Officer	Ongoing	(a) Number of capital schemes undertaken (b) Number of schemes commented on	(a) No capital schemes that affected biodiversity were undertaken by the Board during the period. (b) No schemes commented on.

Cliff Carson Environmental Officer. 08/06/18



On 29/05/18 more bat droppings were present in the box at Norwood Pumping Station than the previous year indicating increased numbers are using it.



By late May 2018 the clutch of eggs laid by barn owls were hatching in the nest box at Norwood Farm with six eggs and a day-old chick present.

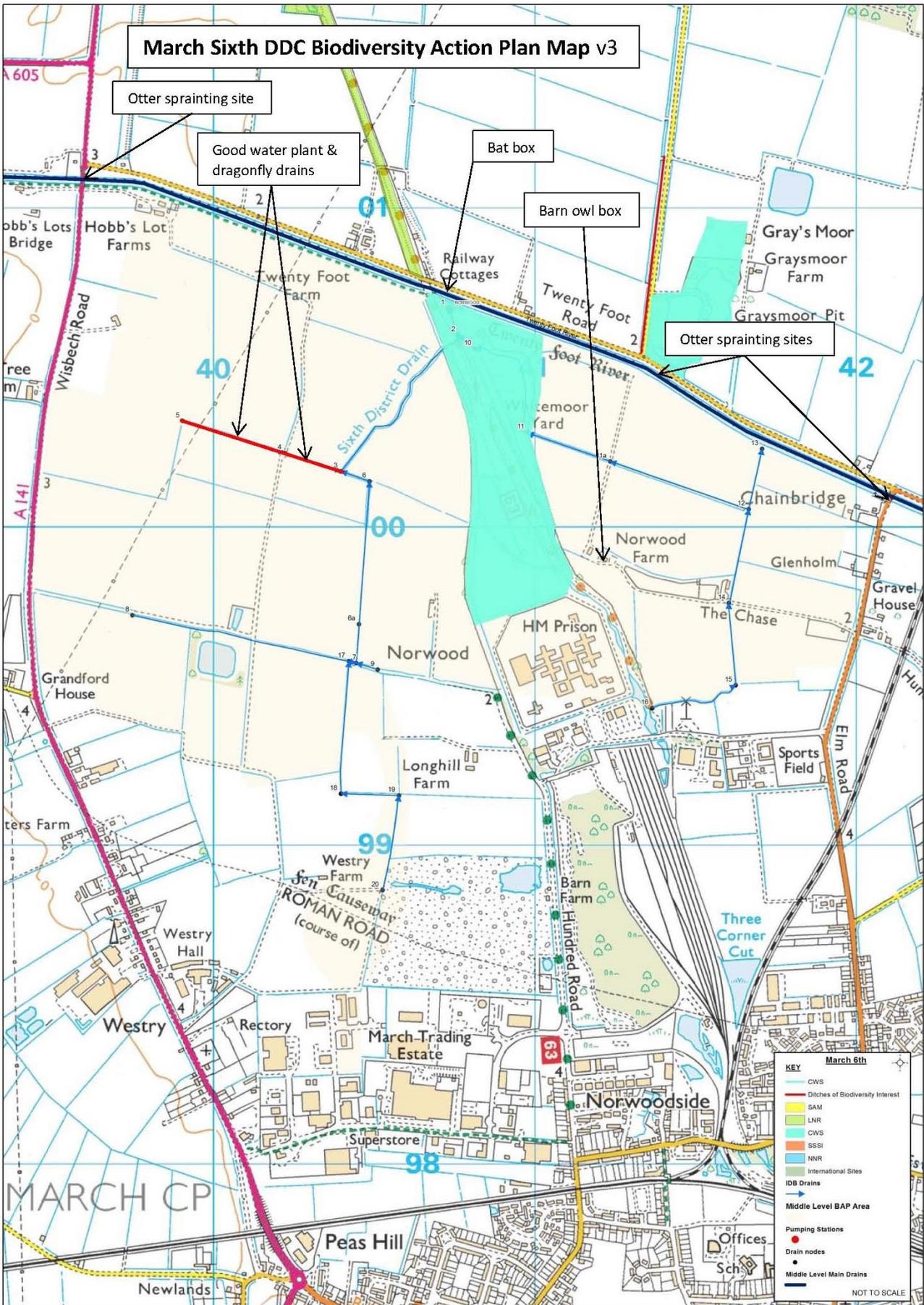


One of a family group of young fox cubs seen playing in the District.



The March Sixth DDC District hosts a very good population of brown hares, one of the best in the Middle Level.

# March Sixth DDC Biodiversity Action Plan Map v3



# INVASIVE NON-NATIVE WATER PLANT ALERT

Waterway users entering or using drains and rivers in the Middle Level network are urgently asked be aware of the need to prevent the spread of Floating Pennywort, an invasive non-native water plant that is present in the Bedford Ouse, the Old West River, the River Cam, the Ely Ouse and the Tidal River Ouse, including the Denver Sluice area. It is highly invasive and grows very aggressively during warm conditions in summer. It remains green through much of the winter. It forms thick floating mats spreads easily when small or large fragments are broken off and float to new sites. It out-competes other plant species and by blocking out light inhibits the ability of native insects, plants and their dependant animals and fish to survive.

As far as we know, it is currently not present in the Middle Level system and we are very keen to prevent it becoming established in a new catchment. **Well Creek is one of the most vulnerable waterways for it to be carried into.**

We are seeking the help of everyone that has any contact with waterways to prevent Floating Pennywort entering the Middle Level system and to be alert and **report any early signs of it so that it can be controlled at an early stage.**

Boat owners entering the Middle Level from the Denver Sluice direction are particularly asked to ensure there are no fragments of vegetation being carried into Well Creek on propellers, anchor chains or any other means. It is requested that propellers, drive shafts and water intake filters are checked **before** entering Salters Lode Locks. Before approaching the locks at Salters Lode in the Tidal River Ouse channel it is requested that back-thrusting (putting the propeller briefly in reverse) is carried out at least twice, when safely possible, to throw off any vegetation attached. If any fragments of vegetation are found in the water filter or any part of the boat they should be carefully placed in an air-tight plastic bag tied closed until they can be deeply buried in a site away from water that will not be disturbed. Anglers moving tackle and equipment from other areas, especially the South Level, River Cam etc. should ensure no vegetation is carried into the Middle Level. Internal Drainage Board members and staff, anglers, dog walkers, riverside joggers, birdwatchers and all water users can help by being on the alert for signs of the plant in the system by studying the attached identification sheet and reporting any suspected signs to any or all of the contacts below.

Cliff Carson, Environmental Officer, Middle Level Commissioners.

Office 01354 602965. Mobile 07765 597775 [cliff.carson@middlelevel.gov.uk](mailto:cliff.carson@middlelevel.gov.uk)

Also contact the EA at their 24/7 hotline 0800 80 70 60

Further biosecurity information can be viewed at

<http://www.nonnativespecies.org/checkcleandry/biosecurity-for-anglers.cfm>

# Floating Pennywort

## Species Description

**Scientific name:** *Hydrocotyle ranunculoides*  
**AKA:** Dail-ceiniog arnofiol (Welsh), *Hydrocotyle nova zealandiae*  
**Native to:** North America  
**Habitat:** Emergent or floating on the surface of still or slowly moving freshwater

Free-floating or rooted. The characteristic leaves and growth form help to make this plant easy to identify. It is found mostly in the south-east of England and occasionally in the north-west of England and Wales. Spreading rapidly.

First naturalised in 1990 as a result of discarded plants from garden ponds. Can grow up to 20cm per day and may quickly dominate a waterbody forming thick mats and impeding water flow and amenity use. May out-compete native species by blocking out light, causing deoxygenation, obstructing air breathing insects from reaching the water surface and reducing water temperatures.

Floating pennywort is listed under Schedule 9 to the Wildlife and Countryside Act 1981 with respect to England, Wales and Scotland. As such, it is an offence to plant or otherwise cause this species to grow in the wild.

For details of legislation go to [www.nonnativespecies.org/legislation](http://www.nonnativespecies.org/legislation).



## Key ID Features

Grows horizontally



Shiny, kidney-shaped leaves with crinkled edge, frequently broader than long



## Identification throughout the year

Varies little throughout the year, although in the winter it is most likely to be found at the water's edge. Tiny white flowers are rare, but if present, they appear between July and August.

## Distribution

Common in the south-east of England, and spreading to other parts of the British Isles.

Source: NBN Gateway. Check website for current distribution



## Similar Species

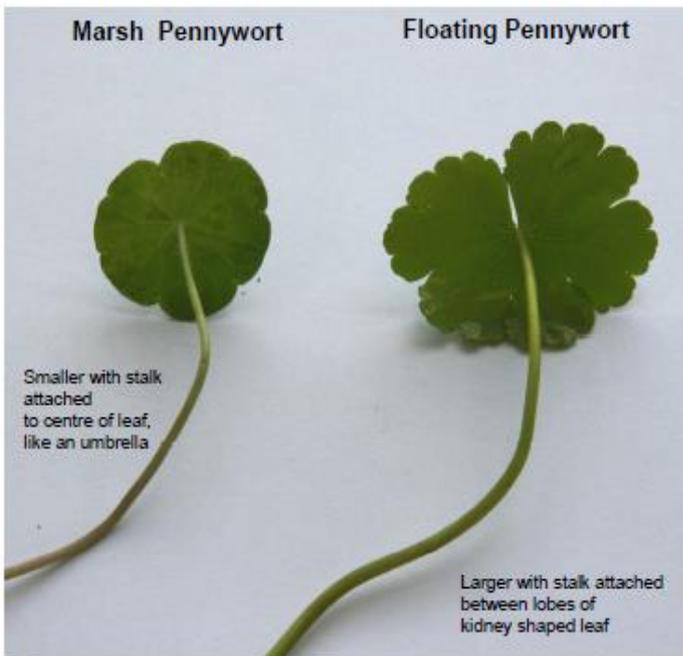
**Marsh Pennywort**  
Native  
(*Hydrocotyle vulgaris*)



Grows on damp ground in bogs and fens. Always rooted in the ground, never free-floating

**Marsh Pennywort**

**Floating Pennywort**



Smaller with stalk attached to centre of leaf, like an umbrella

Larger with stalk attached between lobes of kidney shaped leaf

Floating Pennywort can form dense mats that need to be physically removed



### References and further reading:

Blamey, M, Fitter, R and Fitter, A (2003) *The Wild Flowers of Britain and Ireland. The Complete Guide to the British and Irish Flora.* A & C Black

Preston, C D and Croft, J M (1997) *Aquatic plants in Britain and Ireland.* Harley Books

Preston, C D, Pearman D A and Dines, T A (editors) (2002) *New Atlas of the British and Irish Flora.* Oxford University Press

Stace, C (1999) *Field Flora of the British Isles.* Cambridge University Press



28 September 2017

## Guidance Note: Liability of Board Members

This document has been prepared for ADA by Iain Smith, former Clerk to the Middle Level Commissioners and associated Internal Drainage Boards.

### A. Introduction and General Principle

1. This document is intended to briefly summarise the issue of when the Members of an Internal Drainage Board (IDB) may be held personally liable for actions which they take or for improper omissions, in that capacity.

2. An IDB is a corporate body and, in the large majority of cases, any liability arising would be that of the IDB and not the Members personally. The general rule is that it will be the body which is sued or prosecuted and not the individual Members.

### B. Relevant Duties of Board Members

1. The Members have responsibility/accountability for the overall control of the IDB's finances and therefore certain financial/fiduciary duties, breach of which could render them personally liable. These duties can be summarised as an obligation, in the context of this document, to act responsibly and with reasonable care in respect of the IDB's finances and to properly and fully consider the implications of the IDB's financial position. These rules are set by Government to make sure that no unacceptable risks are taken with public money. It is therefore very important that Members exercise independent judgment and proper care and diligence.

2. As previously advised by ADA, an IDB should have Financial Regulations, Standing Orders and associated documents relating to internal control and risk management, which set out the rules and systems governing how they will carry out their financial functions. These should be properly reviewed from time to time and kept up-to-date and properly adhered to in undertaking the IDB's business, with appropriate monitoring relative to the size of the IDB. Members should also ensure that they participate fully both in the formation and scrutiny of the IDB's budgets and in reviewing the IDB's financial and operational performance. These key processes and controls will provide evidence of proper and non-negligent financial (and operational) management.

3. All Members (and employees) of an IDB have a general responsibility to take reasonable action to provide for the security of the IDB's assets under their control, and for ensuring that the use of the IDB's resources is legal, properly authorised and provides value for money. An IDB should appoint sufficient, competent officers (whether or not direct employees of the IDB) to ensure the proper day-to-day management of the IDB's finances and operations and a properly qualified Internal Auditor and ensure that Members are aware of the legal framework which governs the functions of the IDB. Members must also properly consider the reports of this Auditor and whether any action is required in consequence. In particular, the Members must be satisfied that the IDB's revenue budget is sufficient to ensure that resource allocation properly reflects the needs and priorities. They should therefore be appraised fully of the current and projected liabilities of the IDB and properly manage the performance of the IDB against that budget. This should include the setting of a proper level of Reserves. These should not only be set to take account of physical risks such as weather conditions increasing pumping costs but also financial risks as indicated by the IDB risk matrix. The importance of this matrix to the IDB cannot be overstated and Members should be fully conversant with and regularly approve it. Members must also ensure that they receive regular financial reports comparing actual and budget revenues and expenditure and are informed

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of any unanticipated levels of expenditure, which will allow any necessary corrective action to be undertaken as soon as possible.

4. An IDB's Accounts should also be prepared in accordance with current professional guidance; again to demonstrate proper management of the IDB and compliance with all legal requirements. The IDB is also responsible for the signing off of the Accounts and the Annual Return and Members should ensure that they fully understand and approve of these documents before doing so. The statements within the Annual Return also confirm an IDB's governance arrangements and their accuracy must be properly considered by Members.

#### C. Liability of Members

1. If these policies and procedures are in place and properly implemented, monitored and reviewed, this will effectively demonstrate that the individual Members have properly considered the relevant matters and acted reasonably and properly in the interests of the IDB and therefore have not been at fault. In consequence, they should not be personally liable for their bona fide actions and, if any claims did happen to result, they should be made against the IDB and not a Member personally. It should also not be overlooked that liability in any event does not attach simply because a decision turns out, with hindsight, to have been 'wrong,' as long as a proper process was followed and the decision is a reasonable one.

2. It is possible that a claimant may seek to bring an action against a Member personally, arising out of a proper decision or the bona fide actions of an IDB. This is unlikely, since the examples given of this usually relate to instances of private companies which no longer have the funds to meet any claims. If such rare circumstances arise, it would be expected that the IDB would take over the case and the IDB's insurers would deal with the matter, as if the claim had been made against the IDB. The IDB should ensure that its insurance cover will extend to the bona fide actions of Members acting in the normal course of Board business, which would be expected.

3. A Member is therefore likely to be personally liable only where they have failed in their above duties or where they have failed to comply with the law or without good reason, to follow best practice.

4. The case law (primarily concerning private companies) indicates that a director (and therefore a Member) can be held personally liable where the corporate body commits an offence with the director's consent or connivance, or one attributable to any neglect on the part of, the director. In this context, 'consent' means being aware of what is going on and agreeing to it; and 'connivance' means knowledge together with a negligent failure to prevent. 'Neglect' implies that there is no need for knowledge of the matters amounting to the offence; simply a failure to act when under a duty to do so. Therefore, where Members have acted properly and with reasonable care and given matters due consideration, they should not be subject to actions against them personally. Members should consider their role in and consideration of their IDB's finances in this light and be able to demonstrate that they have acted prudently and sensibly in their scrutiny and decision making. One of the areas where Members will need to demonstrate such prudence is therefore in ensuring that adequate insurance, covering appropriate insurable risks, is taken out or considered by the IDB. As a general rule, insurance can be taken out to cover civil but not criminal liabilities.

5. The main other specific areas where personal liability for Members is potentially likely to arise would include:-

- i. **Misrepresentation** Where a Member makes a negligent or fraudulent statement in relation to the IDB which is then relied upon by another. In most instances, the former case may well be covered by the IDB's insurance but Members should beware of making



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Twitter: @ada\_updates

statements without proper care. This, for example, has arisen where a Member improperly made comments on the acceptability of or the size of a culvert for which an application had been made.

- ii. Offences under **The Bribery Act 2010**
- iii. Offences under **The Health and Safety at Work etc Act 1974**

While normally, any action would be taken against the IDB, personal liability could arise where a 'body corporate' commits a health and safety offence with the consent or connivance of a director/Member or the offence is attributable to his neglect. In this case, the director/Member is liable to be prosecuted (section 37 of that Act). Neglect here means unreasonable breaching of a duty of care. This would also bring in areas such as Occupiers' Liability.

Under the Health and Safety Executive's (HSE) current enforcement policy statement, one of its purposes is to ensure that those responsible are brought to account before the courts if they fail in their health and safety responsibilities. HSE Inspectors have been asked to consider in particular the management chain and the role played by individuals in any health and safety breaches.

6. As regards the specific question of Members' liability where an IDB has a Pension Fund deficit, this follows the 'prudence' principles set out above. It is presumed that the deficit relates to a Local Government Pension Scheme Fund (LGPS). These Funds are actuarially valued in accordance with their rules and any given valuation is simply that of a 'point in time', with the Fund changing, according to investment returns, pension assumptions and law changes, from year to year. The mere fact of a deficit at a particular point does not therefore mean that that deficit would actually crystallise and will not make a Member or, indeed, the IDB, liable. It is also highly unlikely that a pensions' deficit would be called in for immediate payment in full. As long as the IDB is deemed by the Pension Administrators to be a going concern, if the deficit were called upon to be paid, it is likely that a phased payment schedule would be agreed. Any pensions' deficit at a particular time does, however, form part of the financial picture of the IDB which the Members are required to properly assess and to take properly into account in deciding any action required. The views of some Pension Administrators certainly seems to be that, while the value of investments is likely to increase, factors such as the longer life expectancy of pensioners will put increased pressure on the LGPS. However, it should also not be forgotten that the LGPS is a statutory scheme which affects not only IDBs but, for example, local authorities as well and it may be that Government will enact further changes at some point. It would, however, be incumbent on IDB Members to actively consider the LGPS as part of an IDB's liabilities and consider what actions may be prudent. For the reasons stated, it may be that limited action would be appropriate but among other actions which may be considered are the closure of the scheme or its closure to new entrants. These may in turn however, lead to the Pensions Administrator reviewing the status of the IDB and perhaps requiring some capital payment or higher current contribution rates. The IDB Members would therefore be best advised to discuss the position with the Pension Fund Administrators and take a view on what a prudent course of action would be. A proper consideration of the Pension Fund deficit should ensure that no question of the Members being personally liable in this area, arises.

If the IDB were to be legally altered in future, then the pension arrangements would form part of the liabilities of the IDB to be considered at that time. There is, however, no reason to consider that any personal liability would fall on Members who had given the issue proper consideration.

Where, however, a Member is judged to have incurred a personal liability, this will not be affected by any subsequent decision to stand down from the IDB.

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Twitter: @ada\_updates

Circulated by email

Friday 20 October 2017

Dear Clerks

## Updating IDB Byelaws

Defra are encouraging all internal drainage boards who do not have byelaws that include within them *the purpose of regulating the effects on the environment* to begin the process of updating their byelaws. This is to bring all IDB byelaws into line with the Defra model byelaws published in October 2012. You can download a copy of these Defra model byelaws from: [www.ada.org.uk/key-topics/governance-and-accountability-for-idbs](http://www.ada.org.uk/key-topics/governance-and-accountability-for-idbs)

To assist, I've attached a comparison undertaken by Lindsey Marsh Drainage Board between their previous byelaws and the model set provided. This hopefully draws attention to those areas that have most recently been altered.

To update to these byelaws you will first need to table a revised set of byelaws for approval by your Board.

Once approved, you will need to publicise the byelaws by advertising to whatever media you choose. For example you could advertise online and in at least one local newspaper in the area affected by the byelaws, and write to affected parties. You should also send a copy of the notice with the byelaws to every local authority whose area lies wholly or partly within the affected area and to any other public authorities who might be concerned. Leave a copy of the byelaws at your offices for public inspection for a period of at least one month. You must also give a copy to anyone who asks for one. You must tell anyone who wants to object to your proposals to write to you with their objections.

After advertising your Byelaws and allowing the one month period for objections, you should send your updated byelaws to Kilie Mpopo for confirmation at: [Kilie.mpopo@defra.gsi.gov.uk](mailto:Kilie.mpopo@defra.gsi.gov.uk)

If you are only going to use the model byelaws with no changes to the text, there is no need to consult Defra on your draft byelaws before you advertise. However, if you do need to make changes to the text, for any reason, it would be helpful to send the draft byelaws to Defra with an explanation of the changes before you advertise. Please also see the Defra guidance setting out the usual procedures which can be found here: <https://www.gov.uk/guidance/flood-risk-and-land-drainage-byelaws>.

Yours sincerely

Ian Moodie  
Technical Manager, ADA

CC:

Innes Thomson, ADA  
Rachael Hill, Environment Agency  
Kilie Mpopo, Defra  
Carol Tidmarsh, Defra

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MODEL LAND DRAINAGE BYELAWS  
INTERNAL DRAINAGE BOARDS

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Common Seal  
Penalty Note

Comparison  
"New Delta Model Byelaws"  
✓  
LMDB Byelaws  
February 2001  
[Minister of AFF signed]  
3.4.2001

Amended October 2012

.....INTERNAL DRAINAGE BOARD BYELAWS

The .....Internal Drainage Board (“the Board”) under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for [one or more of] the following purposes:-

- a) securing the efficient working of the drainage system in their District,
- b) regulating the effects on the environment in the Board’s district of a drainage system, or
- c) securing the effectiveness of flood risk management work within the meaning of section 14A of the Act,

*Additional sub-clauses*

together, “the Purposes”:-

1. **Commencement of Byelaws**

These Byelaws shall come into operation at the expiration of one month beginning with the day on which they are confirmed by the Secretary of State.

2. **Application of Byelaws**

- (a) These Byelaws shall have effect within the District;
- (b) the watercourses referred to in these Byelaws are watercourses which are for the time being vested in or under the control of the Board.

3. **Control of Introduction of Water and Increase in Flow or Volume of Water**

No person shall as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended (“the 1990 Act”)) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) for any purpose by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District [Area] so as to directly or indirectly increase the flow or volume of water in any watercourse in the District [Area] (without the previous consent of the Board).”

4. **Control of Sluices etc**

Any person having control of any sluice, water control structure or appliance for introducing water into any watercourse in the District or for controlling or regulating or affecting the flow of water in, into or out of any watercourse shall use and maintain such sluice, water control structure or appliance in accordance with such reasonable directions as may from time to time be given by the Board with a view to securing or furthering one or more of the Purposes.

5. **Fishing Nets and Angling**

No person shall angle or set any nets or engines for the catching or keeping of fish in any watercourse in such a manner as to cause damage to or endanger the stability of the bank of the watercourse or to affect or impede the flow of water.

In this Byelaw "nets" includes -

- (a) a stake net, bag net or keep net;
- (b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;
- (c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

6. **Diversion or Stopping up of Watercourses**

No person shall, without the previous consent of the Board, take any action, or knowingly permit or aid or abet any person to take any action to stop up any watercourse or divert or impede or alter the level of or direction of the flow of water in, into or out of any watercourse.

7. **Detrimental Substances not to be Put into Watercourses**

No person shall, so as directly or indirectly to obstruct, impede or interfere with the flow of water in, into or out of any watercourse or so as to damage the bank -

- (a) discharge or put or cause or permit to be discharged or put or negligently or wilfully cause or permit to fall into any watercourse any object or matter of any kind whatsoever whether solid or liquid;
- (b) allow any such object or matter as is referred to in sub-paragraph (a) of this Byelaw to remain in proximity to any watercourse in such manner as to render the same liable to drift or fall or be carried into any watercourse.

Provided that nothing in this Byelaw shall be deemed to render unlawful the growing or harvesting of crops in accordance with normal agricultural practice.

8. **Lighting of Fires**

No person shall light or cause or permit to be lighted or commit any action liable to cause to be lighted any fire on any land adjoining the watercourse where such action is liable to set on fire the peat land forming the banks of the watercourse or any vegetation including trees, growing on land forming the banks of the watercourse.

9. **Notice to Cut Vegetation**

Any person having control of any watercourse shall, upon the receipt of a notice served on him by the Board requiring him so to do, cut down and keep cut down all vegetation, including trees, growing in or on the bank of a watercourse, within such reasonable time as may be specified in the notice, and shall remove such vegetation including trees, from the watercourse immediately after the cutting thereof.

Provided that, where a hedge is growing on the bank of a watercourse, nothing in this Byelaw shall require more than the pruning of the hedge so as to prevent it from growing over or into the watercourse, and the removal of the resultant cuttings.

*Additional wording*

10. **No Obstructions within 9<sup>1</sup> Metres of the Edge of the Watercourse**

No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the landward toe of the bank where there is an embankment or wall or within 9 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 9 metres of the enclosing structure.

11. **Repairs to Buildings**

The owner of any building or structure in or over a watercourse or on the banks thereof shall, upon receipt of a notice from the Board that because of its state of disrepair -

- (a) the building or structure is causing or is in imminent danger of causing an obstruction to the flow of the watercourse, or
- (b) the building or structure is causing or is in imminent danger of causing damage to the bank of the watercourse,

carry out such reasonable and practicable works as are specified in the notice for the purpose of remedying or preventing the obstruction or damage as the case may be within such reasonable time as is specified in the notice.

12. **Control of Vermin**

The occupier of any bank of a watercourse or any part thereof shall, upon being required by the Board by notice, within such reasonable time as may therein be specified, take such steps as are specified in the notice, being such steps as the Board consider necessary and practicable for preventing the bank from becoming infested by rabbits, rats, coypu, foxes and moles or any other wild mammal not being an animal listed in Schedule 5 or Schedule 6 to the Wildlife and Countryside Act 1981, but excluding the water vole from such control.

13. **Damage by Animals to Banks**

All persons using or causing or permitting to be used any bank of any watercourse for the purpose of grazing or keeping any animal thereon shall take such steps including fencing as are necessary and reasonably practicable and shall comply with such reasonable directions as may from time to time be given by the Board to prevent the bank or the channel of the watercourse from being damaged by such use.

Provided that nothing in this Byelaw shall be deemed to affect or prevent the use of, for the purpose of enabling animals to drink at it, any place made or to be made or constructed as approved by the Board.

14. **Vehicles not to be Driven on Banks**

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<sup>1</sup> A distance of 9 metres is the maximum that is agreed without the Board making a special case and supplying technical data about soil stability etc. Many Boards have found a lesser distance adequate.

**N.B:** This footnote is for the guidance of Boards and is **not** for inclusion in the Byelaws.

No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.

15. **Banks not to be Used for Storage**

No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to deposit spoil on the bank of the watercourse.

16. **Not to Dredge or Raise Gravel, Sand etc**

No person shall without the previous consent of the Board dredge or raise or take or cause or permit to be dredged or raised or taken any gravel, sand, ballast, clay or other material from the bed or bank of any watercourse.

17. **Fences, Excavations, Pipes etc**

No person shall without the previous consent of the Board -

*"under" added*

- (a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, **under** or over any watercourse or in, over or through any bank of any watercourse;
- (b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;
- (c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;
- (d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, **piling**, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;
- (e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in

writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

18. **Tidal Outfalls**<sup>2</sup>

No person shall place or cause to be placed or abandon or cause to be abandoned upon the foreshore any trees, roots of trees, branches, timber, tins, bottles, boxes, tyres, bricks, stones, soil, wire, rubbish or other object or matter whatsoever which (whether immediately or as a result of subsequent tidal action) may impede or be likely to impede the flow of water through the sluices or outfall pipes through the tidal banks or through the watercourses on such foreshore or impede or be likely to impede the operation of such sluices or outfall pipes or may cause or be likely to cause damage thereto.

19. **Interference with Sluices**

No person shall without lawful authority interfere with any sluice, or other water control structure or appliance for controlling or regulating the flow of water in, into or out of a watercourse.

20. **Mooring of Vessels**

No person shall moor or place any vessel in any watercourse or to or upon the bank of any watercourse in such manner or by such method as to cause or be likely to cause injury to such bank or in such manner as materially to obstruct or impede the free flow of water in, into or out of any watercourse.

21. **Unattended Vessels**

No person shall leave any vessel unattended without taking due care to prevent such vessel from materially obstructing or impeding the free flow of water in, into or out of any watercourse or any sluice in any bank.

22. **Removal of Sunken Vessels**

No person who is the owner of a vessel sunk, stranded, damaged or adrift in a watercourse or, in the case of a sunken vessel which is abandoned, who was the owner immediately before the abandonment shall, after ten days from the day on which the Board serves on him notice in writing that the vessel is causing obstruction, permit the vessel to remain in the watercourse in such a manner as to impede or harmfully divert the flow of water in, into or out of the watercourse.

23. **Navigation of Vessels**

No person shall navigate any vessels in such a manner or at such a speed as to injure the bank of any watercourse and where the Board have by notice erected at any place limited the speed of vessels passing such place no person shall navigate a vessel at a speed over the bed of the watercourse greater than the speed so limited.

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<sup>2</sup> This byelaw need only be included where a Board's area has a coastline or tidal river. (If it is not included, the subsequent Byelaws should be re-numbered accordingly).

**N.B:** This footnote is for the guidance of Boards and is **not** for inclusion in the Byelaws

Provided that the Board shall not exercise their powers under this Byelaw so as to limit the speed of -

- (a) vessels in any tidal waters except after consultation with the Department for Transport, or *Department* *Change of title*
- (b) vessels navigating waterways of the Canal and River Trust for which speed limits are prescribed by the Byelaws of such Trust. *Change of title*

24. **Damage to Property of the Board**

No person shall interfere with or damage any bank, bridge, building, structure, appliance or other property of or under the control of the Board.

25. **Defacement of Notice Boards**

No person shall deface or remove any notice board, notice or placard put up by the Board.

26. **Obstruction of the Board and Officers**

No person shall obstruct or interfere with any member, officer, agent or servant of the Board exercising any of his functions under the Act or these Byelaws.

27. **Savings for Other Bodies**

Nothing in these Byelaws shall -

- (a) conflict with or interfere with the operation of any Byelaw made by the Environment Agency or of any navigation, harbour, conservancy or local authority but no person shall be liable to more than one penalty or in the case of a continuing offence more than one daily penalty in respect of the same offence;
- (b) restrict, prevent, interfere with or prejudice the exercise of any statutory rights or powers which are now or hereafter may be vested in or exercised by -
  - (i) any public utility undertaking carried on by a local authority under any Act or under any Order having the force of an Act;
  - (ii) the undertakings of the Environment Agency and of any water undertaker or sewerage undertaker;
  - (iii) any public gas transporter within the meaning of part I of the Gas Act 1986;
  - (iv) any navigation, harbour or conservancy authority;
  - (v) any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereof; *Originally "thereon"*
  - (vi) any local authority;

- (vii) any highway authority for the purposes of the Highways Act 1980 (as amended by any subsequent enactment) in relation to any highway whether or not maintainable at public expense;
  - (viii) any undertaking engaged in the operation of a telecommunications system;
  - (ix) a relevant airport operator within the meaning of Part V of the Airports Act 1986;
  - (x) the Civil Aviation Authority and any subsidiary thereof;
  - (xi) the Canal and River Trust; *New Title*
  - (xii) the Coal Authority;
- (c) restrict, prevent, interfere with or prejudice any right of a highway authority to introduce into any watercourse surface water from a highway, for which it is the highway authority;
  - (d) restrict, prevent, interfere with or prejudice any right of a licence holder within the meaning of Part I of the Electricity Act 1989 to do anything authorised by that licence or anything reasonably necessary for that purpose;
  - (e) affect any liability arising otherwise than under or by reason of these Byelaws.

28. **Saving for Crown Lands**

- (a) Nothing in these Byelaws shall operate to prevent the removal of any substance on, in or under (or the erection of any structure, building or machinery or any cable, wire or pipe on, over or under) lands belonging to Her Majesty in right of the Crown by any person thereunto authorised by the Crown Estate Commissioners.
- (b)<sup>3</sup> Nothing contained in any of the foregoing byelaws should be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of the foreshore below high water mark of any estate or interest in or right over such foreshore, or any part thereof, nor shall anything contained in or done under any of the provisions of the foregoing byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown in such foreshore, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable by any person in or over and in respect of the seashore.

29. **Arbitration**

- (a) *small change - not considered significant*  
Where by or under any of these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board, he may within 21 days after the service of such notice on

<sup>3</sup> Byelaw 28 (b) need only be included where a Council's area has a coastline or tidal river. (If it is not included, the subsequent Byelaws should be re-numbered accordingly).

**N.B:** This footnote is for the guidance of Boards and is **not** for inclusion in the Byelaws

Previously "Ministers"

him give to the Board a counter-notice in writing objecting to either the reasonableness of or the necessity for such requirement or directions, and in default of agreement between such person and the Board the dispute shall, when the person upon whom such notice was served is a drainage or local authority be referred to the **Secretary of State** whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party. Where such a counter-notice has been given to the Board the operation of the notice shall be suspended until either agreement has been reached or the dispute has been determined by arbitration in accordance with the provisions of this Byelaw;

Previously  
"Minister"

- (b) where by or under these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board and any dispute subsequently arises as to whether such work has been executed or such directions have been complied with, such dispute if it arises between a drainage authority or local authority and the Board shall be referred to the **Secretary of State** whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party;

Previously  
"Minister"

- (c) where by or under Byelaws 3, 6, 10, 16 or 17 any person is required to refrain from doing any act without the consent of the Board such consent shall not be unreasonably withheld and may be either unconditional or subject to such reasonable conditions as the Board may consider appropriate and where any dispute arises as to whether in such a case the consent of the Board is being unreasonably withheld, or as to whether any conditions subject to which consent is granted are unreasonable, such dispute shall if it arises between a drainage authority or local authority and the Board be referred to the **Secretary of State** whose decision shall be final, and in any other case such dispute shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party.

### 30. Notices

Notices and any other documents required or authorised to be served or given under or by virtue of these Byelaws shall be served or given in the manner prescribed by section 71 of the Act.

### 31. Limitation

New Wording - more water!

- (a) Nothing in these Byelaws shall authorise the Board to require any person to do any act, the doing of which is not necessary for securing or furthering one or more of the Purposes or to refrain from doing any act, the doing of which does not affect the environment or adversely affect either the efficient working of the drainage system of the District or the effectiveness of flood risk management within the District.
- (b) If any conflict arises between these Byelaws and
- (i) sections 61A to E of the Land Drainage Act 1991 (which relates to the Board's duties with respect to the environment), or

(ii) the Conservation of Habitats and Species Regulations 2010<sup>4</sup>

the said Act and the said Regulations shall prevail.

32. **Revocation**

The Byelaws made by the Board on the \_\_\_\_\_ day of \_\_\_\_\_ are hereby revoked.

33. **Interpretation**

In these Byelaws, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

"the Act" means the Land Drainage Act 1991;

"Animal" includes any horse, cattle, sheep, deer, goat, swine, goose or poultry;

"Bank" includes any bank, cross bank, wall or embankment adjoining or confining or constructed for the purpose of or in connection with any watercourse and includes all land between the bank and the low water mark or level of the water in the watercourse as the case may be and where there is no such bank, cross bank, wall or embankment includes the top edge of the batter enclosing the watercourse;

"Board" means the ..... Internal Drainage Board;

"Consent of the Board" means the consent of the Board in writing signed by the Clerk for the time being of the Board or other duly authorised officer;

"District" means the area under the jurisdiction of the Board;

"Occupier" means in the case of land not occupied by any tenant or other person the person entitled to the occupation thereof;

"Owner" includes the person defined as such in the Public Health Act 1936;

"Relevant Railway Asset" means

*New Section to simplify*

(a) a network, operated by an "approved operator" within the meaning of section 25 of the Planning Act 2008,

(b) a station which is operated in connection with the provision of railway services on such a network,

or

(c) a light maintenance depot

<sup>4</sup> SI 2010/490

Additional words of explanation

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act, ("railway" not having its wider meaning) and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it.

"The Secretary of State" means the Secretary of State for Environment, Food and Rural Affairs; *update title*

"Vegetation" means trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetable growths; *New wording*

"Vessel" includes any ship, hovercraft (as defined by the Hovercraft Act 1968), lighter, keel, barge, tug, launch, houseboat, pleasure or other boat, aircraft, randan, wherry, skiff, dinghy, shallop, punt, yacht, canoe, raft, float of timber or any other craft whatsoever, and howsoever worked, navigated or propelled;

"Water control structures" means a structure or appliance for introducing water into any watercourse and for controlling or regulating or affecting flow, and includes any sluice, slacker, floodgate, lock, weir, pump or pumping machinery; *New Section*

and other expressions shall have the same meanings as in the Act.

#### THE COMMON SEAL OF THE

**INTERNAL DRAINAGE BOARD** was hereunto affixed on the  
in the presence of:

Chairman

Clerk

---

**PENALTY NOTE**

By section 66(6) of the Land Drainage Act 1991 every person who acts in contravention of or fails to comply with any of the foregoing Byelaws is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 on the standard scale referred to in section 37 of the Criminal Justice Act 1982 and a further fine not exceeding Forty pounds for every day on which the contravention or failure is continued after conviction. By section 66(7) of the Act if any person acts in contravention of or fails to comply with any of these Byelaws the Board may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

(N.B. This note may accompany the Byelaws, but is not part of them)



# Representing Drainage Water Level & Flood Risk Management Authorities

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To: All IDB Chairs by email to IDB Clerks

Monday 23 April 2018

TO ALL IDB CHAIRS

Dear IDB Chair

## Governance & accountability - Updated IDB Policy Statement

Following the publication of the National Audit Office (NAO) report on IDBs in March 2017, ADA has been working hard to provide assistance to IDBs seeking to improve their governance and accountability. I am pleased to be able to write to you to confirm that ADA has now published a new Policy Statement for IDBs (attached) that has been endorsed by Dr Thérèse Coffey MP, Parliamentary Under Secretary of State for the Environment. Supported by Defra, ADA wishes to encourage Boards to adopt the new Policy Statement and make it available via their websites as a public statement of the purpose of IDBs.

The Policy Statement is a key output from the work ADA has been undertaking alongside Defra following the publication of the National Audit Office (NAO) Report on IDBs in March 2017. That work will continue in 2018 and ADA has commissioned the preparation of a Good Governance Guide, sponsored by Defra. It is being designed to be a quick reference guide to provide you with the essential information that you need to know as a Board Member. We are making good progress with the guide and hope to publish it later this summer. We will be making printed copies available to Board Members through a series of five IDB governance workshops that we intend to hold in collaboration with ADA Branches around England later this year and into early 2019.

One governance matter that I know that the Minister continues to take a particularly close interest in is the representation of local authority appointed members onto your Boards. It is important that all Boards pay close attention to both council appointments and election procedures, as well as the attendance at Board meetings. I would encourage you to work closely with your clerk, existing members and their appointing councils where there are concerns to help identify practical solutions. ADA will continue to highlight to appointing bodies that they should appoint persons to IDBs who know the district and/or have relevant knowledge/experience, and that these persons do not necessarily have to be councillors or council staff. Defra has also offered to assist in writing to Local Authorities where necessary and please let me know if you believe that such a letter to any of your representative Local Authorities from the Minister would be helpful.

I am grateful to those Boards that have taken steps, since the publication of the NAO Report, to seek the requisite number of appointed members and/or reconstitute the size of their Board in line with the guidance offered during the Defra Review of IDBs. Those efforts by IDBs have greatly assisted ADA in retaining the confidence and support of the Minister in the effective work of IDBs.

I very much look forward to all IDBs being able to adopt the attached Policy Statement for their activities and the opportunity this presents in demonstrating consistency and commitment to public service of all IDBs, which can only serve to increase IDBs' national profile and reputation.

Yours sincerely

Robert Caudwell  
Chairman, ADA

ADA – representing drainage, water level and flood risk management authorities

Member of EUWMA- the European Union of Water Management Associations

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## Policy Statement on Water Level and Flood Risk Management

### 1. Introduction

#### Purpose

- 1.1. This policy statement has been prepared by the XXXXX Internal Drainage Board (the Board) to provide a public statement of the Board's approach to its management of water levels and flood risk within the XXXXX Internal Drainage District (the District). The Board is constituted by order of Parliament operating under the terms of the Land Drainage Act 1991 and is designated as a flood risk and coastal erosion 'Risk Management Authority' (RMA) under the Flood & Water Management Act 2010.
- 1.2. The Board serves the local community by managing water levels in ordinary watercourses and other water infrastructure within the District to mitigate against the risks from flooding and drought. In delivering its functions the Board will meet its environmental obligations and commitments and seek opportunities to enhance the environment. The Board recognises its responsibility for good governance, local accountability and financial security, achieving value for money from all its activities. As an independent public body the Board is committed to the pursuit of economy, efficiency and effectiveness.
- 1.3. [Add as appropriate] It should be noted that although this document refers to 'flood and coastal erosion risk management' (FCERM) the District is not affected by coastal erosion or tidal flooding.

#### Background

- 1.4. The Department for Environment, Food and Rural Affairs (Defra) has policy responsibility for flood and coastal erosion risk management in England. The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion. Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas. Delivery is the responsibility of a number of flood risk and coastal erosion 'Risk Management Authorities' (RMA), which includes the XXXXX IDB.
- 1.5. This Policy Statement sets out the Board's approach to meeting the national policy aims and objectives in this area, as stated in the *National flood and coastal erosion risk management strategy for England 2011* (the National Strategy); the statement will be revised to reflect future revisions of the National Strategy. It summarises what plans the Board has in place to manage water levels and reduce flood risk, whilst protecting and enhancing the environment, and ensuring good governance and local accountability. Copies of this Policy Statement are available from the Board's office at: XXXXX. Digital copies can be downloaded from the Board's website.

## **2. Governance and local accountability**

- 2.1. The Board will ensure that its policies and procedures enable effective representation of and accountability to drainage rate payers and the occupiers of non-agricultural land within the District, including triennial elections in line with the requirements of the Land Drainage Act 1991, and timely engagement with charging authorities to fill vacancies in seats allocated to appointed members.
- 2.2. Board members must take decisions objectively in the best interests of the Board and uphold the ethical standards expected of public officeholders. Board members must adhere to the Board's Members Code of Conduct, including the seven principles of public life (Nolan Principles). The Board will make sure that there is suitable training in place for board members and staff, including on financial and environmental matters as appropriate.
- 2.3. Board members must declare financial and other interests relevant to their function with the Board. Board members will recuse themselves as appropriate where conflicts of interest may occur in relation to procurement, contract management and decision making.

## **3. Delivering the National Strategy's policy aim and objectives**

### **Aim**

- 3.1. The overall aim of the National Strategy is to ensure the risk of flooding and coastal erosion is properly managed by using the full range of options in a co-ordinated way. The Strategy states that communities, individuals, voluntary groups and private and public sector organisations will work together to manage the risk to people and their property; facilitate decision-making and action at the appropriate level; and achieve environmental, social and economic benefits, consistent with the principles of sustainable development.

### **Objectives**

- 3.2. The Strategy sets out five objectives in pursuance of the overall aim as follows:
  - understand the risks of flooding and coastal erosion, working together to put in place long-term sustainable plans to manage these risks and making sure that other plans take account of them;
  - avoid inappropriate development in areas of flood and coastal erosion risk and being careful to manage land elsewhere to avoid increasing risks;
  - build, maintain and improve flood and coastal erosion management infrastructure and systems to reduce the likelihood of harm to people and damage to the economy, environment and society as well as achieving wider environmental benefits;
  - increase public awareness of the risk that remains and engaging with people at risk to encourage them to take action to manage the risks that they face and to make their property more resilient; and
  - improving the detection, forecasting and issue of warnings of flooding, co-ordinating a rapid response to flood emergencies and promoting faster recovery from flooding.
- 3.3. The Board supports the national aim and objectives for the management of flood risk and water levels and the Board's policy and approach will be consistent with them.

#### 4. Flood risk and water level management in the Board's District

- 4.1. The District has been determined to derive benefit, or avoid danger, as a result of drainage operations. As such the whole of the District is at some risk from flooding, but that risk is managed wherever it is practically, environmentally and financially viable<sup>1</sup>.
- 4.2. The Board makes decisions regarding flood risk within the District taking into account the following:
- assets in place considering design standard and life;
  - Environment Agency and Lead Local Flood Authority flood risk strategies, plans and maps; and
  - other information such as the history of flooding and land use impacts.
- 4.3. The following outlines the key details of the District:
- Total area of the drainage district: xx ha
  - Catchment area draining to and including the District: xx ha
  - Area of agricultural land: xx ha
  - Area of other (non-agricultural) land: xx ha
- [List above can include summary of other land: e.g. residential and commercial property, amenity land, major road and rail infrastructure, other highways, area of designated environmental sites etc.]
- 4.4. Assets for which the Board has operational responsibility:
- Water level control structures: xx number
  - Watercourses (maintained): xx km
  - Raised embankments: xx km
  - Reservoirs: xx ha
  - Sustainable drainage systems (SuDS): xx number
  - Pumping Stations: xx number
- 4.5. Assets within or adjacent to the District that are maintained by the Environment Agency:
- Main rivers: xx km
  - Raised embankments/flood walls xx km
  - Pumping Stations: xx number

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<sup>1</sup> It should be noted that the Land Drainage Act 1991 provides the Board with statutory powers to carry out works of maintenance and improvement for land drainage and flood defence purposes, rather than imposing a duty on the Board to carry out such works.

## 5. Building, maintaining and improving flood and coastal erosion risk management systems

- 5.1. Through the operation, maintenance and improvement of watercourses and other water control assets within the District, the Board seeks to achieve a general standard of water level management that enables the drainage and irrigation of agricultural land, reduces flood risk to developed areas, and sustains environmental features throughout the District.
- 5.2. The Board monitors and reviews the condition of its watercourses and other assets, particularly those designated as critical, over-spilling from which could affect people and property. Consistent with the resultant needs established, a routine maintenance programme is in place to ensure that the condition of the assets is commensurate with the standards required. The programme is reviewed periodically by the Board to ensure it is delivering the appropriate condition.
- 5.3. Where standards are not at the desired level, improvement works will be sought where they are considered to be practical and financially viable by the Board. Where improvement works meet the criteria set by Defra, financial support will be sought from the Government's Flood and Coastal Resilience Partnership Funding. Where appropriate works will be undertaken in partnership with other Risk Management Authorities and take opportunities to work with natural processes.
- 5.4. Work for and by the Board will be carried out in accordance with best practice and to deliver best value for money taking due regard of local flood risk management requirements and strategies, opportunities for partnership working, environmental obligations and guidance available from Defra, the Environment Agency and other organisations.
- 5.5. **[Delete as appropriate – MLC wording for para 5.5]**The Board's powers to carry out water level and flood risk management works are permissive (i.e. the Board is not obliged to carry out works) and their resources are limited. The Board's policy is therefore to designate what the Board considers to be the most important watercourses in the District as "District Drains" and prioritise their resources to the appropriate maintenance and, where necessary, improvement of such channels and associated structures. The watercourses and structures so designated will change over time as necessary but the current designated watercourses and structures are shown on the plan attached to this Statement.
- 5.6. **[Delete as appropriate – MLC wording for para 5.6]**Other watercourses usually are the responsibility of other bodies or the adjoining owners. The Board will only take action in respect of these latter watercourses where resources are available and where it is in all the circumstances appropriate for the Board to become involved, bearing in mind the powers available to other persons or bodies.
- 5.7. **[Delete as appropriate – Alternative wording for para 5.5]**The Board's powers to carry out water level and flood risk management works are permissive (i.e. the Board (i.e. they are not obliged to carry out works) and their resources are limited. The Board's policy is therefore to designate the watercourses in the District as either Critical, High, Medium or Low Risk and prioritise their resources to the appropriate maintenance and, where necessary, improvement of these channels and associated structures. The watercourses and structures so designated will change over time as necessary but the current designated watercourses and structures are shown on the plan attached to this Statement.

- 5.8. **[Delete as appropriate – Alternative wording for para 5.6]** Other watercourses usually are the responsibility of other bodies or the adjoining owners. The Board will only take action in respect of these latter watercourses where resources are available and where it is in all the circumstances appropriate for the Board to become involved, bearing in mind the powers available to other persons or bodies.
- 5.9. The Board has a supervisory duty, under section 1(2)(d) of the Land Drainage Act 1991 over all matters relating to the drainage of land in their District and will, under this duty where appropriate advise others regarding the undertaking of works when it is not appropriate for the Board to exercise its own powers.
- 5.10. The Board will also seek to ensure, where possible, that assets managed by other Risk Management Authorities, which also reduce flood risk to the District, are maintained at a satisfactory standard and may enter into a Public Sector Co-operation Agreement with another Risk Management Authority to achieve better value for money when carrying out work to reduce flood risk.

## **6. Regulation of activities - Avoiding inappropriate development and land management**

- 6.1. The Board will take appropriate steps to help riparian owners understand their responsibilities for maintenance, byelaw compliance and environmental regulations.
- 6.2. The Board will regulate as necessary, using available legislative powers and byelaws, the activity of others to ensure their actions within, alongside, and otherwise impacting its drainage system do not increase flood risk, prevent the efficient working of drainage systems, or adversely impact the environment.
- 6.3. The potential impact on flood risk from future development, both within the District and the wider catchment draining into the District, is fully recognised by the Board. The Board will take an active role in the assessment of local plans, major development and, individual (planning) applications, to prevent inappropriate development and land use to ensure that flood risk is not increased. This will include, where appropriate, providing pre-application advice and checking of flood risk assessments.
- 6.4. Where appropriate the Board will seek contributions from developers to cover the cost of both immediate and longer term works necessary to mitigate against any resultant increase in flood risk. Such contributions will be recorded in accordance with the National Planning Policy Framework and associated technical guidance.
- 6.5. The Board will where appropriate designate structures or features affecting flood risk using section 30 of the Flood and Water Management Act 2010.

## **7. Communication and transparency**

- 7.1. The Board will publicise the local risks from flooding, the reasons for managing water levels within the District and articulate the efforts being undertaken by the Board to manage water levels and flood risk as well as the steps the local community and land managers can take to assist in its management.
- 7.2. The Board will be open and transparent in its actions and decisions. The Board will comply with the requirements set out in the relevant Local Government transparency code.

- 7.3. The Board will provide an overview of the objectives and costs of its water level management operations by publishing on its website:
- A record of the watercourses it periodically maintains;
  - A statement of the types of general maintenance activities it routinely undertakes and why;
  - Its Annual Report to Defra (IDB1 Form); and
  - Approved Board minutes and papers.
- 7.4. The Board will seek views and respond to enquiries from the local general public in this regard and work with local partners to build a culture within which watercourses are seen as vital to managing flood risk, and enhancing habitat and amenity. Every effort will be made to dissuade abuse of watercourses.
- 7.5. The Board invites any comments regarding the condition of its system, which could assist with the management of water levels.

## **8. Working together**

- 8.1. The Board will co-operate and share information with other relevant authorities in the exercise of their flood and coastal erosion risk management functions. The Board will contribute to strategies, plans and consultations relevant to its catchment and functions.
- 8.2. The Board will assist the Environment Agency wherever possible in its provision of adequate and cost effective flood warning systems, and assist Risk Management Authorities where necessary during flood emergencies. The Board will participate as necessary in exercises to develop and test emergency response procedures.
- 8.3. The Board has provided the Environment Agency and other local Risk Management Authorities with information on the major flood defence assets for which the Board is responsible. The information is available from the Environment Agency at **xxxxxx**.
- 8.4. The Board will seek to work with all relevant local organisations, in carrying out its flood and coastal erosion risk management functions and environmental obligations.

## **9. Environmental measures**

- 9.1. The Board has nature conservation duties under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Countryside and Rights of Way Act 2000, the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003, the Eels (England and Wales) Regulations 2009, the Flood and Water Management Act 2010, the Natural Environment and Rural Communities Act 2006, Salmon and Freshwater Fisheries Act 1975, and as a competent authority under the Conservation of Habitats and Species Regulations 2017. The Board will fulfil these in a positive way.

9.2. Much of the Board's watercourse maintenance work constitutes vegetation control and de-silting and is often a vital and routine requirement. Whilst inevitably some short or long term impacts may arise, this management is often essential to maintain the distinct assemblage of aquatic habitat and species present in the District. Such work will be carried out in a way that manages the potential risks to the environment. The Board has access to environmental expertise from their **Conservation Officer/Advisor/Consultant [delete as necessary]**, and have a Biodiversity Action Plan, developed according to ADA and Natural England guidelines, **and a Conservation Manual [delete if not appropriate]** which indicate the way in which their functions can be carried out in a way appropriate to the environment and how the environment can be enhanced. The Board maintain only a small proportion of the total watercourse length in the District, the significant majority being the responsibility of the adjoining land owners or of other bodies.

9.3. When carrying out work, be it maintenance or improvement, and consistent with the need to maintain satisfactory flood protection standards, the Board will aim to:-

- Avoid any unnecessary or long term damage to agricultural interests and to natural habitats and species;
- Carry out the monitoring of any gains and losses of biodiversity and report annually to the Environment Agency; and
- Take appropriate opportunities to achieve multiple environmental outcomes and work with natural processes, wherever possible, including the enhancement of habitats and water bodies within the District.

9.4. The District is situated within numerous sites of **national and international [delete as appropriate]** biological or geological interest including:

9.5. **[List key designated sites (e.g. SSSI, SAC, SPA and Ramsar sites)]**

9.6. The Board has X Water Level Management Plan(s).

9.7. The Board will play its full role in sustaining the Water Level Management Plans prepared for SSSIs to maintain, or bring sites into, favourable condition, in conjunction with Natural England and other interested parties and review the plans in accordance with guidance.

## **10. Approval and Review of this Policy Statement**

10.1. This protocol was adopted by the Board on **dd mm yyyy**.

10.2. The **XXXXX** IDB will review and update this Policy Statement as and when changes to policies are made and notwithstanding within a period not extending beyond five years.

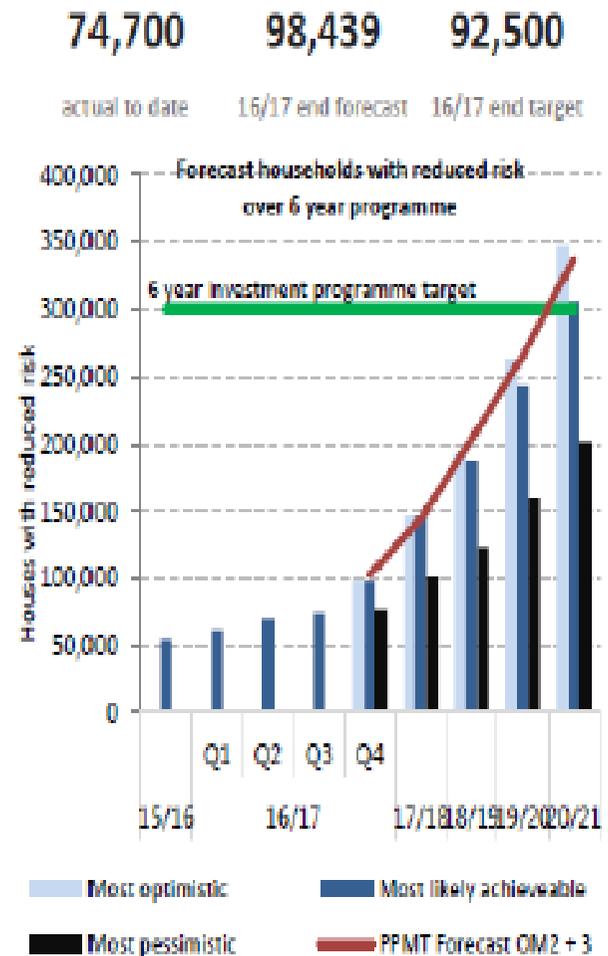


## **FCRM Capital Programme**

**Gt Ouse IDB & EA Strategic Group, 19<sup>th</sup> April 2017**

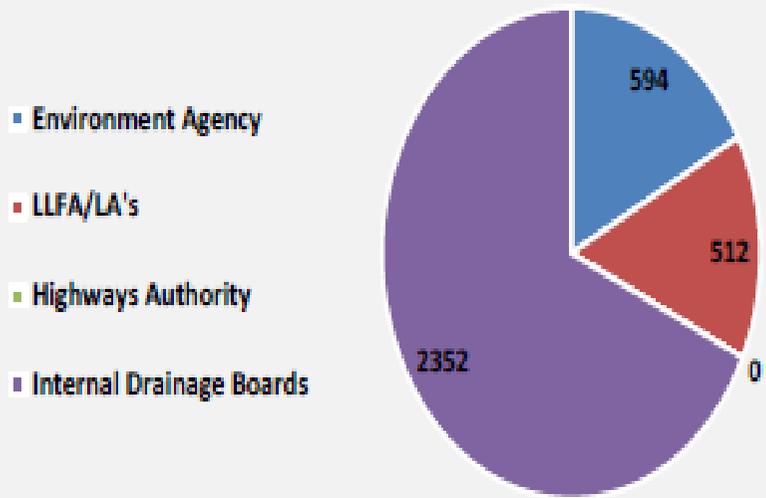
# FCRM GiA Capital Settlement Conditions

- 300,000 houses at reduced flood risk
- £230m worth of efficiencies
- £345m of partnership funding
  
- Delivery by all Flood & Coastal Risk Management Authorities
  
- Now at start of Year 3 of 6

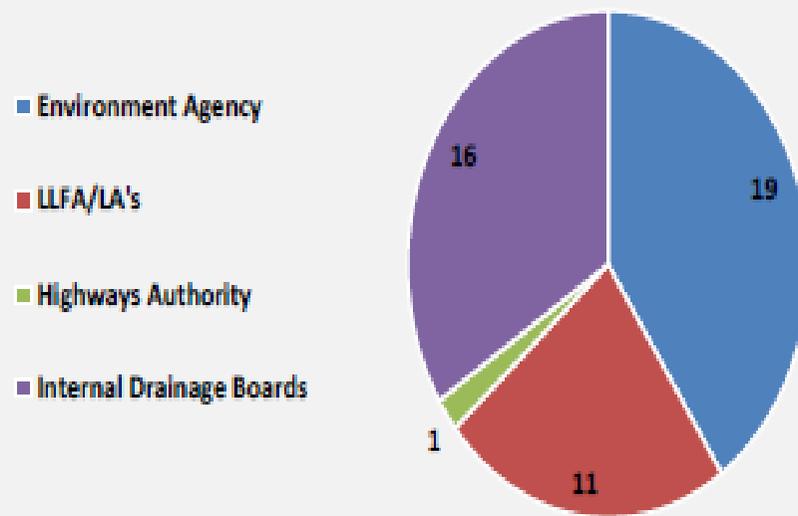


# Local picture

### Forecast OM2s within 6-Year Programme



### Number of schemes per RMA



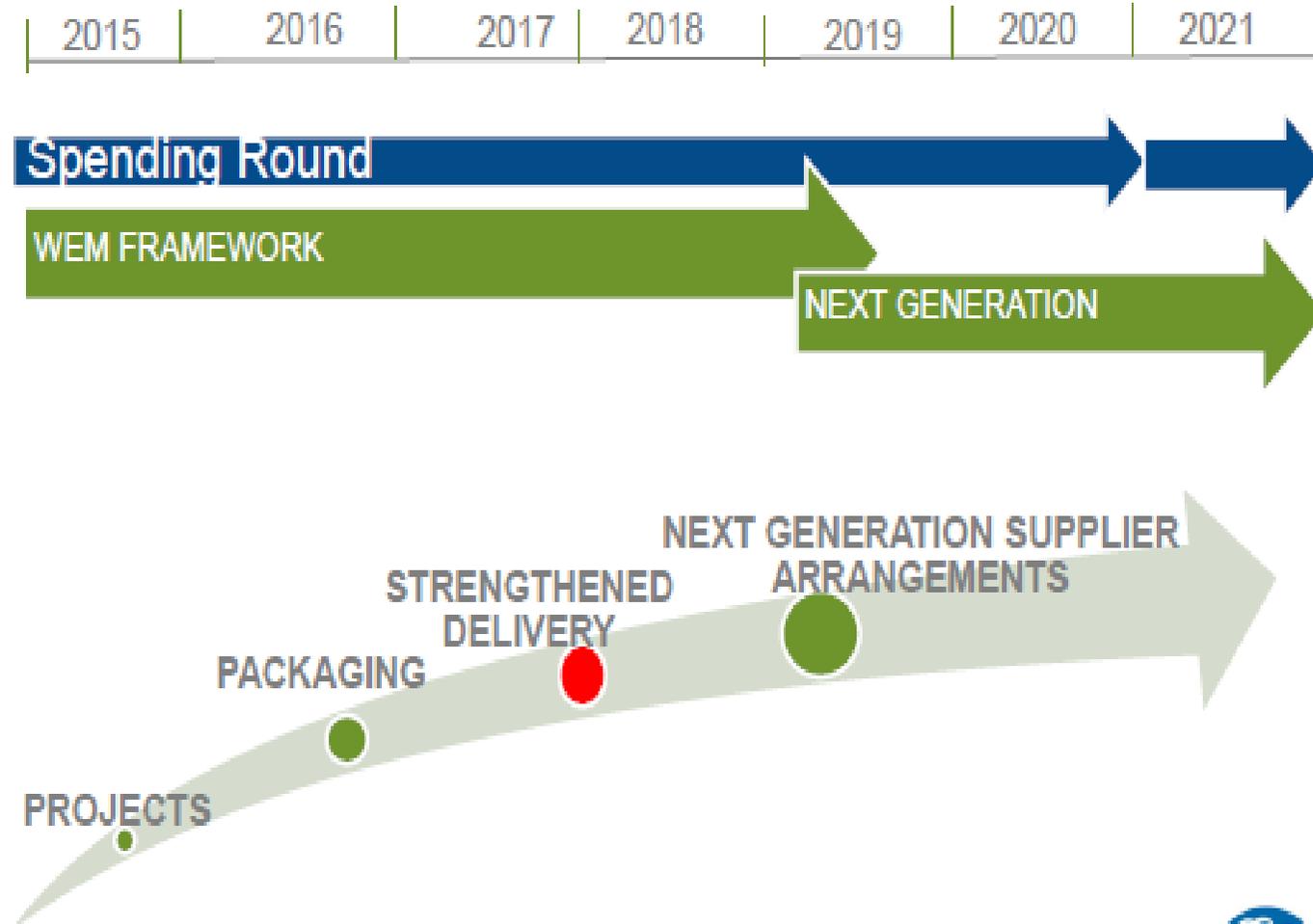
## Successes so far:

- Increased our support focussed on IDB projects
- Improved training and new portal to access the programme
- Allocating local levy strategically and for local priorities – open to IDBs
- Starting to look at shared benefits and benefit apportionment
- Progress being made on major IDB schemes
- Starting to see FCRM GiA above the traditional 45% rate

## Observations:

- Sustaining support is challenging and is diverting resources from strategic investment planning and our own pipeline development
- Early planning and appropriate resourcing of project delivery is crucial
- Engagement and appraisal early re Eels Regulations
- Partnership Funding beyond traditional GiA:IDB split
- Demonstrable Local Authority engagement if seeking Public Works Loan.
- Importance of management information

# Delivery Evolution



# Opportunities:

- ⇒ Focus resource on Gt Ouse Strategic Investment Planning, starting with 'the Fens' – we'll need IDB input & support
- ⇒ Encourage IDBs to consider options for improved capital programme development & delivery – How can we help further?
- ⇒ National 'Strengthening' approach:
  - ⇒ Project Delivery Units – Integrated team approach
  - ⇒ Available for IDBs
  - ⇒ Increased focus on pipeline development



Department  
for Environment  
Food & Rural Affairs

Floor 3, Seacole  
2 Marsham Street  
London SW1P 4DF  
T: 03459 33 55 77  
helpline@defra.gsi.gov.uk  
www.defra.gov.uk

To the Clerks, Internal Drainage Boards

**Date:** 24 April 2018

Dear Sir/Madam

**IDB Annual Report for year ending 31 March 2018.**

Please find enclosed a copy of the above statutory form to be completed and returned by 31 August 2018 for the Board(s) that you manage.

We are sending the form to you by email and we should be grateful if you would complete the form electronically. Please see further below for instructions on completing the form.

**Changes since 2017**

As you may know Defra has worked with ADA, IDBs and other stakeholders (EA, NE, CLA, NFU, RSPB) to update the IDB1 form, particularly in light of the NAO report into IDBs published in March 2017. We have amended/included the following:-

- Page 2: - under income, we have included lines for PSCAs (6) and Loans (7);
- Page 3: - under expenditure, we have included lines for PSCAs (17), developers funds income not applied in year (24), grant income not applied in year (25).
- Page 4: - we have included full guidance notes for all the expenditure entries;
- Page 5:- there are new questions under biodiversity and we have added in questions on SSSIs;
- Page 6: - new questions have been added under Asset Management and there are new questions on Health and Safety;
- Page 7: new questions under Guidance and Best Practice;
- Page 8: new questions on number of complaints, public engagements and percentage of drainage rates outstanding at year end.
- Page 9: new guidance notes in Section B



INVESTORS  
IN PEOPLE

## Completion Instructions

In order to ensure consistency of the responses and ensure we capture the correct information, when you complete the yes and no answers, please could you follow these instructions:-

**Depending on whether your response is yes or no - click on the relevant yes/no box, by right clicking on that box and then when the box pops up – click on properties – you will see within the box under default values that it is “not unchecked”, please click on “checked” and then OK – this will then leave a X in the box to indicate your reply.**

We should be grateful if you would submit the form by email to our shared email box at [floodreports@defra.gsi.gov.uk](mailto:floodreports@defra.gsi.gov.uk). Copies should also be sent to the Environment Agency via [rachael.hill@environment-agency.gov.uk](mailto:rachael.hill@environment-agency.gov.uk).

In accordance with the Local Audit and Accountability Act 2014 and the transparency code for smaller authorities, we are looking to IDBs to publish their completed IDB1 forms on their websites.

If you have any queries about completing the form, please do not hesitate to contact Suja Ratnasingham, Business Support Unit at [Sujahini.ratnasingham@defra.gsi.gov.uk](mailto:Sujahini.ratnasingham@defra.gsi.gov.uk)

Yours faithfully,



Carol Tidmarsh, Flood Risk Management



# Annual Report for the year ended

## 31 March 2018

**The Law** – the following annual report is provided in accordance with Paragraph 4 of Schedule 2 to the Land Drainage Act 1991.

**No later than 31 August 2018 a copy must be provided to:**

- Department for Environment, Food and Rural Affairs, Flood Management Division, Floor 3, Seacole, 2 Marsham Street, London SW1P 4DF via [floodreports@defra.gsi.gov.uk](mailto:floodreports@defra.gsi.gov.uk)
- National Flood and Coastal Risk Manager (Strategic Delivery), The Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH via [rachael.hill@environment-agency.gov.uk](mailto:rachael.hill@environment-agency.gov.uk)
- The Chief Executives of:
  - all local authorities that pay special levies to the Board;
  - all County Councils or London Boroughs within which the Board is situated.

Please complete the form electronically. If you are unable to complete the form electronically, please complete in BLOCK LETTERS using **black ink**.

Please round all cash figures down to nearest whole £.

ENTER INTERNAL DRAINAGE BOARD NAME HERE

Internal Drainage Board

## Section A – Financial information

### Preliminary information on special levies issued by the Board for 2018- 19

*Information requested below is essential in calculating future formula spending share. It is not covered elsewhere on this form or by the external auditor's certificate.*

Special levies information for financial year 2018-19 (forecast)	
Name of local authority	2018-19 forecast £
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
<b>Total</b>	

## Section A – Financial information (continued)

### Income and Expenditure Account for the year ending 31 March 2018

All Internal Drainage Boards must ensure that the Income and Expenditure information provided below is consistent with the Board's annual accounting statements which have been prepared in accordance with proper practices found in *Governance and Accountability for Smaller Authorities in England* –

*A Practitioners' Guide to proper practices to be applied in the preparation of statutory annual accounts and governance statements March 2017*

	Notes	Year ending 31 March 2018 £
<b>INCOME</b>		
1. Drainage Rates		X
2. Special Levies		X
3. Higher Land Water Contributions from the Environment Agency		X
4. Contributions received from developers/other beneficiaries		X
5. Government Grants (includes capital grants from EA and levy contributions)		X
6. PSCAs from EA and other RMAs		X
7. Loans		X
8. Rechargeable Works		X
9. Interest and Investment Income		X
10. Rents and Acknowledgements		X
11. Other Income		X
<b>Total income</b>		<b>X</b>
<b>EXPENDITURE</b>		
12. New Works and Improvement Works		Y
13. Total precept to the Environment Agency		Y
14. Watercourse maintenance		Y
15. Pumping Stations, Sluices and Water level control structures		Y
16. Administration		Y
17. PSCAs		Y
18. Rechargeable Works		Y
19. Finance Charges		Y
20. SSSIs		Y
21. IDB Biodiversity and conservation (other than item 20 expenditure)		Y
22. Other Expenditure		Y
<b>Total expenditure</b>		<b>Y</b>

<b>EXCEPTIONAL ITEMS</b>		
23. Profits/(losses) arising from the disposal of fixed assets		<b>Z</b>
<b>Net Operating Surplus/(Deficit) for the year</b>		<b>X-Y+Z</b>
24. Developers Funds income not applied in year		
25. Grant income not applied in year		

**Notes:**

11. Include all other Income, such as absorption account surpluses (for example plant and labour absorption accounts).
12. State the gross cost of undertaking minor capital works that have not been capitalised and the annual depreciation charges of all major schemes that have been capitalised. You should also include a fair proportion of the support costs directly associated with delivery of the schemes.
13. State the total precept demanded for the year as properly issued by the Environment Agency, in accordance with section 141 of the Water Resources Act 1991. Providing that the precept has been properly issued as before stated it should always be included here, even when the Board has appealed against the amount of contribution, in accordance with section 140 of the Water Resources Act 1991. Where the Board knows with certainty the outcome of any such appeal, it should also include the appropriate accrual/prepayment.
14. State all costs associated with the maintenance of watercourses, meaning work associated with open channels, pipelines, culverts, bridges, etc. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with delivery of the maintenance programme.
15. State all costs associated with maintaining and operating the pumping stations, sluices and water level control structures. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with maintaining and operating the pumping stations, sluices and water level control structures.
16. Include the cost of non-technical staff only, office accommodation, annual depreciation of office equipment that has been capitalised, minor office equipment that has not been capitalised, postages, telecoms', stationery, printing, advertising, auditing of accounts, general insurances and all other costs associated with supporting the organisation. Please note that this does not include support costs, which are directly associated with the delivery of front line services.
17. State all costs associated with the PSCA
18. State all costs associated with undertaking work for third parties. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with undertaking the rechargeable work.
19. Include the cost of servicing any borrowing, in terms of bank/loan/hire purchase Interest payable.
20. State all costs associated with undertaking works – capital or maintenance – specifically for helping to achieve favourable condition on Sites of Special Scientific Interest (SSSIs). In most cases, these costs will be incurred in implementing actions set out in SSSI Water Level Management Plans or SSSI River Restoration Plans.

21. State all costs associated with undertaking works – capital or maintenance – that are likely intended to help conserve biodiversity (other than works on SSSIs). These costs are likely to be incurred in implementing actions set out in an IDB’s Biodiversity Action Plan or other conservation actions on non-designated sites.
22. Include all other expenditure, such as a provision for bad/doubtful debts, write-offs, and absorption account deficits (for example plant and labour absorption accounts).
23. For the disposal of assets, state the difference between any proceeds from the sale/disposal of the asset and the cost of the asset less accumulated depreciation.
24. Total balance of developer fund year end.
25. Unspent grant at year end.

## Section B –IDB Reporting

### Policy Delivery Statement

Boards are required to produce a publicly available policy statement setting out their plans for delivering the Government’s policy aims and objectives. It is recommended that these statements be published on Boards’ websites where they have them and reviewed every three years.

Is an up to date statement in place and copy (or weblink) provided to Defra, and EA? ..... Yes  No

### Biodiversity

Please indicate whether your Board has a Biodiversity Action Plan.....Yes  No

If “yes” is the Biodiversity Action Plan available on your website?.....Yes  No

What year was your Biodiversity Action Plan last updated?).....

Have you reported progress on BAP implementation on your web site?.....Yes  No

When was biodiversity last discussed at a Board meeting (date)?.....

Do you have a biosecurity process?.....Yes  No

### SSSI water level management plans

Please indicate whether your Board is responsible for any SSSI water level management plans?.....Yes  No

If so, which ones:

Area of SSSI with IDB water level management plans.....

Area of SSSI where IDB water level management activities are contributing to recovering or favourable condition?

Area of SSSI where IDB water level management actions are required to achieve recovering or favourable condition?

**Access to environmental expertise**

Does your IDB have access to environmental expertise? If so please tick all those options below through which environmental expertise is regularly provided to your IDB:

- Appropriately skilled Board Members (e.g. Board member from an Environmental Body/Authority)
- Co-opted members
- Directly employed staff
- Contracted persons or consultants
- Environmental Partners/NGOs
- Other (please describe)

**Asset Management**

What system/database does your Board use to manage the assets it is responsible for?

- ADIS
- Paper Records
- Other Electronic System

Has your Board continued to undertake visual inspections and update asset databases on an annual basis? Yes  No

What is the cumulative total of identified watercourse (in km) that the Board periodically maintains?

How many pumping stations does the Board operate?

What is the cumulative design capacity of the Board's pumping station(s) (enter zero if no stations are operated)?

**Health and Safety**

- Does the Board have a current Health and Safety policy in place? Yes  No
- Does the Board have a responsible officer for Health and Safety? Yes  No
- Have there been any reportable incidents in the past year? Yes  No

If so, please summarise in the box below:

**Guidance and Best Practice**

Has your IDB adopted a formal Scheme of Delegation? Yes  No

Has your IDB provided training for board members in the last year in the any of the following areas?

- Governance
- Finance
- Environment
- Health, safety and welfare
- Communications and engagement
- Other (please describe)

Is your Board’s website information current for this financial year? (Board membership, audited accounts, programmes of works, WLMPS, etc)..... Yes  No

Has your IDB adopted computerised accounting and rating systems? ..... Yes  No

Has your board published all minutes of meetings on the website?..... Yes  No

Does the Board publish information on its website on its approach to maintenance works and provide contact details to allow for and encourage public engagement? Yes  No

When planning maintenance and capital works are environmental impacts taken into account and wherever possible best practice applied? Yes  No

Has your Board adopted the following governance documents?

Standing Orders ..... Yes  No

Have the Standing Orders been approved by Ministers..... Yes  No

Byelaws..... Yes  No

If you have Byelaws, have you adopted the latest model byelaws published in 2012..... Yes  No

Have the Byelaws been approved by Ministers..... Yes  No

Code of Conduct for Board Members ..... Yes  No

Financial Regulations..... Yes  No

Register of Member’s Interests..... Yes  No

Anti-fraud and corruption policy..... Yes  No

**Board membership and attendance**

How many Board members (in total – elected and appointed) do you have on your IDB?	
Seats available to appointed members under the Land Drainage Act 1991.	
Number of elected members on the board at year end.	
Number of appointed members on the board at year end.	
Mean average number of elected members in attendance at each board meeting over the last financial year.	
Mean average number of appointed members in attendance at each board meeting over the last financial year.	

Have you held elections within the last three years?.....Yes  No  N/A   
Did elections comply with the requirements specified by the Secretary of State under Regulation 28 of the Land Drainage (Election of Drainage Boards) Regulations 1938?..... Yes  No  N/A

**Complaints procedure**

Is the procedure for a member of the public to make a complaint about the IDB accessible from the front page of its website?.....Yes  No

Number of complaints received in the financial year?	
Number of complaints outstanding in the financial year?	
Number of complaints referred to the Local Government Ombudsman?	
Number of complaints upheld by the Local Government Ombudsman?	

**Public Engagement**

Set out what your Board has done in this financial year to engage with the public (tick relevant box(es) below):

Press releases	<input type="checkbox"/>
Newsletters	<input type="checkbox"/>
Web site	<input type="checkbox"/>
Meetings	<input type="checkbox"/>
Shows/events (including open days/inspections)	<input type="checkbox"/>
Consultations	<input type="checkbox"/>
Notices	<input type="checkbox"/>

Percentage (in value) of drainage rates outstanding at year end?

## Section B: NOTES

### Guidance and Best Practice

Has your Board published **all** minutes of meetings on the web site? In answering this question, this should apply to all the main Board meetings held in the year and any appropriate meetings the Board has held with external stakeholders.

### Board membership and attendance

When referring to **elected members** of the Board, this relates to the number of landowners/drainage rate payers that are elected to the Board.

When referring to **appointed members** of the Board, this relates to the number of members appointed by the local authorities to represent the local council taxpayers.

When referring to mean average number of elected and appointed members in attendance at meetings at each board meeting – **this should be expressed as a number of attendees** and not as a percentage attendance.

With regard to elections, under Schedule 1 of the Land Drainage Act 1991, elected members should hold office for three years, at which point a further election is held. When elections are held, they should comply with the requirements under Regulation 28 of the Land Drainage (Election of Drainage Boards) Regulations 1938 – to advertise and notify local stakeholders accordingly.

---

## Section C – Declaration

---

ENTER INTERNAL DRAINAGE BOARD NAME HERE

Internal Drainage Board

I confirm that the information provided in sections A-C or with this form is correct.

Signature

Date

Name in BLOCK LETTERS

Designation

Email address

## GENERAL DATA PROTECTION REGULATION (GDPR)

Internal Drainage Boards as Public Authorities will be affected by the introduction of the General Data Protection Regulation (GDPR) which will come into force on 25<sup>th</sup> May 2018.

The purpose of this note is to make Board members aware of the main changes which will be introduced by this European Regulation – which the Government has indicated will apply to English Law whatever our future with Europe!

Many of the main concepts and principles of the GDPR are much the same as the current Data Protection Acts of 1988 and 2003. So that if the Board are compliant under the current law, then much of their approach to Data Protection issues should remain valid under the GDPR. However there are a number of new elements and enhancements to the legislation which the Board should be aware of in processing personal data.

Some elements of the GDPR will be more relevant to certain organisations than others and I have tried to identify those areas which will have the greatest impact on IDBs.

### Compliance with Data Protection Principles

Boards need to be aware of the personal data they are currently holding.

In most cases this will be data about ratepayers and employees, but could include other data.

Before gathering any personal data, current legislation requires that you notify ratepayers or others of your reason for gathering the data, the use it will be put to and who it will be disclosed to and if it is to be transferred outside the EU.

Under GDPR additional information must be communicated to individuals in advance of processing such as the legal basis for processing the data, (in our case this will be The Land Drainage Act 1991) retention periods, the right to complain, whether any data will be subject to automated decision making and their individual rights under the GDPR.

### Personal Privacy Rights

This would be a good time to review procedures generally to ensure compliance with the Data Protection Legislation and the new Regulation.

Rights for individuals under the GDPR include:-

- subject access to data
- to have inaccuracies corrected
- to have information erased
- to object to direct marketing

### Subject Access will change under the GDPR

If the Board receive a request for information the Access Request should be processed within ONE MONTH. The current period was 40 days and you cannot now charge for processing the request unless you can demonstrate that the cost would be excessive.

If a request for data is refused because it is deemed manifestly unfounded or excessive the Board will need grounds for the refusal and set these out.

The IDBs do not currently receive a large number of access requests so the shorter timeframe and the need to give information about data retention periods and the right to have inaccurate data corrected should not prove burdensome but there may be more public awareness about the GDPR from the Information Commissioner at the time of implementation.

### Legal Basis

In most cases the information held about individuals will be in connection with the collection of drainage rates, but there will also be information about Board Members, employees and District Officers, Contractors etc. A legal basis exists for this information under the Land Drainage Act 1991. Where a legal basis does not exist and you want to hold personal data you will need consent from the individual and if this is the case you need to review how you seek, obtain and record that consent. To obtain consent requires a positive indication of agreement. It cannot be inferred, pre-ticked boxes or inactivity. There are some clear standards required by the GDPR if consent is your legal basis.

### Processing Children's Data

There are some special protections for children's data but these will not be applicable to IDBs.

### Reporting Data Protection Breaches

If there is a breach of Data Protection a procedure is needed to detect, report and investigate a breach.

Under GDPR there are mandatory breach notifications that must be made to the Information Commissioner within 72 hours. If the breach is likely to bring harm to an individual such as identity theft or breach of confidentiality, the breach should also be notified to the individual.

Failure to report a breach could lead to a fine.

### Fines and Enforcement

The important area I would like to highlight is there will be a substantial increase in fines for organisations that do not comply with the new regulation.

The Information Commissioner will have power to issue penalties equal to 10 million Euros or 2% of the organisation's gross revenue for violations of record keeping security, breach notifications. However violations of obligations relating to legal justification or processing data, data subject rights may result in penalties of the greater of 20 million Euros or 4% of gross revenue.

### Data Protection Officer

As a Public Authority the IDB will need to designate a Data Protection Officer (DPO) who has knowledge support and authority to take responsibility for the Board's Data Protection compliance.

Previously Iain Smith was the named person responsible for Data Protection and registrations with the Information Commissioner.

The approval of the Board is therefore sought to appoint Lorna McShane, Solicitor and Assistant Clerk at the Board's Data Protection Officer, who will give further advice and guidance to any Boards about the implementation of the GDPR.

## **March Sixth District Drainage Commissioners**

### **Notice of conclusion of the audit**

#### **Annual Return for the year ended 31st March 2017**

Sections 20(2) and 25 of the Local Audit and Accountability Act 2014  
Accounts and Audit Regulations 2015 (SI 2015 /234)

1 The Audit of accounts for the March Sixth District Drainage Commissioners for the year ended 31st March 2017 has been concluded and the accounts published.

2 The Annual Return is available for inspection by any local government elector of the area of March Sixth District Drainage Commissioners on application to:

The Clerk  
March Sixth District Drainage Commissioners  
85 Whittlesey Road  
March  
Cambridgeshire  
PE15 0AH

between the hours of 9.00am and 4.00pm on Mondays to Fridays (excluding public holidays), when any local elector may make copies of the Annual Return.

3 Copies will be provided to any local elector on payment of £2.40 for each copy of the Annual Return

Announcement made by: D C Thomas - Clerk to the Commissioners

Date of Announcement: 21st August 2017

# Section 1 – Annual governance statement 2016/17

We acknowledge as the members of:

Enter name of  
smaller authority here:

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2017, that:

	Agreed		'Yes' means that this smaller authority:	
	Yes	No*		
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	YES		prepared its accounting statements in accordance with the Accounts and Audit Regulations.	
2. We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	YES		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.	
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of this smaller authority to conduct its business or on its finances.	YES		has only done what it has the legal power to do and has complied with proper practices in doing so.	
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	YES		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.	
5. We carried out an assessment of the risks facing this smaller authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	YES		considered the financial and other risks it faces and has dealt with them properly.	
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	YES		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.	
7. We took appropriate action on all matters raised in reports from internal and external audit.	YES		responded to matters brought to its attention by internal and external audit.	
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this smaller authority and, where appropriate have included them in the accounting statements.	YES		disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.	
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	NA	has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.

This annual governance statement is approved by this smaller authority on:

20/06/2017

Signed by Chair at meeting where approval is given:

*[Signature]*

and recorded as minute reference:

C.386

Clerk:

*[Signature]*

\*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how this smaller authority will address the weaknesses identified.

## Section 2 – Accounting statements 2016/17 for

Enter name of  
smaller authority here:

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

	Year ending		Notes and guidance				
	31 March 2016 £	31 March 2017 £					
1. Balances brought forward	91,339	93,346	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.				
2. (+) Precept or Rates and Levies	11,009	11,009	Total amount of precept (or for IDBs, rates and levies) received or receivable in the year. Exclude any grants received.				
3. (+) Total other receipts	4,618	1,593	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.				
4. (-) Staff costs	0	0	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.				
5. (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the smaller authority's borrowings (if any).				
6. (-) All other payments	13,620	11,816	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).				
7. (=) Balances carried forward	93,346	94,132	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)				
8. Total value of cash and short term investments	97,075	96,006	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>To agree with bank reconciliation.</b>				
9. Total fixed assets plus long term investments and assets	544,700	544,700	This cell shows the value of all the property the authority owns. It is made up of its fixed assets and long-term investments.				
10. Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).				
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>		Yes	No			The Council acts as sole trustee for and is responsible for managing Trust funds or assets. N.B. The figures in the accounting statements above do not include any Trust transactions.
Yes	No						

I certify that for the year ended 31 March 2017 the accounting statements in this annual return present fairly the financial position of this smaller authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:



Date

12<sup>th</sup> June 2017

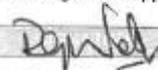
I confirm that these accounting statements were approved by this smaller authority on:

20/06/2017

and recorded as minute reference:

C. 888

Signed by Chair at meeting where approval is given:



## Section 3 – External auditor report and certificate

In respect of:

Enter name of  
smaller authority here:

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

### 1. Respective responsibilities of the body and the auditor

This smaller authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The smaller authority prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2017; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

Our responsibility is to review the annual return in accordance with guidance issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General (see note below). Our work does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and does not provide the same level of assurance that such an audit would do.

### 2. 2016/17 External auditor report (CA 0174)

(Except for the matters reported below)\* on the basis of our review of the annual return, in our opinion the information in the annual return is in accordance with proper practices and no other matters have come to our attention giving cause for concern that relevant legislative and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the smaller authority:

(continue on a separate sheet if required)

### 3. 2016/17 External auditor certificate

We certify/~~do not certify~~\* that we have completed our review of the annual return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2017.

\* We do not certify completion because:

External auditor signature PKF Littlejohn LLP

External auditor name PKF Littlejohn LLP

Date 14/8/17

Note: The NAO issued guidance applicable to external auditors' work on 2016/17 accounts in Auditor Guidance Note AGN/02. The AGN is available from the NAO website ([www.nao.org.uk](http://www.nao.org.uk))

# Annual internal audit report 2016/17 to

Enter name of smaller authority here:

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

This smaller authority's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2017.

Internal audit has been carried out in accordance with this smaller authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this smaller authority.

Internal control objective	Agreed? Please choose only one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been kept properly throughout the year.	✓		
B. This smaller authority met its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This smaller authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.			COVERED DETAIL 2016
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.			COVERED DETAIL 2015
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.			COVERED DETAIL 2016
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.			N/A - NO PETTY CASH
G. Salaries to employees and allowances to members were paid in accordance with this smaller authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.			COVERED DETAIL 2015

K. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable

For any other risk areas identified by this smaller authority adequate controls existed (list any other risk areas below or on separate sheets if needed)

Name of person who carried out the internal audit

WHITING & PARTNERS

Signature of person who carried out the internal audit

M. Hayden  
Whiting & Partners

Date

27/06/2017

\*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

MNH/BB/SAB/MM053

10 July 2017

Messrs. D Thomas, R Hill and S Ablett  
Middle Level Offices  
85 Whittlesey Road  
March  
Cambs.  
PE15 0AH

Dear Messrs. Thomas, Hill and Ablett,

**Internal Drainage Boards - Internal Audit 2016-2017**

Having completed the internal audit for the various Internal Drainage Boards administered by the Middle Level Commissioners officers for the year ended 31 March 2017, we are pleased to provide you with the following recommendations to be considered for implementation. We have included some general points and some points which are relating to specific boards.

**General Points**

**1. Treasury Deposit Accounts**

As mentioned in the prior year's management letter we are pleased that you had taken on our recommendations to place surplus balances in interest yielding accounts. However, these were short term deposits and it does not appear that upon maturity in the audit year these have been reinvested.

On enquiry we understand that Barclays would only accept investments over £1,000,000 however, due to a number of the IDB's holding significant cash reserves we would urge that alternative banks are approached in order to source the best return available on these surpluses.

**2. Published Minutes**

For a number of boards we have identified errors between the published minutes on the Commissioners website and the underlying accounts, in all cases the error was with the published minutes. As such we would suggest that the figures to be published are reviewed more rigorously prior to publication in order to avoid this happening again.

**3. Rates Software**

We note that the new rates software it now operational, we have expanded are testing of this and are satisfied that the system is being used as we would expect. However we understand that the programme is not being used to its full capabilities as a result of it not being fully linked to the Opera software. We understand that you are looking into this and hope that the system will be delivering the anticipated efficiencies in the coming year.

**PARTNERS**

Philip M Peters FCA  
Mark N Kaydon CA  
James D Cator FCA  
Paul N Tatum FCA

**JAMES NORTON FCA**

Andrew P Wainwright FCA  
Christopher D Ridgway FCCA  
Richard C Mearns FCA  
Ian B C Piper FCA

**CHRISTOPHER P EDDY FCA**

Barbara Nicholas CTA  
Andrew R Bond FCA  
Tina J Durr ACA

**ASSOCIATES**

Richard A Alcock APT  
Keith J Day FCCA  
Amanda E Newman FCA  
Kim Clayton FCA

*Registered to carry on audit work in the UK and Ireland; regulated for a range of investment business activities; and licensed to carry out the reserved legal activity of non-contentious probate in England and Wales by the Institute of Chartered Accountants in England and Wales.*

Due to staffing changes it was identified that only one member of staff has a working knowledge of the new rates system and is the only member of staff who can access the programme. As such we would urge that further users are trained to avoid over reliance on one member of staff and promote segregation of duties.

**4. IT Security**

We note that there are two employees currently using password and login credentials of staff who have retired and on maternity leave. This could lead to potential material errors or manipulations, especially when staff returns from maternity. As such we would strongly suggest that staffs are provided with their own passwords and login details in order to ensure accountability of work carried out within the accounting and rates systems.

**5. Amalgamated IDB's**

During the course of auditing IDB's which have previously been amalgamated, it has been noted that NS&I accounts have been kept active for the two previously separate IDB's and have not been combined. We appreciate that you have attempted to rectify this and look forward to this issue being resolved in the coming year.

**6. Opera Bank Reconciliations**

As in prior years we have noticed that the Opera bank reconciliation function does not appear to have been resolved and as such in some cases the Opera unreconciled reports do not tie back to the main cashbook reconciliation. We are aware that this is a software issue and not down to human error. In all cases with the assistance of the manual reconciliation provided, no differences were identified in the year end bank and cash figures.

**7. VAT**

We have expanded our testing over VAT and other taxes in response to the ongoing enquiries from HMRC. From our review of the legislation that applies to the Commissioners in relation to VAT it would appear that all IDB's are currently compliant taking account of the special exemption for local authority type governmental organisations. We would suggest that the VAT positions of all the IDB's are regularly reviewed to ensure this remains the case going forward particularly if external services are to be provided or rental incomes are over £7000 per annum.

**8. Aged Debtors/Creditors**

We are pleased to note that you have taken on board our prior recommendations in relation to the write back of old debtors/creditors that are no longer considered to be receivable/payable.

**9. GDPR**

We draw your attention to the new data protection act coming into force next May (2018) and recommend that you and each Board review your potential compliance under these much upgraded requirements in the near future to enable you to carry out any changes or amendments prior to the new rules becoming applicable . This Act introduces financial penalties of some significance if breaches occur.

**10. Accommodation & Motor Vehicles**

We note that there is a degree of uncertainty relating to job –related accommodation and potential benefits in kind arising from HMRC , although understand that you consider your limited accommodation provision to be provided in a manner customary for the industry to enhance operational performance.

As with the recipients of motor vehicles, we recommend that you review your contracts of employment with those concerned to ensure that this documentation and staff handbooks/guidance notes, demonstrates the work related aspects of both any accommodation and/or vehicle usage (and limitations to private travel use).

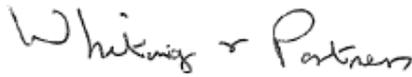
**Specific Points**

**Euximoor IDB**

We note that in the prior year the asset valuation was overstated due to the inclusion of weed screen cleaner treated as works in progress that was already taken into account within Malcolm's pumping station valuation. This has been written back in the current year to mirror the valuation provided by Malcolm in the prior year. We have duly noted this on Annual Return on the 'Annual internal audit report 2016/17'.

Finally we take this opportunity to thank your staff involved in our audit for their assistance and cooperation.

Yours sincerely,



*Whiting & Partners*

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**  
**BUDGET MONITORING 2017/2018**

	<u>Approved budget</u> <u>2017/2018</u> £	<u>Actual to</u> <u>31.12.2017</u> £	<u>Forecast to</u> <u>31.03.2018</u> £	<u>Remarks</u>	
1 Insurances	900	520	520		
2 Drainworks (including Environmental measures)	8,000	3,496	7,300	- Includes provisions to end of year:-	<u>2,600</u>
3 Repairs and renewals	2,900	758	1,100	- Does not include for repairs to outfall - (budget provision £1,500)	
4 Electricity	1,300	209	1,000	- Includes provisions to end of year:-	<u>1,200</u>
5 Administration charges, Health and Safety contract, Audit fee, printing, stationery, advertising, Association of Drainage Authorities subscriptions etc	4,000	847	4,000		
6 Environment Agency - Precept	1035	1,035	1035		
	18,135	6,864	14,955		
LESS Deposit Accounts interest, etc	4,180	929	3,578	- Budget includes development funds for repairs to outfall - £600	
	13,955	5,936	11,377		

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**

**INTERNAL AUDIT STRATEGY AND AUDIT PLAN**

**2018 – 2021**

## **REPORT**

### **1.0 INTRODUCTION**

- 1.1 The Board has a statutory responsibility under the Local Government Act 1972 and Accounts and Audit (England) Regulations 2011 to maintain an effective internal audit of its activities. The regulations require that the Board shall be responsible for ensuring the financial management of the Board is adequate and effective and that there are sound systems of internal control that facilitate the effective exercise of the Board's functions. Internal audit is also an important element of the Board's risk management arrangements in terms of the work that it undertakes in evaluating and reporting upon the control environment.
- 1.2 The Local Government Act 1972 (Section 151) states that "a relevant body shall maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper internal audit practices".
- 1.3 Internal audit is an independent, objective assurance and pro-active consulting service designed to add value and improve the Board's operations. It provides an independent and objective opinion to the Board on the control environment that comprises of risk management, control and governance.

### **2.0 INTERNAL AUDIT STRATEGY AND PLAN**

- 2.1 The Audit Strategy is a high level statement on how the Internal Audit Service will be delivered and developed. A proposed strategy for 2018-21 (2018/19, 2019/20 & 2020/21) is attached.
- 2.2 The Audit Plan has been developed in compliance within the current and future 2018-21 strategy and the indicative annual plan for 2018-19 is attached as illustration for future years together with Appendix A & B.

### **3.0 CONCLUSION**

- 3.1 An internal audit strategy and internal audit plan is required to be approved.

### **RECOMMENDATION**

- 4.0 The Board to approve the Audit Strategy for 2018-21 and indicative Audit Plan for 2018-19 and future years.

## **INTERNAL AUDIT STRATEGY 2018-21**

- 1.1 This Audit Strategy is designed to be a high level statement of how the Internal Audit Service will be delivered and developed.
- 1.2 Internal audit is an independent, objective assurance and pro-active consulting services designed to add value and improve the Board's operations. It provides an independent and objective opinion to the Board on the control environment that comprises risk management, control and governance.
- 1.3 The Accounts and Audit (England) Regulations 2011 state that the Board is responsible for ensuring the financial management of the organisation is adequate and effective and that the Board has sound systems of internal control which facilitate the effective exercise of their functions (including risk management). The Regulations also require that the Board should conduct a review, at least once a year, of the effectiveness of its systems of internal control and shall include a Statement on Internal Control in its financial statements. The Internal Audit Service is a key independent and objective source of assurance for the Board.
- 1.4 The authority of Internal Audit is included within the Board's Financial Regulations.

### **2. RESOURCES**

- 2.1 The Internal Audit Service is provided by Whiting and Partners who are an independent firm of Chartered Accountants.

### **3. AREAS OF WORK**

- 3.1 All internal audit work will be undertaken with due regard to the Governance and Accountability in Internal Drainage Boards – a Practitioner's Guide and the CIPFA Code of Internal Audit Practice in Local Government.
- 3.2 The annual audit plan will be devised through discussions and agreement with the Clerk, Board Members, and the External Auditor where applicable.
- 3.3 The following paragraphs describe the main areas of internal audit work. The work concentrates on assurance and risk-based audits, traditional probity checks and assistance with risk management and provision of advice.
- 3.4 It covers aspects of all financial systems annually, rather than just on a strict 3 year cyclical basis which is a fairly common alternative for Internal Audit functions. The plan is for minimal 'systems review' days as the financial systems are undertaken on a common basis by the Middle Level Offices, so using a risk based audit approach these only require to be audited on a sample basis across the IDBs on an annual basis. The normal level of both System confirmation and Transaction testing is set to ensure that some transactions of all individual boards within the Middle Level Commissioners' administered area are covered each year such as will be appropriate to the Board's level of activity and/or strength of assessed internal controls; nonetheless all Boards will be covered in all areas across a 3 year period.

In addition, work is carried each year on certain areas to ensure compliance and correctness of the Annual Return form.

The following list summarises the work done and frequency:

## **A - Return, Accounts & Completion (Annually)**

- Ensure IDB cashbook kept up to date
- Ensure that monthly bank reconciliations are carried out
- Check that verification of bank reconciliations has been carried out
- Ensure that the annual return and accounting record opening and comparative figures agree to prior years records
- Ensure that figures stated on the annual return agree to underlying accounting records
- Checking casting and arithmetic of schedules
- Review variance report and investigate reasons excessive variances

## **B – Purchases (Cyclically)**

- Check proper purchase authority is recorded by the board in relation to IDB payments
- Carry out walkthrough testing in relation to IDB purchase system
- Agreement of purchase ledger balances to trial balance
- Ensuring payment of principal and interest in respect of loans is in accordance with agreed terms
- Confirm list of payments issued agrees to minutes
- Ensure that individual purchases are authorised by a relevant person

## **C– Minutes, Value for Money, Risk Management, Ethical Standard and Sustainability (Annually)**

### *Minutes*

- Review of minutes to check that risks relating to the boards are discussed
- Ensure that a formal risk assessment is carried out by the board
- Review the budget setting process
- Review minutes for unusual or extraordinary activities
- Check insurance review

### *Value for Money*

- Ensure that value for money principles are being observed
- Obtain relevant tenders for capital purchases to ensure VFM principles are being considered.

### *Risk Management*

- Ensure that the boards risk register is kept up to date and adequately covers potential areas of risk facing the board.
- Ensure that risk factors are taken into account in the board's decision making and implementation processes

### *Ethical Standards and Sustainability*

- Ensure that decisions are made in an ethical manner by the board, bearing in mind environmental and other socioeconomic circumstances/responsibilities within the local community.
- Ensure that ethics is taken into account within the boards defined policies

- Ensure that long term sustainability is being taken into account in operational decisions.

#### **D - Budget and Variance Analysis (Cyclically)**

- Review variance analysis issued by the board
- Check that progress against budgets are regularly monitored
- Check that budgets are used for determining rates for the following year
- Review accruals for reasonableness
- Review after date information for possible accruals

#### **E - Sales (Cyclically)**

- Perform walkthrough testing on the IDB rates system
- Review any rates write offs and ensure received board approval
- Perform walkthrough testing of other sales made by IDBs
- Review minutes to ensure all expected other income has been received and banked

#### **F - Petty Cash (Cyclically)**

- Not applicable at present, no petty cash function for any IDBs currently.

#### **G - Wages (Cyclically)**

- Performance of wages walkthrough
- Ensure that authorisation granted for overtime paid
- Review of P11Ds
- Ensure that non-pay rolled staff have been correctly taxed

#### **H - Assets (Cyclically)**

- Vouch additions and review sales of fixed assets in the year
- Ensure assets are adequately covered by IDB insurance policies
- Ensure that asset movements in the year are reasonable and consistent with prior years

#### **I – Bank (Annually)**

- Ensure that regular reconciliations have occurred in the year
- Recalculation of interim and year end bank reconciliation
- Ensure that cashbooks entries are based on transactions as made rather than in order of appearance on the bank statements

#### **J – Trial Balance & Nominal (Cyclically)**

- Ensure Opera trial balance transferred to the accounts correctly
- Scrutinise creditors, accruals, debtors and prepayments
- Identify any transactions that are held within the audited figures that relate to prior or future periods

### 3.4.1 Assurance Audits

All financial systems are to be documented and reviewed on an annual basis to provide the required level of assurance. Where appropriate probity audit work will be undertaken and the propriety, accuracy and recording of transactions sample tested. The level of testing to be agreed with the Clerk and External Auditor.

### 3.4.2 Consultancy and Advice

Internal Audit will be available to assist the Board with control or operational issues. During the year there might be emerging risks or issues that need an independent view or review. In addition, internal audit will be pro-active with suggestions and advice to management from information gained through experience, other organisations and networking groups.

### 3.4.3 Anti-fraud, Bribery and Corruption

Internal Audit will be pro-active in counter fraud work. Although it is not a function of Internal Audit to detect fraud, bribery and corruption (this is a responsibility of management and good system control) work will be undertaken to help ensure there are adequate systems and procedures to highlight potential instances.

### 3.4.4 Value for Money (VFM), Risk Management, Ethical Standards and Sustainability

As a part of the audit review, systems and controls established by management to secure VFM, risk management, ethical standards and sustainability will be examined and evaluated. Matters of an overall nature are also addressed within the annual work programme. Auditors may initiate, conduct or participate in special reviews in these areas where need arises.

## **4.0 AUDIT REPORTS**

4.1 At the completion of each audit a report will be produced and agreed with the Clerk. This details the terms of reference and scope of the audit, findings, recommendations and a management action plan. An executive summary that includes an audit opinion on controls will also be included.

4.2 An annual internal audit report shall be produced to the Board to provide an overall opinion on controls and detail the audit work for the year.

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS  
INTERNAL AUDIT PLAN for 2018-19 – ANNUAL REVIEW and MEETING STANDARDS**

Expected Standard	Evidence of Achievement	Yes/No
Scope of Internal Audit	As has been reported to the Board, Whiting and Partners, Chartered Accountants have been appointed as the Board’s Internal Auditor. The Internal Audit Strategy for 2018-21 and this indicative Audit Plan for 2018/19 and future are to be approved by the Board. Internal Audit work takes into account both the Board’s Risk Assessment and wider internal control arrangements. Internal Audit work covers the Board’s anti-fraud, bribery and corruption arrangements.	Yes
Independence	Internal Audit has direct access to those charged with governance (see Financial Regulations). Reports are made in the name of the internal auditors to the Board. Internal Audit does not have any other role within the Board but can if requested provide temporary financial assistance with financial accounts preparation although there are no plans for this currently.	Yes
Competence	There is no evidence of a failure to carry out Internal Audit work ethically with integrity and objectivity.	Yes
Relationships	All responsible officers are consulted on the Internal Audit Plan.	Yes
Audit Planning and Reporting	The Annual Internal Audit Plan is formulated in the context of the Internal Audit Strategy and properly takes account of all the risks facing the Board and is to be approved by the Board. The Internal Audit Report for 2018/21 will be reported in accordance with the Internal Audit Plan.	Yes

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS  
ANNUAL REVIEW OF INTERNAL AUDIT – CHARACTERISTICS OF EFFECTIVENESS**

Characteristics of Effectiveness	Evidence of Achievement	Yes/No
Internal Audit work is planned	Planned Internal Audit work is based on risk assessment and designed to meet the Board's needs.	Yes
Understanding the whole organisation, its needs and objectives	The Annual Audit Plan demonstrates how audit work will provide assurance for the Board's Annual Governance Statement.	Yes
Be seen as a catalyst for change	Internal Audit supports the Board's work in delivering improved services. It will report, where identified, on aspects that appear to reflect sub-optimal efficiency, effectiveness and value for money.	Yes
Add value and assist the organisation in achieving its objectives	The Board makes positive responses to Internal Audit's recommendations and follows up with action where this is called for.	Yes
Be forward looking	In formulating the Annual Audit Plan, national agenda changes are considered. Internal Audit maintains awareness of new developments in the services, risk management and corporate governance.	Yes
Be challenging	Internal Audit focuses on the risks facing the Board. Internal Audit encourages the Board to develop their own responses to risks, rather than relying solely on audit recommendations.	Yes
Ensure the right resources are available.	Adequate resource is made available for Internal Audit to complete its work. Internal Audit understands the Board and the legal and corporate framework in which it operates.	Yes

**PROPOSED AUDIT FEE 2018 – 2021**

In light of the highlighted work to be carried out and the planned period of time the audit is scheduled to take place we propose a total fee of £17,750 (exc. VAT) for 2018/19 with a rise of 3.0% per annum (assumed general inflation level) over the next 3 years.

**Internal Audit Plan for the year ended 31<sup>st</sup> March 2019 for the  
Middle Level Commissioners' administered Internal Drainage Boards (see Appendix B)**

<b>Audit Areas</b>	<b>Plan Days</b>
Planning, discussions, reporting etc.	5
Systems Review and confirmation	12
Transaction Tests	15
Advice	3
<b>TOTAL</b>	<b>35</b>

Benwick Internal Drainage Board  
Bluntisham Internal Drainage Board  
Churchfield & Plawfield Internal Drainage Board  
Conington & Holme Internal Drainage Board  
Curf & Wimblington Combined Internal Drainage Board  
Euximoor Internal Drainage Board  
Haddenham Level Drainage Commissioners  
Hundred Foot Washes Internal Drainage Board  
Hundred of Wisbech Internal Drainage Board  
Manea & Welney District Drainage Commissioners  
March West & White Fen Internal Drainage Board  
March East Internal Drainage Board  
March Fifth District Drainage Commissioners  
March Sixth District Drainage Commissioners  
March Third District Drainage Commissioners  
Needham & Laddus Internal Drainage Board  
Nightlayers Internal Drainage Board  
Nordelph Internal Drainage Board  
Over & Willingham Internal Drainage Board  
Ramsey First (Hollow) Internal Drainage Board  
Ramsey Fourth (Middlemoor) Internal Drainage Board  
Ramsey Upwood and Great Raveley Internal Drainage Board  
Ransonmoor District Drainage Commissioners  
Sawtry Internal Drainage Board  
Sutton & Mepal Internal Drainage Board  
Swavesey Internal Drainage Board  
Upwell Internal Drainage Board  
Waldersey Internal Drainage Board  
Warboys Somersham & Pidley Internal Drainage Board

**MARCH SIXTH DDC**  
**INSURED VALUE OF FIXED ASSETS**

**PUMPING STATION**

As At  
31st March 2017

NORWOOD PUMPING STATION

544,000.00

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544,000.00

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## Section 1 – Annual Governance Statement 2017/18

We acknowledge as the members of:

### MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2018, that:

	Agreed		"Yes" means that this authority:	
	Yes	No*		
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>	
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>	
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>	
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>	
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>	
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>	
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		<i>responded to matters brought to its attention by internal and external audit.</i>	
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>	
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A	<i>has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.</i>

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the authority will address the weaknesses identified.

This Annual Governance Statement is approved by this authority and recorded as minute reference:

MINUTE REFERENCE

dated DD/MM/YY

Signed by the Chairman and Clerk of the meeting where approval is given:

Chairman SIGNATURE REQUIRED

Clerk SIGNATURE REQUIRED

**Other information required by the Transparency Codes** (not part of Annual Governance Statement)  
Authority web address

AUTHORITY WEBSITE ADDRESS

## MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

### Payments 2017/2018 (1st April 2017 - 31st March 2018)

<u>DATE</u>	<u>DISPLAY</u>	<u>NET</u>	<u>VAT</u>	<u>GROSS</u>
18/04/2017	Middle Level Commissioners - Chemical weed control of District drains	369.76	73.95	443.71
18/04/2017	Middle Level Commissioners - Fees (Weed control and drain maintenance 2017, planning and development applications)	603.00	120.60	723.60
26/04/2017	Anglia Farmers - Electricity supply	91.98	4.98	96.96
26/05/2017	Anglia Farmers - Electricity supply	71.69	3.82	75.51
21/06/2017	Association of Drainage Authorities - Subscription 2017-2018	536.00	107.20	643.20
26/06/2017	Environment Agency - Precept	517.50	0.00	517.50
26/06/2017	Anglia Farmers - Electricity supply	25.13	1.33	26.46
30/06/2017	Middle Level Commissioners - Pumping station maintenance	103.20	20.64	123.84
13/07/2017	J Butt & Son - Pumping station duties (2016/2017)	115.00	23.00	138.00
26/07/2017	Anglia Farmers - Electricity supply	17.63	0.94	18.57
27/07/2017	Middle Level Commissioners - Internal audit fees (Whiting & Partners, 2016-2017 accounts)	405.00	81.00	486.00
27/07/2017	Middle Level Commissioners - Repairs to inlet door at Chainbridge	305.00	61.00	366.00
15/08/2017	Middle Level Commissioners - Fees (Production of Board reports, planning and development applications)	74.75	14.95	89.70
29/08/2017	Anglia Farmers - Electricity supply	19.71	1.05	20.76
20/09/2017	Association of Drainage Authorities (River Great Ouse branch) - Subscription 2017-2018	5.00	1.00	6.00
20/09/2017	John Steward - Flail mowing	918.00	0.00	918.00
20/09/2017	PKF Littlejohn LLP - Audit Fee (2016-2017 accounts)	100.00	20.00	120.00
26/09/2017	Anglia Farmers - Electricity supply	35.04	1.86	36.90
26/09/2017	Middle Level Commissioners - Pumping station maintenance	103.20	20.64	123.84
28/09/2017	Davies Contracting Ltd - Drainworks	1,443.00	0.00	1,443.00
28/09/2017	Middle Level Commissioners - Supply of bespoke sign (Account from 3B Design and Print)	28.68	5.74	34.42
05/10/2017	Middle Level Commissioners - Administration charge, postages and telephone charges	861.85	172.37	1,034.22
05/10/2017	Middle Level Commissioners - Renewal of insurances	519.97	0.00	519.97
26/10/2017	Anglia Farmers - Electricity supply	21.87	1.16	23.03
29/10/2017	Davies Contracting Ltd - Drainworks	623.50	124.70	748.20
07/11/2017	Middle Level Commissioners - Flail mowing	78.00	15.60	93.60
20/11/2017	Middle Level Commissioners - Chemical weed control of District drains	209.40	41.88	251.28
28/11/2017	Middle Level Commissioners - Contribution (Environmental Officer)	347.50	0.00	347.50
28/11/2017	Middle Level Commissioners - Fees (Planning and development applications)	42.00	8.40	50.40
30/11/2017	Anglia Farmers - Electricity supply	35.62	1.90	37.52
30/11/2017	Environment Agency - Precept	517.50	0.00	517.50
27/12/2017	Anglia Farmers - Electricity supply	22.99	1.22	24.21
12/01/2018	Middle Level Commissioners - Pumping station maintenance	103.20	20.64	123.84
26/01/2018	Anglia Farmers - Electricity supply	30.58	1.62	32.20
26/02/2018	Anglia Farmers - Electricity supply	108.41	5.78	114.19
02/03/2018	Middle Level Commissioners - Fees (Planning and development applications)	21.00	4.20	25.20
07/03/2018	Information Commissioner - Data Protection Registration renewal	35.00	0.00	35.00

07/03/2018	Middle Level Commissioners - Contribution towards Eel Research	50.00	0.00	50.00
07/03/2018	Middle Level Commissioners - Preparation of highland water claims	71.14	14.23	85.37
09/03/2018	Pumping station duties (2017/2018)	550.00	0.00	550.00
26/03/2018	Anglia Farmers - Electricity supply	161.97	32.39	194.36
		<u>10,299.77</u>	<u>1,009.79</u>	<u>11,309.56</u>

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**  
**ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2018**

**GENERAL FUND**

2018			2017		
Mar-31	Expenditure during the year:-		Apr-01	Balance brought forward	41,010.40
	Precept		2018	Rate income & Special levy	10,361.08
	Insurances and Rates	519.97	Mar-31	Interest on Deposit Accounts	29.60
	Repairs & Renewals	1,701.75		Highland Water contributions -	928.51
	Fuel	641.58		Development Charges Account	2,658.00
	Drainworks	4,087.65		Development Charges Account -	
	District Labour	665.00		Gravity Outfall Repairs	308.00
	Administration charge, Audit fee, printing, stationery, advertising etc	<u>3,727.46</u>			
		11,343.41			
	Balance carried forward				
		<u>42,917.18</u>			
		<u><u>55,295.59</u></u>			<u><u>55,295.59</u></u>

**BALANCE SHEET**

**Capital Section**

**Liabilities**

Capital Provisions Account 544,700.00

**Assets**

Pumping Station (Valuation) 544,000.00  
Land - Twenty Foot 700.00 544,700.00

**Revenue Section**

General Fund 42,917.18  
Development Charges Account 50,193.59  
Sundry Creditors 5,188.11  
642,998.88

Ratepayers' Account 0.02  
Value added Tax - Refunds due 1,261.18  
Sundry Debtors 0.00  
Balance in hand -  
Barclays - Treasurer's Account 96,213.12  
National Savings - Treasurer Account 492.02  
Labour Account 332.54 97,037.68  
642,998.88

**March Sixth Internal Drainage Board****Summary of Bank Reconciliations as at 31st March 2018****Treasurers Account 2017/2018**

1st April 2017			31st March 2018	
Balance brought forward	95,184.23		Payments made during the year	11,309.58
31st March 2018				
Receipts during the year				
Clerk's collection account	12,272.94			
Interest on deposit accounts	65.51	12,338.45	Balance carried forward	98,213.12
		<u>107,522.68</u>		<u>107,522.68</u>

**National Savings - Treasurers Account 2017/2018**

1st April 2017			31st March 2018	
Balance brought forward	489.71		Payments made during the year	0.00
31st March 2018				
Interest on deposit accounts	2.31		Balance carried forward	492.02
		<u>492.02</u>		<u>492.02</u>

**Labour Account 2017/2018**

1st April 2017			31st March 2018	
Balance brought forward	332.43		Payments made during the year	0.00
31st March 2018				
Interest on deposit accounts	0.11		Balance carried forward	332.54
		<u>332.54</u>		<u>332.54</u>

**Barclays Bank PLC****Clients Premium Account**

Balance per Statement as at 31st March 2018	98,213.12
Less unpresented cheques	0.00
O/S lodgement	0.00
Balance per Trial Balance	<u>96,213.12</u>

**Labour Account**

Balance per Statement as at 31st March 2018	332.54
Less unpresented cheques	0.00
O/S lodgement	0.00
Balance per Trial Balance	<u>332.54</u>

**Cash balances as at 31st March 2018****Barclays Bank PLC**

Clients Premium Account	96,213.12
Clients Labour Account	332.54

**National Savings**

Investment Account per passbook	492.02
<b>Total reconciled cash balances per accounts</b>	<u>97,037.68</u>

## Section 2 – Accounting Statements 2017/18 for

### MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

	Year ending		Notes and guidance
	31 March 2017 £	31 March 2018 £	
1. Balances brought forward	93,346	94,132	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	11,009	10,361	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	1,593	996	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	0	0	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5. (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	11,816	12,378	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	94,132	93,111	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	96,006	97,038	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	544,700	544,700	The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings	0		The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	The Council acts as sole trustee for and is responsible for managing Trust funds or assets.  N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2018 the Accounting Statements in this Annual Governance and Accountability Return present fairly the financial position of this authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer

SIGNATURE

22<sup>nd</sup> May 2018

Date

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where approval of the Accounting Statements is given

SIGNATURE REQUIRED

**March Sixth DDC**  
**Reconciliation between statement of accounts and Annual Return**  
**Financial year ended 31st March 2018**

			<u>Per Annual Return</u>
<b>Line 1</b>	<b>Balances brought forward</b>		
	General Fund	41,010.40	
	Development charges account	53,121.26	
		<u>94,131.66</u>	94,132
<b>Line 2</b>	<b>Rates and Special Levies</b>		
	Agricultural rates	6,010.08	
	Special Levies	4,351.00	
	Penalty	0.00	
	Costs	0.00	
	Write-off	0.00	
		<u>10,361.08</u>	10,361
<b>Line 3</b>	<b>Total other receipts</b>		
	Interest		
	General fund	29.60	
	Development charges account	38.33	
	Consent applications	0.00	
	Highland Water	928.51	
	Discharge contributions	0.00	
		<u>996.44</u>	996
<b>Line 4</b>	<b>Staff costs</b>		
	Wages/salaries	0.00	
	National insurance contributions	0.00	
	Pension costs	0.00	
	Travelling expenses	0.00	
		<u>0.00</u>	0
<b>Line 5</b>	<b>Loan repayments</b>		
	PWLB - Principal	0.00	
	PWLB - Interest	0.00	
		<u>0.00</u>	0
<b>Line 6</b>	<b>All other payments</b>		
	Precept	1,035.00	
	Rates, insurances, telephones	519.97	
	Repairs and renewals	1,701.75	
	Fuel	641.58	
	Drainworks	4,087.65	
	Administration	3,727.46	
	Development charges fees	0.00	
	Contractors charges	665.00	
		<u>12,378.41</u>	12,378
<b>Line 7</b>	<b>Balances carried forward</b>		
	General Fund	42,917.18	
	Development charges account	50,193.59	
		<u>93,110.77</u>	93,111
	Reconciliation		
	Line 1 + Line 2 + Line 3 - Line 4 - Line 5 - Line 6	93,110.77	

**MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**  
**BUDGET 2018/2019**

	<u>Approved budget</u> <u>2017/2018</u> £	<u>Actual</u> <u>2017/2018</u> £	<u>Budget proposal</u> <u>2018/2019</u> £	<u>Remarks</u>	
1 Insurances	900	520	575	A - Includes: Drain cleansing	1,826
				Flail mowing	<u>918</u>
2 Drainworks (including Environmental measures)	8,000	4,753 <sup>A</sup>	7,750 <sup>B</sup>		2,744
3 Repairs and renewals	2,900	1,702 <sup>C</sup>	1,500	B - Includes: Engineer's items	4,914
4 Electricity	1,300	642	1,300	District Labour	650
				Contribution/fees/misc.	<u>2,186</u>
5 Administration charges, Health and Safety contract, Audit fee, printing, stationery, advertising, Association of Drainage Authorities subscriptions etc	4,000	3,727	4,000	C - Includes for: Repairs at gravity outfall	771
6 Environment Agency - Precept	1035	1,035	1050	D - Includes development charges - 5% maintenance contribution. Gravity outfall repairs	2,658 308
	18,135	12,378	16,175		
LESS Deposit Accounts interest, etc	4,180	3,924 <sup>D</sup>	3,547		
	13,955	8,454	12,628		

March Sixth District Drainage Commissioners

Rate and levy requirements

Under Section 37 of the Land Drainage Act 1991, the appropriate proportions in which the net expenditure of the Commissioners must be borne for 2018/2019 is:-

- a) Proportion to be borne by the Agricultural Sector – 58.01%
- b) Proportion to be borne by Special levy issued to Fenland District Council – 41.99%.

The product of a rate of 1p in the £ on Agricultural land and buildings is £376.

In 2018/2019 a rate of 1p together with corresponding Special levy would raise £648.

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Revenue cash balance in hand on 31<sup>st</sup> March 2018 - £42,917.

The estimated net expenditure for the Commissioners Revenue and Capital Programmes in 2018/2019 is £00,000 and equivalent to:-

- a) a rate in the £ on Agricultural land and buildings of 19.50p and
- b) a Special levy on Fenland District Council of £5,303

In 2017/2018 a rate of 16.0p in the £ was raised together with a Special levy of £4,351 on Fenland District Council.

Members should give consideration to the appropriate level of balances and future years rate requirements when setting the rate.

D C THOMAS

Clerk to the Commissioners

May 2018