NIGHTLAYERS INTERNAL DRAINAGE BOARD

At a Meeting of the Nightlayers Internal Drainage Board
held at the Middle Level Offices, March on Thursday the 26th May 2022

PRESENT

A Edgley Esq (Chairman)	T Edgley Esq
S Edgley Esq (Vice Chairman)	S P Graves Esq
D Collett Esq	P Murphy Esq
L Edgley Esq	M Smalley Esq

I Benney (FDC)

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

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

The Chairman welcomed Councillor Ian Benney who was attending his first meeting of the Board.

Apologies for absence

Apologies for absence were received from D Divine Esq, J Edgley Esq, Mrs A Hay and Miss S Hoy.

B.1144 Declarations of Interest

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

Cllr Murphy declared an interest in all planning matters as a member of Fenland District Council

Mr A Edgley declared interests in the District Officers fee, Payments and minute B.1155.

Mr S Edgley declared an interest in minute B.1155.

B.1145 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 13th May 2021 and 17th January 2022 are recorded correctly and that they be confirmed and signed.

B.1146 Appointment of Chairman

RESOLVED

That A Edgley Esq be appointed Chairman of the Board.

B.1147 Appointment of Vice Chairman

RESOLVED

That S Edgley Esq be appointed Vice Chairman of the Board.

B.1148 Resignation of Board Member

Miss Ablett referred to an email dated 23rd December 2021 from Mr T Scott advising of his resignation from the Board.

RESOLVED

That a letter be sent to Mr T Scott thanking him for his services to the Board.

B.1149 Vacancy in Membership

To consider the filling of the vacancy in the membership of the Board caused by the resignation of Mr T Scott.

RESOLVED

That the Vice-Chairman approach Paul Jackson.

B.1150 Land Drainage Act 1991 – Board Membership – Fenland District Council

Miss Ablett reported that Fenland District Council have appointed Councillors Miss S Hoy and Mrs J French to be members of the Board under the provision of the Land Drainage Act 1991.

B.1151 Potential Grant-In-Aid – Replacement of Electric Pump and Control Panel

Miss Ablett apologised the Clerk had not contacted the Chairman and Vice Chairman with an estimated cost of a business plan for GIA application for a new electric pump and control panel, as requested, but advised the Consulting Engineer had confirmed the cost of the business plan would be in the region of £5,000.

Miss Ablett reported the funding required for a new electric pump and control panel had been identified on the Environment Agency's Project Appraisal Funding Scheme submission for GIA although an application had not yet been made. She advised that the funding requested had been increased to £120,000 as the original estimate of £70,000 was over two years old and costs had increased significantly in that time.

Members discussed the grant in aid application further and enquired whether a new weedscreen and replacement drive coupling could be included. Miss Ablett advised that although she knew that it was no longer possible to obtain GIA for automatic weedscreen cleaners she was not sure whether this was also the case for weedscreens, but she would ask the Consulting Engineer to include both items in the application, if possible.

Members agreed to proceed with the GIA application and for a business case to be prepared. They requested the cost of the business case be paid from the development charges account if the GIA application was not fully funded.

RESOLVED

That a business case be prepared and a GIA application submitted, to include a weedscreen and drive coupling, if possible.
That the cost of the business case be paid from the development charges account if the GIA application was not fully funded.

B.1152 Illegal Discharge – Cambridge Property Group

Further to minute B.1105, Miss Ablett reported an application for discharge consent had been received from Tesco Stores Ltd for the disposal of treated foul effluent water from its site off Fenland Way, Chatteris.

B.1153 Overgrown Watercourse from the Junction of A142, Isle of Ely Way, Chatteris Bypass and Short Nightlayers Drove East

Further to minute B.1107, Miss Ablett reported that letters were passed onto all landowners advising of the need to maintain the channel and that Fenland District Council did eventually accept ownership of part of the ditch and asked for a quotation from the MLC to arrange for and supervise the works (£6.5K). She advised there had since been an extensive exchange of emails which did include a challenge from FDC over the need for works along the whole length and this was rejected with photographic evidence proving need being provided. Miss Ablett reported that an order had since been received from FDC who state that they will recover part of the cost from Anglian Water. She advised that due to prohibitions (risks of nesting birds being present) work will be undertaken in late July/August.

B.1154 Actions of Chairman and Vice-Chairman

Miss Ablett reported that a Special Meeting was held on the 17th January and that resolutions were passed by members, as was considered appropriate, and the matter was now considered closed.

B.1155 Proposed Agreement with Floorspan Contracts Ltd.

Miss Ablett reported the Option to Purchase Agreement was in the hands of Floorspan Contracts Ltd.'s solicitors who had requested several amendments relating to planning matters.

She further reported the solicitors had asked for the agreement to allow for a 6-month period to enable the applicant to submit a planning application and for this to be processed. Miss Ablett advised the solicitors had also asked for an extension should planning be refused to allow for them to appeal the Council's decision and for further time should an inspector refuse any appeal as the applicant may wish to take the matter to the High Court.

Miss Ablett reported the Assistant Clerk had agreed to these requests as she considered them to be reasonable and a normal request for this type of development. Miss Ablett advised that in order to protect the Board, the Assistant Clerk had included in the agreement a cut- off date of 2 years from the date the option is to be signed.

Miss Ablett reported that once terms had been agreed the agreement could be signed.

B.1156 Inspection of the District

Further to minute B.1108, the Chairman asked the Consulting Engineer to report.

Mr Lakey reported that a recent joint inspection of the Board's drains had been undertaken and he referred to the comments made in the Consulting Engineers' Report. He added that although there had not been much rainfall in the current year, a lot of slubbing work had been required during 2021-2022 due to the significant rainfall event in December 2020.
Mr Lakey confirmed the District was maintained to a good standard.

B.1157 Clerk's Report

Miss Ablett advised:-

i) COVID-19 Actions

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

ii) Middle Level Commissioners and Administered Boards Chairs Meeting

That an eighth Chair's Meeting was held on the 12th April 2022.

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

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

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

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

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

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

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

iii) Application(s) for byelaw consent

That the following application(s) for consent to undertake works in and around watercourses has/have been approved and granted since the last general meeting of the Board:-

Name of Applicant	Details of Work	Date of Consent
W G Beaumont & Son Ltd	To undertake maintenance painting works to a Cadent Gas pipe spanning the Board's watercourse at Point 8	24/9/2021

iv) Association of Drainage Authorities

a) Annual Conference

That the 84th Annual Conference of the Association was held on Wednesday the 10th November 2021.

The Conference was once again held virtually and was split into two parts; the Conference in the morning and AGM in the afternoon. It is expected that, whilst in future years it is hoped to return to a face-to-face format, the clear separation between conference and AGM is likely to be retained.

Speakers this year included Rebecca Row MP (Parliamentary Under Secretary of State – Defra), Dieter Helm (economist) and Lord De Ramsey (then President of ADA).

Topics covered included the challenges of climate change and the need to step up to the plate in delivering on the aim to achieve a net zero target as soon as possible, the importance of partnership working and the importance of agriculture in feeding the nation. The latter included the need to better educate the population, who clearly desire to move forward on delivering climate change and ecological objectives, but do not fully appreciate the role of agriculture, its real impacts or even properly understood where and how food is sourced. One example given that challenged a common assumption that agriculture was bad for the environment was that recent monitoring of CO^2 release had shown that a well irrigated peat field of onions released less CO^2 than adjacent dry grassland.

In his speech Lord De Ramsey announced that he was stepping down as President and that his place would be taken by Henry Cator. He was warmly thanked by ADA for his many years of service and was presented with a painting by an artist which it is known he admires. Henry spoke about how pleased he had been to be invited to take over the role and that he looked forward to working with ADA to meet the future challenges of the industry.

The AGM that followed gave an update on the work of ADA, noting the likelihood that, despite vigorous lobbying, the expectation was that from 1st April 2022 IDBs would no longer be able to use red diesel for anything other than heating or to run generators. This will impact on costs and will provide challenges to the continued use of agricultural contractors. The passing of the Environment Bill was touched upon which will release barriers to the formation of new IDBs and will also provide opportunities for IDBs to explore extending their boundaries if it was clearly beneficial to do so. Innes Thomason spoke on the work of ADA and the consultations ADA had responded to, including proposals to extend beaver introduction and a water abstraction licencing charging review amongst other things. Finally, it was reported that the ADA Board had agreed to a 1% rise in subscriptions for the 2022/23 year and noted that with inflationary pressures a higher increase should be expected next year.

b) Annual Conference

That the Annual Conference of the Association of Drainage Authorities will be held on Wednesday the 9th November 2022, venue yet to be announced.

c) Meeting of the River Great Ouse Branch

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

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

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

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

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

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

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

d) Updating IDB Byelaws

Further to minute B.1037, ADA have advised that there was an error in the Model Byelaws relating to a Penalty Notice which referred to s37 of the Criminal Justice Act 1982, which was actually repealed on the 1.12.2020 by the Sentencing Act 2020. Consequently, Defra has amended the Penalty Notice attached to the byelaws to include the correct reference. This Penalty Notice is not part of the Byelaws and, as such, is a simple correction. There is no requirement either to readvertise, or seek Defra approval and the version now uploaded to the website is the corrected one.

v) Environment Act

In November 2021 Defra announced that the Environment Act became law. The stated aim of this Act is to improve air and water quality, tackle waste, increase recycling, halt the decline of species, and improve the natural environment. However, the Act also includes powers (specific to IDBs) which amend the Land Drainage Act 1991, addressing the technical issue of missing or incomplete data, which is preventing existing internal drainage boards from expanding and new ones from being established. Defra have stated that they will be working on the associated secondary legislation over the coming year and will be engaging with IDBs through ADA on this.

vi) Water Resources East (WRE)

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

vii) Smart Level System/District Wide Telemetry Bid

Further to minute B.1109(v), Miss Ablett reported that an order has been placed for an outstation for the Board's pumping station and that the final cost to the Board will be just under £2.5K total (with Local Levy grant matching this). This cost includes equipment, installation and 5 years of mobile data and website hosting.

viii) National Drainage Show & Floodex 2022

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

ix) Anglia Farmers

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

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

x) Fens Biosphere

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

xi) Red Diesel

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

xii) Planning and Consenting Fees

Proposed changes to planning and consenting service supply charging

Two changes are proposed. The current arrangements and the proposed changes are outlined below.

1. The current arrangements for charging for Technical Services advice and support, for planning and consenting matters, is based upon a direct cost recovery arrangement. To achieve this all time spent on every item of work undertaken has to be logged and recorded in detail. This information is then pulled together and invoices prepared and checked before being passed to the Board Chairs for sign-off. This requires a considerable amount of time and effort and this time is of course included in the eventual fees paid. It is considered that a more efficient model would be to mirror the one used for charging for Clerking services which is based upon a lump sum annual fee. This has a number of advantages. It reduces internal workload which in turn releases time to carry out productive work. It also allows Boards to budget for the fees knowing at the time of rate setting what the annual fees will be.

   To ensure that a fair assessment is made it is suggested that the last five years of fees are looked at and an average taken. If there is clearly one or two years where one or two planning matters have impacted heavily upon the figures then an appropriate adjustment will be made. The final fee will be converted into a fraction of the costs of overall cost of supplying planning and consenting services for all Boards including the MLC and this percentage will become fixed until such time that a review is called for.

In addition, we will still actively encourage developers and their agents to enter into Pre/Post application contracts. This will help keep the overall planning costs to a minimum. We will also be looking to move more and more to lump sum charges for developers for the same reasons outlined above, i.e., to reduce internal administration work and costs where possible.

It is not proposed that this change will extend to other Technical Services work, such as surveys, catchment analysis, and refurbishment/replacement/improvement scheme work or associated advice which will continue to be logged and charged on a "hours spent" basis.

RESOLVED
That a lump sum fee arrangement be agreed in principle, but figures to be presented to the Board at their January 2023 meeting.

2. Many members have noted that the reporting in relation to planning application comments and responses is comprehensive. Again, it often takes many hours to produce such detailed reports for which the Board is charged. This time could be spent in dealing with and taking action on planning and consenting matters. There is also the issue of the potential time lapse between any planning/byelaw issue raising its head and the meeting of the Board. It is of course normally advantageous to take action as soon as possible after any issue had become apparent. It is therefore proposed that going forward the Board nominate who they wish to be copied in on all planning correspondence, for example the Chair and Vice-Chair. They will then be able to liaise with the Planning Engineer if they wish to and will be conversant with discussions being undertaken. The Board may also wish to delegate decision making for initial actions for bylaw infringements to the Board nominee/s.

   To ensure that the Board is consulted on the most important matters it is proposed that when it is wished for a matter to be raised within the Board report then a request from the Chair can be made and a detailed report would follow. This would normally be the case where significant costs might be associated with enforcement, including perhaps incurring legal fees or where an unusually large or significant development is proposed.

   Should the above change be agreed to, then going forward the Engineer's report will provide a list of all planning applications of interest to the Board and consents applied for/approved but unless requested by the Chair no detail will be provided.

   RESOLVED

   That no further detailed reports on individual planning matters to be included in the Consulting Engineer's Report unless requested by the Chairman or Vice Chairman.

B.1158 Consulting Engineers' Report, including planning and consenting matters

The Board considered the Report of the Consulting Engineers, viz;

Nightlayers I.D.B.

Consulting Engineers Report – May 2022

Weed Control and Drain Maintenance

The maintenance works carried out last year generally accorded with the recommendations approved by the Board at its last annual meeting.

A Roundup herbicide application was applied early in the growing season to the Board's Campole drain, reach 19-21-22-23-24-25-26-27, to control vigorous growths of watercress and other emergent aquatic vegetation, followed by a second application of Roundup and machine cleansing, later in the year.

With the Chairman's approval, a large willow was removed from the south west bank of the Board's drain at the Old Pumping Station site, Point 6. The tree was decaying and deteriorating rapidly, continually dropping large branches in the Board's watercourse. To prevent any further issues and potential blockages, it was agreed to utilise the contractor's tracked excavator to assist with the tree removal whilst on site carrying out machine cleansing works to the adjacent watercourse.

Stump from the large willow tree removed at Point 6, Old Pumping Station site

A recent joint inspection of the Board's drains has been undertaken, revealing that most drains remain in a generally satisfactory condition and are being maintained to a good standard.

However, sporadic stands of reed and emergent aquatic vegetation are evident throughout the Board's Campole drains, reach 19-21-22-23-24-25-26-27. Historically this area has suffered from early season infestations of aquatic vegetation and it is recommended that the affected reaches are treated with an early application of Roundup herbicide and re-inspected pre-harvest to assess if a second application will be needed.

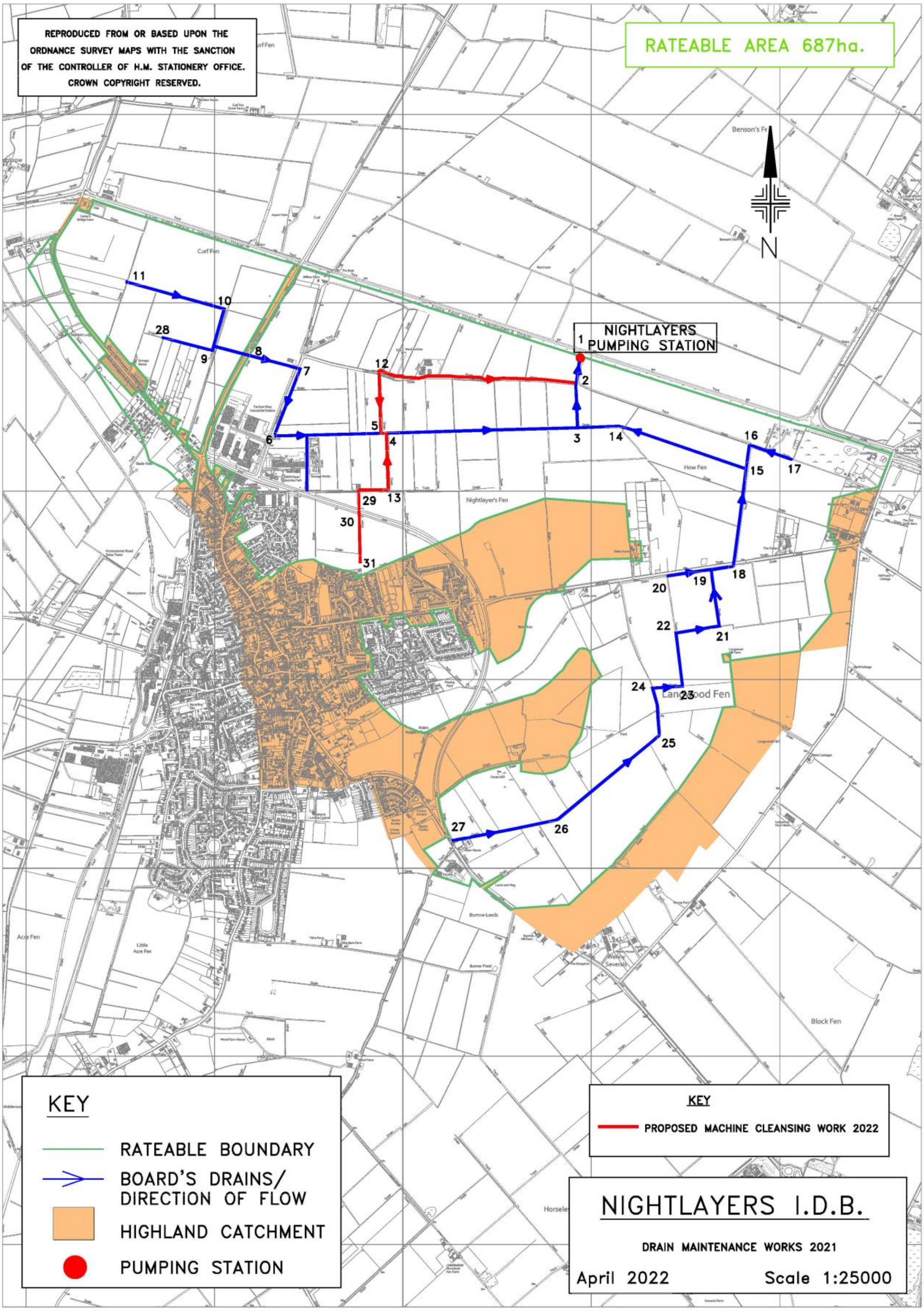
Campole Drain, reach 19-21

Reach 29-30, north of Chatteris Bypass

The inspection highlighted stands of reed in the Board's drains at reaches 13-29-30-31 and 2-12-5, it is recommended the affected reaches are treated with an application of Roundup herbicide followed by light machine cleansing post-harvest this year.

At the Chairman's request, a provisional sum has been allocated within this year's estimated expenditure for any other emergency machine cleansing, Cott removal, culvert clearance or bank slip repair works that may be required within the Board's drains later in the year.

The Board's flail mowing contractors, Messrs Ashman, have indicated that they are available to undertake the Board's flail mowing requirements this year. A sum for the completion of flail mowing of Board's drains for the ensuing year has been included in the estimated costs.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RATEABLE AREA 687ha.
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NIGHTLAYERS PUMPING STATION
Curf Fen
How Fen
Nightlayer's Fen
Langwood Fen
Block Fen
Acre Fen
Little Acre Fen
Burrow Lands
KEY
RATEABLE BOUNDARY
BOARD'S DRAINS/ DIRECTION OF FLOW
HIGHLAND CATCHMENT
PUMPING STATION
KEY
PROPOSED MACHINE CLEANSING WORK 2022
NIGHTLAYERS I.D.B.
DRAIN MAINTENANCE WORKS 2021
April 2022
Scale 1:25000

The recommended Weed Control and Drain maintenance programme is as follows, see previous site plan for locations. An additional allowance has also been included in the estimates, in anticipation of an increase in contractors' rates this year, due to the current inflated cost of fuel.

1)	Roundup applications to control emergent aquatic weed and reed growth in District Drains	Item	Sum		1400.00
2)	**Machine Cleansing**				
	Reaches 2-12-5-4	1500m	@	1.50	2250.00
	Reaches 4-13-29-30-31	850m	@	1.50	1275.00
3)	Allow sum for emergency machine cleansing, Cott removal, culvert clearance works in Board's Drains	Item	Sum		1750.00
4)	Flail mowing district drains	Item	Sum		3000.00
5)	Fees for inspection, preparation and Submission of report to the Board, Arrangement and supervision of herbicide Applications and maintenance works	Item	Sum		1000.00
				TOTAL	**£10,675.00**

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

Pumping Station

Other than the matters described below, only routine maintenance has been carried out since the last meeting and the pumping plant appears to be in a mechanically and electrically satisfactory condition.

The pump has tripped several times over the winter. The pump electrical tests carried out do not show any cause for concern, hence the motor protection relay is thought to be at fault and will be replaced once a suitable modern replacement is identified. Estimated cost £2k

As the pump is now over 25 years old and reaching the end of its design life it is recommended that the Board considers planning to replace it within the next 5 years. The control panel enclosure for the electric pump dates back to 1979 and is in a fair condition for its age but did require a new main contactor in 2019. As the control panel is very compact (very little space between electrical components), original parts had to be sourced from America which were costly and were on a 2-week lead time. The Board may wish to consider upgrading this aging control panel which would cost in the region of £10k.

Pumping Hours

Total Hours Run	May 17 – May 18	May 18 – April 19 (Approximate figure)	April 19 – April 20 (Approximate figure)	April 20 – April 21	April 21 – April 22
No 1 electric	533	180	530	663	361(10380)
No 2 diesel	13	45	50	53	13 (2969)

Total Hours Run	March 12 – May 13	May 13 – May 14	May 14 – May 15	May 15 – May 16	May 16 – May 17
No 1 electric	565	418	475	404	264
No 2 diesel	252	94	31	11	59

The Right to Connect

During the passage of the Environment Act through the House of Lords an amendment was sought which aimed to minimise the impact of new housing development on levels of local flood risk and the likelihood of storm discharges of untreated sewerage effluent into rivers and coastal waters. It aimed to ensure housing developers design systems according to a hierarchy of drainage options that seek to reduce to a minimum the volume of rainwater entering combined sewerage systems removing the current "right to connect" to public sewers.

As members of the Cambridgeshire and Peterborough Flood and Water Management (FloW) Partnership the Middle Level Commissioners and their associated Boards/Commissioners have been asked to consider taking the opportunity to write to government and voice concerns over the right to connect for new developments and how this is expected to increase risk in the future. The County Council in its role as the LLFA was going to prepare a letter requesting that the right to connect be stopped, or at the very least that a change be considered, but at this time nothing has yet been received for comment.

Members need to consider that there could be many currently unassessed beneficial or detrimental impacts on the Commissioners'/Boards' systems; the viability of developments, particularly the re-development of sites within older parts of town centres, as the more sustainable discharge points (ie where the system has capacity for extra rainwater discharge) for site drainage could be more costly requiring the provision of significant infrastructure, for example, new surface water sewers, pumping station, outfall structures etc.

In order to assist further discussion, the Board/Commissioners are asked to consider if they would support removal of the right to connect to public sewers or not.

Planning Applications

In addition to matters concerning previous applications, the following 34 new development related matters have been received and dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
846	F/YR21/0383/F	Mr & Mrs Calvert	Residence (Extension)	New Road, Chatteris
847	F/YR21/3038/COND	Mr C Robertson	Residence	Bridge Street, Chatteris*
848	F/YR21/0411/F	Mr H Akdogan	Residence (Conversion)	Market Hill, Chatteris
849	F/YR21/0493/F	Mrs C Terry	Residence (Conversion)	Victoria Street, Chatteris
850	Enquiry	Client of SLR Consulting	Industrial	Fenton Way, Chatteris*
851	F/YR21/0495/F	Mrs K Hodgson	Residence	George Way, Chatteris*
852	F/YR21/0512/F	Mr T Scott	Residential (2 plots)	South Park Street, Chatteris
853	F/YR21/0580/F	Mr & Mrs Shepherd	Residential (2 plots)	Doddington Road, Chatteris
854	F/YR21/0547/F	Mr J Kadar	Residence (Extension)	Lode Way, Chatteris
855	F/YR21/0642/O	Ms C Morley	Residential (Up to 4 plots)	Wenny Road, Chatteris*
856	F/YR21/0842/O	Mr D Chambers	Residential (Up to 9 plots)	Doddington Road, Chatteris
857	F/YR21/0871/FDL	Laurel Crest Development Ltd	Residential (6 plots)	High Street, Chatteris*
858	F/YR21/0981/F	Cannon Kirk (UK) Ltd	Residential (93 plots)	North of Wenny Estate, Chatteris*
859	F/YR21/0411/F	Mr H Akdogan	Residence (Conversion)	Market Hill, Chatteris
860	F/YR21/1134/F	Mr & Mrs Prior	Residence	Albert Way, Chatteris
861	F/YR21/1150/F	Mr M Stevens	Residential (2 plots)	Wenny Road, Chatteris
862	F/YR21/1157/F	Chatteris Town Council	Offices/ Residential (2 plots)	Church Lane, Chatteris
863	Provision of Flood Risk Information	Persimmon Homes East Midlands	Residential (Up to 248 plots)	Doddington Road, Chatteris*
864	F/YR21/1225/RM	Mr D Hall	Residence	Doddington Road, Chatteris
865	F/YR21/1224/RM	Persimmon Homes East Midlands	Residential (Up to 248 plots)	Doddington Road, Chatteris*
866	F/YR21/1325/PNC01	Age UK Cambridgeshire & Peterborough	Residence (Change of Use)	Victoria Street, Chatteris
867	F/YR21/1270/F	Mr J Palmer	Residence	West Park Street, Chatteris
868	F/YR21/1358/O	Construct Reason Ltd	Residence	Lindsells Walk, Chatteris
869	F/YR21/1385/F	Mr P Manko	Residence (Extension)	Willey Terrace, Chatteris
870	F/YR21/3140/COND	Persimmon Homes East Midlands	Residential (Up to 248 plots)	Doddington Road, Chatteris*
871	F/YR21/1450/F	Mrs B Spires	Residence (Extension)	Birch Avenue, Chatteris
872	Enquiry	Anglian Water Services Ltd	Water Recycling Centre (WRC)	Short Nightlayers Drove, Chatteris
873	F/YR21/1504/FDC	Fenland District Council	Industrial (2 units)	South Fens Enterprise Park, Fenton Way, Chatteris*

874	F/YR21/1531/F	Mr E Payne	Residential (2 plots)	Chapel Lane, Chatteris
875	F/YR22/0147/RM	Mr & Mrs Smalley	Residence	London Road, Chatteris
876	F/YR22/0228/F	Mr & Mrs Bowness	Residence (Extension)	West Park Street, Chatteris
877	F/YR22/0208/F	Mr Islamaj	Residence (Extension)	South Park Street, Chatteris
878	F/YR22/0252/F	Mr K Jackson	Residence (Garden room/store)	George Way, Chatteris
879	F/YR22/0240/F	Mrs B Smith	Residential (3 plots)	King Edward Road, Chatteris

Planning applications ending 'COND' or 'DISC' relate to the discharge of relevant planning conditions
Planning application ending 'FDL' relate to Fenland District Land
Planning applications ending 'RM', 'REM' or 'RMM' relate to reserved matters
Planning applications ending 'PNCO' relate to prior notification change of use issues
Planning application ending 'FDC' relate to Fenland District Council

Developments that are known to propose direct discharge to the Board's system are indicated with an asterisk. The remainder are understood to propose water disposal to soakaways/infiltration devices or sustainable drainage systems, where applicable.

Some of the above are likely to discharge treated foul effluent water into the Board's system via Nightlayers' Fen Water Recycling Centre (WRC).

An application for development outside the Board's natural surface water drainage catchment but which discharges treated effluent into the Board's system via AWSL's Nightlayers' Fen WRC has been received during the reporting period.

An application for discharge consent has been received from Tesco Stores Ltd for the disposal of treated foul effluent water from its site off Fenland Way, Chatteris.

Mr Spires of Birch Avenue, Chatteris (MLC Ref No 871) has chosen to use the Infiltration Device Self-Certification Service and, in doing so, agreed that if the device was to fail in the future the land owner would be liable for any remedial works to rectify the situation.

The current position in respect of the following developments is currently being reviewed and ascertained:

- *Erection of 20 dwellings with associated garages, parking and landscaping on land to the south of 116 - 122 New Road, Chatteris - Beauville Properties Ltd* (MLC Ref Nos 312 & 766)

- *Development of land west off Fenton Way and east of Iretons Way, Chatteris [to the north of the existing facilities] - R W Simpson Ltd* (MLC Ref Nos 464 & 570)*; Client of Grounds & Co* (MLC Ref No 560); *Allpress Farms Ltd* (MLC Ref No 566); *Produce World (Chatteris) Ltd* (MLC Ref Nos 659, 663 & 754) *& Produce World Ltd* (MLC Ref Nos 807 & 813)

- *Erection of workplace homes - Mr G Collett* (MLC Ref Nos 370 & 551) *& Midland Ventures Ltd* (MLC Ref No 492) *and Erection of up to 3no dwellings at land south west of (Womb Farm) Doddington Road [George Way], Chatteris - Mr G Collett* (MLC Ref No 726)

- *Erection of a 3-storey block of 6 x flats comprising of 4 x 2 bed and 2 x 1-bed flats involving the demolition of existing building at 26 Bridge Street, Chatteris - Mrs R Jinks* (MLC Ref Nos 588 & 683) & *Green Deal Construction Ltd* (MLC Ref No 708)

- *Developments at Medcalfe Way, Bridge Street, Chatteris – Eclipse Scientific Group* (MLC Ref No 605) & *ALS Food & Pharmaceutical* (MLC Ref Nos 740 & 764)

- *Residential development on land north and east of 209 New Road, Chatteris – Client of Opus International Consultants (UK) Ltd* (MLC Ref No 617), *King Partnership Homes* (MLC Ref Nos 617 & 620) *& Langwith Construction* (MLC Ref No 718)

- *Residential Development on land to the east of 133 High Street, Chatteris - Mr L E Egleden* (MLC Ref Nos 621 & 642) *& Mr S Howard* (MLC Ref No 819)

- *Development on land north west of 24 Willey Terrace, Doddington Road, Chatteris - Mr & Mrs P Guy* (MLC Ref Nos 664 & 810)

- *Extension & alterations to former Co-operative Store, Bridge Street, Chatteris – Client of Stirling Maynard* (MLC Ref No 675) & *Aldi Food Stores* (MLC Ref No 680)

- *Erection of 2 x 2-bed flats at land east of 22C Pound Road, Chatteris - Mr J Capper* (MLC Ref No 705)

- *Residential Development at land west of 9 Doddington Road, Chatteris – Mr George Munns* (MLC Ref Nos 720 & 737)

Developments off Doddington Road, Chatteris

Proposed development at Womb Farm south west of Doddington Road, Chatteris – Client of Gifford (MLC Ref No 446)*; Colliers CRE* (MLC Ref No 459)*; Triman Developments (UK) Ltd* (MLC Ref No 463)*; Client of Royal Haskoning DHV UK Ltd* (MLC Ref No 787)*; Barmach Ltd* (MLC Ref No 790)*; Triman Developments Ltd & Robertson Strategic Asset Management Ltd* (MLC Ref No 804) *& Persimmon Homes East Midlands* (MLC Ref Nos 865 & 870)

Further to the last Board meeting, an approach has been received from Persimmon Homes East Midlands concerning the piping and filling of the watercourse beside Doddington Road required to form the access junction into the site.

The Middle Level Commissioners' Planning Engineer responded as follows:

> ".. please be advised that whilst the watercourse forming the south western side of Doddington Road is within the catchment of Nightlayers IDB it is not within its rateable district and, therefore, it is, on this occasion, the County Council, in its role as the LLFA, and not the Board who are the approving authority.

However, the Board suggest that, in respect of the access culvert, a suitably sized culvert of suitable construction is installed to an appropriate line and level and if a footpath/cycle way is to be laid alongside Doddington Road that encroaches on the watercourse it is repositioned and not piped and filled for the section concerned. In addition, suitable mitigation must be provided for any storage volume lost during the formation of the access culvert and some channel improvements may be required to maintain its long term integrity."

Members will be aware that the site is within both the Board's rateable area and that of the neighbouring Warboys, Somersham & Pidley IDB and that during previous discussions it had been agreed that surface water would be directed to the latter's Fillenhams Drain whilst the treated foul effluent water would discharge into the Board's system via AWSL's Nightlayers WRC.

In order to assist further discussion, the Board is asked to confirm its approval of the actions taken and provide instruction on how it would wish us to proceed.

Erect up to 9no. dwellings (outline application with all matters reserved) involving demolition of existing dwelling at 2 Doddington Road Chatteris – Mr D Chambers (MLC Ref No 856)

An outline planning application with all matters reserved for future consideration was submitted to and subsequently approved by the District Council for the construction of up to nine dwellings on the site.

Whilst detailed consideration of the submission documents has not been undertaken, a brief review identified that, with the exception of the application form advising that SuDS would be utilised, there appeared to be no ready references to surface water related issues given the absence of readily available outfalls serving this area.

Developments off Fenton Way (Dock Road), Chatteris

The Old Onion Building – Rustler Growers Ltd (MLC Ref Nos 470 & 473), *Produce World (Chatteris) Ltd* (MLC Ref No 663) *& Aerotron Leasing Services Ltd* (MLC Ref Nos 794, 812 & 828)

Further to item vii) Minute B.1110 Consulting Engineers' Report, including planning and consenting matters The Old Onion Building – Rustler Growers Ltd (MLC Ref Nos 470 & 473), Produce World (Chatteris) Ltd (MLC Ref No 663) and Aerotron Leasing Services Ltd (MLC Ref Nos 794,812 & 828) "That the Planning Engineer write to the applicant to protect the interests of the Board", an Advisory Letter was issued to the applicant and subsequent information has been received from the applicants' agents.

The details received are currently being considered.

Proposed development to the north of South Fens Business Centre and east of Fenton Way, Chatteris – Client of Hannah Reed/Memoria (MLC Ref Nos 511 & 514); *Floorspan Contracts Ltd* (MLC Ref No 841) and *Client of SLR Consulting* (MLC Ref No 850)

Further to Minute B.1110 Consulting Engineers' Report, including planning and consenting matters - Proposed development to the north of South Fens Business Centre and east of Fenton Way, Chatteris – Client of Hannah Reed/Memoria (MLC Ref Nos 511 & 514) and Floorspan Contracts Ltd (MLC Ref No 841)

a) That the Consulting Engineer discuss the reduction of the maintenance strips with the Planning Engineer.

b) That, once definitive plans are produced, a site visit with the Developers, Chairman, Vice Chairman, Consulting Engineer and the Planning Officer be arranged.

Both the Middle Level Commissioners' Planning Engineer and Assistant Operations Engineer have been and continue to be involved in on-going discussions in respect of this proposed development.

This matter will be discussed further under Agenda item 14 - Proposed Agreement with Floorspan Contracts Ltd.

Developments off Wenny Road, Chatteris

Residential development with associated landscaping, open space and infrastructure at land east of Wenny Road, Chatteris - Cannon Kirk (UK) Homes (MLC Ref Nos 535, 698 & 858), *Client of Cannon Consulting Engineers* (MLC Ref Nos 667 & 676)

In response to a question raised by a constituent, via a District Councillor, on why "… Nightlayers Internal Drainage Board have not responded to the Wenny Meadow application in Chatteris …" the enquirer was advised that:

"As you are probably aware Paragraph 160 of the NPPF advises that:

'Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative

impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.'

and, in this respect, the Middle Level Commissioners and associated Boards, including Nightlayers IDB, are involved in Strategic Planning matters, for example, the emerging Fenland Local Plan and associated Level 1 Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS) etc.

On a strategic basis a response was provided to the District Council on the Broad Concept Plan for this area in March 2017 but it is not known if the Boards comments were considered or implemented.

In respect of planning applications, please be advised that neither the Middle Level Commissioners nor our associated Boards are statutory consultees and, therefore, do <u>not</u> actually have to provide a response to local planning authorities (LPA's) and receive no external funding to do so. The main reason for supplying previous responses was to protect the interests of the relevant Risk Management Authority (RMA), and ensure that any consents were sought.

Further guidance on Statutory Consultees can be found at Consultation and pre-decision matters - GOV.UK (www.gov.uk).

With the exception of the simplest matters, the Commissioners are instructed to advise that bespoke responses to LPA's on planning applications are no longer provided unless instructed to do so by the RMA concerned, on this occasion, Nightlayers IDB; is the subject of a "duty to co-operate" arrangement or the "applicant" is undertaking detailed Post-application discussion, and thus any costs incurred are not passed onto the ratepayer.

However, in accordance with normal practice, a copy of the Boards "Standard Response" letter was sent to the applicant's agent on 30th September. This letter advises on the need to seek the Boards prior written consent, but as far as I can ascertain a response has not yet been received.

The Commissioners, on behalf of itself and March Third DDC, are currently involved with both the applicant, and its agent, at one of its other sites, off Gaul Road in March, as part of a Post-application process, and thus should be fully aware of what is required.

The Commissioners are prepared to provide a response to the LPA but this will need a formal instruction, <u>in writing</u>, to be received from the Board. It is also noted that the relevant Public Access webpage advises that today is the "Expiry Date" for responses.
I have copied this message to the Chairman of the Board and await further instruction in due course."

Erection of up to 4 x dwellings involving the demolition of existing dwelling and associated outbuildings at 14 - 16 Wenny Road Chatteris – Ms C Morley (MLC Ref No 753 & 855)

Further to the Board's 2018 Meeting Report, the Design and Access Statement Job No. SE-1593 Dated March 2021 prepared by the applicant's agent, Swann Edwards

Architecture Limited, advises that this planning application is effectively the renewal of a previous planning application, FDC Ref F/YR17/1195/O (MLC Ref No 855).

Having undertaken a brief review of the submission the application form advises that surface water would discharge to the main sewer, this being the 225mm diameter combined sewer under Wenny Road. There is an absence of readily available alternative outfalls serving this area.

At the time of writing the application was "Pending consideration".

Developments off High Street, Chatteris

Residential development on land north east of 81 - 87 High Street accessed from Slade Way, Chatteris - Mr T Mannion (MLC Ref Nos 752 & 845)

Further to the Board's last Meeting Report, this planning application was refused planning permission by the District Council in July. There were several reasons for this including the following:

> "Polices LP2 and LP14B of the Fenland Local Plan 2014, the Cambridgeshire Flood and Water SPD 2016 and Chapter 14 of the NPPF 2019 require development proposals to adopt a sequential approach to flood risk from all forms of flooding, seek to steer development to areas at the lowest risk of flooding and ensure developments are safe from all sources of flooding and will not increase the flood risk elsewhere.
>
> The north eastern section of the site is at high and medium risk of surface water flooding, the application is not accompanied by a site-specific Flood Risk Assessment, nor a sequential test. Hence the scheme has not evidenced that is would be safe from surface water flooding or increase the risk of flooding to surrounding land and dwellings, furthermore the sequential test to establish if there are any sequentially preferable sites has not been undertaken. As such, the proposal is considered contrary to the aforementioned policies."

Part change of use of existing buildings to form 2 additional dwellings (2x3-bed and 1x2-bed) and erect 2no dwellings (2-storey 3-bed) involving the demolition of existing outbuildings, a sun room and walls within a conservation area and extend existing dwelling/shop at 11-13A and land east of 3-11A High Street, Chatteris – Mrs Fisher (MLC Ref No 830)

The District Council granted planning permission for this in October, the Decision Notice includes a planning condition concerning drainage and a Drainage Advisory Note was also included, further information is awaited from the agent.

Residential development including associated infrastructure and alterations to existing wall on land to the west of 98 - 102 High Street, Chatteris - Laurel Crest Development Ltd (MLC Ref Nos 833 & 858)

Following the refusal of the initial planning application, FDC Ref F/YR20/0854/F (MLC Ref No 833), a revised planning application with a reduced number of dwellings was submitted and subsequently granted planning permission subject to the imposition of planning conditions.

The application form advises that surface water disposal will be to SuDS with the Case Officer's report stating that:

> "Surface water drainage will be considered under Building Regulations accordingly, there are no issues to address in respect of Policy LP14."

South Chatteris (strategic allocation)

Mixed Use Development on land at Tithe Barn Farm and south east of London Road, Chatteris - Hallam Land Management Ltd (MLC Ref Nos 481, 537 & 562)

Further to previous Board Meeting Reports a virtual meeting attended by the relevant parties, including the Chairman and Vice-Chairman of the neighbouring Sutton & Mepal IDB together with the Middle Level Commissioners' Planning Engineer, has been held.

From this, and the subsequent information received, it appears, according to the Board's records, that this development abuts but is currently outside of the Board's catchment.

The Board's position in respect of surface water disposal will be reviewed as the development progresses.

Foul water will be directed to AWSL's Nightlayers Fen WRC

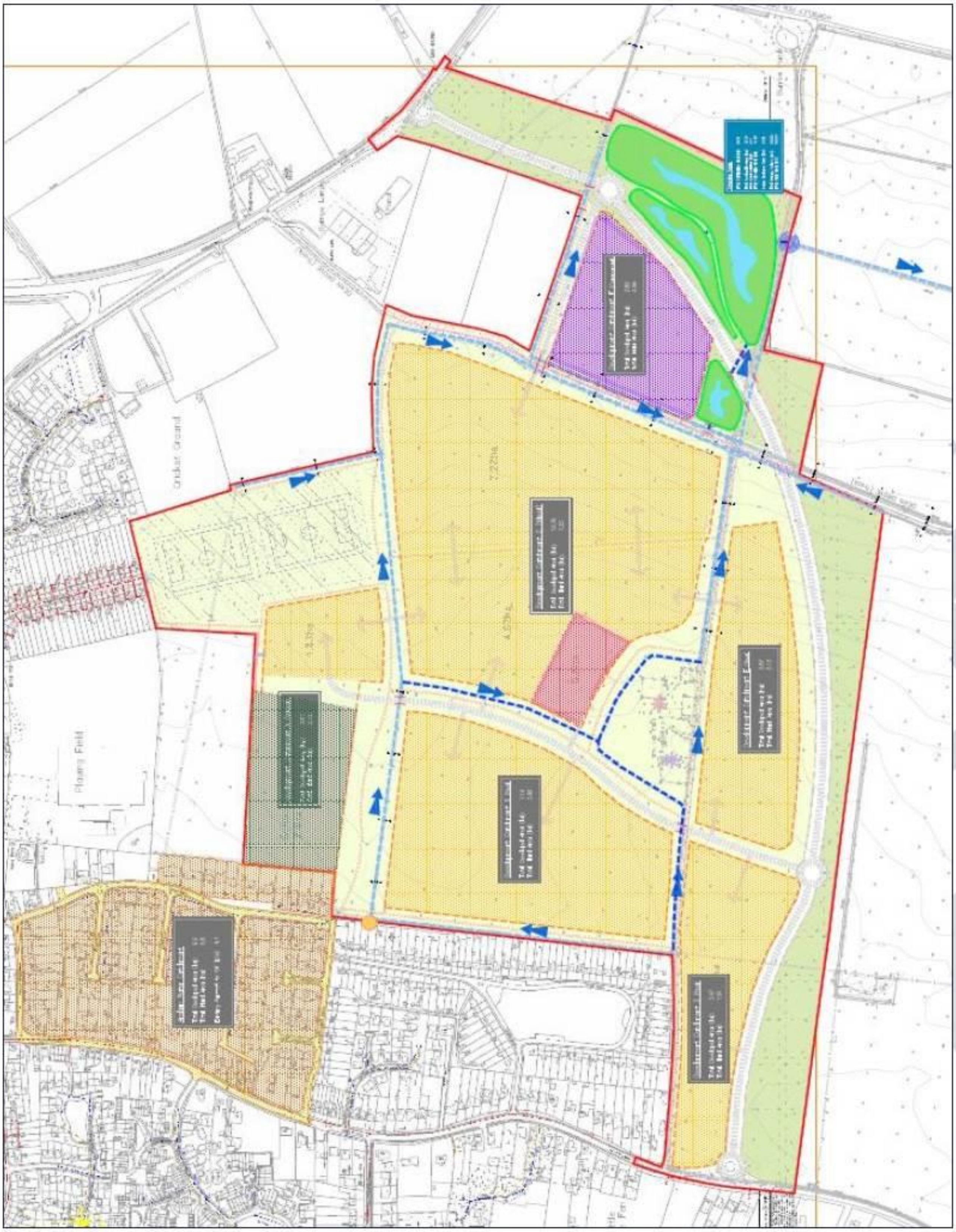


Figure 1-1: Extract Illustrative Surface Water Drainage Strategy Plan ref 10048-DR-02 Rv05

Development Contributions

Contributions received in respect of discharge consent will be reported under the Agenda Item – *'Contributions from Developers.'*

Planning Updates & Consultations

To reduce the size of this consultant's report and to increase public transparency the section of this report which provides information on the various strategic consultations and issues that may affect the Middle Level Commissioners and administered/associated Internal Drainage Board has been relocated to our website and can be found on www.middlelevel.gov.uk towards the bottom of the page under "Strategic Planning Consultation Responses".

Fenland Flooding Issues Sub-group

Further to the Cambridgeshire and Peterborough Flood and Water Management (FloW) Partnership and High Rainfall Event and Flooding Incident December 2020 entries included within the above-mentioned Strategic Planning Consultation Responses document, no further meetings of this sub-group have been held but it is understood that they will re-commence soon.

However, in respect of the poor condition of the channel adjacent to the South Fens Business Park/Nightlayers Fen WRC, it is pleasing to report that a purchase order has been received from the District Council and the works will be included in this year's Board's channel maintenance programme which will be undertaken when conservation constraints allow.

General Advice

Assistance has been given, on the Board's behalf, in respect of the following:

(a) W G Beaumont and Son Ltd – An application for byelaw consent to undertake maintenance work to a Cadent gas pipe spanning the Board's watercourse at Point 8 was recommended for approval. The work involves erecting a temporary fully encapsulated scaffold around the gas pipe, removing the existing coating, preparing the pipework using abrasive blasting and applying the new coat. Work also includes the installation of access deterrent measures.

Consulting Engineer

18 May 2022

Nightlayers(320)\Reports\May 2022

Mr Lakey reported on the works carried out over the past year and of future works, together with the associated costs.

Miss Ablett highlighted the Consulting Engineer's comment regarding a fault with the motor relay protection and enquired whether the Board wished for this to be replaced. Members agreed for the Consulting Engineer to take the necessary action.

Miss Ablett referred to the Planning Engineer's comments regarding the proposed development at Womb farm, south west of Doddington Road, Chatteris and enquired whether the Board was able to confirm its approval to the actions taken by the Planning Engineer.

Members approved the actions of the Planning Engineer as he was qualified on such matters and as they relied upon his knowledge and expertise that he continue to act in the best interest of the Board.

The Right to Connect

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

Following discussions, it was agreed the removal of the Right to Connect should be opposed due to the potential applications being made for private treatment plans.

RESOLVED

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

ii) Weed control and drain maintenance

That the maintenance works contained within the report be undertaken

iii) That the motor protection relay be replaced.

iv) That the Board do not support the removal of the Right to Connect be public sewers.

v) That the actions of the Planning Engineer, concerning the proposed development at Womb farm, south west of Doddington Road, Chatteris, be approved and that he continues to act in the best interest of the Board on this matter.

(NB) - Cllr Murphy declared an interest this item as a member of Fenland District Council

B.1159 Capital Improvement Programme

Members considered the Board's future capital improvement programme, viz;

Nightlayers Internal Drainage Board

Capital Improvement Programme (2022/2023)

		PREVIOUS YEARS	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	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
Nightlayers 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	1,500.0	1500.0
	Pumping station pumping and control equipment replacement	0	0	70.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	70.0
	Pumping station automatic weedscreen cleaning equipmet	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	25.0	0.0	25.0
	Pumping station Control building refurbishment/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
	Telemetry	0	4.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.5
	Pumping station compound/surrounds improvements	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Drainage Channels														
		0	**5**	**70**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**25**	**1,500**	**1,600**

Updated from engineers Asset Apraisal Report - April 2021
No needs identified in PAFS submission May 2020.
No update on possible grant-in-aid application for replacement pump and control panel at time of production.

RESOLVED

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

B.1160 District Officer's Report

The Chairman reported that last year's drain maintenance had gone well and all drains were in a satisfactory condition and maintained to a good standard, as previously confirmed by the Consulting Engineer.

He further reported that the automatic weedscreen cleaner which had been repaired the previous year, was operating well.

He referred to the problems experienced with the electric motor, identified in the Consulting Engineers' Report, which the Board had now agreed to repair

The Vice Chairman enquired when the telemetry would be available and Mr Lakey confirmed this would be installed and available by the winter.

The Chairman considered this would be of benefit to both him, as District Officer, and the Board as it would allow for the system to be managed more efficiently.

RESOLVED

That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.

B.1161 Conservation Officer's Newsletter and BAP Report

Miss Ablett referred to the Conservation Officer's newsletter, previously circulated to Members, and to consider the most recent BAP Report, viz;

Nightlayers IDB

Biodiversity Action Plan Report 2021-22

Environment Act (2021) and note on 2021-22 BAP report

The new Environment Act recognises the key roles IDBs play in nature conservation (Photo: PB)

The Environment Act (2021) passed into UK law in November 2021 with the aim of protecting and enhancing our environment for future generations. The Act includes bold aims to ‘halt the decline in species by 2030’, improve air quality, natural habitats and how look at how resources may be better used. For Internal Drainage Boards ADA describes the Act as bringing ‘impacts and opportunities’ which recognise the important role IDBs have to play in some of these targets. Areas of particular interest to IDBs are:

- Biodiversity Assessment and Reporting
- Species Conservation Strategies and Protected Sites Strategies
- An Office for Environmental Protection (OEP) to uphold environmental law

Following the note in the 2020-21 report, work is underway to update IDB Biodiversity Action Plans in line with the newly available ADA guidelines. As part of this process voluntary submissions for an IDB ‘Biometrics survey’ were issued by ADA in autumn 2021 and were submitted on behalf of the Board by the Conservation Officer. This survey aims to gather data relevant to key targets of the Biodiversity Action Plan with a view to putting IDBs ‘on the front foot’ with regards future Biodiversity reporting and assessment, like that laid out in the Environment Act above.

The Conservation Officer is happy to field any questions on the subject and will continue to work with Boards on existing and future plans.

For ease of use the BAP table has been omitted from this report but is available upon request.

Nightlayers IDB Report Summary

Invasive Species

Azolla was found in several locations in spring 2022 as has been the case in much of the Levels this spring. Care should be taken when moving machinery between drains/catchments.

Water Voles

Surveys again show water voles present in numerous drains. As always, Boards are reminded to contact the Conservation Officer *before* any bank reprofiling or other works that may impact water voles take place. If unsure, please contact the Conservation Officer regardless.

Other species/issues

A mink raft in place near the PS did not catch any mink in the last year – good news for the wildlife of Board drains.

Training

No training opportunities possible in 2021 due to Covid-19 guidelines. New sessions are planned in 2022 covering two important areas of our work; it is hoped that IDBs will be able to use the opportunities to refresh their knowledge on the subjects and/or enhance the skills of contractors/staff who may not have received such training before.

~~Tuesday 22nd March 2022: Non-native species workshop. Venue: Oliver Cromwell Hotel, March. 10-1pm.~~

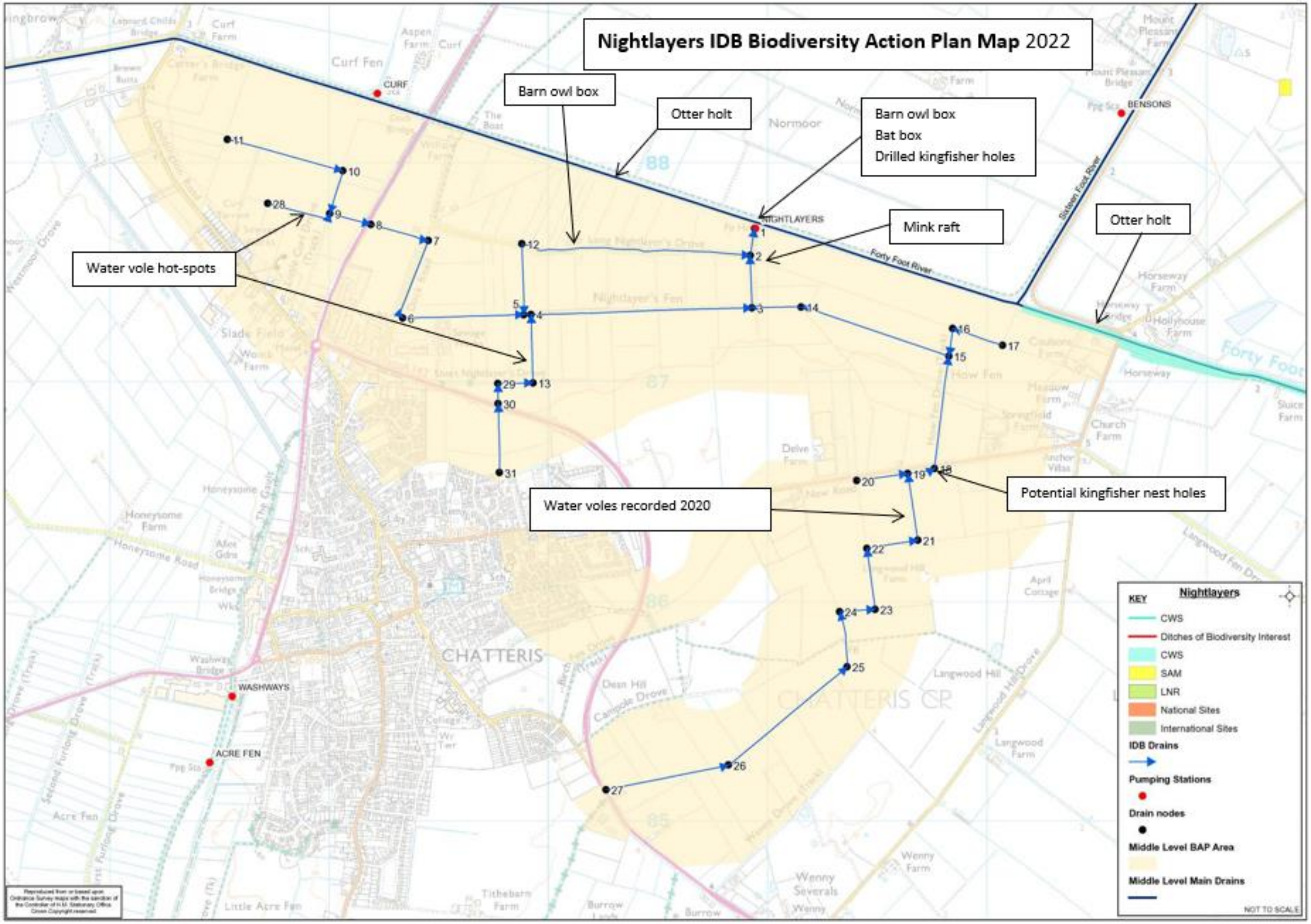
The culmination of our Floating Pennywort awareness project, this training morning will provide an up-to-date summary of invasive species, both flora and fauna, to look out for in the Middle Level. Guest speakers: Cliff Carson and Mike Foley. *This event has passed but the CO is happy to discuss or share presentations from it with Boards upon request.*

June date TBC: Water voles - ecology, legislation and mitigation: a guide for IDBs. Venue: Middle Level Offices, March (followed by visit to local drain)

This training will be led by Julia Massey CEnv MCIEEM a Principal Ecologist with many years of experience working with water voles in the fens. It will cover the key elements of the species' ecology and how it relates to the work of IDBs. Joining instructions to be sent shortly.

Peter Beckenham, Conservation Officer for Middle Level Commissioners

IDB Map 2021-22



Members considered and approved the most recent BAP report.

B.1162 District Officer's Fee

The Board gave consideration to the District Officer's Fee for 2022/23.

RESOLVED

That the Board agree that the sum of £4,195.00 be allowed for the services of the District Officer for 2022/2023.

(NB) – Mr A Edgley declared an interest when this item was discussed.

B.1163 State-aided Schemes

Consideration was given to the desirability of undertaking further State-aided Schemes in the District and whether any future proposals should be included in the capital forecasts provided to the Environment Agency.

RESOLVED

That no proposals be formulated at the present time other than that already approved regarding replacement of the pump and control panel.

B.1164 Environment Agency – Precepts

Miss Ablett will report that at the Environment Agency Flood Defence Committee meeting the Committee voted to adopt an indicative 2% increase in the precepts on Internal Drainage Boards for the next 6 years commencing from 2022/23, with the ability to revisit annually should exceptional circumstances indicate this is required. The Committee voted for a 0% increase (for exceptional circumstances) above the indicative 2% increase for the year ending 31st March 2023 - total of a 2% increase on the level of precept on Internal Drainage Boards for the year ending 31st March 2023.

The precept for 2021/2022 was £3,438.00.

B.1165 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss Ablett reported that following his submission of claims for contributions the gross sum of £3,082.92 (£5,853.66 less £2,770.74 received on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2020/2021 based on the Board's actual expenditure on maintenance work for that financial year and the sum of £2,884.06 in respect of 80% of the Board's estimated expenditure for the financial year 2021/2022.

B.1166 Association of Drainage Authorities - Subscriptions

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

RESOLVED

That the requested ADA subscription for 2022 be paid.

B.1167 Contribution from Developer

With reference to minute B.181, Miss Ablett reported that a contribution towards the cost of dealing with the increased flow or volume or surface water run-off and treated effluent volume has been received.

B.1168 Health and Safety

The Vice Chairman referred to the report received from COPE Safety Management following their visit to the District on the 14th October 2021. He reported the only matters raised related to mounting the new fire extinguisher on the wall and displaying a sign indicating the extinguisher type and confirmed that both matters were in hand, viz;

Site Safety Inspection Record

Nightlayers IDB SSI 141021

Complete

Site Safety Inspection

Name of organisation:	Nightlayers Internal Drainage Board
Date of site visit	14 Oct 2021 12:00 BST
Address of inspected premises	Nightlayers Pumping Station.
Name of Advisor	Simon Cross
Time of arrival at site:	14 Oct 2021 11:50 BST
Audit Name	Nightlayers IDB SSI 141021

Audit

An opening meeting was held with

L Edgley

Have there been any accidents since our last visit?	No
Have there been any new starters since our last visit?	No

1

Introduction. Unfortunately due to unforeseen circumstances Stephen Edgley was unavailable at the time of the visit, however his son was able to assist instead with access to the pumping station building.

2

Lifting Equipment. As detailed in the previous report, structural remedial works had been undertaken to provide sufficient support for the gantry rails. It was reported that Middle Level Commissioners had undertaken the required periodic inspection and testing of the lifting equipment in accordance with the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), however no documentary evidence was available.

3

Fire Extinguishers. It was pleasing to observe that a new dry powder fire extinguisher, inspected within the last 12 months, had been provided to replace the old one which was removed from use. It is recommended that it is mounted on the wall with a suitable bracket at approximately hand height (1m) and a sign displayed adjacent indicating the extinguisher type, similar to the example below.

Photo 1


Photo 2

4

Ladder / step ladder. It was noted that a wooden ladder and wooden folding stepladders were stored within the pumping station, however it was not clear what they would be used for. If either are intended for use, they should only be for infrequent, short duration, non-routine tasks and they should be visually checked for defects prior to use. Use should only be by those suitably trained for work at height.
If they are no longer in use, then it is recommended that they are removed from site.


Photo 3

Photographic Risk Assessment

F:\Admin\Word\Nightlayers\mins\26.5.22

Signature of person informed

Signature of person informed 1

Signature of person informed

Signed on behalf of client by advisor
14 Oct 2021 16:26 BST

Advisor's signature

Simon Cross
14 Oct 2021 16:26 BST

Departure time	14 Oct 2021 13:15 BST

Photographic Risk Assessments closed out during the visit.

SSI 280819 Ref 1. Middle Level Commissioners undertake periodic LOLER inspections.

Number of outstanding Photographic Risk Assessments	**0** From 0 to 99

Appendix

Photo 1

Photo 2

Photo 3

Nightlayers IDB

SUMMARY OF PHOTOGRAPHIC RISK ASSESSMENTS

NO OUTSTANDING PRA'S

SSI 14 10 21

B.1169 Completion of the Annual Accounts and Annual Return of the Board -2020/2021

a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2021, viz;

Nightlayers Internal Drainage Board

Notice of conclusion of the audit

Annual Governance & Accountability Return for the year ended 31st March 2021

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 Nightlayers Internal Drainage Board for the year ended 31st March 2021 has been completed and the accounts have been published.

2 The Annual Governance & Accountability Return is available for inspection by any local government elector of the area of Nightlayers Internal Drainage Board on application to:

The Clerk
Nightlayers Internal Drainage Board
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 Board

Date of Announcement: 6th September 2021

Section 1 – Annual Governance Statement 2020/21

We acknowledge as the members of:

NIGHTLAYERS INTERNAL DRAINAGE BOARD

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 2021, that:

	Agreed Yes	Agreed No*		'Yes' means that this authority:
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓			*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.	✓			*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 authority to conduct its business or manage its finances.	✓			*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.	✓			*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 authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓			*considered and documented the financial and other risks it faces and 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.	✓			*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.	✓			*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 authority and, where appropriate, have included them in the accounting statements.	✓			*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	N/A	*has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.*

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

13/05/2021

and recorded as minute reference:

B.1131

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

Chairman [signature]

Clerk [signature]

WWW.MIDDLELEVEL.GOV.UK

Section 2 – Accounting Statements 2020/21 for

NIGHTLAYERS INTERNAL DRAINAGE BOARD

	Year ending 31 March 2020 £	Year ending 31 March 2021 £	Notes and guidance *Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.*
1. Balances brought forward	240,856	222,163	*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	22,924	27,495	*Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.*
3. (+) Total other receipts	4,257	7,827	*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 gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.*
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	45,874	46,977	*Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).*
7. (=) Balances carried forward	222,163	210,508	*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	229,041	223,148	*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	1,100,000	1,100,000	*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	0	*The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).*

	Yes	No	
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)			*The Council, as a body corporate, 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 2021 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

Date 26th APRIL 2021

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

13/05/2021

as recorded in minute reference:

B.1133

Signed by Chairman of the meeting where the Accounting Statements were approved

Section 3 – External Auditor Report and Certificate 2020/21

In respect of NIGHTLAYERS INTERNAL DRAINAGE BOARD – DB0059

1 Respective responsibilities of the body and the auditor

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2021; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

Our responsibility is to review Sections 1 and 2 of the Annual Governance and Accountability 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 External auditor report 2020/21

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

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

NONE

3 External auditor certificate 2020/21

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2021.

External Auditor Name

PKF LITTLEJOHN LLP

External Auditor Signature PKF Littlejohn LLP Date 05/09/2021

* Note: the NAO issued guidance applicable to external auditors' work on limited assurance reviews in Auditor Guidance Note AGN/02. The AGN is available from the NAO website (www.nao.org.uk)

b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2021, viz;

Whitings
Chartered Accountants LLP
The Old School House, Dartford Road
March, Cambridgeshire, PE15 8AE
t: 01354 652304
e: march@whitingsllp.co.uk
w: whitingsllp.co.uk

MNH/BB/MM053
08 October 2021

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

Dear Messrs. D Thomas, R. Hill, and S Ablett,

MLC administered Internal Drainage Boards - Internal Audit 2020-2021

Having completed the internal audit work for the various Internal Drainage Boards administered by the Middle Level Commissioners officers for the year ended 31 March 2021, 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 related to specific boards.

<u>General points</u>

1. **Annual Return – Guidance notes**
   We note that there has been a subtle change within the guidance notes on completing Part 3 of the Annual Governance and Accountability Return (AGAR) 2020/21 from what was shown in 2019/20. Previously the guidance stated that "the authority **should** receive and note the annual internal audit report **<u>if possible</u>** before approving the annual governance statement and the accounts" this has been replaced by "the authority **should** receive and note the annual internal audit report before approving the annual governance statement and the accounts". As such whilst we are satisfied that all of the administered boards have previously and remain compliant in this matter, due to this not being something that the boards **must** comply with, we would strongly urge a review of the wording within any future AGAR's to ensure that, should this requirement come into force, you are able to adjust your plan of works in plenty of time. We would also request that should this take affect you contact us at your earliest convenience, so that we may tailor our own work programmes accordingly.

2. Asset Valuations and Insurances

We note that there are a number of boards which have had revaluations within the year on their pumping station assets and that these are now valued in excess of what has been included within the insurance valuations and the accounts/annual return. We appreciate that the accounts/annual return value must remain at cost/deemed cost however we would suggest that as soon as the results of these valuations come to light you seek to change the insurance valuation accordingly, we understand that in many cases these amendments are carried out at the point of annual renewal.

In some individual cases it is noted that residential properties have been revalued during the audited year, but the underlying insurance values have not been increased. We recommend that, as with pumping station assets, the insurance valuation is increased to reflect the current market value and thereby ensure that such assets are adequately insured.

Finally, it is noted that, whilst a large proportion of boards have taken the option to revalue for insurance purposes their pumping station and residential assets during the year, there are some boards that have not followed suit. We have seen elsewhere that such revaluations have sometimes resulted in significant uplifts in value, and as such we would suggest that any remaining boards that have yet to carry out such an exercise do so at the earliest convenience.

We would recommend that in the absence of specific information to the contrary suggesting need for earlier review, that a revaluation exercise be performed for insurance purposes at least every 5 years on all major Board assets.

Client Comment:

All Boards are asked concerning valuations for insurances and it is a Board decision. Depending when the meeting is held and when the valuation is completed depends when the instruction can be given. However, once approved we look to update policies at that time. Where applicable, we are also looking into the viability of having certain values index linked but note that these will still need monitoring on a routine basis.

3. Employee Benefits - Vehicle Usage, and VAT recovery

In 2020 a high-level tax case was brought by HM Revenue & Customs against Coca-Cola European Partners Great Britain Limited relating to vehicles provided to employees of Coca-Cola and whether these 'dual purpose' vehicle should be classed as a van or a car for benefit-in-kind (BIK) and other taxation purposes. Typical example of such a vehicle being a double-cab pickup as operated by some boards.

This case was ruled in favour of HMRC where the use of three of its vehicles (2 Volkswagen Kombis and a Vauxhall Vivaro) should be treated as cars, rather than vans for tax purposes. The Vauxhall had been modified in a number of ways and an additional row of seats and windows were added along with a bulkhead to ensure goods being transported could not enter the passenger area. Both the VW Kombi vehicles were fitted with rear seats and additional racking was required by the driver for business use, for the Kombi version 2 this required a rear seat to be removed for racking. The Court of Appeal ruled that the vehicles were not sufficient to differentiate between them and therefore they should all be treated on a similar basis for BIK purposes, each vehicle was multi-purpose and capable of transporting goods or passengers, but neither type of vehicle was 'primarily' suited to the carrying of goods as required by current taxation legislation s.115(2).

At this point in time (drafting late June 2021) no updates to the tax rules have been issued by HMRC in the light of the ruling and therefore we are unable to determine whether the current vehicles owned by each board and allocated to an employee will be classed as a van or car. And until HMRC include any such updates and guidance we are unable to determine whether the vehicles held by each board will be liable for a van or car BIK on employees where the vehicle is not operated as a depot-based Pool vehicle. This case also has potentially wider implications relating to recovery or not of VAT on the vehicle when purchased and in commercial settings capital allowances.

Client Comment:

We are aware of this position and have also been checking with HMRC but as yet they have not issued guidance that can be passed onto Boards. There are significant tax implications, both for employer and employee and will continue to monitor the position.

4. Provisions

We are pleased to note that, in the main; provisions for amounts owing to and owed from applicable boards, are being monitored and written back should the underlying potential asset/liability be extinguished. There are still odd cases where provisions are "brought forward and carried forward" that relate in excess of the standard life of debt, being 6 years. On review in some cases whilst the underlying rationale of these balances are reasonable, we would question whether payments could still be enforced if chased, aside from in relation to development contributions. As such we would encourage continued review of provisions as a whole, with special consideration being made to aged provisions that have existed for a number of years.

We would recommend that any such old debts or provisions (part from development contribution provisions), say over 3 years old, be presented at the Board meeting annually and approved.

<u>*Client comment:*</u>

As part of the year end accounts procedures, provisions are looked at and decisions made on an individual basis as to retain or to write back.

5. Risk Management Policy and procedures

We noted in the 2019 most boards undertook a substantial risk management assessment process in 2014 leading to formal acceptance in April 2015 which is now subject to a brief review each year which is duly recorded formally in the board minutes. After recommendation in the prior year's management letter, we are pleased to note that this processed has been carried out again for 2020 - 21.

The COVID-19 pandemic is, hopefully, the greatest challenge many of us will face in our lifetime. In the face of adversity there is also opportunity to embrace this emerging "new normal" and such an event should allow us to take a step back and look at the policies and procedures that underpin the organisation. With this in mind we would urge greater breadth of coverage of policies and procedures to include consideration and action points in relation to areas such as climate change, global pandemics, and disaster action & recovery – at the time of writing we are not aware of such bigger policy being in existence.

It may also be helpful to revisit and enhance appreciation by way of visual colour coding of the RAG rating numbers to better differentiate between the varying levels of risk and consequence. We would expect to see low risk items being colour coded green, middling items colour coded yellow and high-risk items in red.

Risk Management Policy and procedures - continued

Client comment:

Risk management is an evolving matter and we will continue to look at emerging risks and having effective policies concerning these and although no formal policies are in place at this time the matters you have mentioned have been under consideration. With regards to the existing policy, consideration will be given to updating the matrix when either next revised or reviewed.

6. Website Publication

We note that there has been, for a number of years, significant information available to the public. We note that for some boards the latest information does not appear to have been updated, for example in one case the 2019/20 payments list was still published when the 2020/21 payments list should have been displayed. We would recommend that all items are updated promptly on the website once the meeting has been carried out.

Client comment:

Every effort is made to update the relevant pages of all authorities in an efficient and timely manner and in accordance with the regulations. It should be noted that the JPAG requirements for display appear to differ from those of audit requirements so while not necessarily aligning both requirements could be met. (This matter is being looked into for further guidance).

7. Capital works

Currently the definition of capital works is limited to new items e.g., a new culvert but works involving a repair or maintenance will be wholly written out in the year even though there may be a not insignificant element of improvement involved.

8. Capital assets

Following on from item 7 above it follows those assets may be unrecognised in the Accounts of the Boards and not appear in their Assets register. In view of greater Government and public interest and concern for environmental and climate change factors, should the 'value' of the basic drainage system be recognised beyond the pumping stations and equipment? This may be important in future years in order to factoring a fair proportion of potential future national Government funding.

Capital assets - continued

Client comment:

Comment has been noted. While Boards own pumping facilities and their footprint they do not (generally) own the watercourses, designating the arterial system for maintenance. This is probably a matter that could be discussed on an "industry wide" level, maybe through ADA by its policy and finance committee to ensure, if recognised, would provide a uniform approach across the country.

9. Budget figures

We note that Budget figures are prepared annually in advance, but we note these are not updated in the late Autumn even when notable variances may have occurred for various factors. Whilst not necessary to do so for all boards, we suggest that Chairmen of individual Boards are given opportunity to request updated Budgets after the half year point for the remainder of the year and distribute to Board members if they feel it appropriate due to circumstances to date or anticipated during the year.

Client comment:

As part of the finance regulations, we are required to carry out a budget monitoring exercise during the course of the year. For those Boards that have a relevant meeting, this is reviewed by the Board at their autumn/winter meeting. For all other Boards the monitoring exercise is completed as at the end of the calendar year, at this point the majority of the drain maintenance works have been completed, as would be any planned maintenance works at pumping stations. The expenditure to-date is then forecast to the end of the financial year and compared to the budget and initially sent to the chairman for review. Depending on the outcome of the monitoring exercise depends on whether it is considered appropriate to hold an emergency meeting. However, it is likely that if there were an extraordinary event the Board would be aware "in real time" and appropriate action taken at that point. It is not policy to update budgets depending on levels of expenditure but to use these as comparative to analyse variances of actual expenditure against.

<u>Specific Points</u>

Sutton and Mepal IDB

See item 2 above – residential property value

Hundred of Wisbech IDB
See item 6 above

Conington & Holme IDB
See item 9 above

<u>Client comment (Conington & Holme IDB):</u>

The "overspend" against budget related to additional drain maintenance works that were required and a breakdown at the pumping station which occurred after the monitoring exercise had been completed. These events were managed at the time and appropriate action taken when setting the following years rate.

Waldersey IDB and Hundred of Wisbech IDB – Joint Pumping Arrangement
As in previous years it is noted that there is a discrepancy between debtor held in Waldersey IDB and the creditor held in Hundred of Wisbech IDB; due to the substantial rainfall pattern in late 2020-21 this amount was more significant than normal

Waldersey IDB – Debtor	38,459.99
Hundred of Wisbech IDB - Creditor	47,997.84
Difference	**9,537.85**

This difference arises due to the accounts of Hundred of Wisbech IDB being completed before Waldersey IDB, therefore a provision having to be included within the former's books before more accurate figures become available. The difference is adjusted in the following year's Accounts for Hundred of Wisbech but in the short term could be considered slightly misleading.

We note that there have been discussions to potentially amalgamate the two boards, this would eradicate the anomaly. However, in the absence of this, we wonder whether there is scope to bring the meetings and account preparation periods in line to address this issue.

Waldersey IDB and Hundred of Wisbech IDB – Joint Pumping Arrangement - continued

Client comment (Waldersey IDB and Hundred of Wisbech IDB – Joint Pumping Arrangement):

These costs relate to the contribution for the costs of the shared pumping facility and at the time of production of the year end accounting statements discussions were taking place concerning potential changes to the contribution as a result of changes in land use. A new proposal had been put forward which was broadly approved by the Hundred of Wisbech Board, whose meeting is held first. In completing their accounting statements they requested that, due to the impact of the winter rainfall event the new proposal be used in calculating the contribution. When the Waldersey Board held it's meeting no changes had been approved at therefore the existing contribution calculation was used in their accounting statements. With regards to the Hundred of Wisbech creditor, these "old balances" will be written back during this financial year. There are no current plans to change meeting dates so there will remain a creditor/debtor position in both sets of accounts although now settled, this should be cleared, generally a year in arrears.

Other Matters

As you will already be aware our firm underwent a change of business name from Whiting & Partners to Whitings LLP, with effect from 1 October 2021. As the world and our practice move forward, even in these challenging times towards a "new normal", we have also decided to rebrand and change our look to promote this.

As provided for under the clauses of our existing Terms of Business ongoing engagements under our standard Whiting & Partners Terms and Conditions remain unchanged and have rolled over seamlessly into Whitings LLP; these are available on our new and improved website www.whitingsllp.co.uk

We are immensely proud of the work we continue to do with you at Whiting and we would like to take this opportunity to thank your staff involved in our audit for their assistance and cooperation in achieving substantial completion by the stated target deadlines, especially in light of the operational challenges posed to us all by the ongoing COVID-19 pandemic.

Yours sincerely,

Whitings LLP

Whitings LLP

B.1170 Defra IDB Returns

Miss Ablett referred to the completed IDB1 form for 2020/2021 which the Board noted and approved, viz;

Internal Drainage Boards in England

Department for Environment Food & Rural Affairs

Annual Report for the year ended 31 March 2021

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 30 September 2021 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
- 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
- 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 £.

NIGHTLAYERS INTERNAL DRAINAGE BOARD

Section A – Financial information

Preliminary information on special levies issued by the Board for 2021- 22

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 2021-22 (forecast)	
Name of local authority	**2021-22 forecast £**
1. FENLAND DISTRICT COUNCIL	22,266
2.	
3.	
4.	
5.	
6.	
7.	
8.	
Total	22,266

Section A – Financial information (continued)

Income and Expenditure Account for the year ending 31 March 2021

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 2021 £
INCOME		
1. Drainage Rates		5,801
2. Special Levies		21,694
3. Higher Land Water Contributions from the Environment Agency		6,867
4. Contributions received from developers/other beneficiaries		600
5. Government Grants (includes capital grants from EA and levy contributions)		0
6. PSCAs from EA and other RMAs		0
7. Loans		0
8. Rechargeable Works		0
9. Interest and Investment Income		310
10. Rents and Acknowledgements		0
11. Other Income		50
Total income		**35,322**
EXPENDITURE		
12. New Works and Improvement Works		0
13. Total precept to the Environment Agency		3,370
14. Watercourse maintenance		20,445
15. Pumping Stations, Sluices and Water level control structures		15,942
16. Administration		5,715
17. PSCAs		0
18. Rechargeable Works		0
19. Finance Charges		0
20. SSSIs		0
21. IDB Biodiversity and conservation (other than item 20 expenditure)		543
22. Other Expenditure		962
Total expenditure		**46,977**

EXCEPTIONAL ITEMS		
23. Profits/(losses) arising from the disposal of fixed assets		0
Net Operating Surplus/(Deficit) for the year		**(11,655)**
24. Developers Funds income not applied in year		166,902
25. Grant income not applied in year		0

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?)........................... 2021

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

When was biodiversity last discussed at a Board meeting (date)?............................... 13/05/2021

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?

10

How many pumping stations does the Board operate?

1

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

2.2 cumecs

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) ☐

No training has been provided for board members during the year ended 31st March 2021.

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?	13
Seats available to appointed members under the Land Drainage Act 1991.	10
Number of elected members on the board at year end.	9
Number of appointed members on the board at year end.	4
Mean average number of elected members in attendance at each board meeting over the last financial year.	3
Mean average number of appointed members in attendance at each board meeting over the last financial year.	2

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?	0
Number of complaints outstanding in the financial year?	0
Number of complaints referred to the Local Government Ombudsman?	0
Number of complaints upheld by the Local Government Ombudsman?	0

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 ☐
- Newsletters ☐
- Web site ☒
- Meetings ☒
- Shows/events (including open days/inspections) ☐
- Consultations ☐
- Notices ☒

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

30.69%

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

NIGHTLAYERS INTERNAL DRAINAGE BOARD

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

Signature	S Ablett
Date	27/09/2021
Name in BLOCK LETTERS	MISS SAMANTHA ABLETT
Designation	ASSISTANT TREASURER
Email address	Sam.ablett@middlelevel.gov.uk

B.1171 Budgeting

Miss Ablett referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2022, viz;

NIGHTLAYERS INTERNAL DRAINAGE BOARD
BUDGET MONITORING 2021/2022

		Estimated 2021/2022 £	Actual to 31.12.2021 £	Forecast to 31.03.2022 £	Remarks	
1	Insurances and telephone	1,175	897	1,000		
2	Repairs and renewals	2,000	2,638	3,500	- Inludes weed-screen cleaner repairs	1,553
3	Drainworks (including Environmental measures)	16,250	9,951	17,750	- Includes provision for outstanding contractor a/cs Includes engineers fees (Floorspan)	5,500 1,586
4	Fuel (oil and electricity)	5,500	3,381	5,500	- Forecast estimated to budget provision	
5	District labour	4,000	0	4,000		
6	Administration charge, Health and Safety contract, Audit fee, printing, stationery, advertising, Association of Drainage Authorities subscriptions etc	5,725	2,949	6,675	- Includes Maxey Grounds fees (Floorspan)	750
7	Environment Agency Precept	3,370	3,370	3,370		
		38,020	23,187	41,795		
	LESS Deposit Accounts interest, Development Charges etc	12,528	14,413	16,519	- Propose to use development fees for Floorspan	2,336
	25,492	25,492	8,774	25,276		

Rate requirement: 4.31 p

Rates raised 2020/2021 (4.50p) £27,495

B.1172 Review of Internal Controls and appointment of Internal Auditor

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

Miss Ablett advised that due COVID-19 challenges the current Internal Auditor, Whiting & Partners, had been approached and asked and had agreed to extend their contract beyond the originally agreed three-year term (under the original contractual terms). It was also noted that going forward auditors be invited to tender for a five-year term, the principle being that this gave both parties certainty over a longer period. For the Boards this meant that the investment in time in getting a new auditor up to speed represented better value.

RESOLVED

That the Board approve a further one-year extension of the appointment of Whiting & Partners as Internal Auditor and to support the proposal for a five-year contract to be tendered thereafter.

B.1173 Risk Management Assessment

a) The Board considered and expressed satisfaction with their current Risk Management Policy.

b) Miss Ablett enquired whether the Board wished for the insured sum of the pumping station to be index linked, in view of the significant increase in material costs. The Board considered and approved the insured value of their buildings and requested the insured sums be index linked as from 1st April 2023, viz;

NIGHTLAYERS IDB

INSURED VALUE OF FIXED ASSETS

PUMPING STATION

	As At 31st March 2022
NIGHTLAYERS PUMPING STATION	1,236,000.00
	1,236,000.00

RESOLVED

That the Board considered and approved the insured value of the pumping station be index linked as from 1st April 2023.

B.1174 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.

B.1175 Annual Governance Statement 2021/2022

The Board considered and approved the Annual Governance Statement for the year ended on the 31st March 2022, viz;

Section 1 – Annual Governance Statement 2021/22

We acknowledge as the members of:

NIGHTLAYERS INTERNAL DRAINAGE BOARD

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 2022, that:

	Agreed			
	Yes	No*		'Yes' means that this authority:
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✔			*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.	✔			*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 authority to conduct its business or manage its finances.	✔			*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.	✔			*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 authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✔			*considered and documented the financial and other risks it faces and 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.	✔			*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.	✔			*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 authority and, where appropriate, have included them in the accounting statements.	✔			*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	N/A	*has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.*

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

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

Chairman SIGNATURE REQUIRED

Clerk SIGNATURE REQUIRED

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Annual Governance and Accountability Return 2021/22 Form 3
Local Councils, Internal Drainage Boards and other Smaller Authorities*

Page 4 of 6

RESOLVED

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

B.1176 Future use of development account funds

Miss Ablett advised Members that the development charges account was to be used predominantly for the areas for which development contributions had been received and that monies should be retained in this account should works become necessary on these areas to prevent flooding.

Miss Ablett reminded Members they were looking at replacing the pump and control panel at the pumping station and that although this may be fully funded by GIA, they needed to be mindful that this may not be the case and some funds may be required. She further reminded the Board that it had approved to pay for the business case from the development charges account if the application was not successful, further depleting the funds.

Miss Ablett advised she was highlighting the use of funds from the development charges account as the Board may wish to consider reviewing their policy regarding the transfer of funds to the general fund so that substantial funding is not required in the future.

Members discussed the funds held, potential future expenditure and the uncertainty surrounding estimated expenditure at this time and agreed to reduce the transfer from 5% to 2.5% for 2022-2023 and to review it again next year.

RESOLVED

That the transfer from the development charges account to the general fund be reduced from 5% to 2.5% for 2022-2023 and be reviewed next year.

B.1177 Payments

The Board considered and approved payments amounting to £54,860.34 which had been made during the financial year 2021/2022, viz;

NIGHTLAYERS INTERNAL DRAINAGE BOARD

Payments 2021/2022 (1st April 2021 - 31st March 2022)

Middle Level Commissioners - Administration charge, postages, telephone charges, stationery and Health and Safety contract	3,154.78
Middle Level Commissioners - Pumping station maintenance	275.04
Middle Level Commissioners - Drain and revetment works at Campole Drain	5,648.24
Middle Level Commissioners - Repairs to automatic weedscreen cleaner and replacement of diesel battery charger	870.10
Middle Level Commisssioners - Fees (Weed control and drain maintenance 2020/2021, planning and development applications)	1,551.00
B J Plant Hire Ltd - Revetment works	1,512.00
Environment Agency - Precept	1,685.21
Middle Level Commissioners - Preparation of highland water claims	159.66
Association of Drainage Authorities - Subscription 2021	678.00
Middle Level Commissioners - Pumping station maintenance	279.84
Middle Level Commissioners - Land registry charges (Account from Land Registry)	6.00
G Ashman - Flailmowing	1,720.00
PKF Littlejohn LLP - Audit Fee (2020-2021 accounts)	240.00
Middle Level Commisssioners - Fees (Production of Board report, asset survey, insurance valuation of pumping station, planning and development applications)	1,445.70
Middle Level Commissioners - Administration charge, postages and telephone charges	1,782.44
Middle Level Commissioners - Renewal of insurances	829.11
Maxey Grounds - Professional fees in connection with the valuation of land at Fenton Way, Chatteris	900.00
Environment Agency - Precept	1,685.20
Bank charges (Refunded)	3.00
Middle Level Commissioners - Internal audit fees (Whiting & Partners, 2020-2021 accounts)	558.00
Middle Level Commissioners - Pumping station maintenance	578.88
Middle Level Commissioners - Fees (Planning and development applications)	1,636.50
G Ashman - Flailmowing	2,200.00
Middle Level Commissioners - Repairs to automatic weedscreen cleaner	443.89
Middle Level Commissioners - Supply of land registry search	6.00
Middle Level Commissioners - Pumping station maintenance	279.84
Middle Level Commissioners - Repairs to automatic weedscreen cleaner	712.34
Middle Level Commissioners - Chemical weed control of District Drains	1,319.77
A. Edgley - District Officer's Fees 2021/2022	4,412.00
Middle Level Commissioners - Tree clearance at old pumping station site	1,542.32
Middle Level Commissioners - Repairs to automatic weedscreen cleaner	707.08
Middle Level Commissioners - Preparation of highland water claims	246.06
Middle Level Commissioners - Contribution (Environmental Officer)	545.00
Middle Level Commissioners - Health and Safety re-charges for 2021-2022	240.00
Information Commissioner - Renewal of Data Protection registration	40.00
Association of Drainage Authorities (River Great Ouse branch) - Subscription 2021-2022	6.00
Middle Level Commissioners - Fees (Letters delivered to landowners, planning and development applications)	1,638.00
B J Plant Hire Ltd - Drain maintenance	8,700.00
Anglia Farmers - Electricity supply	4,291.94
Anglia Farmers - Electricity metering charges	212.03
Anglia Farmers - Electricity data collection charges	119.37
	54,860.34

(NB - Amounts shown include Value Added Tax)

(NB) – Mr A Edgley declared an interest in this item.

B.1178 Annual Accounts of the Board – 2021/2022

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2022 as required in the Audit Regulations, viz;

NIGHTLAYERS INTERNAL DRAINAGE BOARD
ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2022
GENERAL FUND

2022				2021			
Mar-31	Expenditure during the year:-			Apr-01	Balance brought forward		43,605.31
	Precept		3,370.41	2022	Rate income & Special levy	24,733.17	
				Mar-31	Interest on Deposit Accounts	2.31	
	Insurances	935.03			Highland Water Contributions -	5,761.93	
	Repairs & Renewals	2,830.84			Consents	50.00	
	Fuel	6,696.49					
	Drainworks	19,094.08					30,547.41
	Contractors Charges	4,392.00					
	Administration charge, Audit fee,				By Development Charges Account		
	printing, stationery, advertising etc	7,048.79	40,997.23		Maintenance	8,345.00	
					Floorspan Fees	3,187.00	11,532.00
	Balance carried forward		41,317.08				
			85,684.72				85,684.72

BALANCE SHEET

Capital Section

Liabilities		Assets		
Capital Provisions	1,100,000.00	Pumping Station		1,100,000.00
		Stock		145.92

Revenue Section

General Fund	41,317.08	Value added Tax - Refunds due		2,387.94
Development Charges Account	155,679.24	Sundry Debtors		0.00
Sundry Creditors	13,028.13	Ratepayers' Account - Arrears		804.04
Contributions Holding Account	11,092.43	Balance in hand -		
		Barclays - Treasurer's Account	211,330.80	
		National Savings - Treasurer's Account	6,448.18	
		Labour Account	0.00	217,778.98
	1,321,116.88			1,321,116.88

NIGHTLAYERS INTERNAL DRAINAGE BOARD
ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2022

DEVELOPMENT CHARGES ACCOUNT

2022				2021		
Mar-31	Expenditure during the year:-			Apr-01	Balance brought forward	166,902.38
	Middle Level charges	0.00		2022		
	General Fund (Maintenance)	8,345.00	8,345.00	Mar-31		
					Clerk's Collection Account	300.00
	To General Fund - Floorspan Fees		3187.00			
					Write Back of Provisions - Fees	0.00
	Balance carried forward		155,679.24		Interest	8.86
			167,211.24			167,211.24

Nightlayers Internal Drainage Board

Barclays - Treasurers Account 2021/2022

1st April 2021			31st March 2022	
Balance brought forward		214,889.34	Payments made during the year	54,860.34
31st March 2022				
Receipts during the year				
Clerk's collection account	51,291.38			
Interest on deposit accounts	10.42	51,301.80	Balance carried forward	211,330.80
		266,191.14		**266,191.14**

National Savings - Treasurers Account 2021/2022

1st April 2021		31st March 2022	
Balance brought forward	6,447.53	Payments made during the year	0.00
31st March 2022			
Interest on deposit accounts	0.65	Balance carried forward	6,448.18
	6,448.18		**6,448.18**

Labour Account 2020/2021

1st April 2021		31st March 2022	
Balance brought forward	1,811.60	Transfer to Barclays current account	1,811.70
31st March 2022			
Interest on deposit accounts	0.10	Balance carried forward	0.00
	1,811.70		**1,811.70**
		ACCOUNT CLOSED	

Summary of Bank Reconciliations as at 31st March 2022

Barclays Bank PLc

Clients Premium Account

Balance per Statement as at 31st March 2022	211,330.80
Less unpresented cheques	0.00
Add outstanding lodgements	0.00
Balance per Trial Balance	**211,330.80**

Cash balances as at 31st March 2022

Barclays Bank PLc

Clients Premium Account	**211,330.80**

National Savings

Investment Account per passbook	**6,448.18**
Total reconciled cash balances per accounts	**217,778.98**

Section 2 – Accounting Statements 2021/22 for

NIGHTLAYERS INTERNAL DRAINAGE BOARD

	Year ending		Notes and guidance
	31 March 2021 £	31 March 2022 £	*Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.*
1. Balances brought forward	222,163	210,508	*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	27,495	24,733	*Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.*
3. (+) Total other receipts	7,827	17,216	*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 gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.*
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	46,977	44,368	*Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).*
7. (=) Balances carried forward	210,508	208,089	*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	223,148	217,779	*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	1,100,000	1,100,000	*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	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	N/A	*The Council, as a body corporate, 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 2022 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date 11th May 2022

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

DD/MM/YY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED

Nightlayers IDB
Reconciliation between statement of accounts and Annual Return
Financial year ended 31st March 2022

				Per Annual
Line 1	**Balances brought forward**			
	General Fund	43,605.31		
	Development charges account	166,902.38		
			210,507.69	**210,508**
Line 2	**Rates and Special Levies**			
	Agricultural rates	4,141.08		
	Special Levies	22,266.00		
	Penalty	0.00		
	Costs	0.00		
	Write-off	-1,673.91		
			24,733.17	**24,733**
Line 3	**Total other receipts**			
	Interest			
	General fund	2.31		
	Development charges account	8.86		
	Highland Water	5,761.93		
	Discharge contributions	11,392.43		
	Consents	50.00		
	Write Back of Provisions	0.00		
			17,215.53	**17,216**
Line 4	**Staff costs**			
	Wages/salaries	0.00		
	National insurance contributions	0.00		
	Pension costs	0.00		
	Travelling expenses	0.00		
			0.00	**0**
Line 5	**Loan repayments**			
	PWLB - Principal	0.00		
	PWLB - Interest	0.00		
			0.00	**0**
Line 6	**All other payments**			
	Precept	3,370.41		
	Rates, insurances, telephones	935.03		
	Repairs and renewals	2,830.84		
	Fuel	6,696.49		
	Drainworks	19,094.08		
	Administration	7,048.79		
	Development charges fees	0.00		
	Contractors charges	4,392.00		
			44,367.64	**44,368**
Line 7	**Balances carried forward**			
	General Fund	41,317.08		
	Development charges account	155,679.24		
	Contributions holding account	11,092.43		
			208,088.75	**208,089**

Reconciliation
Line 1 + Line 2 + Line 3 - Line 4 - Line 5 - Line 6 208,088.75

RESOLVED

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

B.1179 Expenditure estimates and special levy and drainage rate requirements - 2022/2023

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2022/2023 and were informed by Miss Ablett that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 15.68% and 84.32%, viz;

NIGHTLAYERS INTERNAL DRAINAGE BOARD
BUDGET 2022/2023

	Estimated 2021/2022 £	Actual 2021/2022 £	Budget 2022/2023 £
1 Insurances and telephone	1,175	935	1,100
2 Repairs and renewals	2,000	2,831 [A]	4,000 [B]
3 Drainworks (including Environmental measures)	16,250	19,094 [C]	13,500 [D]
4 Fuel (oil and electricity)	5,500	6,696	9,400 [E]
5 District labour	4,000	4,392	4,600
6 Administration charge, Health and Safety contract, Audit fee, printing, stationery, advertising, Association of Drainage Authorities subscriptions etc	5,725	7,049 [F]	5,725
7 Environment Agency Precept	3,370	3,370	3,438
8 Improvement works	0	0	4,500 [G]
	38,020	44,368	46,263
LESS Deposit Accounts interest, Development Charges etc	12,528	17,346 [H]	16,922 [I]
	25,492	27,021	29,341

Rate requirement: 5.00 p

Rates raised 2021/2022 (4.50p) £26,407

Remarks

A -	Includes:	
	Repairs to weed-screen cleaner	1,553
B -	Includes for:	
	Replace motor protection relay	2,000
C -	Includes for:	
	Fees (Floorspan)	1,937
D -	Includes engineer's items	10,675
E -	Provision based on 5 year average plus 50% for new contract rates	
F -	Includes fees and meeting expenses (Floorspan)	1,250
G -	Provision for telemetry installation	
H -	Includes use of development account:	
	Maintenace contribution	8,345
	Fees and costs (Floorspan)	3,187
I -	Includes:	
	Calculated highland water contribution	5,297
	Grant-in-aid - telemetry installation	2,250
	Development account - maintenace	7,000
	Development account - Telemetry installation	2,250

Nightlayers Internal Drainage Board

Rate and levy requirements

Under Section 37 of the Land Drainage Act 1991, the appropriate proportions in which the net expenditure of the Board must be borne for 2022/2023 is:-

a) Proportion to be borne by the Agricultural Sector – 15.68%

b) Proportion to be borne by Special levy issued to Fenland District Council – 84.32%

The product of a rate of 1p in the £ on Agricultural land and buildings is £920.

In 2022/2023 a rate of 1p together with corresponding Special levy would raise £5,868.

Revenue cash balance in hand on 31st March 2022 - £41,317.

The estimated net expenditure for the Boards Revenue and Capital Programmes in 2022/2023, which does not include provision for improvement works to the pumping station intake is £29,341 and equivalent to:-

a) a rate in the £ on Agricultural land and buildings of 5.00p and

b) a Special levy on Fenland District Council of £24,740.

In 2021/2022 a rate of 4.50p in the £ was raised together with a Special levy of £22,266 on Fenland District Council.

D C THOMAS

Clerk to the Board

May 2022

RESOLVED

i) That the estimates be approved.

ii) That a total sum of £ 32,275 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 £ 5,061 and £ 27,214 respectively.

iv) That a rate of 5.50p in the £ be laid and assessed on Agricultural hereditaments in the District.

v) That a Special levy of £ 27,214 be made and issued to Fenland District Council for the purpose of meeting such expenditure.

vi) That the seal of the Board 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.

B.1180 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday 23rd May 2023.

B.1181 Any other Business

The Vice Chairman referred to an email received from Mrs Gravenor regarding an application made by Mr D Hall for the erection of a 3-bedroom dwelling at land north west of 7 Doddington Road, Chatteris relating to the discharge of treated foul water. (MLC ref: 864).

He reported Mr Hall had requested to discharge to the ditch on site, which it is presumed connects to the Board's system near Point 9, via a treatment plant due to the cost involved in connecting to the AWS foul sewer.

Members discussed the request further and agreed that the Board could not approve of a private treatment plant as this would be setting a precedent for other applications in the future where applicants considered it too expensive to connect to a mains sewer. Mr Lakey also raised the issue of who would be responsible for maintaining the private watercourse, which is owned by adjacent landowners.

The Vice Chairman requested that further information relating to the application be forwarded to both him and the Chairman.

RESOLVED

That further information relating to the application be forwarded to both the Chairman and Vice Chairman.

That the Board do not approve the use of a private treatment plant

……………………………………………………..
Chairman

23rd May 2023