

UPWELL INTERNAL DRAINAGE BOARD

Contact: Polly Tombleson, Senior Business Support Officer

Email: enquiries@middlelevel.gov.uk

Telephone: DD (01354) 699377

Administered by:



10th January 2025

Dear Board Members

Upcoming meeting of the Board Wednesday 22nd January 2025

Please find overleaf the agenda for the meeting of the Board to be hosted at the Lamb & Flag, Welney PE14 9RB at 5.30pm on Wednesday 22nd January 2025.

As you'll be aware, we administer thirty Boards that mostly all meet within similar date ranges. Thank you to the majority of Members who already confirm their attendance proactively.

Please help us manage your Board effectively by **proactively letting Polly know as soon as possible, by telephone or email, if you can attend the meeting, or not, or if you're uncertain.** This results in less abortive time and cost to the running of all Boards.

It is important that we have early confirmation whether or not the Board will be quorate.

Yours truly

P BURROWS, FCIWEM C.WEM CEnv

Clerk to the Board

UPWELL INTERNAL DRAINAGE BOARD

Wednesday 22nd January 2025 – 5.30pm

Lamb & Flag, Welney PE14 9RB

Agenda:

Item No	Topic	Format	Lead
1	Welcome & apologies	Verbal	Chair
2	Declarations of Interest	Verbal	Chair
3	Minutes of last meetings and matters arising - Cock Fen P/S – Easement - Gate at Hen Meadow/Cock Fen PS - Discharge Pipe – Letter to Waldersey Farms - Land Registry – Upwell Fen PS - Rates outstanding for more than one year	Pages 3 - 13	Chair/ Clerk
4	Constitution & Membership - Attendance - Vacancies & appointments - Composition and amalgamations - Training	Pages 14 - 16	Clerk
5	Clerk's Report Fens Reservoir	Pages 17 - 21 Pages 22 - 24	Clerk
6	Environment Officer's Report	Verbal	Clerk
7	Consulting Engineer's Reports, including: Capital Programme & FCRM Grant-In-Aid	Pages 25 - 32	Clerk or Engineer
8	Chairman's items Clearance of trees at Mumby's Drove	Verbal	Chair
9	Health & Safety – visit due 20 th January 2025	Verbal	Chair
10	District Officer's Report	Pages 33 - 34	DO
11	Finance Committee Report	Verbal	Chair
12	Governance - Internal Controls & Banking - Annual Return 2023/2024 - Auditors report 2023/2024 - Review Policies - Consider & approve authorised officers, RFO & DPO - Risk Assessment & insured values - Exercise of Public Rights	Pages 35 - 39 Pages 40 - 44 Pages 45 - 54 Pages 55 - 65	Clerk
13	Finance Report - Finance Officer's summary - Subscriptions - Precept to the Environment Agency - Budget Monitoring 2023/24	Pages 66 - 67 Page 68	Clerk
14	Date of Next Meeting	Verbal	Chair
15	Any other business	Verbal	Chair

(NB: If required for any agenda item:

In pursuance of Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting when the above matters are being considered by reason of the confidential nature of the business to be transacted.)

UPWELL INTERNAL DRAINAGE BOARD

**At a Meeting of the Upwell Internal Drainage Board
hosted at the Lamb & Flag, Welney on Friday 31st May 2024**

PRESENT

K Goodger Esq (Chairman)	C Crofts Esq
P Clabon Esq (Vice Chairman)	G W Gowler Esq
H G Bliss Esq	J Quail Esq
S Calton Esq	C N T Rose Esq

Miss Sam Ablett (representing the Clerk to the Board), Mr Carl Nunn (District Foreman) and Mrs Ruth Martin (Lead Clerk) were in attendance.

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

Miss Ablett asked all Board members to sign the attendance sheet and referred to the schedule attached, which recorded the ADA training videos that had been viewed by members. She reported that not all members who had viewed the videos had advised the Middle Level Offices and this was important as details had to be included in the IDB1 return and submitted to DEFRA. She asked all members to mark on the schedule the videos they had watched so a record could be kept.

Inspection of the District

New Tractor and Flail Mower

Members present inspected the new tractor and flail mower and a potential issue with the flail was identified, but it was hoped this could be easily rectified. The tractor and flail retuned with the fitter to Thurlow Nunn Standen.

Upwell Fen Pumping Station

Members present inspected the discharge pipe thrust block and noted the damage and the pump was started in order for Members to view the leak from the pipe. The land around the pumping station was also discussed and it was agreed that this would be discussed further at the Board meeting, following the inspection.

Cock Fen Pumping Station

The gearbox was viewed and the crack to the engine mount was also seen. A discussion was held on how to remove the gearbox from the engine and a plan formulated to remove the gearbox from the building to an area where it could be collected for repair.

Welcome and Apologies for absence

The Chairman introduced Mrs Ruth Martin, the new lead Clerk of the Middle Level Commissioners, to the Board.

Apologies for absence were received from Mrs J French, R D Gladwin Esq, W Gladwin Esq, R Gott Esq, P Hartley Esq, S Hartley Esq, A Kew Esq, J Kirk Esq, C Marks Esq, R Means Esq and A Quail Esq.

B.2132 Declarations of Interest

The Chairman 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.

The Vice Chairman declared an interest in planning application MLC Ref. No. 569, and minute nos. B.2142 and B.2143.

The Chairman declared an interest in minute nos B2142 and B.2143.

B.2133 Minutes of Last Meeting and Matters Arising

a) Minutes of the last meeting

RESOLVED

That the Minutes of the Meeting of the Board held on the 9th May 2023 are recorded correctly and that they be confirmed and signed.

b) Matters Arising

Rates outstanding for more than 1 year

The Chairman expressed his concern over the rates shown as outstanding at the year end. Miss Ablett reported that a court summons is sent to landowners/occupiers who have not paid and she advised that Mrs Martin was in the process of sourcing new bailiffs, who it was hoped would be able to collect any amounts owing.

The Chairman advised that it would be useful to know the number of outstanding debtors and if any are repetitive debtors and for this information to be made available at future Board meetings. Miss Ablett advised that this information could be provided but it would have to be dealt with as a confidential matter for report at the next Board meeting.

RESOLVED

That a list of the number of land owners/occupiers with land drainage rates owing to the Board as at 31st May 2024, together with details of any repeat offenders, be sent to the Chairman and Vice Chairman and that a similar list be provided for report at future Board meetings.

Clearance of trees at Mumby's Drove

The Chairman reported that a meeting had been held on site with all parties and an agreement had been reached with the landowners for the Board to erect a post and wire fence from the existing hedge past the gate and up to the telegraph pole, for another post and wire fence to be erected from the middle of the telegraph pole down to the water's edge, a hawthorn and a quickthorn hedge was to be plant in two rows behind each of the post and wire fences on the land of the Dickson's/Kington's and the old gate will remain in situ, but a new galvanised gate would be erected centred between the end of the existing hedge and the telegraph pole.

He advised that Mrs Martin would be writing to all parties involved to confirm this agreement in writing.

The Chairman expressed his thanks to Miss Ablett for her work in resolving this matter.

RESOLVED

That the chairman and Vice Chairman's actions be approved.

Gate at Hen Meadow/Cock Fen pumping station

The Chairman reported that ownership of the land was still unclear and at the inspection Mrs Martin was asked to check the Land Registry for the registered owner of the land. He enquired whether Members were satisfied with this course of action and would authorise the Chairman and Vice Chairman to take any necessary action should the landowner be identified.

RESOLVED

That the Clerk checks the Land Registry to ascertain the land owner and advises the Chairman and Vice Chairman once this is known. That the Chairman and Vice Chairman be authorised to take any necessary action.

Gate at Nordelph pumping station

The Chairman reported that Mr Partridge will be given a key and code for access through the gate and advised that no heavy vehicles were to enter, once the gate has been installed.

B.2134 Constitution & Membership

Miss Ablett referred to the number of elected and appointed members and their attendance record at meetings. The Chairman felt that the attendance register, shown in the report, was a good update. Miss Ablett advised the Board that the Land Drainage Act 1991 allows for members that do not attend Board meetings for 6 months to be asked to stand down and the attendance record was to assist Boards in making any such decisions.

Amalgamations

Miss Ablett advised there was nothing further to report on the potential amalgamation with Sutton & Mepal IDB and Manea & Welney DDC and enquired whether the Chairman had anything to report. The Chairman confirmed that no further discussions had taken place with either Board.

B.2135 Clerks Report

Miss Ablett referred to the Clerk's report and asked the Board to take note of Appendix 1 of the report, regarding Pumping Station Valuations, and to bear the Clerk's comments in mind when this was discussed later in the agenda.

She drew the Board's attention to other matters in the Clerk's report and there were no questions raised by Members.

RESOLVED

That the report be noted

B.2136 Environment Officers Report

Miss Ablett drew the Boards attention to the Environment Officers report and advised this would help to maintain minimum legal compliance and should be integrated into the Boards standard practices.

She reported that Sofi, the environment officer, would be in touch with the Chairman shortly, to arrange a district visit and to discuss and refresh the Bio-diversity action plan.

Miss Ablett advised the Clerk was encouraging the Board to consider appointing an Environmental Representative, similar to the Board's Health & Safety representative, who would act as Sofi Lloyd's go to person.

The Board agreed that this should be the Chairman. The Chairman advised he was happy to be the representative, on behalf of the Board, but when meeting with the Environment Officer, he would also like to ask the Vice Chairman to attend, as he understood how important engaging with the Environment Officer would be.

RESOLVED

- i) That the report be noted
- ii) That the Chairman be appointed as the Board's Environmental Representative, supported by the Vice Chairman.

B.2137 Consulting Engineers Report

The Board considered the Reports to the Consulting Engineers.

New developments and the use of SuDS.

The Chairman considered that although the Board's district was not highly developed and had no major issues, it should support the guidelines and comments made by other Board, but would not have anything further to add. This was agreed by the Board Members.

Miss Ablett referred to the Capital Programme and advised that a District Wide study was due to start this year, which would identify works required regarding the district and pumping stations. She explained that once the study had been completed it would highlight what works were necessary, the urgency of the and the estimated costs and this information would be used to update the Capital Programme, which would then become more meaningful.

Miss Ablett confirmed the amounts shown in green were works already highlighted to the EA, and values shown for the pumping station was the cost of a total rebuild, based on a recent project that had been undertaken. She asked the Board to bear these figures in mind when discussing insurance valuations.

Miss Ablett warned the Board should bear in mind that all works may not be fully funded by GIA and therefore, the Board needed to consider how these works would be funded in the future

Miss Ablett referred to the Mechanical and Electrical Engineer Report and enquired whether the Board would consider authorising a sub-committee to make decisions in relation to pumping plant repairs. Members agreed the sub-committee would consist of the finance committee members.

The District Foreman reported that Padgetts Corner Pumping Station was currently working well, but the Board agreed that the level sensor should be investigated due to problems previously experienced.

It was agreed that, following on from the discussions during the Inspection, the discharge pipe thrust block at Upwell Fen Pumping Station should be encased in concrete, as a repair, until the outcome of the district-wide study. The Board highlighted some concerns that the outfall was lower than the pump so this work was essential.

Members considered that in the short term the pipe should be covered over and the Clerk be asked to establish who owns the land between the pumping station and the Environment Agency's bank. In addition, the Clerk should be asked to write to Waldersey Farms, explaining the situation and asking them to avoid driving over the pipe and also enquire whether the Board could erect a fence to prevent access.

Miss Ablett asked the Board to consider the pumping station key dates shown in the report, and the District Foreman noted some errors. It was agreed that he would contact the Consulting Engineer to discuss these.

The Chairman advised that during the Inspection, the previous practice of regular pump overhauls was discussed, and he felt that due to financial constraints a reactive rather than proactive approach should be taken, with good emergency plans in place. This was agreed by the Board for the moment.

The Chairman reported that he and the Vice Chairman had recently met with the Treasurer, at which time it was considered that a summary of expenditure incurred relating to the electrification of Cock Fen Pumping Station should be presented to the Board and he referred to the schedule in the agenda. The Chairman advised that to date the panel, motors and telemetry had all been purchased and £85,000 had been paid to UKPN. He advised that although the panels and motors could be sold any resale value was unlikely to recover costs.

The Chairman reported the pumping station was isolated and was probably the station at which the District Foreman spends most of his time in the winter when high water levels were experienced. He added electrifying the station would also enable it to be monitored and operated remotely.

The Chairman advised that they had considered keeping the diesel pumps, in order to keep costs down in view of the electricity rates, but it was hoped these would reduce later in the year. He added that Governments were promoting green energy and it was unknown whether later down the line there would be a government directive instructing the diesel engines to be removed.

Miss Ablett advised the Board needed to consider whether UKPN would require a further payment to complete the work in view of the time that had passed since the original payment was made.

The Vice Chairman hoped this would not be the case as UKPN had been paid in advance and the Board had not cancelled the works.

The Vice Chairman reminded Members the Board had explored the possibility of installing a generator, which was considered unfeasible.

The Chairman enquired whether Members would approve to continue with the electrification of Cock Fen Pumping Station, (subject to discussions with the Chief Engineer and confirmation of whether any GiA would likely be made available).

Miss Ablett advised that if the Board approved to proceed with the electrification, they may wish to consider discussing the matter further with the Chief Engineer, to establish whether it was likely any GiA would be available following completion of the District Study.

The Chairman proposed moving forward with electrification, subject to discussions with the Chief Engineer and confirmation of whether any GiA would likely be made available, and this was seconded by Mr Rose and agreed by all Members. The Chairman and the Vice Chairman were authorised to move forward with the project.

The Board also discussed the overhaul of the gear box for Pump 1 at Cock Fen Pumping Station and, as this would remain in situ after electrification, it was agreed it would be prudent to carry out this work and funded from the Loan Funding.

RESOLVED

- i) That the reports be approved.
- ii) That the Capital Programme be approved in principle and updated further when the district study has been completed.
- iii) That the Board support the response to SuDS by other Boards.
- iv) That the Clerk check the Land Registry to ascertain who owns the land between Upwell Fen Pumping Station and the EA bank and advises the Chairman and Vice Chairman.
- v) That a letter be sent to Waldersey Farms requesting they avoid driving over the outfall pipe at Upwell Fen Pumping Station in view of damage to the pipe.
- vi) That the level sensor at Padgetts Corner Pumping Station be investigated.
- vii) That the discharge pipe thrust block be repaired at Upwell Fen Pumping Station and funded from the Asset Fund.
- viii) That the gear box on Pump 1 at Cock Fen Pumping Station be overhauled and funded from Loan Funding.
- ix) That a sub-committee be formed, consisting of Members of the Finance Committee, to make decisions in relation to pumping plant repairs.
- x) That the pump overhaul programme be put on hold and any works undertaken reactively.
- xi) That the Board proceed with the electrification of Cock Fen Pumping Station, subject to discussions with the Chief Engineer and confirmation of whether any GiA would likely be made available and the Chairman and Vice Chairman be authorised to be points of contact for the project.
- xii) That the District Foreman continue to take meter readings at the pumping stations and submit these at regular intervals to the engineer.

(NB: The Vice Chairman declared an interest in planning application MLC Ref. No. 569)

B.2138 Health and Safety

The Chairman gave a verbal update following his meeting with COPE Safety Management and reported that no concerns or recommendations had been raised.

B.2139 District Foreman's Report

Mr Nunn referred the Board to his written report, which was noted by the Board.

B.2140 Finance Committee Report

The Chairman reported that as agreed at the board meeting in January, the finance committee had met regarding the potential purchase of a tractor and/or flail mower replacement.

He advised the recommendation was to purchase an ex hire 2021 Massey Ferguson tractor, which had undertaken 1100 hours in total and came with a warranty to April 2026, together with a new Bomford 8 metre mower, which would have a 1-year warranty. He confirmed that the plant would be purchased from Thurlow Nunn Standen and the benefit of them supplying both the tractor and the mower was that it should provide the Board with a good service for the tractor and mower going forward.

The Chairman advised other quotes and options had been explored, but this was both the most competitive option and the best choice in the finance committee's opinion.

The Chairman reported that an email had been sent to all members in February advising them of the recommendation and the financial impact on the Board seeking approval to proceed with the purchase. He

confirmed that as 12 Members from a total of 19, had responded favourably it had been agreed to proceed with the purchase.

RESOLVED

That the actions of the finance committee be approved and the Chairman and Vice Chairman be authorised to make any further arrangements concerning the purchase as necessary.

B.2141 Governance

a) Completion of the Annual Accounts and Annual Return of the Board – 2022/2023

The Board considered and approved the comments of the Auditors on the Annual Return for the year that ended on the 31st March 2023.

The Board considered and approved the Audit Report of the Internal Auditor for the year that ended on the 31st March 2023.

b) Risk Management Strategy

Miss Ablett outlined that the Board's Risk Management Strategy had been due an update, that the Clerk had drafted and published an updated strategy for all IDBs clerked by the Middle Level Commissioners. The new strategy will run from 2024 to 2027 and outlines how Members and the Middle Level Commissioners staff govern the Board's risks.

The Board reviewed and approved their new risk management strategy 2024 – 2027 and expressed satisfaction with their Risk Management Policy.

c) Insured Sums

Miss Ablett referred to the insured sums of the pumping stations and reminded the Board of the Clerk's comments in his report, when determining their valuations for insurance purposes Members should recognise the limitations associated with their valuations and the risks, they hold of being underinsured.

Discussions followed regarding the valuation of pumping stations and Miss Ablett reported that it was hoped a meeting would soon be arranged with a company, recommended by the Board's insurers, who may be able to assist with the valuation of the pumping stations. She advised that once this meeting had taken place and further information was available this would be reported to the Boards.

The Chairman enquired of the cost of increasing the insured sums and Miss Ablett confirmed she could ask the insurers and advise the Chairman.

The Chairman suggested doubling the current values and obtaining a quote for the increased sums. Members agreed and authorised the Chairman and Vice Chairman to approve any increase considered necessary.

In addition, the Board asked if a cost per £1,000,000 of insurance could be established. Miss Ablett advised she would enquire, advise the Chairman and report at the next meeting.

RESOLVED

That the cost to increase the insured sums of the pumping stations be obtained from the insurers and the Chairman and Vice Chairman be authorised to approve any increase.

That the cost per £1,000,000 of insurance be established.

d) Finance Regulations & Finance Code

Miss Ablett reported that the Board's Finance Regulations and Finance Code Policy were due for review and renewal this year. However, she informed the Board that it was intended to carry out a full review of the Middle level Service Provision, the introduction of Key Health Indicators and to start a review of the IDB landscape of drainage boards within the Middle Level. Further, these reviews would also trigger a review of the finance dept. at the Middle Level and all these matters would likely influence areas of delegation regarding finance through the Middle Level offices, it would therefore make sense to retain the current regulations and policy pending a more in-depth review.

RESOLVED

That the Board's current Finance regulations and Finance Code Policy be approved for a further year and the Clerk and Responsible Finance Officer be authorised to carry out a full review of both and report at next year's meeting.

e) 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.

f) Consideration of potential litigation, liabilities, commitments.

Miss Ablett reported that as part of the Annual Governance review the Board were required to consider if there were any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end that have a financial impact on the authority. He confirmed that there were no such matters that have been raised through the office of the clerk. Members gave consideration to the position.

RESOLVED

That there are no such events that would have an adverse financial impact on the Board that would need to be included within the accounting statements for the financial year ended 31st March 2024.

g) IDB1

Miss Ablett referred to the completed IDB1 form for 2022/2023 which the Board noted and approved.

h) Annual Governance Statement

The Board considered and approved the Annual Governance Statement for the year ended 31st March 2024.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement on behalf of the Board for the financial year ended 31st March 2024.

B.2142 Finance Report: looking back

Finance officer's review and key messages

Miss Ablett referred to the comments concerning the 2023/24 year which ended 31st March 2024.

The Board noted and approved the key finance messages.

Payments 2023

The Board considered and approved the Payments of £297,194.40 which had been made during the financial year ending 31st March 2024.

(NB: The Chairman and Vice Chairman declared interests in the payments made to them.)

Annual Accounts and Finance Papers 2023/2024

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended 31st March 2024 as required in the Audit Regulations.

B.2143 Finance Report – Looking Forward

Finance officer's review and key messages

The Board considered & approved the key messages of the Finance Officer.

Fees, Remuneration & Subscriptions:

i) District Labour Fees

The Board gave consideration to the District Labour fees for the Board's employee for 2024/2025.

Miss Ablett advised that the Board had previously resolved to increase the District Foreman's wages in accordance with the Middle Level Commissioners' pay award.

RESOLVED

That the District Foreman's wages for 2024/2025 be increased by 7.53% in accordance with the Middle Level Commissioners' pay award.

ii) District Officers Fees

- a) The Board gave consideration to the District Officers' fees for 2024/2025.
- b) The Board gave consideration to the expenses payable to the District Officers for 2024/2025.

RESOLVED

- a) That the sum of £4,142 be allowed for the services of the District Officers for 2024/2025 and to be split equally between the District Officers.
- b) That the Board agree that a sum of up to £1,065 for expenses be allowed and split between the District Officers as necessary.

(NB: The Chairman and Vice Chairman declared a financial interest when this item was discussed.)

iii) Charges for hire of plant when engaged on private work

Consideration was given to whether any revisions were necessary in the Board's charges for hiring plant when engaged on private work (last reviewed – May 2023): -

Flail mower

Present charge - £45 per hour (inclusive of operator's wages etc)

(NB – Travelling time being charged in addition to working time)

The Chairman reported that Euximoor IDB had enquired whether the Board would consider undertaking its flail mowing operations for the coming year. He considered this would be an opportunity for the Board, in view of the purchase of the new tractor and flail mower, and Carl had confirmed that he would be able to carry out the works without impinging on the Boards own maintenance requirements.

The Chairman enquired what rate Members considered to be reasonable.

Members agreed that £48 per hour would be reasonable as the Board did not increase the hourly charge last year and would still be charging less than other contractors.

RESOLVED

That the hire charge be increased to £48 per hour

That the Board undertake flail mowing on behalf of Euximoor IDB

iv) Determination of land for rating purposes & rate arrears

The Board considered the recommendation for the determination for rating purposes and rate arrears.

RESOLVED

The Board agreed to the determination of land for rating purposes and associated write-off of rate arrears

v) Estimates & Rate Requirements for 2024/25

Miss Ablett advised that when considering the rating estimates and the Agricultural Drainage Rates and Special Levy requirements for 2024/2025, the Board should note the comments made by the Finance Officer, and she went through the detail of the report and asked the Board to be sure they were comfortable with the estimates made.

Members discussed the estimates and rate requirements and it was agreed the Board had to be responsible in view of its depleted funds and future capital requirements.

Mr Crofts proposed that the rate be increased from 27p to 33.25p which was seconded by Mr Miscandlon and this was approved by the Board.

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2024/2025 and were informed by the Clerk 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 75.55% and 24.45%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £313,146 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 £236,582 and £76,564 respectively.
- iv) That a rate of 33.25p in the £ be laid and assessed on Agricultural hereditaments in the district.
- v) a) That a Special levy of £ 46,144 be made and issued to the Borough Council of Kings Lynn and West Norfolk for the purpose of meeting such expenditure
b) That a Special levy of £30,420 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 iv).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.2144 Date of Next Meeting

RESOLVED

That the next meetings of the Board shall be held as follows: -

- i) Wednesday 22nd January 2025 at 5.30pm
- ii) Wednesday 4th June 2025 –
Inspection at 2.45pm meeting at the Lamb & Flag
Meeting at 5.30pm at the Lamb & Flag followed by a meal at 7pm

Provided by the Middle Level Commissioners		Item No:	4
Meeting:	UPWELL IDB	Subject:	CONSTITUTION & MEMBERSHIP
Date:	Wednesday 22 nd January 2025	Officer Responsible:	Polly Tombleson

RECOMMENDATIONS

The Board is asked to:

- A. Note the current status of its membership and the role they each play as members serving the interests of the Board.
- B. Review attendance records and identify any resolutions as necessary.
- C. There are currently no vacancies
- D. To consider previous discussions of amalgamation – SM, MWe & Up.
- E. Reinforce the need for members to view all five ‘Good Governance’ videos.
- F. Identify any topic areas for additional training, as well as any inspection/site visit requirements.

1. Current status

- 1.1 The table below outline the current composition of the Board and the quorum as detailed in the standing orders.

	Elected Members	Appointed Members	Total Members	Quorum
Composition	14	N/A		7
Actual	14	2 FDC, 3 KLWN	19	
Vacancies	0		0	

- 1.2 The table below details the current elected members of the Board

No	Name	Status (one of four categories)	Commentary
1	H Bliss	Ratepayer	
2	S Calton	Nominee of ratepayer (Fred Hartley Estates Ltd)	
3	P Clabon	Ratepayer	Vice-Chair & District officer
4	R Gladwin	Ratepayer	
5	W Gladwin	Nominee of Ratepayer (?)	
6	K Goodger	Ratepayer	Chair & District Officer
7	R Gott	Ratepayer	
8	G Gowler	Ratepayer	
9	P Hartley	Nominee of Ratepayer – (Frank Hartley & Sons)	
10	S Hartley	Nominee of Ratepayer – (Frank Hartley & Sons)	
11	A Kew	Nominee of Ratepayer - (Waldersey Farms Ltd)	
12	R Means	Nominee of Ratepayer – (Fred Hartley Estates Ltd)	
13	A Quail	Ratepayer	
14	J Quail	Nominee of Ratepayer – (Scott Oldroyd & Co)	

- 1.3 The table below details the current appointed members of the Board.

- 1.4 Special levy paying District Councils appoint members to Boards and their role is to be part of the Board representing all the non-agricultural interests within the Board’s district. The Council must consider appointing members who have relevant knowledge or experience that is relevant to the Board and its district.

- 1.5 Appointed members do not need to be councillors or employees of the Council, therefore can represent wider relevant interests within the district, eg major infrastructure, commerce, community groups, environmental interests.

No	Name	Appointing Council	Commentary (one of three categories)
1	C Crofts	BCKLWN	Councillor
2	J French	FDC	Councillor
3	J Kirk	BCKLWN	Councillor
4	C Marks	FDC	Councillor
5	C Rose	BCKLWN	Councillor

- 1.6 All Members are reminded that have equal status to each-other around the Board table and are here to serve the interests of the Board.

2. Attendance

- 2.1 The table below outlines the attendance record for the last four meetings of the Board.

Elected Members

No	Name	31/5/2024	18/1/2024	17/5/2023	23/1/2023
1	H Bliss	Present	Present	Attended	Attended
2	S Calton	Present	Present	Apologies	Attended
3	P Clabon	Present	Present	Attended	Attended
4	R Gladwin	Apologies	Present	Attended	Attended
5	W Gladwin	Apologies	N/A	N/A	N/A
6	K Goodger	Present	Present	Attended	Attended
7	R Gott	Apologies	Present	Apologies	Attended
8	G Gowler	Present	Present	Attended	Attended
9	P Hartley	Apologies	Present	Attended	Attended
10	S Hartley	Apologies	Present	Attended	Apologies
11	A Kew	Apologies	Apologies	N/A	N/A
12	R Means	Apologies	Apologies	Attended	Attended
13	A Quail	Apologies	Present	Attended	Attended
14	J Quail	Present	Present	Attended	Attended

Attendance at Chairs Meetings

No	Name	6/12/2024	6/10/2023	13/12/2022	12/4/2022
1	K Goodger	Apologies	Apologies		Attended

Appointed Members (current and previous)

No	Name (Council)	31/05/2024	18/01/2024	17/5/2023	23/1/2023
1	C Crofts (BCKLWN)	Present	Apologies	Attended	Apologies
2	J French (FDC)	Apologies		N/A	N/A
3	J Kirk (BCKLWN)	Apologies	Present	Apologies	Attended
4	C Marks (FDC)	Apologies	Present	N/A	N/A
5	C Rose (BCKLWN)	Present	Present	Attended	Attended

3. Elections, vacancies & appointments

- 3.1 There are no vacancies on the board.

- 3.2 The next Election of the board will be in 2026

4. Composition and amalgamations

- 4.1 The Board is encouraged to continually monitor and review its membership, financial and climate resilience, along with assessing its influence locally, regionally and nationally. These are all factors that may lead the Board to consider changing its composition and/or amalgamation with (an)other Board(s).
- 4.2 Amalgamations and composition changes are not swift processes and can take a number of years. They require planning and additional/specialist resourcing by the MLC as your clerk, Environment Agency and Defra. Therefore, the Board is encouraged to think ahead five to ten years in its decision making, thinking about the next generation.

5. Training

- 5.1 All Members are asked to digest the Good Governance Guide for Internal Drainage Boards published by the Association of Drainage Authorities and view the five accompanying videos intended to bring the guide to life. They are available via <https://middlelevel.gov.uk/about/idb-governance/>
- 5.2 To date 3 of 18 Board Members have reported viewing all five videos.
To date 6 of 18 Board Members have reported viewing 2 of the 5 videos
To date 2 of 18 Board Members have reported viewing 3 of the 5 videos
To date 1 of 18 Board Members have reported viewing 4 of the 5 videos
- 5.3 Members are asked to identify any topics areas they would value further training on as well as any site inspections that would help them undertake their role on the Board more effectively.
- 5.4 Member training is reported to Defra as part of the annual IDB1 return.

Author Name: Polly Tombleson

Role: Senior Business Support Officer

Provided by the Middle Level Commissioners		Item No:	5
Meeting:	UPWELL INTERNAL DRAINAGE BOARD	Subject:	CLERK'S REPORT
Date:	Wednesday 22 nd January 2025	Officer Responsible:	Paul Burrows

RECOMMENDATIONS The Board is asked to: A. Note the content of the report and feedback on items as appropriate.			
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1. MLC Services to IDBs

We have made the business decision to focus our clerking and technical services offer to IDBs within the Middle Level where there is water management connectivity with the Middle Level Commissioners' catchment.

The continued service offer to IDBs is contingent on their open-mindedness, support and leadership within the reform/amalgamation agenda, as this is needed to create a more sustainable medium- long term business model between the MLC and IDBs. It also contingent on IDBs taking active decisions to manage their risks appropriately to sustain and/or improve their health.

Therefore, the following eight IDBs have been provided with notice that our service offer will be discontinued:

- Bluntisham IDB
- Over & Willingham IDB
- Haddenham Level Drainage Commissioners
- Swavesey IDB
- Hundred Foot Washes IDB
- Hundred of Wisbech IDB
- Waldersey IDB
- Feldale IDB (administered by the Whittlesey Consortium of IDBs)

This covers all the services offered by MLC, i.e. clerking (admin, governance and finance), environment, M&E, planning & consenting, operations, survey, GIS and capital works.

The 'consultancy agreement' for clerkship services between the MLC and each IDB requires no less than 6-months' notice by either party expiring on 31st March in any year. Therefore, notice must be given by the end of September in any year. To provide each IDB with sufficient time to source alternative suppliers and to enable us to work with those suppliers and the IDB on a transition plan, the termination of services will come into force on 1st April 2026 at the latest. We will however conclude the year-end accounts and annual returns for 2025/26 which happens after 1st April 2026.

It is likely that there will be certain activities or pieces of work that may need to be continued beyond this date until a suitable milestone is reached. This will be agreed as part of a transition plan and a bespoke fee arrangement will be agreed for each of these.

Our service offer to Sutton & Mepal IDB and Manea & Welney DDC will continue given:

- The Old Bedford River interrelationship and potential future amalgamation with Upwell IDB.
- The Fens Reservoir proposal and Cranbrook/Counterdrain strategy may change the water management connectivity between these districts and the Middle Level Commissioners' system.

We are in discussion with Ramsey IDB with a view to taking on their clerkship.

We are refocussing because:

- There has been significant incremental change over the last 10-20 years in terms of IDB governance standards, financial requirements, health & safety, and environmental legislation.
- The scale of M&E and capital works is increasing as a generation of assets deteriorate and come to the end of their reliable life.
- Development pressures and the squeeze on Byelaws have intensified over the last 15 years.
- There is now much more of a need than in the past to work in partnership with a wider range of bodies across an increasingly diversifying suite of agendas.
- The active member inputs around many IDBs have reduced given the changes in farming and age demographic and some Boards are now struggling for attendance.
- The scale of strategic issues facing the Middle Level catchment has and will continue to increase exponentially and will require more focussed working with a broader range of partners locally, regionally and nationally than ever before (e.g. scale and impact of development, pressure on water resources, Fens Reservoir, scale of MLC capital works, impact of climate change on our system, lowland peat, environmental enhancement).
- We are not exploiting the opportunity to maximise sources of income beyond the drainage rate and special levy funding base.

All of the above means that MLC staffing resource is currently spread far too thinly and has been for some time. We consider that the organisation broadly has the staff capacity to provide a good level of service for the Middle Level Commissioners' responsibilities alone. Many staff are working well beyond their contracted hours to provide as good a service as possible for the MLC and the IDBs we currently have a service provision relationship with.

This all means that our service provision to IDBs is now having a direct impact on the delivery of the Middle Level Commissioners' responsibilities, therefore increasing their risks, liabilities and costs. The quality of service provided to all IDBs is also not where we feel it needs to be, which affects all IDBs.

The shorter-term measures to mitigate this are:

- Focussing our service provision
- Creating a new MLC Service Catalogue, including a review of fee arrangements, targeted improvements in efficiency, effectiveness and productivity.
- Introducing Key Health Indicators to better enable IDBs to manage their risks and enable comparison across the Middle Level.
- Targeted increase of staff capacity and use of 'bought in service'.
- Developing a 'case for change' in terms of IDB reform/amalgamation across the Middle Level (this needs resourcing).
- Ongoing amalgamation of March East & Euximoor IDBs and reconstitutions of Conington & Holme IDB and Warboys, Somersham & Pidley IDB.

The medium-term measures to mitigate this are:

- IDB reform/amalgamation across the Middle Level, including a review of the business model between the MLC and IDBs.
- Increasing and diversifying income, including a review of our charges associated with planning and consenting.

In terms of developing a new catalogue and associated fee structure, this is underway but not yet as developed as hoped given workload challenges. New staff are also bringing a new perspective to this. There are a few significant gaps in service provision emerging that need to be explored with the IDBs and would require resourcing (finance and people) and training. These include:

- Consent compliance
- Enforcement (inc complex cases and legacy issues)

- Major development and sites of concern (inc, multi-agency working)
- Authorisations and powers of entry
- Proactively formalising land registry, easements and agreements
- Communications and engagement

To ensure no conflict of interests within our service provision to IDBs, we will not undertake private work for ratepayers, landowners, developers, or any prospective consent applicant. It is particularly important that ratepayers' and Board Members understand and respect this position within any works they plan or are involved in that may need consent from the IDB or MLC. This will support Board Members in managing their own conflict of interest and within their code of conduct. There may be exceptions to this that will need to be reviewed and agreed between the MLC Chief Executive/Clerk and IDB Chairman.

2. The IDB governance future within the Middle Level of the Fens

As previously reported to the MLC Board and IDBs, on 15th February 2024 the Chairs, Vice Chairs and Board Members who sit on more than one IDB within the Middle Level (and those outside the catchment that we administer) had been invited to an informal session in Ramsey to share thoughts about the future IDB governance landscape within the Middle Level and whether action was needed to ensure this was resilient for the future.

The consensus from those who attended was that we needed to act and a small working group was identified to draft an initial case for change. The working group met on 5th September 2024 and were joined by Innes Thomson, ADA Chief Executive. The group used the 'Geoff Beel' vision from 2009 as a starting point to discuss the primary drivers for change and the key concerns that any proposed new model would need to take account of.

A summary of the discussion:

- Change is not new within the Middle Level and there has been ongoing evolution of IDBs.
- We need to locally design and drive future change, proactively taking control of our own collective future. IDBs are the decision makers.
- We need to agree what we need to look like in 5-15 years to be sustainable and efficient for the subsequent 25 years.
- Do Nothing and Do Minimum (continued incremental change) are not considered as options as amongst other risks they increase the likelihood of reform being directed upon us.
- The scope is to develop options and then identify a preferred option for the future IDB model of IDBs within the Middle Level catchment ie where we have two tiers of land drainage.
- Similar discussions are happening elsewhere and currently the new government is in supportive and listening mode. We need to develop our approach very much with the Minister (plus Defra and Environment Agency) not for the Minister.
- We risk becoming more of an anomaly if other IDB landscapes drive reform and we do not.
- Amalgamating IDBs into the Middle Level Commissioners or becoming one very large two tier IDB has been ruled out and will not be recommended to the MLC Board (see below for rationale).
- We think options for one, two, three, four and maybe five IDBs need to be developed to an outline design stage. The management and operational delivery model may change for each of these.
- Any preferred option would need to ensure and ideally enhance value for money and make sense from a business point of view.
- Private Districts are an added complexity that ought to be considered within a detailed design phase, once a core IDB preferred option has been determined.
- There is a recognition that additional resources are needed to develop and deliver a case for change. IDBs will need to make a provision/contribution for this and in doing so increase the likelihood of securing funding from others. Seed funding to get us moving is needed ahead of asking 24 IDBs for funds.
- There is a recognition that implementation of a preferred option would need to be resourced, managed and led as a change programme.

The Middle Level Commissioners, whilst having the responsibilities and functions of an Internal Drainage Board under the Land Drainage Act 1991 and Floods & Water Management Act 2010, have functions and responsibilities beyond a 'normal' IDB that are specified and catered for within a suite of primary legislation, predominantly the Middle Level Acts.

Amalgamating 24 IDBs into the Middle Level Commissioners would likely need new primary legislation and similarly becoming one large two tier Middle Level IDB (solely acting under the Land Drainage Act) would mean repealing a suite of primary legislation. Both approaches would be significantly more complex, costly time-consuming and controversial than recent experience with the Middle Level Act (2018) that introduced navigation licensing.

Repealing the Middle Level Acts and becoming a Middle Level IDB would mean new legislation and a new body would be needed to take over the MLC's navigation authority role (or the Environment Agency subsume these) and potentially our water transfer role. This would add unwelcomed additional complexity to water level management within the Middle Level given how the system and infrastructure serves and balances a variety of interests and is likely to be largely unsupported by many of beneficiaries of our system.

The next steps identified:

- Paul Burrows and Innes Thomson to pitch for seed funding from the Environment Agency's Fens2100+ programme. Paul Burrows to ask the MLC Board to consider a financial contribution at their meeting on 7th November 2024.
- MLC to then act as lead client bringing in local knowledgeable extra hands to develop the scoping and outline design. A scope for this will need to be developed.
- The ambition would be to present outline design options via IDB 2025 meetings. This ambition is subject to funding, resources and not having an exceptionally wet winter to contend with again.
- Working Group to meet again in January 2025 (dependent upon the above).

3. Electricity

3.1 Electricity Service

In terms of standing charge policy, our appearance on BBC Countryfile has contributed to ofgem consulting on a revised approach. They have no definite timescales as yet unfortunately but have reiterated that IDBs remain an important case study for them and one they will continue to raise with decision-makers within government.

A group made up of nominated IDB Chairs along with the MLC Chairman and Vice Chair reviewed the electricity contract. Having reviewed options, it was agreed by all to enter into a 12 month fully fixed, 100% renewable power electricity contract with EDF Energy, together with a service level agreement with Green Energy Advice Bureau (GEAB), who will manage the contract and validate invoices.

New Unit Rates are within the range of 21-29p. Following the last TCR in 2023/2024 the annual standing charges amounted to £155,662.32, these now stand at £130,467.61 before adding St. Germans, which at present equates to £49,122.50, being a total of £179,590.11, an annual increase of £23,927.79 across the portfolio. The St. Germans quote does not include the Targeted Charging Review (TCR) charges, which is not down to GEAB nor EDF, but a supplier wide decision due to the EH1V type of meter, which means suppliers will charge the TCR as they are charged from the Distribution Network Operator (DNO).

We have been advised that the standing charges will continue to increase due to the TCR charges as these are going up year on year. The DUoS (Distribution) and TNUoS (Transmission) charges are set each year, and this is the distribution and transportations costs and will be affected by such things as oil prices and demand for dealing with Liquified Natural Gas (LNG) shipments.

4. Charging for Planning & Consenting

As previously reported, we have for a long time been reactive and had insufficient resources to cater for the amount and range of planning and consenting workload for the Commissioners and IDBs with an inability to step back and identify and implement improvements. Our reputation has suffered, and we receive regular complaints.

With new leadership capacity and capability within Technical Services, we are now in a healthier position to identify and drive improvements. A key foundation of improvement is a review and implementation of our charging approach for developers and consent applicants. We have identified that we are significantly out of sync with neighbours and have likely been missing out on substantial income over many years. This is income that could in part be reinvested into developing our capacity and capability to improve our service, as well as contributing to asset improvement budgets.

The Board is asked to support the need to review our charging model to maximise income. The intent is to present a proposal to the MLC Board for approval in April 2025 with subsequent approval being sought by the IDBs thereafter.

5. Rating

As previously reported the Water Management Alliance's (WMA) support for their rating software (DRS2005) which we use to manage and issue circa 4000 drainage rates on behalf of the Commissioners and administered IDBs will be discontinued on 31 March 2025. ADA subsequently decided not to lead on the redevelopment of DRS.

The WMA have re-written DRS for their members IDBs in Access 365, which will be made available for other IDBs to use under licence. This software is known as DRS365 and runs on their Terminal Server, which will be securely operated, maintained and supported remotely.

Upgrading to DRS 365 (the software licence, training and transitioning work) will cost circa £10k per site (ie covering MLC and our administered IDBs) and the annual support charge will be circa £5k per site. This covers their costs and provides a more robust, sustainable and better supported system than we currently have, reducing risk to MLC and our administered IDBs. These costs will be reviewed next on 1 April 2025 and annually thereafter. The existing DRS2005 maintenance fee is £1k per annum.

The only other options we have would be to create our own software (which is impractical) or revert to a paper-based system (which would be a retrograde and resource intensive step). In these circumstances the WMA would offer a year extension to the DRS2005, hosted on their server, but at our risk should Microsoft decide to turn off the Access 2003 platform upon which the existing DRS is dependent.

6. Debt Management

Having had limited success with previous bailiffs, we are trialling a new approach to debt management. We have issued a suite of legacy drainage rate and developer charges debt held by the Commissioners and some IDBs to Glenwood debt management company. They operate on a no win no fee basis, and if they prove successful there is opportunity to issue them cases much earlier on in the process, at non-payment stage. This could be significantly more efficient in terms of staff time and hopefully more effective.

Author Name: Paul Burrows
Role: Clerk

Provided by the Middle Level Commissioners		Item No:	Under Clerks report
Meeting:	UPWELL INTERNAL DRAINAGE BOARD	Subject:	FENS RESERVOIR
Date:	Wednesday 22 nd January 2025	Officer Responsible:	Paul Burrows

RECOMMENDATIONS

The Board is asked to:

- A. Approve that the Board act as one with the Middle Level Commissioners and other impacted IDBs. Therefore, the Middle Level Commissioners staff, consultants and legal service provider are authorised to act on behalf of and represent the Board.
- B. Acknowledge that the Fens Reservoir DCO may need to overwrite/disallow existing statutory powers held by the Board and delegate the decision making on this to the Clerk, engaging with the Chairman/Vice Chairman as he sees fit.

1. Latest position

- 1.1 On behalf of the Middle Level Commissioners and IDBs, we responded to the phase two public consultation and having worked closely with Anglian Water over the last 24-months, what is now clear within the proposals is that in terms of water source, water transfer, site flood resilience, emergency drawdown and downstream water transfer routes, the planning, construction and operation of the reservoir will be dependent upon the Middle Level Commissioners' and IDB infrastructure, our operations and our resources. These need to be ready and resilient for this enhanced future role.
- 1.2 Whilst the Middle Level has always been key within UK food security, the Fens Reservoir ([see website](#)) is a game-changer as our collective infrastructure and operations will also become critical for regional housing and economic growth beyond our catchment. This is arguably the boldest and most transformational investment in the Fens since the original great drainage schemes of the 1600s. It presents a great opportunity to bring resilience and investment into the Middle Level as we face the accelerated challenges of a changing climate as evidenced within the recent [Future Fens Integrated Adaptation Programme's Climate Change Risk Assessment](#).
- 1.3 We will be prioritising input into the Fens Reservoir as the potential gains are significant and the stakes are high. Therefore, please be mindful that other service standards may be affected.
- 1.4 We have been recovering our staff time costs associated with many aspects of supporting Anglian Water develop the Fens Reservoir proposals through a Service level Agreement (SLA). The SLA is being updated to cover additional technical support we need to bring in, e.g. consultants. We are also finalising a separate agreement for reservoir project funded additional staff capacity.
- 1.5 By spring 2025 Anglian Water aim to have a whole scheme solution identified ahead of another design freeze and third non statutory public consultation.

2. IDB Interests

- 2.1 The table below outlines the IDBs that we administer that are directly impacted in one way or another by the proposals so far. However, with the Middle Level being the proposed primary source of water, this means indirectly all the other IDBs that gravity outfall or pump into the Middle Level Commissioners watercourses also have an interest.

Organisation	Direct Interest areas	Notes
Middle Level Commissioners	Interaction with and impact on MLC infrastructure and operations: • Water sources • Emergency drawdown • Site design • Downstream transfer Governance impacts of reservoir	
Curf & Wimblington Combined IDB	Interaction with and impact on IDB infrastructure and operations: • Site design (main site) • Downstream transfer Governance impacts of reservoir	
<i>Commissioners for imbanking fen lands and low grounds within the Parishes of Chatteris, Doddington and Wimblington, also known as the 'Imbanking Commissioners'</i>	<i>Governance opportunities the reservoir may enable dissolve the Commissioners and redistribute assets</i>	
Nightlayers IDB	Interaction with and impact on IDB infrastructure and operations: • Site design (treatment works) • Downstream transfer Governance impacts of reservoir	
Sutton & Mepal IDB	Interaction with and impact on IDB infrastructure and operations: • Downstream transfer	
Warboys Somersham & Pixley IDB	Interaction with and impact on IDB infrastructure and operations: • Downstream transfer	
Manea & Welney District Drainage Commissioners	Interaction with and impact on IDB infrastructure and operations: • Downstream transfer	
Upwell IDB	Interaction with and impact on IDB infrastructure and operations: • Downstream transfer	
Bluntisham IDB	Interaction with and impact on IDB infrastructure and operations: • Downstream transfer	<i>From 1st April 2026 we are discontinuing MLC services to these IDBs. With them and their new service provider we'll need to consider what this means for the Fens Reservoir.</i>
Hundred Foot Washes IDB	Ouse Washes as a potential water source	

3. Legal approach

- 3.1 Over the coming months we need to work with Anglian Water to develop a draft 'Statement of Common Ground' and identify any 'Principle Areas of Disagreement'.

In terms of our external legal costs, Anglian Water have confirmed that they are prepared to cover the reasonable costs associated with activities that assist in the Development Consent Order (DCO) process/implementation of the scheme. This would be Anglian Water covering legal costs associated with:

1. The drafting, negotiation and completion of any legal agreements for the protection of MLC's assets (as a result of the DCO).
2. The drafting, negotiation and completion of any legal agreements in relation to operational matters required to be agreed/formalised to allow the DCO to be implemented/operate.
3. The drafting and negotiation of any protective provisions on the face of the DCO.
4. Entering into, and review of, the Statement of Common Ground (SoCGs)

Anglian Water would not expect to cover any legal costs related to activities such as:

1. Review of consultation and other materials and the drafting/review of consultation responses
2. Drafting/review of relevant and written representations during the DCO examination.
3. Drafting of responses to Examining Authority posed questions directly to MLC.
4. Drafting/review of any other written submissions during the DCO examination (e.g. Principle Areas of Disagreement (PADSS)).
5. Attendance at hearings.

- 3.2 We approached several external solicitors with experience in DCOs and are due to get into contract with our preferred supplier in January 2025.
- 3.3 For the Fens Reservoir, if the Middle Level Commissioners (including their employees and consultants) are to act on behalf of the MLC and IDBs they administer in a manner that is legally robust for a scheme of this complexity and significance, it is prudent to secure specific delegations and authority from each organisation.
- 3.4 Acting as one will enable efficiencies, increase agility, improve responsiveness and help manage and mitigate conflict of interests that some individual MLC/IDB Board Members have with the Fens Reservoir.
- 3.5 Acting independently would mean each organisation may need different staffing and legal service arrangements to look after their individual interest, i.e. the MLC staffing structure would not be able to act for each IDB as well as the MLC. This is impractical. It is also unlikely we would be able to practically manage the terms of any security/non-disclosure requirements that come with a scheme of this type by acting independently.
- 3.6 As the Fens Reservoir Development Consent Order will disallow/overwrite exiting statutory powers held by the Middle Level Commissioners and IDBs, the Board is asked to acknowledge this need and delegate the decision-making authority to the Clerk engaging with the Chairman/Vice Chair as he sees fit.

Author Name: Paul Burrows

Role: Clerk

Provided by the Middle Level Commissioners		Item No:	7
Meeting:	UPWELL IDB (Hereafter referred to as the Board)	Subject:	CONSULTING ENGINEERS REPORT: CHIEF ENGINEER'S SUMMARY & CAPITAL PROGRAMME
Date:	Wednesday 22 January 2025	Officer Responsible:	Nicola Oldfield

RECOMMENDATIONS

The Board is asked to:

- A. Acknowledge the proposed approach to introduce interim charges for responding to applicant's questions.**
- B. Confirm whether it wishes to create, adopt and issue standing advice notes for its district and instruct the Consulting Engineer accordingly.**
- C. Confirm if it wishes to submit any bids for the IDB Fund T2B.**

1. Technical Services

- 1.1 Since Chris Bailey started as our new Head of Technical Services, we have been updating the catalogue of services which the MLC could provide. Given the increasing frequency of complex cases where Boards consider there may be a need for regulation and enforcement dependant on the costs and benefits, we are reviewing and updating training, policies, and capacity to undertake enforcement and compliance regulation on behalf of the Boards we represent.

- 1.2 We are receiving an increased number of questions from developers ahead of planning applications/consent applications, with an expectation that we can provide the information freely. Until we have completed the review of our charging model, we will be introducing interim charges for answering these questions if applicants do not enter into a pre-app agreement. There is already provision for this within our existing charging structure.

Please refer to item 4 in the Clerks report.

2. Summary of Key Planning Issues

We will, when possible, seek the Board's input, rather than wait for Board meetings. This will be done via correspondence with the Chair, Vice Chair/District Officer and any appropriate sub-committees.

2.1 ***New developments and the use of SuDS***

Analysis of the responses from the last round of meetings revealed that the Board and its members had overwhelming concerns about the uses of SuDS Devices from the design, construction, ownership, management and maintenance phases.

Despite the new government growth agenda, as partly discussed above, it appears unlikely that the previously announced implementation of Schedule 3 of the Flood and Water Management Act and the introduction of the SuDS Approval Board (SAB) will occur in the near future.

2.2 ***The Board's System Flood & Drainage Infrastructure Capacity***

Further to the last Board meeting the Board is asked to confirm whether it wishes to create, adopt and issue standing advice notes for its district and instruct the Consulting Engineer accordingly.

2.3 Cranbrook/Counter Drain (CCD) Flood Risk Management (FRM) Strategy

Further to the last Board Meeting the recommencement of the once regular Update Meetings has not occurred but the Environment Agency advises that work continues on this long-term Strategy. A return to regular meetings even on a trimonthly or quarterly basis has been requested.

The MLC Planning Engineer continues to represent the Boards on the Stakeholder Group and associated engagement but was unable to attend an EA “Internal Workshop” held in August.

A MLC & IDB Meeting, attended by members of the Boards sub-committee, together with the Commissioners Chief Engineer and Head of Technical Services, who both sit on the Project Board, was held during December. This included a general discussion concerning the IDB’s involved and provided a brief update on the current situation but largely required them to reaffirm their position.

From the Boards perspective little or slow progress appears to be made. It is also noted that there have been several outcomes which the Boards have contributed to but have not yet been supplied for review/consideration. The EA have been advised that it is difficult to make a recommendation when none of the detail is known. Therefore, on the Boards behalf a request was made for the provision of any outcomes – Lidar, ground water, topographical survey, hydraulic modelling etc but this has not yet been received.

Also refer to Section 4.2.

2.4 Other Developments

NB – The following entries provide an update since the January 2024 Meeting Report.

Welney

Residential development to the north west of The Grange and south east of New Road (Old Croft Place), Welney - Client of JPP Consulting (MLC Ref No 462)

The development which fronts on to the Old Croft River is complete.

Some documentation associated with this site concerning the Boards acceptance to the site, believed to be a request from Homes England, remains outstanding and now may be an appropriate time to raise any issues of concern.

3. IDB Recovery Fund T2B

Funding allocations for Tranche 2 were confirmed in mid-November and work is underway to deliver by the end of March 2025.

A bid was submitted on behalf of the Board for Cock Fen gearbox to be overhauled as part of an IDB package totalling £10,000

The bid was successful and work should be completed by the end of March 2025.

At the end of November 2024, we received confirmation of the bidding window for the remaining £19m. Expressions of interest for Tranche 2B are to be submitted between 4th December 2024 and 31st January 2025, for capital-only works to be delivered in 2025/26. Outcome of the bids is expected at the end of February 2025.

The criterion for bids is for the modernisation, innovation, and upgrade of IDB assets and waterways, making them more effective, sustainable, environmentally friendly for agricultural land, flood risk and rural communities.

The Board is asked to confirm if it wishes to submit any bids.

4. Capital Programme

- 4.1 In terms of FCRM Grant-in-Aid (FCRM GiA) the current indication is that there will be no further funding allocation within the current spending review period. This has meant that the catchment study due to start this year will not be funded to completion next year and work has been stopped.
- 4.2 However, at the recent Cranbrook/Counter Drain Flood Risk Management Strategy meeting it was agreed that detailed structural inspections of the adjacent Boards' pumping stations could be completed this financial year to inform the strategy. It is therefore proposed to use the funding allocated to the catchment study this year to deliver an asset inspection of the Board's pumping stations. The Consulting Engineer will progress this in consultation with the Environment Agency. The results of the inspection will confirm the residual life of the pumping station and inform future grant funding bids.
- 4.3 The Board's Capital Programme is shown as Appendix 1.

Author Name: Nicola Oldfield

Role: Chief Engineer

Appendix 1: Capital Programme

Appendix 2: List of applications since last report

Appendix 3: M&E Report

Appendix 1

Upwell Internal Drainage Board														
Capital Improvement Programme (2025/2026)		PREVIOUS YEARS	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	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
Bedlam Bridge 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	5,000.0	5000.0
	Pumping station pumping and control equipment replacement	4.4	0.0	0.0	0.0	0.0	0.0	0.0	90.0	0.0	0.0	0.0	0.0	94.4
	Pumping station automatic weedscreen cleaning equipment	0.0	0	0.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
	Pumping station Control building refurbishment/replacement	0	0	0.0	0.0	30.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0
	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
Cock Fen p/s	Pumping station replacement	0	0	0.0	0.0	10,000.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10000.0
	Pumping station pumping and control equipment replacement	59.1	8.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	67.4
	Pumping station automatic weedscreen cleaning equipment	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Pumping station Control building refurbishment/replacement	0.0	0	15.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.0
	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
Nordelph p/s	Pumping station replacement	0	0	0.0	0.0	0.0	5,000.0	0.0	0.0	0.0	0.0	0.0	0.0	5000.0
	Pumping station pumping and control equipment replacement	4.4	0.0	0.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	19.4
	Pumping station automatic weedscreen cleaning equipment	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Pumping station Control building refurbishment/replacement	0	0	0.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
	Pumping station compound/surrounds improvements	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Padgetts p/s	Pumping station replacement	0	0	0.0	0.0	0.0	0.0	0.0	2,000.0	0.0	0.0	0.0	300.0	2300.0
	Pumping station pumping and control equipment replacement	4.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.4
	Pumping station automatic weedscreen cleaning equipment	0	0	0.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.0
	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
	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
Upwell fen 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	5,000.0	5000.0
	Pumping station pumping and control equipment replacement	4.4	0.0	0.0	0.0	0.0	0.0	0.0	25.0	0.0	0.0	0.0	0.0	29.4
	Pumping station automatic weedscreen cleaning equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Pumping station Control building refurbishment/replacement	0.0	0	0.0	0.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
	Pumping station compound/surrounds improvements	0	0	0.0	0.0	0.0	0.0	15.0	0.0	0.0	0.0	0.0	0.0	15.0
Plant	Ford Ranger - MK15 YAY	13.5	0	0.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	28.5
	New Holland Tractor AE67 BXX (March '18 - £75,000)	0.0	0	51.0	0.0	50.0	0.0	0.0	0.0	0.0	0.0	0.0	50.0	151.0
	Shelbourne Reynolds Flail mower (Sept '16 - £26,000)	0.0	0	26.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	20.0	0.0	46.0
Drainage Channels	Piling works - (Old Croft River)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Asset refurbishments	0.2	0.0	8.0	300.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	308.2
		90.4	8.3	100	346	10,090	5,010	15	2,115	0	0	20	10,350	28,145
Cock Fen TBC														
Repairs to Upwell Fen PS discharge pipe TBC														
Plant TBC														

Appendix 2

The following planning applications have been responded to since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
573	24/00785/AG	Mr P Clabon	Agricultural (Reservoir)	Half Penny Toll Road, Lotts Bridge, Three Holes
574	24/01077/AG	Maurice Crouch Growers	Agricultural (Barn)	Mudds Drove, Three Holes
575	24/01291/F	Maurice Crouch Growers	Conversion (Barn to Residence)	Mumbys Drove, Three Holes
576	22/0781/DISC_A	Fountain Food Machinery	Commercial	Silt Road, Nordelph
577	23/01574/DISC_A	Fox Anglia Homes Ltd	Residence	Birchfield Road, Nordelph

The following applications for Byelaw Consent (to undertake works in and around watercourses) have been granted since the last meeting:

MLC Ref	Council Ref	Consent No	Applicant	Description of Works	Location	Date consent granted
331/1		89	D Partridge	Install 15no land drain outfalls	Cock Fen Road, Upwell	08/08/2024

No infiltration device applications have been acknowledged since the last meeting.

No applications for Byelaw Consent (to discharge to a watercourse) have been granted since the last meeting.

Provided by the Middle Level Commissioners		Item No:	7
Meeting:	UPWELL IDB	Subject:	CONSULTING ENGINEERS REPORT: MECHANICAL & ELECTRICAL
Date:	Wednesday 22 January 2025	Officer Responsible:	Dave Bantoft

1. M&E key messages and advice

In light of uncertainty of GiA funding the Board is strongly advised to consider the development of an investment plan for asset refurbishment/replacement. The Board is asked to instruct the Consulting Engineer accordingly.

- 1.1 Other than the matters described below or previously reported, only routine maintenance has been carried out since the last meeting and the pumping plant at each of the stations is mechanically and electrically in a satisfactory condition. The stations, pumps and control panels are at an age where reliability is a concern.

1.1 Padgetts Corner

The pump contactors were replaced in December 2023 and operated well this season. The level sensor is mounted quite low in the sump and it needs to be investigated to see if this can be raised to prevent intermittent faults at high levels. This type of sensor fails when the level is within 300mm of the sensor face. The level controller on this site has become temperamental due to age and the height of the sensor will be addressed when the new controller is fitted.

1.2 Upwell Fen

The discharge pipe thrust block leak has deteriorated. The thrust block is cracked and water is seeping out of cracks, it leaks out more with the pump running. The pipe work is metal up to the joint at the thrust block, then concrete through the bank into the Old Bedford River. The concrete pipe just outside the compound is now exposed as the land has shrunk. The district officer has requested that the landowner does not use this access to prevent damage to the pipe.

A stock of clay should be kept onsite in case an emergency repair is needed.

The weedscreen hoist drum has corroded and would benefit from being recoated to prevent any further deterioration.

1.3 Cock Fen

Pump 1 drive was noisy and vibrating, initial inspection indicated that it was a bearing starting to fail in the Rossi gearbox and a failed engine mount. The gearbox was removed during July 2024 overhauled, then refitted during August 2024. Local board members provided assistance in lifting the gearbox out of and into the station which was greatly appreciated. A failed engine mount was also manufactured and fitted, a spare is now held onsite. On refitment of the gearbox the engine to gearbox alignment had to be adjusted quite considerably. The misalignment is likely to have caused the failure of the gearbox bearing.

1.4 Nordelph

The level probe bracket needs replacing as is heavily corroded. The electrical panel soft start is now obsolete and consideration should be given to replacing this control panel.

The electricity meter issue is still ongoing. Corona energy have been calculating bills from our estimates based on run hours of the pump and we need to ensure EDF do the same until this issue is resolved.

1.5 Bedlam Bridge

The level controller failed during December and the unit that had been purchased for Padgetts has been temporarily fitted to allow automatic operation of the site. A replacement unit will be ordered, so that this unit can be fitted at Padgetts.

2. **Pumping summary**

2.1 The main pumping report will be provided by the District Officer.

3. **Inspections, maintenance and minor works**

3.1 HSB Engineering annual inspections for insurance were carried out during September 2024.

3.2 The mandatory site Electrical Installation Condition Reports (due every 5 years) are in date.

	EICR	
Station	EICR Date	EICR Due
Bedlam Bridge	21-Jul-2022	21-Jul-2027
Cock Fen	21-Jul-2022	21-Jul-2027
Nordelph	20-Jul-2022	20-Jul-2027
Nordelph Bungalow	18-Aug-2022	18-Aug-2025
Padgetts Corner	21-Jul-2022	21-Jul-2027
Upwell Fen	20-Jul-2022	20-Jul-2027

4. **Pumping Station Key Dates**

4.1 Please review the pumping station key dates below, if there are any discrepancies or you can add any details, please let me know. The key dates are an important reference and will feed into the upcoming Key Health Indicators and District Studies.

	Station				
Station	Built	Pump	Pump Overhaul	Motor O/H	Controls
Bedlam Bridge	1948	1980(1) 2006 (2)	2015(1) 2006(2)	2015 (1) 2006 (2)	1980
Cock Fen	1975	1975	2013(1) 2012 (2)	2010 (1) 2010 (2)	1975
Nordelph	1932/1970	1970	2011	2011	1970/1991
Padgetts Corner	1980	2012	2012	2012	2015

Upwell Fen	1967	1976	2011	2011	2018
------------	------	------	------	------	------

	Weedscreen			
Station	Bars	WSC	WSC O/H	Controls
Bedlam Bridge	1980	2006	2006	2006
Cock Fen	2018	2018	2018	2018
Nordelph	1991	N/A	N/A	N/A
Padgetts Corner	1980	N/A	N/A	N/A
Upwell Fen	2018	2018	2018	2018

Author Name: Dave Bantoft

Role: M&E Engineer

Upwell IDB work report May 2024 to January 2025

Drainworks

The 2025 drainworks programme will continue as it has done for the past few years splitting the district into two parts with the 2025 campaign concentrating on the Nordelph and Cock Fen area while managing any other issues that may arise across the district.

The 2024 drainworks programme concentrated on the Bedlam Bridge and Christchurch area with virtually all planned works completed. There were some unplanned works carried out on the drain leading to Cock Fen pump due to a build-up of vegetation along the drain.

2024 see us take on the flailmowing of Euximoor IDB which I managed to fit in reasonably well around our own flailmowing with around 90 hours spent on their board so far with just a few roadside drains to finish off in the next couple of weeks.

Pumping Stations

Bedlam Bridge Pump - The pumps are both working well although a power cut in December spiked the control panel causing both pumps to fail to run on auto, after 3 days of manual running middle level engineers fitted a temporary control panel to allow automatic running while a new control panel is sourced. The weedscreen cleaner is working well at present.

Padgetts Pump - The pump is working ok at the moment although it has an intermittent fault with the control panel, a new one had been purchased ready to be fitted but it is now being used as the temporary one for Bedlam Bridge pump but once the new one has been fitted to Bedlam pump Padgett's one will be fitted.

Cock Fen Pump - Both pumps are running well at present, pump 1 had the gearbox reconditioned and a new engine mount fitted replacing the repaired one and now runs smoother as a worn bearing in the gearbox was causing a lot of vibration. The weedscreen is working ok at present but does have an intermittent fault now and again which is going to be looked at on the next routine maintenance checks by middle level engineers.

Upwell Fen Pump - The pump is running well at present. The electric suppliers want to fit a smart meter but after the ongoing issues with Nordelph Pump there is a lot of concern we will not be able to have accurate readings (if any) so until there is any sort of guarantee we will stick with the usable one.

The small leak around the outfall pipe has yet to be sorted since I dug around the pipework for better inspection last May.

Nordelph - The pump is running well although there is still the ongoing saga of the faulty electric meter. As with the health and safety requirements the debris from the drain is now loaded straight into a wheelbarrow and taken away from the bridge.

Works Truck

The truck has been going well lately although it did have another 2 rear springs fitted around May / June last year, it had a service and MOT in September where it required new front brakes and 4 new tyres.

Massey Ferguson Tractor

The tractor has worked well once I got my head round all the electronics on it, the only issue was losing oil out of the gearbox but that has now been resolved.

Summary

All pumps were on winter levels by mid-October and I will take up to date pump hours to the meeting as it will give you an indication of potential costs for the year. The drains have all coped well over the winter period with only a few blockages which had to be cleared.

If anyone has any questions or queries, please don't hesitate to contact me or I am happy to answer questions at the meeting.

Carl Nunn

Provided by the Middle Level Commissioners		Item No:	12
Meeting:	UPWELL INTERNAL DRAINAGE BOARD	Subject:	GOVERNANCE
Date:	Wednesday 22 nd January 2025	Officer Responsible:	Paul Burrows

RECOMMENDATIONS

The Board is asked to:

- A. Consider and approve the Annual Return 2023/2024
- B. Consider and approve the Auditors Report for 2023/2024
- C. Note the continued appointment of Whitings as Internal Auditor.
- D. Consider and approve of authorised officers for operational/regulatory roles
- E. Consider and approve resolutions regarding new Responsible Finance Officer
- F. Consider the pumping station valuation proposal
- G. Review and approve the updated Policies included as appendix.
- H. Consider and approve the Data Protection Officer
- I. Highlight if there are any specific risks or issues not covered within its Risk Management Strategy that may need review ahead of the next formal update.
- J. Note the system of financial Internal Controls that are in place and consider whether additional controls are required within the running and decision making of the Board.
- K. Exercise of Public Rights
- L. Consideration of potential litigation, liabilities, commitments

1. Annual Return & Auditors Report 2023/2024

- 1.1 The AGAR provides the framework by which the governance of the Board is assessed. The Board's last AGAR is available on its page via www.middlelevel.gov.uk
- 1.2 The Board/Commissioners to consider:
 - the comments of the auditors on the Annual Return for the year ended 31st March 2024. (Appendix 1)
 - the Audit Report of the Internal Auditor for the year ended 31st March 2024. (Appendix 2)
- 1.3 The Board are reminded that Whitings LLP were appointed as internal auditor for a five-year period commencing 1st April 2023 (financial years 2023/24 to 2027/28).
- 1.4 The Board is asked to act on the advice of the Auditor within its decision making.

2. Internal Controls

- 2.1 Within the financial operations at the Middle Level offices there are a series of controls in place to ensure the segregation of duties, so as far as practical within a small workforce, that no one person has control of a single operation from start to finish. The [Internal Controls](#) are available via the website within the 'Governance' section on the Board's page.
- 2.2 The Board needs to ensure there is adequate separation of duties within its running and decision making. Members are asked to refresh themselves as to the Member Code of

Conduct (available within the Governance Documents on the Board's webpage) and ensure their declarations of interests are clear and up-to-date.

- 2.3 If a Board Member (or their business) undertakes contracted work (or bids for such work) for the Board it is recommended that they be excluded from any decision making as a matter of course and that appropriate contractual arrangements are in place.
- 2.4 If the Member also has a lead role for the Board (eg Chairman/Vice Chairman) then it is important that the Board puts in place safeguards to ensure a separation of duties, particularly being clear on who is acting as lead client for the contractor.

3. Authorisations

We have undertaken a review of how we enact our powers of entry and are introducing new identification badges for all MLC employees alongside training in conflict resolution and creation of a violence and aggression at work policy. Contractors working on our behalf are issued with a letter of authorisation. This is an approach that administered IDBs would also benefit from.

The Board are asked to confirm the stance that all employees and contractors of the Middle Level Commissioners are considered as duly authorised officers and therefore able to use the Board's powers and IDB Byelaws for their operational and regulatory roles on behalf of the Board.

The Board are asked to confirm the stance that their Chairman, Vice Chairman, District Officer(s), pump attendants and employees (if applicable) are considered as duly authorised officers and therefore able to use the Board's powers and IDB Byelaws for their operational and regulatory roles on behalf of the Board.

4. Responsible Finance Officer

Robert Hill the MLC Treasurer leaves at the end of January 2025 and Andrew Wool has been appointed as MLC Head of Finance. There are a number of resolutions recommended to the Board to manage the transition and improve resilience, thus reducing risk to the Board.

The Board are requested to approve, that while there is a Service Level Agreement for the provision of clerking services in place between the Board and the Middle Level Commissioners:

- a) **That the role of the position of Head of Finance to the Middle Level Commissioners is to include the appointment as Responsible Financial Officer to the Board.**
- b) **That the person appointed as Head of Finance for the Middle Level Commissioners be added to the Barclays Bank PLC mandate and authorised to sign cheques and authorised to make payments on behalf of the Board.**
- c) **That the person appointed as clerk to the Middle Level Commissioners be added to the Barclays Bank PLC mandate and be authorised to sign cheques and to authorise payments on behalf of the Board.**
- d) **That the person appointed as Head of Finance to the Middle Level Commissioners will be appointed as the administrator on behalf of the Middle Level Commissioners to the**

Barclays Bank PLC internet banking platform as used by the Middle Level Commissioners.

- e) That following Mr Robert Hill leaving the employment of the Commissioners that the Head of Finance of the Middle Level Commissioners be delegated the authority to appoint a member of the finance team to be an additional administrator on the Barclays Bank PLC internet banking platform as used by the Board.

5. Risk Assessment and Insured Values

- 5.1 Our insurance has been arranged using Towergate insurance brokers for the year to 31st March 2025. AXA offered a 2 year extension of the tri-partite agreement we had previously signed and this was accepted as they offered to keep our business combined policy premium at the same rate for 2025-2026, subject to there being any changes to the existing cover, i.e. increase in valuations.

Having professional valuations of ours and IDB pumping stations for insurance purposes is an action identified by our internal auditors. We have received a proposal from a company called Kroll and they have offered two options:

- Sample site visits to a representative set of 15 pumping stations followed by a desk top assessment covering the remainder - £30k + VAT and expenses.
- Site visits to all pumping stations - £55k + VAT and expenses.

This is clearly a sizable project that we would need to oversee as client and facilitate a seamless programme of visits with relevant IDB officers to keep expenses reasonable. Within their terms and conditions there is also client liability for the quality and completeness of data and information they request in order to fulfil their valuations. We will need to review the proposal with IDB Chairs and establish how costs would be apportioned.

The Board's is asked for their opinion on the pumping station valuation proposal.

- 5.2 The insured values for the Board's assets are detailed below:

<u>UPWELL IDB</u>	
<u>INSURED VALUE OF FIXED ASSETS</u>	
<u>PUMPING STATIONS & BUNGALOW</u>	
	As At 1st April 2025
Cock Fen Pumping Station	2,600,000.00
Padgetts Corner Pumping Station	590,000.00
Bedlam Bridge Pumping Station	2,100,000.00
Upwell Fen Pumping Station	1,400,000.00
Nordelph Pumping Station	1,600,000.00
	8,290,000.00
Nordelph Bungalow	130,000.00
	8,420,000.00

6. Policy Reviews

We have an ongoing review and update of policies. Within this we are also improving our management of Freedom of Information requests. The update to the Privacy Policy has identified some area of Data Protection that require further attention. It is timely to schedule a Data Audit, which will help to identify any further areas that require updating. Additional staff and Board/IDB training will be a likely result, along with some other strengthening of procedures across the business.

The Board are asked to note the update and re-publication of their [Complaints Procedure](#) and [Privacy Policy](#).

The Board are asked to review and approve the publication of an Anti-Bribery & Financial Regulations policies (Appendix 3) which includes the need to log offers of gifts and hospitality.

The Board are asked to approve that the MLC Lead Clerk, currently Ruth Martin, acts as their Data Protection Officer and acknowledge that this role will be associated within the incumbent employee role of MLC Lead Clerk.

7. IDB1

7.1 Defra Reporting

All IDBs are required to report annually to Defra via an Annual Report called an IDB1 form. These reports are copied to the Environment Agency and to the relevant District Councils. In September 2024 an updated form has been issued to cover the 2023/24 returns and is due for submission by 28 February 2025.

There are new or enhanced questions within the form which indicate increasing expectations on IDBs of government.

In summary:

- Breakdown with financial reporting of electricity and fuel cost
- Reporting on biodiversity enhancement expenditure alongside conservation
- Value of drainage rate debt
- Detail of any Public Sector Cooperation Agreements
- Whether a specific Board Member is focussed on ensuring that health and safety is considered within board decision making.
- Significant new reporting expectations in terms of public engagement, including media engagement, public meetings and public events.

8. Exercise of Public Rights

8.1 For completion of the Annual Governance Statement the Board is required to confirm that they provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.

8.2 In order to warrant a positive response to this assertion the authority needs to have taken the following actions in respect of the previous annual return:

Exercise of Public Rights: The authority provided for the exercise of public rights set out in Sections 26 and 27 of the Local Audit and Accountability Act 2014. Part 5 of the Accounts and Audit Regulations 2015 requires the RFO to have published including on the authority's website or other website:

- Sections 1 and 2 of the annual return
- A declaration that the status of the statement of accounts is 'unaudited;' and
- A statement that sets out details of how public rights can be exercised, as set out in Regulation 15(2)(b), which includes the period for the exercise of public rights.

8.3 In addition, a notice of the conclusion of the external auditor's limited assurance review of the annual return, together with relevant accompanying information, has been published in accordance with the requirements of Regulation 16 of the Accounts and Audit Regulations 2015. We also display the ['Local Authority Accounts – A Summary of Your Rights'](#) with the notice.

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

9. Consideration of potential litigation, liabilities, commitments:

9.1 The clerk to report.

Author Name: Paul Burrows

Role: Clerk

Appendix 1 Annual Return 2023/2024

Appendix 2 Audit Report 2023/2024

Appendix 3 Anti-Bribery & Financial Regulations Policies

Upwell Internal Drainage Board

Notice of conclusion of the audit

Annual Governance & Accountability Return for the year ended 31st March 2024

Sections 20(2) and 25 of the Local Audit and Accountability Act 2014
Section 16 of the Accounts and Audit Regulations 2015 (SI 2015 /234)

- 1 The Audit of accounts for the Upwell Internal Drainage Board for the year ended 31st March 2024 has been completed and the accounts have been published.
- 2 The Annual Governance & Accountability Return including the auditor's certificate and opinion is available for inspection and copying by any local government elector of the area of Upwell Internal Drainage Board on application to:

The Clerk
Upwell 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: P Burrows - Clerk to the Board

Date of Announcement: 15th August 2024

Annual Internal Audit Report 2023/24

UPWELL INTERNAL DRAINAGE BOARD

WWW.MIDDLELEVEL.GOV.UK

During the financial year ended 31 March 2024, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2023/24 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	☒	☐	☐
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	☒	☐	☐
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	☒	☐	☐
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	☒	☐	☐
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	☒	☐	☐
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	☒	☐	☐
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	☒	☐	☐
H. Asset and investments registers were complete and accurate and properly maintained.	☒	☐	☐
I. Periodic bank account reconciliations were properly carried out during the year.	☒	☐	☐
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	☒	☐	☐
K. If the authority certified itself as exempt from a limited assurance review in 2022/23, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2022/23 AGAR tick 'not covered')	☐	☐	☒
L. The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.	☒	☐	☐
M. In the year covered by this AGAR, the authority correctly provided for a period for the exercise of public rights as required by the Accounts and Audit Regulations (during the 2023-24 AGAR period, were public rights in relation to the 2022-23 AGAR evidenced by a notice on the website and/or authority approved minutes confirming the dates set).	☒	☐	☐
N. The authority has complied with the publication requirements for 2022/23 AGAR (see AGAR Page 1 Guidance Notes).	☒	☐	☐
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	☐	☐	☒

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

Date(s) internal audit undertaken

03/06/2024 06/06/2024 10/06/2024

Name of person who carried out the internal audit

WHITING LLP

Signature of person who carried out the internal audit

P. BERRY - WHITING LLP

Date

10/06/2024

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

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

Section 1 – Annual Governance Statement 2023/24

We acknowledge as the members of:

UPWELL 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 2024, that:

	Agreed		Yes means that the authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		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:

31/05/2024

and recorded as minute reference:

B.2141

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

Chair

Clerk

[Signature]
[Signature]

EMERGENCY - WWW.MIDDLELEVEL.GOV.UK

Section 2 – Accounting Statements 2023/24 for

UPWELL INTERNAL DRAINAGE BOARD

	Year ending		Notes and guidance
	31 March 2023 £	31 March 2024 £	
1. Balances brought forward	404,696	358,899	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	216,547	253,978	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	28,744	5,914	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	35,778	41,127	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	30,318	30,318	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	224,992	230,118	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	358,899	317,228	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	363,143	385,913	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	3,540,347	3,540,347	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	483,968	465,712	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

For Local Councils Only	Yes	No	N/A	
11a. Disclosure note re Trust funds (including charitable)				The Council, as a body corporate, acts as sole trustee and is responsible for managing Trust funds or assets.
11b. Disclosure note re Trust funds (including charitable)				The figures in the accounting statements above exclude any Trust transactions.

I certify that for the year ended 31 March 2024 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

[Signature]
19/04/2024

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

3/05/2024

as recorded in minute reference:

0:2142

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

[Signature]

Section 3 – External Auditor's Report and Certificate 2023/24

In respect of

Upwell Internal Drainage Board – DB0116

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

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 2024; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor's limited assurance opinion 2023/24

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 2023/24

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 2024.

External Auditor Name

PKF LITTLEJOHN LLP

External Auditor Signature



Date

08/08/2024

Annual Governance and Accountability Return 2023/24 Form 3
Local Councils, Internal Drainage Boards and other Smaller Authorities*

Page 6 of 6



Fenland House, 158 Hoston Avenue
March, Cambridgeshire, PE15 0AX

t: 01354 652304

e: marc@whitingsllp.co.uk

w: whitingsllp.co.uk

BB/MM053
30 June 2024

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

Dear Messrs. P Burrows, R. Hill, and S Ablett,

MLC administered Internal Drainage Boards - Internal Audit 2023-2024

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 2024, 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.

General points

1. Asset Valuations and Insurances – mainly for residential properties.

It is noted that, whilst a large proportion of boards took the option to revalue for insurance purposes their pumping station and residential assets during recent years, there are still 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. It should be noted that this is largely in relation to residential property. Should a complete rebuild following an unforeseen catastrophic event be required, current valuations may no longer be appropriate given today's prices which may lead to a shortfall in funds which would have to be drawn out of surplus funds if other financial arrangements were not available.

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. This is especially important given the significant increase in material and labour costs seen in recent times as a result of rising inflation and global material shortages. However, we are pleased to note that boards are being asked whether they wish for insurance to be index linked going forward and would strong suggest that all boards agree to this proposal.

PARTNERS

Christopher D Rogers FCA
Ian G Langan FCA
Andrew R Sand FCA

Trace J Hux FCA
Peter J Day FCA
Amanda E Hartman FCA

Paul M J Rouse FCA
Jonathan P Hux FCA
Richard Rogers FCA

Stephen G Haden FCA
Benjamin Black FCA

ASSOCIATES

Richard A Abbot FCA
Scott B Hux FCA
Hannah R. Alder FCA

Pauline B. Alder FCA
James King FCA
Robert D. Alder FCA

PRACTICE MANAGER

David S. Peadar

Whitings LLP is a limited liability partnership registered in England and Wales number 10781098. The above listed Partners and Whitings Capital Ltd are the members of Whitings LLP. The registered office is at Fenland House, 158 Hoston Avenue, March, Cambridgeshire, PE15 0AX. Registered for a range of insurance services and general insurance in England and Wales by the members of Chartered Accountants in England and Wales.

RORY ST EDMUNDS | LLP | KING'S LYNN | MARCH | HILDERHALL | PETERBOROUGH | RAYSEY | ST IVES | ST HELOTS | WISBECH

Client comment:

While we have put it to Boards to review pumping station valuations for insurance purposes, as separate statutory authorities it is up to each Board to review and approve what they consider to be an appropriate valuation and your point concerning possible under-insured amounts having to be funded directly by the Board following an event has been highlighted previously. We are recommending that Boards should look to index link valuations and we will continue in asking all Boards again to consider this at subsequent meetings, along with consideration of current valuations. Valuation of residential property is an area we have and will continue to focus on for future meetings.

A number of Boards have recognised the potential impact of increased costs on valuations and have taking steps to re-value, however, the consulting engineer is currently reviewing the methodology for valuation of pumping stations, to ensure there is a robust process, which will be then used going forward.

This is an area already programmed to be reviewed every five years and hopefully with indexing we may not require such individual valuations going forward.

2. Employee Benefits

Following HMRC's announcement that double cab pickups would be treated as cars rather than vans for benefit in kind purchases from 1st July 2024 this was swiftly reigned in following a backlash from affected parties, largely from the construction and agricultural sectors. Given the new Labour governments need to increase the tax receipts into the Treasury this could be a measure that is revisited and we would advise that you be mindful of any changes that arise in the forthcoming Autumn Budget, although nothing has been confirmed at this stage.

With regards to other employee benefits, we note that where applicable these are being recognised as benefits in kind and disclosed on the form P11d, we would encourage the value of these benefits to be reviewed on a regular basis to ensure that these are reflective of what the employee receives, especially where some boards providing the living accommodation to their employees.

Client comment:

We are aware of the case and potential implications to employees of classification of vehicles, and for this and other areas will be following the autumn budget closely. Generally, we do not make changes concerning additional passenger/load capabilities to that of the original manufacturer's specification, which are relied upon alongside the HMRC guidance when designating vehicles for taxation/benefits in kind.

The benefit charge for living accommodation is calculated in accordance with HMRC recommended valuations. We have started payrollling any standard benefits but are currently unable to do this for accommodation and use of vehicles.

3. Provisions

We are pleased to note that, in the main; provisions recognised within the accounts of applicable boards are being monitored and written back as required. There are still isolated cases where provisions are "brought forward and carried forward" that relate in excess of the standard life of debt, being 6 years. Whilst we are satisfied there is reasonable rationale for their retention we would question whether payments could be reinforced if the life of debt has been exceeded, with the exception of amounts recognised in respect of development contributions. We would encourage continued review of provisions brought forward from prior years, especially those exceeding the standard life of debt, writing these off as appropriate, with board approval as appropriate.

Client comment:

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

4. Budget figures

We refer to the significant overspend arising in the 2023/24 against the budget set for the same period. We understand that this is largely due to the unprecedented levels of rainfall experienced during the 2023/24 winter period which in turn resulted in the most significant volume of water ever pumped by the organisation. Which has resulted in pumping stations operating at capacity for a number of months, using significantly more fuel and electricity to enable this.

Given the change in weather patterns globally and in our region, we would recommend that a higher budgeted energy and fuel cost be provided for in the budget going forwards, and that the organisation maintain sufficient reserves to combat any such deficiencies in the future. Consideration should also be taken as to whether budgets should be updated for actual results if significant variances are apparent, to ensure they remain meaningful to the individual boards to which they relate.

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 as there is no ability to increase revenue through rates and special levy once they have been set. The original budget is therefore used as comparative to analyse variances of actual expenditure against.

We have started to use a 5-year average for pumping volumes, calculating these against actual/anticipated electricity unit rates. For the 2024/2025 rate setting process we started to build in a 'climate change factor' into the 5-year average calculation, which will be refined for future years. While aware of the need to hold sufficient balances, this was highlighted during the 2023/2024 storm events and as well as having climate change awareness in the budget setting process Boards also were required to take steps concerning the reinstatement of balances depleted during the year.

It is intended to introduce a range of Key Health Indicators for all boards, part of which will be taking into account the impact of climate change on budgets and relevant level of balances required.

5. Surplus Funds

In previous years we have communicated the importance of investing cash assets that are not required to fund operational needs, to combat the erosion of these liquid assets through inflation. We are pleased to see that the organisation have taken heed of this advice and made a number of deposits with Barclays, in addition to discussing the potential pooling of cash resources with IDB's under their administration to gain access to higher rates of interest. Whilst inflation has now fallen back to 2%, the lowest level in nearly three years, it is important to continue to reinvest and "sweat" these assets going forward.

Client comment0:

We are currently making treasury deposits for individual Boards within the mandated authority given by each authority but need to manage this with specific cash flow requirements while also making consideration to having balances available for potential event situations requiring immediate cash. We will be monitoring additional staff time required to manage this while discussing matters further with our bankers.

6. Rental of Land

It was previously noted that some IDB's were renting out land to tenants at lower than market rate and that this should be reviewed to ensure value for money principles were being applied.

We are happy to note that some IDB's have increased the rental values of land to market rates, although there are still some IDB's where the rental value is significantly below market value and we advise that the market values are increased for these boards to ensure value for money principles are applied going forwards.

Client comment:

Boards which have land holding for rent generally review rents in accordance with tenancy agreements and use local land agents for guidance. A number of Boards have small holdings of land which are let at reasonable rates with a view to keep the land tidy and in good order as they are not necessarily commercially viable. A number of Boards have stamp land, which cannot be considered the same as general agricultural land for rental purposes. All Boards look to get the best rents available, but these are relevant to the size and type of land being let.

7. Financial Regulations

Last year we noted that the Financial Regulations were due to be updated by the end of the year, following a delay due to the retirement of the Chief Executive and appointing of the new Chief Executive/Clerk in February 2023. We are pleased to see that during 2024 the boards are reviewing and approving the updated Financial Regulations and Financial Code and look forward to considering this area during the course of the 2024/25 internal audit.

Client comments:

There will be a full review of the provision of clerking services and will be, as has been mentioned reviewing these regulations for presentation to boards for the 2025 meeting season.

8. Bank Transfers

We are satisfied with the accuracy of bank and cash balances and have successfully reconciled these to the underlying accounting records. We note that transfers between bank accounts are being recorded as movement per-month in the accounting records, on enquiry this was due to time constraints experienced within the finance department during the financial year. Whilst we are satisfied that reconciliations have been carried out manually correctly, we would recommend that all bank movements are fully reflected in the postings to the accounting software of the board.

Client comment:

Concerning audit point 5 – surplus funds, to maximise returns within the mandated authority with Barclays we are required to operate linked accounts, with receipts/payments being made from the standard current account. This account has a fixed balance which is adjusted following receipts/payments to it – surplus balances above the fixed limit transferred to the Business Premium account, deficit balances below the fixed amount transferred from the Business Premium account to the current account. These transfers are adjusted through the accounting software in relation to the statement frequency, with both accounts being fully reconciled – a credit in one account being matched with a debit in the other. Current staff resources do not allow for additional time to be spent transferring individual values, the net transfer for the statement being made – as we are doing this for around 28 accounts this currently provides the best value for money to the boards.

9. National Saving & Investment bank accounts

We understand that a formal complaint has been lodged with National Savings & Investments. Firstly in relation to the organisation and its administered entities desire to change the signatories on the investment accounts held with this organisation and secondly due to the fact that bank statements for the period to 31 March 2024 have not been received for the majority of boards. As a result interest receivable has had to be estimated, we have considered the estimations and are happy that these are reasonable by reference to the last received statement and the applicable interest rate. We look forward to reviewing the position in the 2024/25 financial year.

Client comment:

This was an unfortunate situation but to recognise the interest in the correct accounting period estimates were made. Differences between estimates and actuals will be adjusted through the 2024/2025 accounting statements.

10. 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 the JPAG practitioner guide on the website across all the boards has not been updated since the 2018/19. An updated version of JPAG guide is made available each year.

The same situation related to the Annual Return Form [DEF-IDB1], which appeared have not been updated since year ended 31 March 2022.

We would recommend that all items are updated on the website for applicable boards as soon as practicable, or remove if regulations do not require such information to be published on the website.

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.

Your comment is noted and procedures are being amended concerning this for the future.

11. Outstanding old cheques and unreconciled transactions

We are pleased to note that the majority of old outstanding cheques and unreconciled transactions are being written off across all Board in the timely manner. However, there was the isolated cases where this has not occurred. We would suggest that concerted effort is made to ensure all old and unreconciled transactions are written off as soon as it is clear that such transactions will not be paid in or received.

Client comment:

Bank reconciliations should be looked at and cleared for older unrepresented transactions, however, these will initially be transferred to debtor/creditor until their statutory standard life has expired. For 'house-keeping' these will be looked at as part of the year-end processes.

12. Fees for the service of District Officers and Pump Attendants

We have noted that not all boards are approving payment rates for the services rendered by District Officers and/or Pumping Attendant during the board meetings, instead approval is confirmed as a percentage increase, generally being in line with the Middle Level Commissioners award.

We appreciate that the board is approving the payment lists, where the amount is specified. However, we would suggest to include the amount to the discussion during the meeting and confirm the approved sum in the minutes as per prior years.

Client comment:

District Officer/pump attendants are contracted services and the boards are approving an amount for the provision of these services, however, the point is noted and the actual amount payable discussed at the meeting should be recorded in the minutes.

Specific Points

Nightlayers IDB

During our review it was noted that land sold during the year was not recorded on the fixed asset register. Our subsequent enquiries found that as the land was considered of minimal value individually this was included within the adjoining pumping station's valuation and was within the footprint of the old pumping station site. The consideration achieved is higher than would generally be expected due to its importance to a local developer.

We would suggest that you consider whether any other parcels of land held by administered boards could be sold in similar circumstances and if so, whether the valuation individually or as part of the overall pumping station valuation is appropriate.

Client comment:

While we are aware of these circumstances the Nightlayers position was rare. We will monitor sites which could have areas with potential for re-sale, substantial value can only be attached after developers make applications and this proves to be the only access. Unless these circumstances arise an uplift in valuation will not be possible.

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.

Waldersey IDB – Debtor	£92,912.67
Hundred of Wisbech IDB - Creditor	£93,919.96
Difference	£1,007.29

We are pleased to note that this difference is insignificant for the current year. The difference arises due to the accounts of Hundred of Wisbech IDB being completed before Waldersey IDB, leading to a provision being required in the former's books in the absence of more accurate information being available. The difference is adjusted in the following year's Accounts for Hundred of Wisbech.

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 suggest that meetings and account preparation periods be brought into line, if possible, to eradicate this issue.

Client comment:

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 both Boards.

There are no current plans to change meeting dates so as one set of accounts is finalised before the other there is likely to remain creditor/debtor position in both sets of accounts although now that all older balances have been cleared, any in-year balance should be cleared, generally a year in arrears.

At the 2024 meetings for both Boards amalgamation was discussed and both Boards have approved to enter into discussions concerning a potential amalgamation between the Boards.

March East IDB

During our review it was noted that the pumping station attendants' payments were not all authorised during the year. This included an additional payment to the Binnimoor pumping station's attendant following him taking over from the previous attendant. We understand following discussion with the board that this was the result of an error in the minutes as the fees' amount was not specified, but the payments were clearly approved by the board. We would suggest that the board considers their internal processes for ensuring the accuracy of minutes.

Client comment:

The services of pump attendant are carried out by contractors and the Board approves the payment for these services. Procedures have been looked at to ensure proper recording in the minutes.

Hundred of Wisbech

We noted that a parcel of land has been transferred to the board during the 2023-24 year with the attenuation pond, sized at approximately 1 acre. This land was estimated by the Chairman and District Officer to have a value totalling £5,000, a value approved by the Board. We have not been provided with any professional valuation or justification with regards to this valuation. We understand that the land cannot be used for development or agriculture, making it difficult to value due to the lack of specific use.

We understand that the consideration of land valuation has conducted after the year end and details should be included in the next published minutes related to June 2024 meeting.

We look forward to reviewing this in due course.

Client comment:

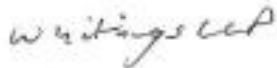
This area is designated as an attenuation pond, holding surface water to discharge at a controlled rate into the District System. The valuation takes into account its use and therefore limited value. In view of this and to maintain value for money for the Board it was agreed by the officers of the Board not to engage professional valuers.

Manea & Welney

During our review, it was noticed that the Debtors Report showed a significant unallocated amount of £1,456,606.99. Following discussion with the client, we understand that this is an isolated incident related to software issue and not down to the human error. We are satisfied that balance showing on the Debtors Report is correct and no difference was identified.

We 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. We trust that the engagement team have not caused significant disruption during the execution of their procedures.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Whitings LLP', written in dark ink.

Whitings LLP



**middle level
commissioners**

And administered IDBs

Governance

Anti Bribery Policy

(includes gifts, hospitality & donations)

2024 - 2029

The [Bribery Act 2010](#) is the legislation relating to bribery. Very generally, this is defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. This could cover seeking to influence a decision-maker by giving some kind of extra benefit to that decision maker rather than what can legitimately be offered as part of a tender process.

Government [guidance](#) summarises that it is illegal to offer, promise, give, request, agree, receive or accept bribes – and highlights that organisations should have an anti-bribery policy if there is a risk that someone who works for you or on your behalf might be exposed to bribery.

An anti-bribery policy should be appropriate to the level of risk the organisation faces and should include:

- your approach to reducing and controlling the risks of bribery
- rules about accepting gifts, hospitality or donations
- guidance on how to conduct your business, eg negotiating contracts
- rules on avoiding or stopping conflicts of interest

Risk Assessment

The Middle Level Commissioners and administered Internal Drainage Boards are considered as at minimal risk of bribery given that business is undertaken almost entirely within the UK.

As there is very little risk of bribery being committed on behalf of the organisation it is considered that there is no need for extensive written documentation or policies.

The most likely area of MLC or IDB business with a bribery risk are outlined below and these already have adequate controls:

- Bribery by others to secure business from the MLC/IDB
- Bribery by others to secure regulatory decisions from MLC/IDBs
- Bribery by others to secure operational benefits from MLC/IDBs
- Bribery by MLC/IDB employees or MLC Board/IDB members of others to influence an advantage

Control Measures

- MLC/IDB Board Member declarations of interest and the application by the clerk of these within meetings and decision making.
- Boards, their delegated Committees and/or MLC employees as service providers making key procurement and regulatory decisions rather than individuals.
- Application and review of Internal Controls
- Within the MLC staff structure there are no procurement/regulatory decisions made without more than one employee being involved
- Application of Member Code of Conduct and employee performance and disciplinary procedures
- Offers of gifts, hospitality and donations to be reported to the Chief Executive/Clerk.

Gifts, Hospitality and/or Donations

Employees and members should treat with extreme caution any offer of a gift, favour or hospitality that is made to them personally. The person or organisation making the offer may be doing or seeking to do business with the MLC/Board or may be applying to the MLC/Board for some decision to be taken in his favour or someone with whom he is connected.

There are no hard and fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be an appropriate way of doing business provided they are approved by the Chief Executive/Clerk and provided no extravagance is involved. In the same way it may be reasonable for staff/members to represent the MLC/Board at a social function or sporting event organised by outside persons or bodies. Persons attending such functions or events as part of an official MLC/Board delegation are exempt from the above registration requirement, providing their attendance has been approved by the Chief Executive.

Each member or employee is personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding risk of damage to public confidence. The receipt and detail of gifts and hospitality should always be reported to the Chief Executive/Clerk.

When gifts and/or hospitality have to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operated by the MLC/Board and told why hospitality cannot be accepted. This should be logged within the register in order to track any patterns.

Members and employees should not accept significant personal gifts from contractors and outside suppliers, although the Board will allow members and employees to keep insignificant items of token value such as pens, calendars and diaries of an estimated value below £20. These insignificant items do not require recording in the Gifts and Hospitality Register.

Acceptance by members and employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal and where the member or employee is satisfied that any purchasing decisions will not be compromised. Where visits to inspect equipment, supplies or services are required, employees and members should ensure that the MLC/Board meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

Procedure

MLC/IDB Board Members and Employees are required to log the offer and acceptance/rejection of a gift, hospitality or donation within the Gifts and Hospitality Register by emailing details of the offer to chiefofficers@middlelevel.gov.uk

Dealing with Bribery

Bribery committed by an employee will be considered a disciplinary issue and likely to be treated as gross misconduct.

Bribery or attempted bribery committed by a third party may lead to the termination of the business relationship.

Bribery committed by an MLC or IDB Member will be considered as a breach of the Member Code of Conduct.

Upwell IDB

Administered by:



middle level
commissioners

Governance

Financial Regulations 2025 – 2035

References in this Code to "the Clerk" shall be a reference to such officers of the Middle Level Commissioners (MLC) as may from time to time undertake the relevant work or functions on behalf of the Board and references to "the Chairman" shall also include the Vice Chairman.

A SUMMARY

1. These Financial Regulations should be read in conjunction with the Board's, Standing Orders, Regulations as to proceedings, Schedule of Reserved Matters and Scheme of Delegations to ensure that its resources are properly managed, accounted for and controlled.
2. The level at which decisions relating to the finances and functions of the Board are to be taken are as set out in the Schedule of Reserved Matters and the Scheme of Delegations
3. The Clerk shall be responsible for maintaining adequate and effective controls and procedures in the manner and format he/she considers to be best and shall where appropriate, prepare additional rules of procedure or guidance, supplementary to these Regulations.
4. The Clerk shall be responsible for setting up and maintaining the financial and management accounting/reporting systems, processes, procedures and coding lists. Such systems shall be properly documented and shall not be changed without the approval of the Clerk. The Head of Finance (Treasurer) to the Middle Level Commissioners shall be the Board's Responsible Financial Officer, as defined in and for the purposes of the Accounts and Audit Regulations. The MLC finance team will support the Head of Finance in providing this function.
5. The Clerk shall advise the Board and carry out the Board's instructions in securing economy, efficiency and effectiveness in its use of resources and for ensuring that value for money is provided.
6. The Clerk shall ensure that the Board's Financial Statements for each Financial Year ending 31 March are prepared in compliance with the requirements of the Accounts and Audit Regulations and the Financial Reporting Standard for Smaller Entities and, so far as may be appropriate, the Practitioners' Guide to the Preparation of Financial Statements for IDBs (and any subsequent requirements) applicable at the time of preparation.
7. The Clerk shall ensure that the Board considers and approves its Financial Statements for a Financial Year in accordance with the provisions of the Accounts and Audit Regulations.
8. All employees and members have a responsibility for health and safety, compliance with policies and legislation, procedures and codes of practice, for the general security of the Board's property, and, for economy efficiency and effectiveness in the use of resources.

9. All members and employees shall familiarise themselves with and observe the Schedule of Reserved Matters, the Scheme of Delegations and these Regulations.
10. Failure to comply with any aspect of these Regulations may result in disciplinary action being taken against the individual(s) concerned. Serious breaches by Board Members may result in action being taken against them, in accordance with the Members Code of Conduct.

B SCHEME OF BUDGET DELEGATION

1. The Clerk shall be a budget holder and is responsible to the Board for the overall management of the Board's Finances, the Expenditure Estimates and all Budgets.
2. The Board's Consulting Engineer is responsible to the Board to the extent that he/she is so authorised by the Board and is allocated funds for the purpose of preparing and managing the Board's Capital Works Budget.
3. The Board's Consulting Engineer and/or the Chairman and/or the District Officer are responsible to the Board to the extent that they are so authorised by the Board and are allocated funds for the purpose of preparing and managing where applicable the Board's Maintenance Works Budget, the Plant/Labour Operating Accounts, the Plant Renewals Budget, the Stock Control Account and the Rechargeable Works Budget and any other matter in respect of which they are authorised under the Scheme of Delegations.
4. Other than as set out in the Scheme of Delegations or where authorised to do so by a resolution of the Board, no other person shall be empowered to enter contracts on behalf of the Board unless authorised to do so by a budget holder. Nor shall any other person commit the Board to a particular course of action or provide an undertaking or assurance to any third party without the prior consent of the Clerk and/or Responsible Finance Officer and/or the Chairman.
5. No budget holder other than the Chairman shall procure goods and services, charge, allocate or otherwise commit expenditure against a budget that they have no budgetary responsibility for.

C MANAGING BUDGETS & REPORTING

1. The Clerk shall be responsible for preparing the Board's Estimates/Budgets, for monitoring income and expenditure during the course of the year, for alerting the Chairman to any material variances, and, for providing budget holders with the financial information that they require and assisting them as necessary to enable them to properly prepare/manage their budgets. The Clerk shall further ensure that the Board are presented with and consider the proposed expenditure estimates in order that the Rates and Special Levies can be determined for each financial year in due time in accordance with the Land Drainage Act 1991 and it is the individual budget holder's responsibility to provide him/her with their detailed budgets and supporting information in order that this may be done.
2. Any drainage rate refunds due for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.
3. All correcting journal entries shall always be authorised and approved by the Clerk.
4. The Clerk shall ensure that appropriate mechanisms are in place for alerting the Chairman immediately should a Local Authority fail to make their Special Levy payment at the agreed time, or where Drainage Rates are outstanding following reminder. The Clerk and Chairman will agree a course of action and whether a special meeting of the Board is required.

5. Every budget holder is responsible for seeking to ensure that actual expenditure on each of their budgets does not exceed the budget as approved and shall regularly monitor income/expenditure to this end. Budget holders shall, whenever practicable, get approval for material adverse variances to any of their budgets that are anticipated. Approval shall be sought in accordance with the Schedule of Reserved Matters and the Scheme of Delegations.
6. The Clerk may convene a meeting of the Board or a Committee. The Chairman or any 3 other Board members shall also have the power to convene such a meeting.
7. The Consulting Engineer shall prepare a Report for each Board meeting at which such items appear on the agenda detailing amongst other things the progress made on approved capital schemes in respect of which he/she has been instructed during the reporting period as compared to approved budgeted costs, and, when appropriate, will propose new capital schemes for consideration. Such Report will also detail any maintenance work which he/she has organised for the Board during the reporting period and the cost of such work.
8. The Clerk shall also prepare Financial Report(s) for each Board meeting and, shall prepare any other management accounting/financial report that may be required by the Board.
9. In considering its financial health, estimates, rates and investment strategy, the Board will consider as a minimum:
 - I. Whether it has sufficient General Fund Reserves to cater for above average annual expenditure due to, for example, excessive pumping or urgent works.
 - II. Whether it is utilising and planning for use of any Development Charges account appropriately for future capital works.
 - III. Whether it has sufficient Asset Improvement/Future Works budget taking account of its asset base, asset age/reliability, capital programme requirements and likely grant eligibility.
 - IV. Its financial ability to secure and pay off a suitable value Public Works Loan to bridge any gap between its Asset Improvement/Future Works budget and likely value of works.

D PURCHASING GOODS & SERVICES (INCLUDING PLANT)

1. Unless otherwise authorised by the Board by resolution or required under the terms of any formal procedures relating to such work, budget holders shall always comply with the following procedures when procuring goods and services.

Quotations/Tenders will be sought as follows, other than in emergency situations where approved buying groups or agreed contractors/consultants/suppliers for a particular area of work or expertise have been appointed or are used or where approved service level agreements are in force. These threshold amounts may be amended from time to time by resolution of the Board:

<u>Estimated Value of Goods/Services Quotes/</u>	<u>Quotation/Tenders to be sought</u>
<= £5,000	No quotations/tenders required
> £5,000 and <= £10,000	Obtain 1 written quotation
> £10,000	Obtain 3 quotations or 3 tenders as appropriate

2. The budget holder shall be responsible for ensuring that quotations or tenders are sought when required by the above table. Where it is not possible to get the required quotations or tenders, the Chairman's written approval must be obtained prior to awarding any contract.
3. Any agreed contractors, consultants or suppliers list shall be maintained and kept up to date by the Clerk.
4. A budget holder must never agree to permit a third party to provide them with goods/services where tenders or quotations are required without obtaining a copy of their terms of business beforehand.
5. Budget holders shall fully comply with all Competition Law, the Bribery Act 2010 and the Modern Slavery Act 2015 and shall so far as is reasonable, satisfy themselves as to the insurance policies of contractors, and their systems of work before awarding works contracts.
6. Budget holders shall not enter into any contract that has been reserved to the Board or delegated to a Board Committee without obtaining the Clerk's approval beforehand. The Clerk shall not permit any budget holder to enter in to such a contract if he/she considers it to be inappropriate or that the required approval has not been given.
7. The relevant budget holder is responsible for ensuring that the procurement of all goods and services is authorised by the Board or in accordance with the Scheme of Delegations. All emergency work must be approved by the Chairman.
8. All procurement of goods and services shall be authorised by the signing and dating of an official purchase order or purchase instruction. On so authorising the procurement of goods or services the budget holder will have satisfied themselves that the Financial Regulations have been complied with and that any approval required by the Schedule of Reserved Matters and the Scheme of Delegations has been obtained. The Clerk shall be authorised to raise, sign and date a purchase order or purchase instruction where the procurement has been authorised by resolution of the Board.
9. The budget holder must never break down a job and string a number of purchase orders or authorisations together simply to avoid having to get 3 written quotations/tenders.
10. The following information must be clearly stated on each purchase order or instruction:
 - i. The name of the supplier.
 - ii. The agreed price of the goods/services required, other than in an emergency or where impractical to do so.
 - iii. The Unique Order No as approved by the budget holder.
11. The Clerk shall ensure that procedures are in place for establishing when goods or services, have been charged, allocated or otherwise expenditure has been committed against an unauthorised budget.
12. All quotes/tenders, delivery notes, invoices for payment and credit notes shall be matched to the official purchase order or instruction, examined and coded before they are proposed for payment or set off. If the budget holder or the Clerk deems any invoice/credit note to be incorrect they shall not process such invoices/credit notes for payment or set off until satisfied that payment or set off is properly due. The quotes/tenders, purchase orders and delivery notes

where required to be signed or where amended, shall all be filed together with the invoices/credit notes as otherwise directed by the Clerk

13. The Clerk shall ensure that all Invoices which have been approved for payment are duly scheduled for payment.
14. All Invoices shall be authorised by the Chairman and checked by the Clerk prior to making payment.
15. Where it is considered that there are valid reasons for departing from these procedures the approval of the Chairman shall be obtained. Any such departure shall be reported to the Board.

E BANK MANDATE AND INVESTMENTS

1. No changes shall be made to the Board's bankers or the bank mandate without the prior consent of the Board.
2. Approved signatories for the Board's bank accounts are as follows:
 1. The Chairman
 2. Such other member(s) as shall from time to time be authorised by the Board
 3. Such officers of the Middle Level Commissioners as shall from time to time be authorised by the Board
3. All cheque books, deposit books, banking cards, online access and other documentation or materials relating to the Board's bank accounts shall be retained in the custody of the Clerk.
4. All payments, bank transfers and Investments shall be made in the most efficient/secure manner as determined from time to time by the Clerk
5. The Clerk shall maintain Contact Details relating to financial transactions. All bank accounts shall be reconciled monthly and checked at regular intervals by separate officers of the Clerk.

F INVESTMENTS AND BORROWINGS STRATEGY

1. All investments made by the Board are made within guidance received from CIPFA (Chartered Institute of Public Finance Accountants) Guidance for the Public Sector, and relevant legislation:
 - The Board's investment activities are limited by statute
 - The Board may invest with major Banks and/or Building Societies
 - The Board's investments are to be regarded as low/medium risk
 - The Board's investments must be made in the name of the Board and not any named individual
2. All investments shall be negotiated by the Clerk and reported to the Board. They must be for an appropriate period.
3. All borrowings shall be effected in the name of the Board and shall be from the Public Works Loans Board. In an emergency there may be an exception.

4. No borrowings shall be taken out without a resolution of the Board.
5. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk.

G COLLECTING MONEY

1. The Clerk shall be responsible for ensuring that all monies received are properly recorded in the accounting records.
2. Electronic copies of all receipts issued shall be retained for at least six years.
3. The Clerk shall be responsible for ensuring that the Drainage Rates and Special Levies are substantially collected by **1 November** each year. Outstanding Rates/Levies shall be pursued in a timely manner after that date.
4. The Clerk shall ensure that procedures are in place for all debts to be substantially collected within 30 days from the Debtor Invoice tax point date and for when a debt becomes 3 months overdue or whenever a debt becomes doubtful or is disputed.

H FUNDING APPLICATIONS

1. Ideally any grant or third-party funding opportunities will be reviewed, supported and approved by the Board, however bidding windows normally constrain the ability to enact this meaning Boards potentially missing out on funding. Therefore, the Clerk and/or Chairman shall be empowered to bid for grant and/or other third-party funding on behalf of the Board. This includes being able to determine and accept any risk exposure.

I SUNDRY DEBTORS

1. Each budget holder shall be responsible for providing the Clerk with the necessary information to enable rechargeable work to be properly accounted for and invoiced, and, any other debts due to be properly invoiced. The budget holder shall advise the Clerk whenever an Invoice is to be raised for goods provided or services rendered, under their control.
2. The Clerk shall ensure that all such Invoices are properly raised as soon as practicable after being authorised.
3. The Clerk shall be responsible for ensuring that all other debts due to the Board are properly raised when required and collected appropriately.
4. The Clerk shall be responsible for ensuring that the Board consider whether any rents payable to them should be reviewed by a Chartered Surveyor at least once every 5 years.
5. The Clerk shall calculate any claims for Highland Water payments from the Environment Agency and send such claims to the Agency by the dates specified by the Agency.
6. Any refunds due to debtors for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.
8. The Clerk shall be empowered to collect all sundry debts due.

- 9 The Clerk shall obtain the Chairmans approval for instigating legal proceedings to collect outstanding amounts in excess of the County Court Small Claims limit.

J EMPLOYING/MANAGING STAFF

1. The Chairman shall be responsible to the Board for all matters regarding any employees, including employment policies, procedures, terms and conditions. The Chairman acts as the employee's line manager. This includes taking capability and disciplinary action against Board employees having followed due process.
2. The Board's approval shall be required for the employment of additional permanent staff.
3. The Chairman shall have the authority to employ temporary staff and replace permanent staff provided the employment costs are contained within the Expenditure Estimates/Budgets approved by the Board.
- 4 Subject to the above paragraphs and to the terms of any employee's contract, Board members shall not individually have the power to formally offer anyone any form of employment or to dismiss a Board employee, or otherwise take disciplinary action against any of the Board's employees unless the Board has specifically authorised such action by resolution.
5. Board members other than the Chairman and the District Officer shall not individually give instructions to any of the Board's employees, unless delegation has been approved by the Board.
6. The Chairman and the District Officer shall be responsible for managing the day-to-day activities of employees and for determining the nature and extent of these activities.

K ASSET ACCOUNTING/MANAGEMENT

1. Any assets to be sold will be advertised in the appropriate media or by the method most appropriate for securing best value and will be sold for the highest offer (of legitimate bids from reputable sources) unless they are being part-exchanged or traded-in when acquiring another asset, or otherwise sold for a budget price approved by the Board.
2. The Clerk shall be responsible for documenting and maintaining the records of the Board's Assets.

L AUDIT

1. As a requirement of the Accounts and Audit Regulations the Clerk shall ensure that the Board is presented with the Internal Auditor's Report each year. The Board are required to review and where necessary take appropriate action.

M SALARIES AND WAGES

1. The Board shall, where appropriate, seek independent advice before making significant changes to terms and conditions of employment and, save where such changes are as a result of legislative change, no changes shall be made to terms and conditions of employment (deliberately or otherwise) without the prior consent of the Board.
2. The Clerk shall be responsible for the proper compilation of the payroll(s) and for the final determination of pay, as approved by the Board.

3. All annual holiday entitlements (including any carried forward provisions) shall be agreed with the Chairman and/or the District Officer at the beginning of every financial year and signed off by him/her as such, in accordance with the Board's terms and conditions of employment.
4. All time-off in lieu, sick leave, working-from-home arrangements and other absences from work or the work place shall be approved in writing by the Chairman and/or the District Officer.
5. All proposed payments of salaries and wages shall be authorised by the Clerk prior to being made.

N INSURANCES

1. The Clerk shall be responsible for expeditiously submitting all insurance claims that the Board agrees should be pursued. The Board shall be responsible for providing the Clerk with all of the necessary information he/she deems necessary in order to successfully make an insurance claim.
2. The Chairman and/or the District Officer shall immediately notify the Clerk of any loss, liability or damage or any event likely to lead to a claim on any of the Board's insurance policies and shall, where appropriate, notify the police of the relevant circumstances.

O SECURITY

- 1 Keys to the Board's buildings and property shall be controlled by the Chairman and/or the District Officer who shall maintain the list of such key holders.

P REVIEW OF FINANCIAL REGULATIONS

1. The Board and Clerk reserves the right to make reasonable changes to these Regulations at any time in future.
2. Failure to take action against any employee or Member following a breach of the Financial Regulations does not constitute a waiver of the Board's right to take disciplinary action on any future breaches of the Financial Regulations and no single or partial action taken shall prevent any further disciplinary action being taken or other action being taken against any employee or Member.

Provided by the Middle Level Commissioners		Item No:	13
Meeting:	UPWELL INTERNAL DRAINAGE BOARD	Subject:	FINANCE REPORT
Date:	Wednesday 22 nd January 2024	Officer Responsible:	Andrew Wool/Sam Ablett

RECOMMENDATIONS

The Board is asked to:

- A. Consider the Finance Officer's summary
- B. Note the Budgeting review within Appendix 1.
- C. Fees, remuneration and subscriptions
- D. Note the Precept to the Environment Agency

Finance Officer's review and key messages

Storm Recovery Grant

Following the setting of the rates for 2024/2025 we were advised of the criteria for submissions of claims against the Government announced Storm Recovery Grant and a claim for the first phase of funding (T1) was submitted for £48,081.58, which has now been received

Claims were submitted for combined IDB works against the Storm Recovery resilience works (T2) the Environmental Agency have approved these schemes and 50% of the claims have been received. Works are underway in order to get these works delivered by the 31st March 2025 deadline.

1. Budget Monitoring

- 1.1 The current forecast for income/expenditure to 31st March 2025 shows that expenditure could be in-line with the budget against which rates were set. Appendix 1

However, members are advised that these figures are estimating pumping costs to be in-line with the budget proposal against which the rates have been set and should therefore also take into account the significant financial implications major storm events can have on Drainage Board budgets.

There will be a full reconciliation of balances at the financial year end.

2. Fees, Remunerations and Subscriptions

- 2.1 Subscription to the Association of Drainage Authorities (ADA) to increase by 6.5% for 2025 therefore the annual fee will be £1,039.00.

3. Precept to the Environment Agency

- 3.1 Internal Drainage Boards are required to pay a Precept (IDB Precept) to the Environment Agency for their expenses managing water passing into main rivers. Predominantly, the Precept funds additional maintenance downstream of and/or benefitting IDB districts.

The Anglian (Great Ouse) Regional Flood & Coastal Committee (RFCC) determined that the Precept will increase by 2% for 2025. This is off-set by a contribution received by MLC, the nett amount paid in 2024/2025 was - £44,139.

The precept for 2024 was £ 60,520.59.

Author Name: Andrew Wool/Sam Ablett

Role: Treasurer/Assistant Treasurer

Appendix 1 Budget Monitoring 2024/2025

Appendix 1

UPWELL INTERNAL DRAINAGE BOARD BUDGET MONITORING 2024/2025					
	Approved budget 2024/2025 £	Actual to 30th Nov. 2024 £	Forecast to 31st March 2025 £	Remarks	
				A Service/repair tractor-mower	1,232
				Serevice/repair works truck	2,648
1 District labour	45,500	33,721	45,500	B - Includes for contractor hire: slubbing	20,000
2 Insurances and Telephones	4,750	6,149	6,395	C - Includes for contractor hire: slubbing	0
3 Repairs and Renewals	10,000	10,143 ^A	12,145	D - Includes for contractor hire: slubbing	9,000
4 General Maintenance	28,500 ^B	8,253 ^C	19,500 ^D	E - Includes accounts to September, estimated for March	
5 Fuel (Oil and Electricity)	66,750	28,163 ^E	66,750 ^F	F - Provision based on increased annual pumped volume and estimate for new contract rates from October 2024	
6 District Officers' Fees etc	5,200	0	5,200	G - Funding for plant replacement strategy	
7 Administration Charge, Health and Safety Contract, Audit Fees, Printing, Stationery, Advertising etc	27,275	12,297	27,275	H - Environment Agency charge	60,521
				Middle Level contribution	(16,382)
					44,139
8 Plant Replacement Funding	19,375 ^G	1,188 ^G	21,157 ^G	I - Asset replacement fund (Annual Depreciation)	
9 Public Works Loan	30,318	0	30,318	J - Cock Fen P/S Electrification	
10 Environment Agency - Precept	44,139	44,139	44,139 ^H	Cock Fen Electrification - Easement	
11 Tractor / Flail Mower Replacement	22,325 ^I	0 ^I	19,799 ^I	K - Cock Fen P/S - Gear Box Overhaul	5,000
12 Improvement Works	10,000 ^J	500 ^J	10,500 ^K	Upwell Fen p/s - Discharge pipework repairs	5,000
13 Reinstatement of Balances	34,647	0	34,647 ^L	Cock Fen Electrification - Easement	500
	348,779	144,552	343,324	L - Provision for Reinstatement of Balances Reduced By Winter 23/24 Pumping (not to a 'year-in-hand')	
LESS Deposit Accounts interest, Fishery Rent etc	35,631	3,643 ^M	36,642 ^N	M - Includes:	
	313,148	140,909	306,682	Interest	3,543
Estimated General Fund:				N - Includes:	
Open balance at 01.04.2024	140,513	140,513	140,513	Interest	4,543
Rates Raised - 33.25p	313,146	236,582	236,582	Loan funding - Cock Fen P/S Gear Box Overhaul	5,000
Special Levy		76,564	76,564	Asset fund - Upwell Fen P/S Discharge Pipe Repairs	5,000
Rates W/Off		(35)	(35)		
Net Expenditure	313,148	140,909	306,682		
Storm Recovery/Balances	34,647	48,082	82,729		
(Estimated) Closing balance	175,158	360,797	229,671		