CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD

Contact: Polly Tombleson, Senior Business Support Officer

Email: enquiries@middlelevel.gov.uk

Telephone: DD (01354) 699377

Administered by:

14th February 2025

Dear Board Members

Upcoming meeting of the Board
Monday 3rd March 2025

Please find overleaf the agenda for the meeting of the Board to be hosted at the Crown Lodge, Outwell PE14 8SE at 7pm on Monday 3rd March 2025.

PLEASE NOTE THAT THIS AGENDA INCLUDES CONFIDENTIAL PAPERS. APART FROM THE COPY RETAINED WITH THE CONFIDENTIAL MINUTES THEY WILL BE DESTROYED FOLLOWING THE MEETING AND MEMBERS ARE REMINDED THAT THEY MUST NOT BE DISCUSSED WITH ANYONE OTHER THAN A BOARD MEMBER.

AFTER THE MEETING PLEASE DESTROY YOUR COPY OF THE PAPERS OR RETURN THEM TO THE OFFICE TO BE DESTROYED.

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

CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD

Monday 3rd March 2025 at 7pm

The Crown Lodge, Outwell PE14 8SE

Agenda:

Item No	*Topic*	*Format*	*Lead*
1	Welcome & apologies	Verbal	Chair
2	Declarations of Interest	Verbal	Chair
3	Minutes of last meeting and matters arising • Townley Close/Upwell Heath Centre	Pages 3 - 5	Chair
4	Constitution & Membership • Attendance • Elections, vacancies & appointments • Training	Pages 6 - 7	Clerk
5	Clerk's Report • Fens Reservoir	Pages 8 - 12 Pages 13 - 15	Clerk
6	Environment Officer's Report	verbal	Clerk
7	Chairman's Items	Verbal	Chair
8	Consulting Engineer's Reports, including: • Capital Programme & FCRM Grant-In-Aid	Pages 16 - 34	Clerk or Engineer
9	Health & Safety – next visit due 10th March 2025	Verbal	Chair
10	District Officer's Report	Pages 35 - 37	DO
11	Governance • Internal Controls • Banking • Accounts Return for 2023/2024 • Auditors report for 2023/2024 • Risk Assessment • Review Anti-Bribery & Financial Regulation Policies • Review the Boards Policy Statement • Exercise of Public Rights • Transparency Code for Smaller Authorities	Pages 38 - 41 Pages 42 - 46 Pages 47 - 56 Pages 57 – 65 Pages 66 - 72	Clerk
12	Finance Report: looking back • Finance Officer's Review • Payments for 2024 • Highland Water Contributions from the Environment Agency	Page 73 Page 74	Clerk
13	Finance Report: looking forward • Finance Officer's summary • Fees, remuneration and subscriptions • Determination of land for rating (Confidential) • Rate arrears (Confidential) • Contributions from Developers (Confidential) • Precept to the Environment Agency • Estimates for 2025/26 • Rate requirements for 2025/26	Pages 75 - 76 Page 77 Page 78	Clerk
14	Middle Level IDB Change	Pages 79 - 82	Clerk
15	Date of Next Meeting	Verbal	Chair
16	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.)

CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD

At a Meeting of the Members of the Churchfield & Plawfield Internal Drainage Board held at the Middle Level Offices, March on Tuesday 25th June 2024

PRESENT

S Calton Esq (Chairman)	C Crofts Esq
D Boyce Esq	D Lunn Esq
G Boyce Esq	C Rose Esq

Mr Robert Hill (representing Clerk to the Board) was in attendance.

Apologies

Apologies received from P Allen Esq, B Carr Esq, P Cutting Esq, M Fairey Esq, K Harrison Esq and J Lunn Esq

B.1228 Minutes of the last meeting & Matters Arising

a) Minutes of the last meeting

RESOLVED

That the Minutes of the Meeting of the Board held on the 4th March 2024 are recorded correctly and that they be confirmed and signed.

b) Matters Arising

i) With regards to the small area of Himalayan balsam, the District Officer reported that he would be attending to this matter when circumstances allowed.

ii) With Regards to the proposal concerning sections of watercourse above point 36, the District Officer confirmed that he had discussed matters with the relevant landowners, who did not object to the Board adopting these sections. The Chairman reported on proposals being drawn up to re-route the watercourses and Mr D Lunn queried if the landowners should share some of the costs involved.

RESOLVED

That the Board adopt the sections of watercourse upstream of point 36 and relevant notices be sent to landowners.

That proposals and costings be drawn up concerning the proposals and for the matter to be discussed further at the next meeting of the Board.

iii) Mr D Lunn reported on drain maintenance works carried out by the occupier along the Board maintained watercourse at section 8 – 13. He considered the works were carried out to a good standard but was unsure if previous piling along this section had been disturbed. He confirmed that it was not currently possible to ascertain the condition of the banks. The District Officer agree to inspect this section in the autumn.

iv) Further to minute B.1219, The Chairman referred to the comments concerning the c£9K expenditure on drain maintenance and reported that these works were to the culverts along New Road and that this section was a district watercourse. He confirmed to members that these works were carried out to ensure there was no responsibility on the board for the water being held up at the Townley Road drain. He further reported that to facilitate a resolution of the drainage issue at the health centre car park, the Board had arranged for surveys and works, the costs for which were then charges to the relevant land owners.

B.1229 Governance

Finance Regulations & Finance Code

Mr Hill reported that the Board's Finance Regulations and Finance Code Policy were due for review and renewal this year. However, he 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.

Review of Internal Controls

Mr Hill reported that the financial controls that the Middle Level Commissioners have in place in their services to the Board have now been summarised and are available on the Board's web-page.

RESOLVED

The Board considered and expressed satisfaction with the current system of internal controls.

Exercise of Public Rights

Mr Hill 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.

Consideration of potential litigation, liabilities, commitments.

Mr Hill 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.

Transparency Code for Smaller Authorities

RESOLVED

To continue with the limited assurance review approach.

Annual Governance Statement

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.1230 Finance Report

Mr Hill reported the review & key messages which the Board noted and approved.

Budgeting

The Board considered and approved the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2024.

Payments 2023/2024

The Board considered and approved the Payments for 2023/2024

(NB: Mr C Crofts declared an interest in payments made to Middle Level Commissioners (as a member of the Middle Level Board.)

(NB: Mr D Boyce declared an interest in the payments made for payment made for the service of District officer.)

Annual Accounts and Annual Return 2023/2024

The Board considered and approved the Annual Accounts and Finance Papers for 2023/24 and authorised the Chairman to complete and sign the Annual Return 2023/24.

B.1231 Date of next Meeting

That the next Meeting of the Board will be held on Monday 3rd March 2025 at The Crown Lodge, Outwell at 7.00pm.
With the June 2025 accounts approval meeting being held virtually via Teams, the date, time and link will be sent out closer to the time.

Provided by the Middle Level Commissioners		Item No:	4
Meeting:	**CHURCHFIELD & PLAWFIELD IDB**	**Subject:**	**CONSTITUTION & MEMBERSHIP**
Date:	**Monday 3rd March 2025**	**Officer Responsible:**	**Polly Tombleson**

RECOMMENDATIONS

The Board is asked to:

A. Election Notice
B. Note the current status of its membership and the role they each play as members serving the interests of the Board.
C. Review attendance records and identify any resolutions as necessary.
D. Reenforce the need for members to view all five 'Good Governance' videos.
E. 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	8	N/A		5
Actual	8	1 FDC, 3 KLWN	12	
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	P Allen	Nominee of ratepayer (Mr P W Dorling)	
2	D J Boyce	Ratepayer	Vice-Chair & District Officer
3	G Boyce	Ratepayer	
4	S Calton	Nominee of Ratepayer (D J Boyce Outwell)	Chairman
5	P Cutting	Ratepayer	
6	M Fairey	Nominee of Ratepayer (Alderney Livestock Co Ltd)	
7	D Lunn	Ratepayer	
8	J Lunn		

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 Kirk	BCKLWN	Councillor
3	C Rose	BCKLWN	Councillor
4	B Carr	BCKLWN	Outside Council appointment
5	K Harrison	BCKLWN	Outside Council appointment

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	4/3/2024	6/3/2023	7/3/2022	8/3/2021
1	P Allen	Present	Present	Present	Apologies
2	D J Boyce	Present	Present	Present	Present
3	G Boyce	Present	Present	Present	Present
4	S Calton	Present	Present	Present	Present
5	P Cutting		Apologies		
6	M Fairey	Present	Apologies	Apologies	Present
7	D Lunn	Apologies	Present	Present	Present
8	J Lunn	Present	N/A	N/A	N/A

Attendance at Chairs Meetings

No	Name	6/12/2024	6/10/2023	13/12/2022	12/4/2022
1	S Calton	Apologies	Present	Present	Present

Appointed Members (current and previous)

No	Name (Council)	4/3/2024	6/3/2023	7/3/2022	8/3/2021
1	C Crofts (BCKLWN)	Present	Present	Present	Present
2	J Kirk (BCKLWN)				
3	C Rose (BCKLWN)	Present	Present	Apologies	Apologies
4	K Harrison (Nom of BCKLWN)	Present	Present	Apologies	Apologies
5	Brian Carr (Nom of BCKLWN)	Present	N/A	N/A	N/A

3. Elections, vacancies & appointments

3.1 The Election of members of the Board will take place this year. Members will receive an election notice during July/August and are requested to return their complete slip as soon as possible. This term for current members ends on 31st October 2025.

4. Training

4.1 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/

4.2 To date 1 of 12 Board Members have reported viewing all five videos.
To date 7 of 12 Board Members have reported viewing 2 of the 5 videos.

4.3 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.

4.4 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:	**CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD**	**Subject:**	**CLERK'S REPORT**
Date:	**Monday 3rd March 2025**	**Officer Responsible:**	**Paul Burrows**

RECOMMENDATIONS

The Board is asked to:

A. Note the content of the report and feedback on items as appropriate.

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. Electricity

2.1 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 (Transmition) 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.

3. 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.

4. 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.

5. 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.

6. Highland Water & IDB Precept.

On 18th October 2024 we were informed that the Environment Agency has insufficient budget to cover all the IDB Highland Water Claims for 2024/25 and there was a greater shortfall in budget predicted for 2025/26. This would have had an impact to all IDBs with highland, however a significant impact to a handful (including the MLC) where there is a sizeable highland area in proportion to rated area. We've been leading work with the IDBs locally to outline the impact that this would have on rates/levies or drain maintenance.

The good news is that the Environment Agency have now increased the grant allocation available for Highland Water in 2025/26, so there is unlikely to be a shortfall next year. They have increased the allocation by moving funds from capital to revenue.

The Anglian (Great Ouse) Regional Flood & Coastal Committee (RFCC) met on 13th February 2025 to review and decide if they would and could cover the 2024/25 shortfall of £335k across IDBs within the Great Ouse catchment. Paul Burrows was invited onto the Committee table for this item to give an IDB input, with other members of the Committee having declared their interests as some are also IDB Board Members. It was a wide-ranging discussion with a variety of views, but we are pleased to report that in the end they determined that the shortfall would be covered by their Local Levy funding. This is a one-off gesture and Local Levy is not considered a sustainable source of funding for any future shortfall.

Whilst this does alleviate the short-term impact, the risk remains that we will be back in a similar place in 2026/27. Rather than needing to formulate and submit and Ministerial appeal, we will now use more productively to highlight the issues and actions that are outside of IDB control and/or influence that the RFCC, Environment Agency, Local Authorities, Defra and others need to take forward so water in our highlands can be better managed to hopefully reduce the costs associated with IDB onward management of highland water, reducing future claims.

The Board is asked to delegate the decision on whether to appeal the IDB Precept (under s40 of the Water Resources Act) to the Clerk in conjunction with the Chairman. Any appeal must be lodged within 6-weeks of formal notification.

Author Name: Paul Burrows
Role: Clerk

Provided by the Middle Level Commissioners		Item No:	Under Clerks report
Meeting:	**CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD**	**Subject:**	**FENS RESERVOIR**
Date:	**Monday 3rd March 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	
Commissioners for imbanking fen lands and low grounds within the Parishes of Chatteris, Doddington and Wimblington, also known as the 'Imbanking Commissioners'	*Governance opportunities the reservoir may enable dissolve the Commissioners and redistribute assets*	
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	*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.*
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 <u>not</u> expect to cover <u>any legal costs</u> 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:	8
Meeting:	CHURCHFIELD & PLAWFIELD IDB	Subject:	CONSULTING ENGINEERS REPORT: CHIEF ENGINEER'S SUMMARY & CAPITAL PROGRAMME
Date:	Monday 3rd March 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. **Consider developing a capital investment plan for future works.**

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 MLC could provide. Given the increasing frequency of complex cases where Boards consider there may be a need for regulation and enforcement dependent 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 a provision for this within our existing charging structure.

Please refer to item 4 in the Clerks report.

The Board is asked to acknowledge this approach.

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 **Reforms to the National Planning Policy Framework and other changes to the planning system - Open consultation**

Following the change of government in July an open consultation was held between 30th July and 24th September 2024 on proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system.

As the NPPF sets out government's planning policies for England and how these are expected to be applied, it is therefore a significant driver and influence on development related planning policy, and it was essential that a suitable response be made.

During August the Boards' Chairs were given the opportunity to comment on the issues raised within the draft consultation document and provide comments and any other related items of unease that the Boards had.

A response, which was primarily providing answers to specific questions, was submitted before the deadline.

One of the big issues related to development of the "green belt" and the introduction of the "grey belt" but the consultation also included decision making, climate change, flood risk, and environmental related issues. Responses to specific questions contained within the consultation included:

1. The advantages and disadvantages of restoring the 5-Year Housing Land Supply (5YHLS).

2. Further supporting effective co-operation on cross boundary and strategic planning matters.

3. The LPA's need to understand, consider and acknowledge the impact of new development on their special levy and future funding requests under Defra's Partnership Funding Policy. Under this policy housing built or converted after January 2012 is **not** included in FCERM government grant in aid calculations.

4. The need to consider the adoption of appropriate measures that consider the whole water cycle process such as rainwater harvesting and the re-use of as much water as possible.

5. The need for bodies involved in the planning process but which are not LPAs to be provided with suitable compensation, benefit and other incentives for contributing to and enabling the aspirational growth and local economy.

The opportunity was taken to raise some issues not covered by the reform consultation as a concern by many Boards, in the hope that these points are heard and acted upon. These included:

A. The Fenland Situation – special requirements needed due to the low-lying topography, the managed flood risk and land drainage systems, the provision of enabling infrastructure to allow life to continue and also accommodate current growth aspirations.

B. The flawed methodology used by LPAs and poor decisions made by the LPAs when considering and allocating sites often caused by the need to meet government targets.

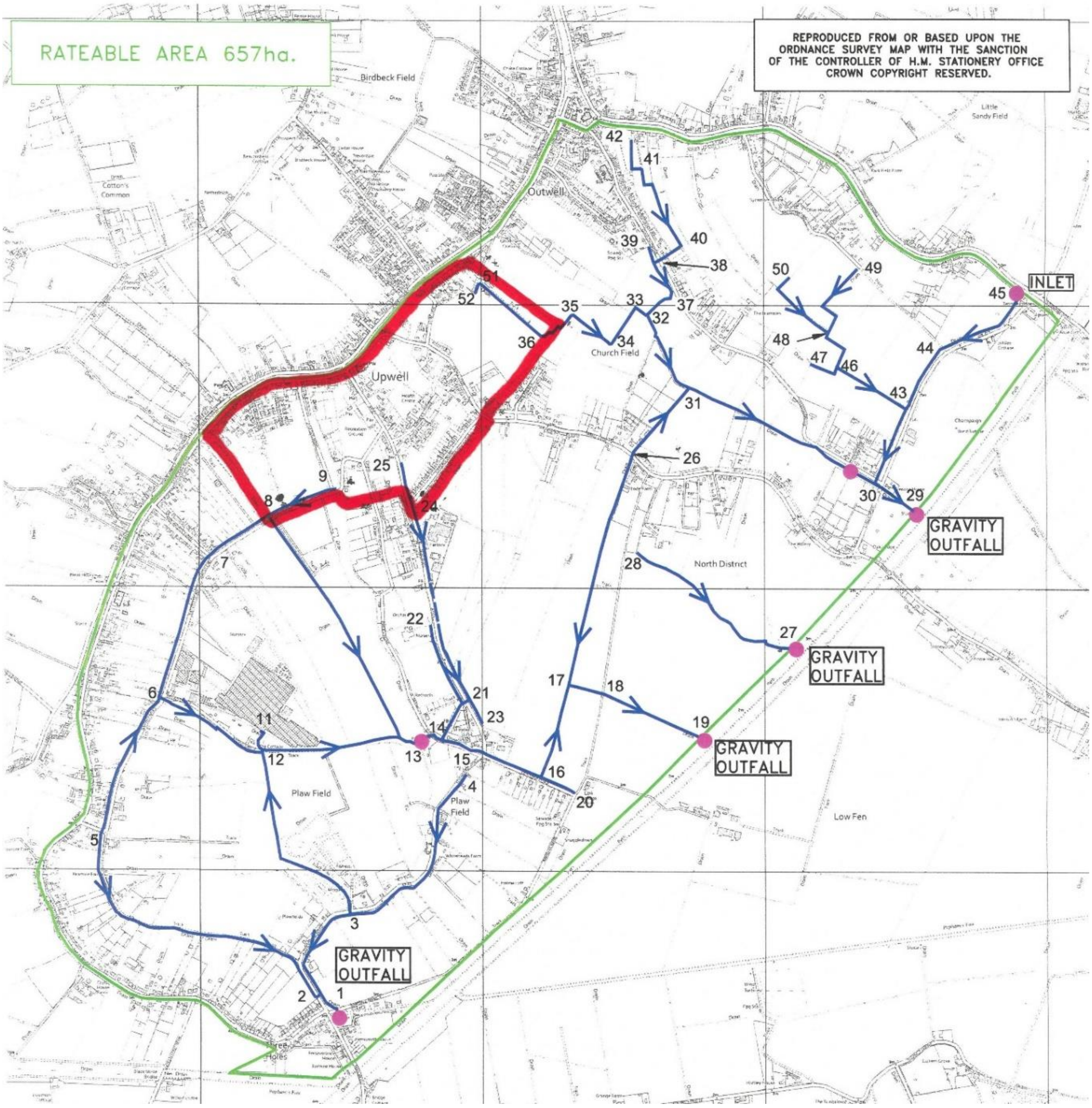
C. The impacts of growth and climate change and the need to revise nationally accepted design standards.

The revised NPPF constitutes a significant departure from previous versions with 810 changes. It was issued during December and its contents are currently being reviewed.

2.2 Acute drainage areas

Further to Item i) of Resolution B.1222 Consulting Engineers' Reports, including CIP & FCRM Grant-in-Aid – "The Chairman and Vice Chairman to review the need for and specification of critical drainage areas with the Planning Engineer" a meeting was held with the Commissioners Planning Engineer during October to discuss the previous proposals and agree on a revised extents as shown edged red on the plan below.

This includes the known areas where current drainage issues and flooding have previously occurred including the areas around Welle Manor, Upwell Health Centre/Townley Close, Blunts Orchard and Pinfold Road.



To clarify and simplify the definitions included in the previous report:

a. Business as usual - Areas where there are no known problems that cannot be solved by relatively straightforward and easy operations through the Board's "day-to-day activities", for example - the cleansing of a Boards District Drain and/or culvert.

b. Areas of concern - An area at an increased risk of flooding that is unlikely to be solved by the Board's "day-to-day activities", for example, the improvement of non-Boards District Drains, the replacement or installation of a highway culvert and/or other structures; minor development, pressures.

c. Acute drainage areas – An area with multiple or interlinked sources of flood risk, for example, a combination of high ground water table, an inappropriate or the absence of a suitable drainage system, hydraulic constraints, significant urban development pressures, and involves multiple RMA.

Both the Areas of Concern and Acute drainage areas requires the relevant RMA's to work collaboratively in partnership to ensure that any new development will not increase flood risk that affects people, properties and local infrastructure and may require protection, intervention and/or investment by the relevant RMA(s). The recent work to alleviate the problems at Upwell Health Centre/Townley Close is an example of this.

Relevant RMA could include the Board; the Middle Level Commissioners; Anglian Water Services Ltd (AWSL); Norfolk County Council, in its roles as the LLFA and Highway Authority; the Borough Council, in its roles as the Local Planning Authority (LPA) and Flood & Water Management etc.

To clarify these designations are similar to but not the same as Critical Drainage Area (CDA) area. These are "an area outside of a rateable district which has been notified to the local planning authority as such by the Environment Agency in line with the National Planning Policy Framework (NPPF)."

2.3 ***MLC001: Middle Level System Flood & Drainage Infrastructure Capacity***

This is directly relevant to the Boards that drain and/or pump into the MLC system and will be of interest to others.

As you will be aware, 2023/24 broke records for rainfall and the amount of water pumped at St Germans. Over 227,000 million litres of water were safely pumped into the Tidal Great Ouse that would have otherwise been flooding homes, land, businesses, roads and other critical infrastructure, significantly affecting other vital public services.

Our station worked in combination with over 70 smaller Internal Drainage Board stations, hundreds of kilometres of drains and raised embankments, to keep our Fens relatively dry and protect local communities and the economy from flooding. We are hoping for a drier 2024/25 but need to plan for this being the new normal. This winter really helped highlight the importance of, and also the weaknesses, in our infrastructure and operations.

Alongside this, and within the constraints of our limited staff capacity, we are improving how we engage as non-statutory consultees in the planning process. We want to provide planning authorities, developers and others with an earlier, much clearer stance from us, to inform plans strategically (e.g. within Local Plan development) and tactically (e.g. within individual planning applications).

With these factors in mind, we have published our first 'standing advice note' which is included as Appendix 4 and is available on our website https://middlelevel.gov.uk/standing-advice-2/. Standing Advice Note MLC001 effectively declares our flood and drainage infrastructure 'at capacity'. The intent is to develop and publish further notes over the coming months.

This note was issued to local Councils and the Environment Agency on Wednesday 8th May 2024 for them to consider within their decision making. Boards will need to appreciate and plan for the limitations within the MLC receiving system within their own pumping station improvement schemes.

Boards may choose to create, adopt and issue similar standing advice notes for their districts.

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.

2.4 **Flooding and drainage matters at Upwell Health Centre car park/Townley Close**

Further meetings of the Multi-Agency Working Group of authorities involved have been held to deal with the outstanding matters.
At the last meeting, held in June, it was confirmed that:

A. No further work could be carried out due to funding issues.

B. The Borough Council would prepare a position statement confirming the situation.

C. The Board would write to the relevant landowners to raise their awareness of riparian ownership and advise them of their responsibilities.

The Position Statement, which advises on the flooding issues, the works completed and future actions, was completed in July.

It is understood that item C will be discussed at the forthcoming Board Meeting.

During a recent inspection of the area associated with the nearby planning applications, see later in this report, it was noted that:

1. Vegetation is well established within the new cut channel, but some routine Maintenace is required as growth within the bed is restricting flows.

2. There was some evidence of a small spill, presumably from the Health Centre Car Park.

3. At least one property appears to be discharging into the adjacent watercourse.

Recent view of the new cut channel

An outfall from one of the new dwellings

2.5 **Provision of planning services – Responses to Strategic planning matters and to planning applications.**

Further to Item ii) of Resolution B.1222 Consulting Engineers' Reports, including CIP & FCRM Grant-in-Aid – "The Chairman to review the flow of planning application information with the Planning Engineer" the Board are advised that the Commissioners provide a planning consultancy and consenting service which covers several aspects and as advised previously/elsewhere is the subject of a review.

Strategic Matters

In respect of national and strategic planning related documents, for example, the National Planning Policy Framework, Strategic Flood Risk Assessments, Water Cycle Study, Local Plans, Mineral and Waste Plans etc the Boards are Statutory Consultees in accordance with the NPPF. Providing responses to these is the Boards main influence on the planning system.

When considered appropriate the documents are reviewed and meetings attended if needed on the Boards behalf, and when considered appropriate and when time allows, the comments of the Boards delegated contact, see above, are sought.

A response is prepared and issued to the relevant authority i.e. Central Government, County Council, Borough Council etc. and when appropriate copied to the Boards delegated contact.

Any costs incurred are billed to the Board.

Town & Country Planning Act

The Board is not a Statutory Consultee on matters relating to the Town & Country Planning Act i.e. normal planning applications and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so. The main reason for supplying previous responses was to protect our interests and ensure that any consents are sought.

With the exception of some Boards which have requested the provision of a more detailed service, the weekly planning application lists and any received from the LPA are triaged. Bespoke responses are no longer issued to the LPA but a standard response is sent to the applicant or its agent. These are not normally copied to the Boards delegated contact.

However, there are several exceptions to this, as follows:

A. When a development is the subject of a paid Pre-/Post-Application consultation service and the client has requested a response to be made to the LPA – Any costs are charged to the client and not the Board.
B. When the development encroaches in close proximity to a Boards District Drain or its associated 9m wide maintenance access strip.
C. When requested to do so by the Board, A written instruction from the Boards delegated contact is normally required.
D. If the application has a "strategic" element, these are normally large developments and/or developments within the area of concern or acute drainage areas. Any decision is normally made by a member of the Commissioners Technical Services Team.
E. If the application could be the subject of a Freedom of Information request.

Any costs incurred in relation to items B – E and any subsequent discussions are charged to the Board, but the use of the paid Pre-/Post-Application consultation service as discussed elsewhere is encouraged.

Copies of responses are likely to have involved correspondence with the Boards delegated contact and any responses issued are normally copied to the relevant person.

A problem encountered within the past year is the correspondence received and influence applied from Councillors requesting a response to be made on the Boards behalf. Whilst the Councillors views are important, they must be discussed with, and a formal instruction received from the Boards delegated contact.

2.6 *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.

Baptist Road Area

Boundary wall (retrospective) at Orchard View, 7 Baptist Road, Upwell – Clients of Inspire Architectural (MLC Ref No 703)

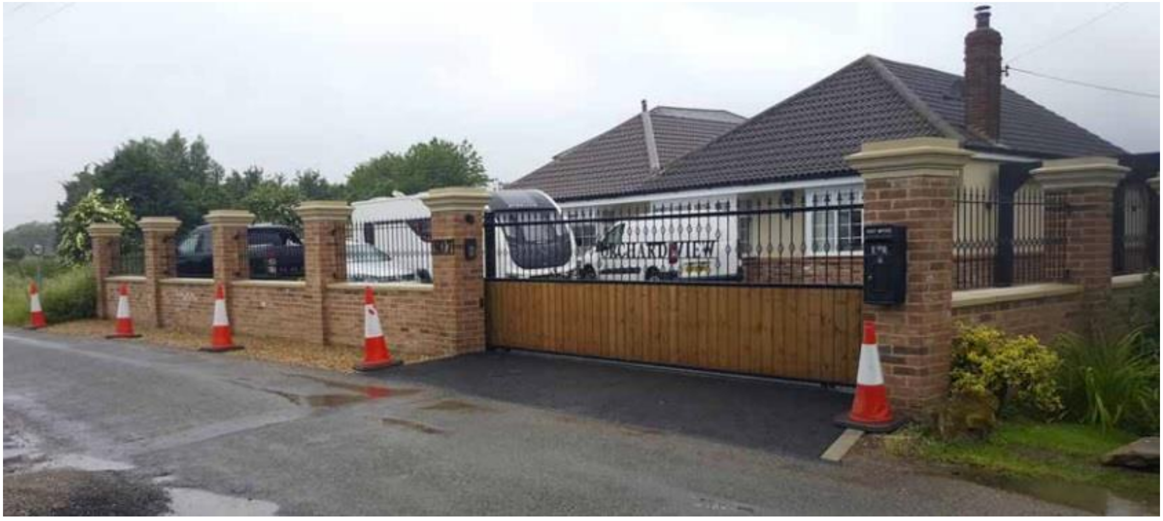
The wall, with a max. height of 1.90m, was originally reported to planning enforcement in October 2020 and following investigation by the Borough Council was considered that planning permission was required.

The wall has been the subject of two previous retrospective planning applications both of which have been withdrawn prior to a refusal being issued on highway grounds. Since planning permission could not be achieved an enforcement notice was served in November 2023 requiring the removal of the wall and gate.

A subsequent planning application was submitted Borough Council Ref. No. 24/00252/F MLC Ref. 703 but given the pre-existing enforcement notice the Council declined to determine the application.

In its response to the planning application Upwell Parish Councils response included the following:

> *"There are no material grounds for refusal. An officer from the Middle Level Commission visited the site on Friday 3rd May 2024 & confirmed that the boundary wall does have permission to be constructed over the piped & in-filled MLC drain, with the proviso that should it become necessary for maintenance of the drain, the wall would have to be removed at the cost of the landowner."*



Photograph of the site included within Acstro Limiteds Access Appraisal.

However, it is not known which officer attended the site. No record of any recent consent being sought or issued could readily be found.

Concern is also raised about the extent of hardstanding at the site and its method of disposal.

In order to resolve this matter and guide further discussion it would be beneficial to receive the Board's opinion and further instruction on how it would like to proceed concerning potential enforcement action.

Formation of new access (fronting Baptist Road) including culverting of a drain at 141 School Road, Upwell – Mr & Mrs C Clark (MLC Ref Nos 707 & 714)

A planning application was submitted to and subsequently approved by the Borough Council for an additional 600 mm dia. access culvert approximately 7.0m long with bevelled ends within the Baptist Road Drain which has previously been the subject of some concern.

It is pleasing to note than advisory note was included on the Decision Notice, however, it refers to a previous and not the Current version of the Land Drainage Act.

A Byelaw Consent application was received in November 2024. The advice of the Chairman and Vice-Chairman was sought, and both were content with the proposals, due to the number of existing culverts in this area. The Board's culverting policy states that some form of mitigation be provided for the loss of habitat, and proposals for a wildlife pond were submitted and agreed by the Board's environmental officer. Consent was subsequently issued in January 2025.

Pinfold Road area

Four dwellings at 5 Pinfold Road, Upwell – Fountain Construction (MLC Ref No 677)

Consent for partly attenuated surface water discharge was granted by the Board in March 2024.

A Section 23 application was received to pipe the watercourse forming the northeastern boundary to provide additional garden space for the proposed dwellings. The application was refused as the proposals did not align with national or local guidance or the Board's culverting policy, and also did not provide sufficient environmental mitigation proposals.

The applicant's agent has also been advised that the Board will not accept a discharge of treated foul effluent from a package treatment plant at this location due to increased flows, the risk of spills, lack of dilution and that an alternative solution must be considered.

Welle Manor area

Residential development at Manor Lodge, 40 Small Lode, Upwell – Mr R Starr (MLC Ref Nos 502, 643 & 695)

Members will recall that this site involves two planning applications Borough Council Ref. No, 21/01258/O MLC Ref. 643 for an Outline Application with some Matters Reserved: for residential development which was refused by the Borough Council for several reasons, but these did not include surface water drainage or flood risk related issues.

A subsequent planning application Borough Council Ref. No, 23/01626/O MLC Ref. 695 was submitted and as reported at the last Board Meeting the response opposed the planning application due to the increasing concern being raised about the piecemeal development being proposed in both Upwell and Outwell; the challenges faced by the Board; the site being within an acute drainage area; the flooding being experienced in the area.

The Borough Council issued a Decision Notice on the 15th August which included the following:

> *"The application has failed to demonstrate that a suitable surface water drainage scheme can be achieved to negate the concerns raised by the Middle Level Commissioners IDB with regards to localised flooding issues. The proposal therefore fails to accord with Policy DM15 of the SADMPP (2016) and Policy EN1 of the Upwell Parish Neighbourhood Plan (2021)."*

On the same day, the applicant's agent submitted an appeal application to the Planning Inspectorate (PINS) for the non-determination of the planning application within the appropriate period. However, it is understood that this is actually proceeding as an appeal against the refusal of the planning application.

The agents FINAL COMMENTS submitted as part of the appeal, which can be viewed at 23_01626_O-FINAL_COMMENTS-5762901.pdf, includes items that refer to the Boards position but does not appear to fully understand the Boards roles and responsibilities suggesting that:

> *"It is not for this development to resolve the wider drainage issues, that is a matter for the IDB under their own legislation. On the basis that the development has a neutral impact on the surface water drainage situation, the Appellant fails to see how an objection on surface water drainage can be sustained."*

There is also some confusion on which authority opposed the application.
Relevant third-party comments have been submitted by a neighbour.

The appeal is being undertaken by written representation, but at the time of writing the current position is not known.

<u>Full planning application for proposed 2-storey dwelling and detached double garage on land to the west of 34 Small Lode, Upwell</u> - Mr M Starr (MLC Ref Nos 502, 643 & 695); Mr & Mrs Fairbrother (MLC Ref Nos 710 & 713)

During August the Borough Council validated the above planning application BC Ref. No, 24/01433/F MLC Ref. 710.

Given the problems raised and the previous response provided to the Borough Council concerning the nearby Mr R Starr site, discussed above, it was considered appropriate to provide a bespoke response. This included the following text:

> *"The Boards comments remain as those previously detailed in its letter dated 14th August in respect of the site adjacent to 40 Small Lode.*
>
> *One of several grounds for refusal of this site included the failure to demonstrate that a suitable surface water drainage scheme can be achieved. This is also the case at this application site."*

And like the Mr R Starr site the applicant was urged to discuss the relevant issues via the post-application consultation procedure.

It was one of several objections raised due to concerns about surface water disposal and flood risk.

The planning application was withdrawn during October.

A revised application BC Ref. No. 24/02069/F MLC Ref. 713 was validated in early December. The submission includes a Surface Water Management Report which proposes that surface water runoff from the roof areas is reused with any excess water diverted to a basin close to the southern boundary of the site adding that:

> *"Although infiltration rates are likely to be low this is considered to be an acceptable arrangement considering the volume of water that is anticipated to be discharged to the basin."*

but no material supporting evidence such as infiltration testing, design calculations etc. have been provided.

The response to the Borough Council was similar to that previously issued but included the following additional paragraph:

> *"… further information and reassurance on the proposal must be provided and this should include, as a minimum, ground investigation details; groundwater monitoring; infiltration testing results; topographical survey of the site and surrounding area; suitable hydraulic design of the basin including an assessment of inflow/outflow (reuse) flows, half drain times etc. in accordance with current design guidance including an allowance for climate change."*

This response has been challenged by the applicant's agent and at the time of writing a response is being prepared.

3. **Planning Updates & Consultations**

The Commissioners have responded on the Board's behalf concerning the following:

A. Borough Council of King's Lynn and West Norfolk

Gypsy and Travellers and Travelling Show people Potential Sites and Policy Consultation (January – March 2024)

The updated Gypsy and Traveller Accommodation Assessment (GTAA) was published in June 2023, as part of the ongoing Local Plan examination. This was followed by an initial Gypsy and Travellers and Travelling Show people Potential Sites and Policy consultation (January – March 2024).

Several potential sites at two locations within the Boards District were identified at Small Lode and Botany Bay (Pinfold Road/Stonehouse Road) both in Upwell.

Following on from the earlier consultation, a list of proposed site allocations for Gypsies, Travellers and Travelling Show people was approved by the Council for submission to the Planning Inspectors as part of the ongoing Local Plan examination, on 25 April 2024.

This second consultation related to the ongoing Local Plan examination. Any representations received were collated and forwarded onto the appointed Planning Inspectors. These were utilised by the Inspectors to set agendas for the examination hearing sessions that were scheduled to take place, 3 and 4 September 2024.

B. Norfolk County Council

Norfolk Minerals and Waste Local Plan

The draft Norfolk Minerals and Waste Local Plan (NM&WLP) was submitted to the Planning Inspectorate in December 2023 for examination. Examination hearings led by an independent Inspector appointed by the Secretary of State took place in July 2024. As set out in the hearings there were a number of main modifications required to the Plan in order for the Inspector to consider whether it is sound and legally compliant. Proposed Main Modifications have been prepared, and Norfolk County Council has been notified by the Inspector that the representations period on these modifications could proceed.

The Main Modifications together with updated Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) were available for representations to be made on, along with consequent Policies Map changes.

All duly made representations received were submitted to the Planning Inspector and considered as part of the Examination.

Alongside the Main Modifications, a schedule of proposed Additional Modifications was also published for information and comment. The proposed Additional Modifications do not form part of the examination of the Plan but are minor changes factual changes which Norfolk County Council intends to make on adoption of the NM&WLP.

C. Back Drove, Upwell

Since September 2024 and continuing into 2025, retired owners of 71 Dovecote Road, Upwell PE14 9HB have repeatedly complained to MLC about illicit activity and anti-social activities in a paddock which abuts their rear garden on Back Drove, Upwell. This includes siting a mobile home and using the paddock as a dumping ground for assorted waste and other materials. They also raised concerns

about the legitimacy of installing a new culvert access downstream of node 5, causing an increase in unwelcome traffic entering and exiting the site.
A database search revealed a historic culvert consent issued to a Mr S Smith, the former paddock owner. However, this had expired, and to complicate matters, Mr Smith is known to be deceased for several years. While an MLC Officer did visit the site in September 2024 to inspect the culvert and inform the Board's District Officer of their findings, there were no overriding concerns regarding the integrity of the drainage system, although the manner of infilling and material used over the culvert is questionable, and no water vole survey had taken place beforehand. Issues regarding the mobile home and waste dumping are clearly not a matter for the Board to pursue, yet a Planning Officer at BCKL&WN was duly informed and promised the District Officer they'd investigate matter.

The owners of 71 Dovecote Road continue to call and email this office to complain about ongoing activities in the paddock. From the very beginning, they've repeatedly been advised to contact their Parish Council and BCKL&WN. Can the District Officer arrange to meet the owners and emphasize that it's not a matter for the Board, or MLC, and request they please desist further contact unless it relates to a genuine drainage problem.

4. **Capital Programme**

4.1 In terms of FCRM Grant-in-Aid (FCRM GiA) the current indication is that there will be no funding allocation within the current spending review period.

Should the Board wish to undertaken any capital investment in the future they are advised to develop a robust capital investment plan. The Consulting Engineer can assist with this.

Author Name: Nicola Oldfield
Role: Chief Engineer

Appendix 1: List of applications since last meeting
Appendix 2: Board's District Plan
Appendix 3: MLC001: Middle Level System Flood & Drainage Infrastructure Capacity

Appendix 1

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

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
698	24/00247/F	Mr C Sykes	Residence (Dwelling)	School Road, Upwell
699	24/00374/F	Mr Thurston	Residence (Extension)	Tointons Road, Upwell
700	24/00500/PACU3	Mrs C Leigh-Walker	Conversion (Agricultural to Residence)	Croft Road, Upwell
701	24/00443/F	Mr & Mrs Griffin	Residence (Dwelling)	St Peters Road, Upwell
702	24/00031/PREAPP	Mr & Mrs Henson	Residence (Dwelling)	School Road, Upwell
703	24/00252/F	C & P Building	Residential (Boundary wall)	Baptist Road, Upwell
704	24/00983/PACU3	Mr J Hubbard	Conversion (Barn to Residence)	Church Drove, Outwell
705	24/01080/F	Mr K Tucker	Residential (2 Dwellings)	Main Road, Three Holes
706	24/01220/F	Mr J Smart	Residence (Extension)	Church Drove, Outwell
707	24/01392/F	Mr & Mrs Clark	Residence (New access & culvert)	School Road, Upwell
708	24/01458/RM	Mr W Sutton & Mr P Fitzpatrick	Residential (2 Dwellings)	Green Road, Upwell
709	24/01564/RM	Mr K Tucker	Residence (Dwelling)	Main Road, Three Holes
710	24/01433/F	Mr & Mrs Fairbrother	Residence (Dwelling)	Small Lode, Upwell
711	24/01547/F	Mrs L M Elliott	Equine	St Peters Road, Upwell
712	24/01675/F	Mr & Mrs L Pearce	Residence (Extension)	Stonehouse Road, Upwell
713	24/02069/F	Mr & Mrs Fairbrother	Residence (Dwelling)	Small Lode, Upwell
714	24/01392/DISC_A	Mr & Mrs Clark	Culvert	School Road, Upwell

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
306/1		CP/80	Mr G Stittle	9m long access culvert using a 900mm diameter pipe and bagged concrete headwalls	St Peters Road, Upwell	30/07/2024
306/1		CP/81	Mrs C Leigh-Walker	6m long access using 900mm pipe and bagged concrete headwalls, digging an appropriate length of new channel to provide loss of habitat	Croft Road, Upwell	16/09/2024
707	24/01392/F	CP/82	Mr & Mrs Clark	Formation of a new access (fronting Baptist Road) including culverting of drain	School Road, Upwell	23/01/2025

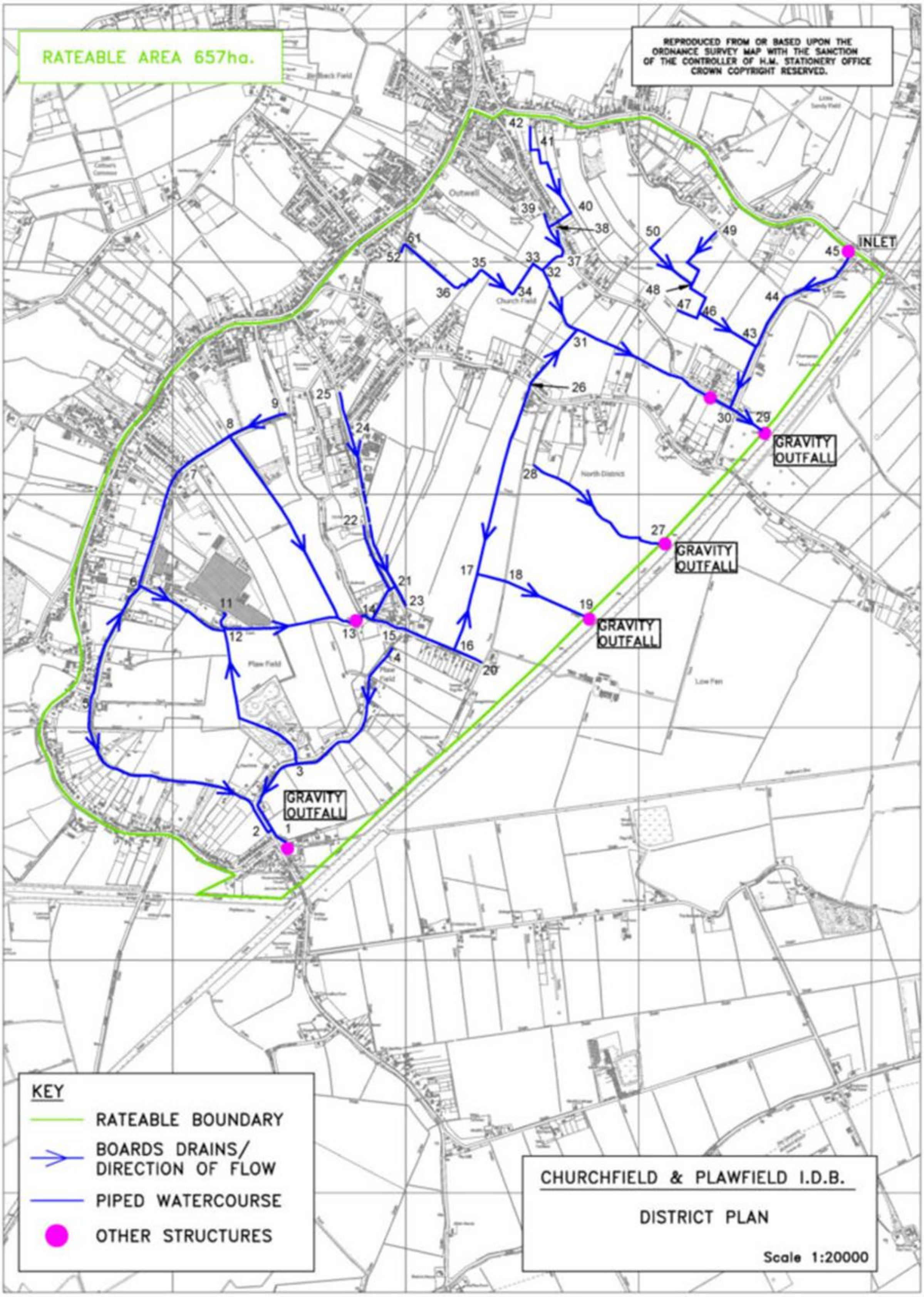
The following applications for Byelaw Consent (to discharge to a watercourse) have been granted since the last meeting:

MLC Ref	***Council Ref***	***Consent No***	***Applicant***	***Location***	***Date consent granted***
677	22/02226/F	DC/06	Fountain Construction (Anglia) Ltd	Pinfold Road, Upwell	13/03/2024

The following infiltration device applications have been acknowledged since the last meeting:

MLC Ref	***Council Ref***	***Option 1 (Self-certification) or Option 2 (Checking Form)***	***Location***	Date acknowledged
699	24/00374/F	Option 1	Tointons Road, Upwell	06/09/2024
711	24/01547/F	Option 1	St Peters Road, Upwell	09/10/2024

Appendix 2


RATEABLE AREA 657ha.
REPRODUCED FROM OR BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF H.M. STATIONERY OFFICE CROWN COPYRIGHT RESERVED.
INLET
GRAVITY OUTFALL
GRAVITY OUTFALL
GRAVITY OUTFALL
GRAVITY OUTFALL
KEY
RATEABLE BOUNDARY
BOARDS DRAINS/ DIRECTION OF FLOW
PIPED WATERCOURSE
OTHER STRUCTURES
CHURCHFIELD & PLAWFIELD I.D.B.
DISTRICT PLAN
Scale 1:20000

Proudly managing water levels in the Fens since 1862

Standing Advice Note MLC001:

Middle Level Flood and Drainage Infrastructure Capacity

Issued: 01 May 2024 (Version 1)

Key messages

A. **Our flood and drainage infrastructure should be considered as 'at capacity' during October to April.**
B. **Unless there is a compelling exception case, we will not consent surface water discharges greater than greenfield run-off rate and/or any new water entering our catchment across a watershed.**
C. **We consider that the cumulative impact of attenuating surface water from developments and timing of discharges has been to elongate the duration that our system is under stress. This increases our operational costs and could increase the risk of flooding.**
D. **We are concerned that there is seemingly no post-construction review of SuDS against their design and performance reviews through their lifecycle. Therefore, even well-designed SuDS may not be performing as expected/consented and there may be a cumulative impact of this across our catchment. Long term appropriate maintenance and inspection is considered a deficiency.**
E. **The opportunity to release stored water into our system during May to September should be actively explored within strategic flood risk assessments, development masterplans and local flood risk management strategies and in consultation with our engineers.**
F. **In considering and granting planning permission, Local Planning Authorities need to understand, consider and acknowledge the impact of new development upon their special levy and future funding requests under Defra's Partnership Funding policy. It should be noted that under this policy housing built or converted after January 2012 is not included within FCRM government grant-in-aid calculations.**
G. **Prior to granting outline planning permission, Local Planning Authorities must consider whether any proposed Biodiversity Net Gain provisions will be compatible with the flood risk management activities undertaken by MLC and other IDBs, for the full 30-year registration period. If this is not known, the LPA should seek advice from MLC prior to granting outline planning permission.**
H. **In considering and granting planning permission, Local Planning Authorities ought to secure funding from developers towards future capital investment in our water management infrastructure.**
I. **The Environment Agency needs to understand, consider and acknowledge the impact of new development and sub-optimal SuDS upon the Highland Water claims from the Middle Level Commissioners.**
J. **As statutory consultees and fellow Risk Management Authorities under the Flood & Water Management Act, Lead Local Flood Authorities and the Environment Agency need to consider and reflect this advice within their responses to Local Planning Authorities so as not to increase flood risk within the Middle Level.**
K. **Developers and Local Planning Authorities ought to consider the adoption of measures such as rainwater harvesting and re-use to avoid as much water as possible from entering the drainage network.**

L. **When considering abstraction licences for unrestricted winter fill applications from irrigators within the Middle Level catchment, the Environment Agency should take account of the potential benefit to the capacity of the system, operational costs, Highland Water costs and their responsibility to reduce flood risk within their determinations.**

M. **In addressing historic mis-connections to the foul sewer network and within changes to discharges of treated effluent water, Anglian Water and Local Authorities need to appreciate the potential impact on the surface water drainage network and receiving system.**

N. **Internal Drainage Boards within the Middle Level catchment may wish to consider adopting similar Standing Advice. They also need to appreciate and plan for the limitations in the capacity of the MLC system withing their own pumping station improvement schemes.**

Advice Primarily For:

- **Local Planning Authorities (LPAs): Fenland District Council, Huntingdonshire District Council, King's Lynn & West Norfolk Borough Council, Peterborough City Council**
- **Lead Local Flood Authorities (LLFAs): Peterborough City Council, Cambridgeshire County Council, Norfolk County Council**
- **Minerals & Waste Planning Authorities; Peterborough City Council, Norfolk County Council, Cambridgeshire County Council**
- **Highways Authorities: National Highways, Peterborough City Council, Norfolk County Council, Cambridgeshire County Council**
- **Environment Agency**
- **Developers**
- **Internal Drainage Boards within the Middle Level catchment area**
- **Anglian Water**

About us:

The Middle Level Commissioners are a public authority comprising agricultural ratepayers (those rated on >100 acres of land) who benefit from drainage services provided by their watercourses and assets.

The Commissioners elect a Board and, via an Executive Committee, appoint a Chief Executive who leads a staffing structure to deliver their various statutory duties and responsibilities.

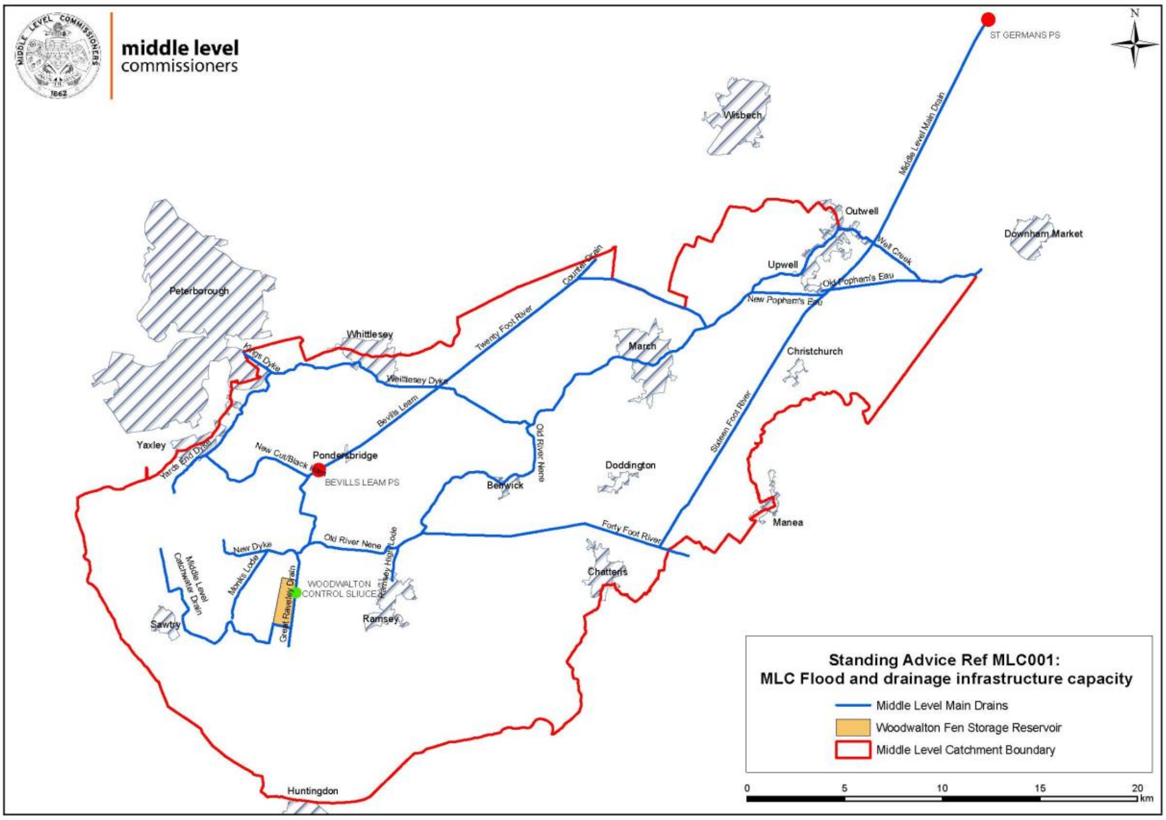
The Commissioners are, for all intents and purposes, an Internal Drainage Board (IDB) and therefore a Risk Management Authority under the Flood & Water Management Act 2010 and we have a duty to enhance the environment under the Environment Act 2021. The Commissioners also have duties and powers under bespoke Acts of Parliament, most notable of these is our role as the fourth largest Navigation Authority in England. We also provide a summer water transfer service, with legacy rights to import water into our catchment from the River Nene.

We are not statutory consultees in the Town & Country Planning Act process, however paragraph 166 of the National Planning Policy Framework advises that strategic policies "should take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.". Independent from the planning process, developers are likely to need consent from us and/or an Internal Drainage Board under the Land Drainage Act 1991 and/or Byelaws.

We only have a technical team of 2.5 staff inputting and responding as a non-statutory consultee into planning applications and consent determinations on behalf of the Middle Level Commissioners and over thirty other Internal Drainage Boards in the area.

Geographical coverage:

The Middle Level catchment boundary plus areas where there is the potential through development to transfer water across the watershed into the Middle Level.



Our system:
We own and operate two major land drainage pumping stations. These work in combination with approximately 190km of waterways and 300km of raised embankments to convey excess water from, and provide flood resilience to, land, property and businesses within our 750km^2 catchment.

Whilst the Fens is known for being flat, the catchment's higher land towards and beyond the A1 is very responsive to rainfall and funnels water quickly into the lowest land in the country, below sea level. We provide the second tier of drainage along with 25 Internal Drainage Boards and a handful of private districts either pumping or gravity draining into our system. We have no operational control over the 70+ pumping stations that add water into our system. Within the Middle Level 61% of the catchment is pumped twice, 19% is pumped three times and 15% is pumped once.

Our booster station at Bevills Leam elevates and transfers water from the lowest land in the country (we call this our Bevills Pond) into the main Middle Level drainage system (we call this our St Germans Pond). Bevills Leam Pumping Station was constructed in the 1980s and requires major refurbishment in the coming years.

Our pumping station at Wiggenhall St Germans is the largest land drainage pumping station in the UK. It came online in 2010 and is the only outfall from our system, pumping excess water from the whole catchment into the Great Ouse Tidal River. It has an 80-year design life.

The biggest operational challenge we have in times of flood concern is the ability to get vast amounts of water through Bevills Leam Pumping Station and then through the main system (high level carriers and embanked watercourses) to St Germans. Both Stations need to pump early to lower water levels, creating a 'hole' which then draws water to them, given the fact there is no fall/gradient in their respective ponds.

Our system is effectively a giant bowl, with the Bevills Pond being a bowl within that giant bowl. The Bevills Pond is a greater concern in terms of capacity than the St Germans Pond and is considered particularly vulnerable to intense, repeat and elongated rainfall and run-off.

The standard of protection the system provides to local communities, businesses and agricultural land was last assessed prior to 2020. A strategic assessment recommended significant, complex and costly bank raising and desilting works to return the capacity of our system to a 1.51% (or 1 in 66 year) annual exceedance probability for a 15-year design life until the next major intervention will be required.

Will there be future increases in the capacity of our system?
This cannot be, and is not, guaranteed. The current management approach across the Great Ouse Fens is to sustain infrastructure standards of service until a longer-term strategic plan is developed. It should be noted that sustaining standards of service does not keep pace with the impacts of climate change on the standards of protection our infrastructure provides.

We are working with the Environment Agency as part of Fens 2100+. This is a £9.8m programme to develop a Fens-wide flood resilience investment strategy that achieves long-term value for money and generates regional and national benefits. It's being developed with, and for, Flood Risk Management Authorities so they can plan for the next 20-25 years of flood risk management.

Nicola Oldfield
Chief Engineer, Middle Level Commissioners
chiefofficers@middlelevel.gov.uk

1 May 2024

District officers Report 2024 - 2025

Maintenance work was again completed by The King’s Lynn Consortium of Internal Drainage Boards. This season’s works took considerably longer due to the mild, and extremely wet, winter alongside the cleansing of the latest adopted stretch between point 36 and the old school playing field.

As reported last year, remedial works between Points 35 and 36 are still to be completed satisfactorily. Re-direction was considered but, due to the presence of protected mammals, this would be an extremely expensive operation. Flow at this point is severely restricted.

The control structure at Point 14 is still being monitored and has caused no problems.

Fencing installed by the occupants of the property opposite (dog breeding site) has caused difficulty again with the mowing and weed raking.

The new ditch that was cut at Upwell Health Centre has resolved flooding issues apart from run-off at Anglian Water’s site.

The culvert installed between points 5 and 6 remains as installed apart from crumbling shuttered concrete on one side. There is no environmental enhancement visible.

The clump of Himalayan Balsam noted between points 2 and 5 has been dealt with.

Fly-tipping, again, has been problematic. Where possible, it has been manually cleared.

There have been considerable problems once again between points 5 and 9 (Stonehouse Road and Baptist Road). Due to the varying culvert length and size and associated attenuation effect this had, it was difficult to tell if work was effective. As was previously stated, for this stretch of drain to function efficiently ALL culverts should be an absolute minimum of 600mm diameter and the wider ones 1m.

Permission is being sought for a travellers site adjacent the main outfall at point 29. Fly tipped furniture at this point recently caused severe flooding in Outwell village.

Maintenance for the forthcoming season:
The usual flailing, weed raking and jetting, as and when required, should be sufficient.

Board members to advise on any further potential issues please.

Once again, I would like to say Thank You to all involved for assistance given throughout the year.

Comment: I prefer to keep my report brief, factual and written in the third person. However, I would like to put on record that, in my opinion, the number of new dwellings and associated impermeable surfaces planned for the North-West of the district in the near future will render that part of the system inadequate in a high rainfall event, leading to significant localised flooding.

DjwB 2025

Provided by the Middle Level Commissioners		Item No:	11
Meeting:	**CHURCHFIELD & PLAWFIELD IDB**	**Subject:**	**GOVERNANCE**
Date:	**Monday 3rd March 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. Review the Boards Policy Statement
I. Consider and approve the Data Protection Officer
J. 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.
K. 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.
L. Exercise of Public Rights
M. Consideration of potential litigation, liabilities, commitments

1. Annual Return & Auditors Report 2023/2024

2. 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)

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).

4. The Board is asked to act on the advice of the Auditor within its decision making.

2. Internal Controls

5. 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. 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 policy & Financial Regulations (Appendix 3) which includes the need to log offers of gifts and hospitality.

The Board are asked to review and approve the Boards Policy Statement (Appendix 4)

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.

6. IDB1

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.

7. Exercise of Public Rights

7.1 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.

7.2 In order to warrant a positive response to this assertation 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.

7.3 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.

7.4 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.

8. Consideration of potential litigation, liabilities, commitments:

8. 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**
Appendix 4	**Policy Statement**

Churchfield & Plawfield 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 Churchfield & Plawfield 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 Churchfield & Plawfield Internal Drainage Board

The Clerk
Churchfield & Plawfield 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: 10th September 2024

Annual Internal Audit Report 2023/24

CHURCHFIELD & PLAWFIELD 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).*	✓		

	Yes	No	Not applicable
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: 13/06/2024 21/06/2024 26/06/2024

Name of person who carried out the internal audit: WHITINGS LLP

Signature of person who carried out the internal audit: B. BEECH – WHITINGS LLP

Date: 26/06/2024

***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:

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

	Yes	No	N/A	
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.				*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:

25/06/2024

and recorded as minute reference:

B.1230

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

Chair

Clerk

WWW.MIDDLELEVEL.GOV.UK

Section 2 – Accounting Statements 2023/24 for

CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD

	Year ending		Notes and guidance
	31 March 2023 £	31 March 2024 £	Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.
1. Balances brought forward	37,558	50,730	*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	38,750	43,713	*Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.*
3. (+) Total other receipts	6,145	8,583	*Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.*
4. (-) Staff costs	0	0	*Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.*
5. (-) Loan interest/capital repayments	0	0	*Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).*
6. (-) All other payments	31,723	28,358	*Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).*
7. (=) Balances carried forward	50,730	74,668	*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	57,475	79,147	*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	0	0	*The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.*
10. Total borrowings	0	0	*The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).*

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 07/06/2024

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

25/06/2024

as recorded in minute reference:

B.1231

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

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

In respect of **Churchfield and Plawfield Internal Drainage Board – DB0017**

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	PKF Littlejohn LLP	Date	05/09/2024

Whitings
Chartered Accountants LLP
Fenland House, 15B Hostmoor Avenue
March, Cambridgeshire, PE15 0AX
t: 01354 652304
e: march@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.

<u>**General points**</u>

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.

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 payrolling 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 slamp 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 unpresented 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,

Whitings LLP

Whitings LLP

Appendix 3

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.

Churchfield & Plawfield 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 Boards 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:

Estimated Value of Goods/Services Quotes/	Quotation/Tenders to be sought
<= £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:

11. 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.

12. 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.

13. 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

14. The Clerk shall ensure that all Invoices which have been approved for payment are duly scheduled for payment.

15. All Invoices shall be authorised by the Chairman and checked by the Clerk prior to making payment.
16. 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:

3. The Chairman

4. Such other member(s) as shall from time to time be authorised by the Board

5. Such officers of the Middle Level Commissioners as shall from time to time be authorised by the Board

6. 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.

7. All payments, bank transfers and Investments shall be made in the most efficient/secure manner as determined from time to time by the Clerk

8. 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.

7. The Clerk shall be empowered to collect all sundry debts due.

8. 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.

Appendix 4

Churchfield and Plawfield Internal Drainage Board

Administered by:

Governance

Policy Statement on Water Level and Flood Risk Management

1 Issued

1.1 This policy is issued and has been adopted by the Churchfield and Plawfield Internal Drainage Board.

1.2 The policy was last reviewed and republished in February 2025 and will be reviewed at least every five years.

2 Introduction

Purpose

2.1 This policy statement has been prepared by the Churchfield and Plawfield Internal Drainage Board to provide a public statement of the Boards' approach to its management of water levels and flood risk within their District (the District). The Middle Level Commissioners are constituted by order of Parliament operating under the terms of the Land Drainage Act 1991 and is designated as a flood risk and coastal erosion 'Risk Management Authority' (RMA) under the Flood and Water Management Act 2010.

2.2 The Board serves the local community by managing water levels in ordinary watercourses and other water infrastructures within the District to mitigate against the risks from flooding and drought. In delivering its functions the Commissioners will meet its environmental obligations and commitments and seek opportunities to enhance the environment. The Board recognises their responsibility for good governance, local accountability and financial security, achieving value for money from all its activities. As an independent public body the Commissioners are committed to the pursuit of economy, efficiency and effectiveness.

2.3 It should be noted that although this document refers to 'flood and coastal erosion risk management' (FCERM) the District is not affected by coastal erosion.

Background

2.4 The Department of the Environment, Food and Rural Affairs (Defra) has policy responsibility for flood and coastal erosion risk management in England. The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion. Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas. Delivery is the responsibility of a number of flood risk and coastal erosion "Risk Management Authorities" (RMA), which includes the Churchfield and Plawfield Internal Drainage Board.

2.5 This Policy Statement sets out the Board's approach to meeting the national policy aims and objectives in this area, as stated in the *National flood and coastal erosion risk management strategy for England 2020* (the National Strategy); the statement will be revised to reflect future revisions of the National Strategy. It summaries what plans the Commissioners have in place to manage water levels and reduce flood risk, whilst protecting and enhancing the environment, and ensuring good governance and local accountability. Copies of this Policy Statement are available from the Board's office at Middle Level Offices, 85 Whittlesey Road, March, Cambridgeshire, PE15 0AH. Digital copies can be downloaded from the Commissioners' website: www.middlelevel.gov.uk.

3. Governance and local accountability

3.1 The Board will ensure that its policies and procedures enable effective representation of and accountability to drainage rate payers and the occupiers of non-agricultural land within the district, including elections in line with the requirements of the Land Drainage Act 1991, and timely engagement with charging authorities to fill vacancies in seats allocated to appointed members.

3.2 Board members must take decisions objectively in their best interest and uphold the ethical standards expected of public officeholders. Board members must adhere to the Board's Members Code of Conduct, including the seven principles of public life (Nolan Principles). The Board will make sure that there is suitable training in place for board members and staff, including on financial and environmental matters as appropriate.

3.3 Board members must declare financial and other interests relevant to their function with the Board. Board members will recuse themselves as appropriate where conflicts of interest may occur in relation to procurement, contract management and decision making.

4. Delivering the National Strategy's policy aim and objectives

Aim

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

Objectives

4.2 The 2011 Strategy sets out five objectives in pursuance of the overall aim as follows.

- understand the risks of flooding and coastal erosion, working together to put in place long term sustainable plans to manage these risks and making sure that other plans take account of them;
- avoid inappropriate development in areas of flood and coastal erosion risk and being careful to manage land elsewhere to avoid increasing risks;
- build, maintain and improve flood and coastal erosion management infrastructure and systems to reduce the likelihood of harm to people and damage to the economy, environment and society as well as achieving wider environmental benefits;
- increase public awareness of the risk that remains and engaging with people at risk to encourage them to take action to manage the risks that they face and to make their property mor resilient; and
- improving the detection, forecasting and issue of warnings of flooding, co-ordinating a rapid response to flood emergencies and promoting faster recovery from flooding.

4.3 The Board supports the national aim and objectives for the management of flood risk and water levels and the Board's policy and approach will be consistent with them.

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

5.1 The District has been determined to derive benefit, or avoid danger, as a result of drainage operations. As such the whole of the District is at some risk from flooding, but that risk is managed wherever it is practically, environmentally and financially viable[1].

5.2 The Board makes decisions regarding flood risk within the District taking into account the following:

- assets in place considering design standard and life;
- Environment Agency and Lead Local Flood Authority flood risk strategies, plans and maps; and
- other information such as the history of flooding and land use impacts.

5.3 The following outlines the key details of the District:

- Total area of the drainage district: 657 ha
- Catchment area draining to and including the District: 657 ha
- Area of Agricultural Land: 527 ha
- Area of other (non-agricultural) land: 130 ha

5.4 Assets for which the Board have operational responsibility:

- Water Level Control Structures: 8 No
- Watercourses (maintained): 16 km
- Raised embankments: 0 km
- Reservoirs: 0 ha
- Sustainable drainage systems (SuDS): 0 no
- Pumping Stations: 0 no

5.5 Assets within or adjacent to the District that are maintained by the Environment Agency:

- Main Rivers: 0 km
- Raised embankments/flood walls: 0 km
- Pumping Stations: 0 no

---

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

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

6.1 Through the operation, maintenance and improvement of watercourses and other water control assets within the District, the Board seeks to achieve a general standard of water level management that enables navigation, the drainage and irrigation of agricultural land, reduces flood risk to developed areas, and sustains environmental features throughout the District.

6.2 The Board monitors and reviews the condition of its watercourses and other assets, particularly those designated as critical, over-spilling from which could affect people and property. Consistent with the resultant needs established, a routine maintenance programme is in place to ensure that the condition of the assets is commensurate with the standards required. The programme is reviewed periodically by the Board to ensure it is delivering the appropriate condition.

6.3 Where standards are not at the desired level, improvement works will be sought where they are considered to be practical and financially viable by the Board. Where improvement works meet the criteria set by Defra, financial support will be sought from the Government's Flood and Coastal Resilience Partnership Funding. Where appropriate works will be undertaken in partnership with other Risk Management Authorities and take opportunities to work with natural processes.

6.4 Work for and by the Board will be carried out in accordance with best practice and to deliver best value for money taking due regard of local flood risk management requirements and strategies, opportunities for partnership working, environmental obligations and guidance available from Defra, the Environment Agency and other organisations.

6.5 The Board's powers to carry out water level and flood risk management works are permissive (i.e. the Board are not obliged to carry out works) and their resources are limited. The Board's policy is therefore to designate what they consider to be the most important watercourses in the District as "District Drains" and prioritise their resources to the appropriate maintenance and, where necessary, improvement of such channels and associated structures. The watercourses and structures so designated will change over time as necessary but the current designated watercourses and structures are shown on the plan attached to this Statement.

6.6 Other watercourses usually are the responsibility of other bodies or the adjoining owners. The Board will only take action in respect of these latter watercourses where resources are available and where it is in all the circumstances appropriate for the Board to becomes involved, bearing in mind the powers available to other persons or bodies.

6.7 The Board have a supervisory duty, under section 1(2)(d) of the Land Drainage Act 1991 over all matters relating to the drainage of land in their District and will, under this duty where appropriate advise others regarding the undertaking of works when it is not appropriate for the Commissioners to exercise its own powers.

6.8 The Board will also seek to ensure, where possible that assets managed by other risk Management Authorities, which also reduce flood risk to the District, are maintained at a satisfactory standard and may enter into a Public Sector Co-operation Agreement with another Risk Management Authority to achieve better value for money when carrying out work to reduce flood risk.

7. Regulation of activities – avoiding inappropriate development and land management

7.1 The Board will take appropriate steps to help riparian owners understand their responsibilities for maintenance, byelaw compliance and environmental regulations.

7.2 The Board will regulate as necessary, using available legislative powers and byelaws, the activity of others to ensure their actions within, alongside, and otherwise impacting its drainage system do not increase flood risk, prevent the efficient working of drainage systems, or adversely impact the environment.

7.3 The potential impact on flood risk from future development both within the District and the wider catchment draining into the District, is fully recognised by the Board. The Board will take an active role in the assessment of local plans, major development and, individual (planning) applications, to prevent inappropriate development and land use to ensure that flood risk is not increased. This will include, where appropriate, providing pre-application advice and checking of flood risk assessments.

7.4 Where appropriate the Board will seek contributions from developers to cover the cost of consultations and advice and for both immediate and longer term works necessary to mitigate against any resultant increase in flood risk. Such contributions will be recorded in accordance with the National Planning Policy Framework and associated technical guidance.

7.5 The Board will where appropriate designate structures or features affecting flood risk using Section 30 of the Flood and Water Management Act 2010.

8. Communication and transparency

8.1 The Board will publicise the local risks from flooding, the reasons for managing water levels within the District and articulate the efforts being undertaken by the Board to manage water levels and flood risk as well as the steps the local community and land managers can take to assist in its management.

8.2 The Board will be open and transparent in its actions and decisions. The Board will comply with the requirements set out in the relevant Local Government transparency code.

8.3 The Board will provide an overview of the objectives and costs of its water level management operations by publishing on its website:-

- A record of the watercourses it periodically maintains;
- A statement of the types of general maintenance activities it routinely undertakes and why;
- Its Annual Report to Defra (IDB1 Form); and
- Approved Board minutes and papers.

8.4 The Board will seek views and respond to enquiries from the local general public in this regard and work with local partners to build a culture within which watercourses are seen as vital to managing flood risk, and enhancing habitat and amenity. Every effort will be made to dissuade abuse of watercourses.

8.5 The Board invite any comments regarding the condition of its system, which could assist with the management of water levels.

9. Working together

9.1 The Board will co-operate and share information with other relevant authorities in the exercise of their flood and coastal erosion flood risk management function. The Board will contribute to strategies, plans and consultations relevant to its catchment and functions.

9.2 The Board will assist the Environment Agency wherever possible in its provision of adequate and cost effective flood warning systems, and assist Risk Management Authorities where necessary during flood emergencies. The Board will participate as necessary in exercises to develop and test emergency response procedures.

9.3 The Board have provided the Environment Agency and other local Risk Management Authorities with information on the major flood defence assets for which they are responsible. The information is available from the Environment Agency.

9.4 The Board will seek to work with all relevant local organisations, in carrying out its flood and coastal erosion risk management functions and environmental obligations.

10. Environmental Measures

10.1 The Board have nature conservation duties under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Countryside and Rights of Way Act 2000, the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, the Eels (England and Wales) Regulations 2009 and Amendments 2011, the Flood and Water Management Act 2010, the Natural Environment and Rural Communities Act 2006, Salmon and Freshwater Fisheries Act 1975, the Environment Act 2021, and as a competent authority under the Conservation of Habitats and Species Regulations 2017. The Board will fulfil these in a positive way.

10.1.1 Further to the requirements of the Environment Act 2021, the Board will review their Water Level Management Plans and Biodiversity Action Plans with reference to the local nature recovery strategy and relevant species conservation or protected site strategy for their areas.

10.2 Much of the Board's watercourse maintenance work constitutes vegetation control and desilting and is often a vital and routine requirement. Whilst inevitably some short-term impacts will arise, this management is often essential to maintain the distinct assemblage of aquatic habitat and species present in the District. Such work will be carried out in a way that manages the potential risks to the environment. The Board have access to environmental expertise from their Ecology and Environmental Services Manager and have a Biodiversity Action Plan, developed according to ADA and Natural England guidelines, which indicate the way in which their functions can be carried out in a way appropriate to the environment and how the environment can be enhanced. The Board maintain only a small proportion of the total watercourse length in the District, the significant majority being the responsibility of the adjoining land owners or of other bodies.

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

- Avoid any unnecessary or long term damage to agricultural interests and to natural habitats and species;

- Carry out the monitoring of any gains and losses of biodiversity and report annually to the Environment Agency; and

- Take appropriate opportunities to achieve multiple environmental outcomes and work with natural processes, wherever possible, including the enhancement of habitats and water bodies within the District.

10.4 The District encompasses no sites of national and international biological or geological interest.

10.5 The Board has no Water Level Management Plan.

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

Provided by the Middle Level Commissioners		**Item No:**		**12**
Meeting:	**CHURCHFIELD & PLAWFIELD INTERNAL DRAINAGE BOARD**	**Subject:**	**FINANCE REPORT: LOOKING BACK**	
Date:	**Monday 3rd March 2025**	**Officer Responsible:**	**Andrew Wool/Sam Ablett**	

RECOMMENDATIONS

The Board is asked to:

A. Consider and approve the payments detailed for 2024.

Finance Officer's review and key messages

For 2024/2025 the Board set a rate of 9.50p to raise a total of £46,801 in agricultural drainage rates and special levies. The rating estimates included the sum of £15,300 for current and future improvement works.

A budget monitoring exercise was carried out based on figures to 31st January 2024 which gave a forecast out-turn of £46,801, this included areas of forecasting the budget allocation where applicable, however District work and repairs are higher than budgeted. This would mean less than budgeted transfer to the Improvements fund.

1. Payments for 2024

1.1 Payments are detailed within Appendix 1

Author Name: Andrew Wool/Sam Ablett
Role: Responsible Officer/Assistant Treasurer

Appendix 1 Payments for 2024

Appendix 1

CHURCHFIELD AND PLAWFIELD INTERNAL DRAINAGE BOARD

Payments 2023/2024 (1st February 2024 - 31st March 2024)

Middle Level Commissioners - Fees (Planning and development applications)	580.75
Middle Level Commissioners - Contribution (Environmental Officer)	497.50
Information Commissioner - Data Protection Registration renewal	40.00
District Officer's expenses 2023/2024	4,228.88
Association of Drainage Authorities - Subscription 2024	763.20
Association of Drainage Authorities (River Great Ouse branch) - Subscription 2023-2024	6.00
Crown Lodge Hotel - Expenses in connection with Board meeting	138.80
	6,255.13

Payments 2024/2025 (1st April 2024 - 31st January 2025)

Middle Level Commissioners - IDB Health & safety Re-charge 2023-2024	204.00
Middle Level Commissioners - Administration charge, postages, telephone charges, stationery and Travelling	3,897.29
Middle Level Commissioners - Fees (Production of Board report, planning and development applications)	429.90
Middle Level Commissioners - Fees (Discharge consent application - Fountain Construction (Anglia) Ltd)	579.12
Mr J D Clifton - Refund of drainage rates	15.41
Mr D Stittle - Refund of drainage rates	9.30
Environment Agency - Precept	1,535.73
Middle Level Commissioners - Internal audit fees (Whiting & Partners 2023-2024 accounts)	618.00
Middle Level Commissioners - Court fees	0.50
Middle Level Commissioners - Fees (Production of Board report, planning and development applications)	1,476.00
PKF Littlejohn LLP - Audit fee (2023-2024 accounts)	378.00
Middle Level Commissioners - Administration charge, postages and telephone charges	3,365.05
Middle Level Commissioners - Fees (Planning and development applications)	633.90
Middle Level Commissioners - Renewal of insurances	520.47
Environment Agency - Precept	1,535.72
A Loft - Refund of drainage rates	22.11
Middle Level Commissioners - Fees (Production of Board report, planning and development applications)	2,448.90
King's Lynn Internal Drainage Board - Flail mowing & drain maintenance	16,430.40
Middle Level Commissioners - Contribution (Environmental Officer)	783.50
	34,883.30

(NB - Amounts shown include Value Added Tax)

Provided by the Middle Level Commissioners		Item No:	13
Meeting:	**CHURCHFIELD & PLAWFIELD IDB**	**Subject:**	**FINANCE REPORT: LOOKING FORWARD**
Date:	**Monday 3rd March 2025**	**Officer Responsible:**	**Andrew Wool/Sam Ablett**

RECOMMENDATIONS

The Board is asked to:

A. Consider the District Officer Renumeration.
B. Renew its subscription to the Association of Drainage Authorities
C. Approved the increase of payment for Precept funds
D. Consider and approve a budget estimate for 2025/26.

Finance Officer's summary and key messages

The Clerk to report

1. Fees, Renumerations and Subscriptions

1.1 To consider the DISTRICT OFFICER WAGES/FEES for the ensuing year.

1.1 Subscription to the Association of Drainage Authorities (ADA) to increase by 6.5% for 2025 therefore the annual fee will be £678.00.

2. Precept to the Environment Agency

2.1 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.

2.2 The Anglian (Great Ouse) Regional Flood & Coastal Committee (RFCC) determined that the Precept will increase by 2% for 2025.

2.3 The precept for 2023/2024 was £3,071.45

3. Determination of Annual Values, Rate Arrears and Contributions from Developers (Confidential Papers).

4. Estimates for 2025/26

4.1 The estimated budget for 2025/26 is shown in Appendix 1.

5. Rate Requirements for 2025/26

5.1 Appendix 2 details the rate requirement that needs to be set and approved by the Board in order to raise sufficient rate and special levy income to cover the budget estimate.

5.2 Board Members are welcome to propose alternative rate requirements and invite these for consideration by the Board along with their supporting rationale and proposed mechanism for catering within the budget estimate and/or the Board's investment strategy.

5.3 There will be a new electricity supply contract in place from October 2025 and there are currently no indicators as to possible unit rates for this time. A general inflationary increase has been included.

There has been no indicator for possible insurance costs and a general inflationary increase has been included.

These budget provisions indicate a rate requirement for 2025/2026 of 10.00p, the rate set for 2024/2025 being 9.50p.

Author Name: Andrew Wool/Sam Ablett
Role: Responsible Officer/Assistant Treasurer

Enclosure 1 **Determination of Land Values for Rating (CONFIDENTIAL PAPERS)**
Rate Arrears (CONFIDENTIAL PAPERS)
Contributions from Developers (CONFIDENTIAL PAPERS)

Appendix 1 **Estimates for 2025/26**
Appendix 2 **Rate Requirements for 2025/26**

Appendix 1

CHURCHFIELD AND PLAWFIELD INTERNAL DRAINAGE BOARD
BUDGET 2025/2026

		Budget 2024/2025 £	Probable actual 2024/2025 £	Budget proposal 2025/2026 £
1	Insurances	225	520	551
2	District work and repairs and renewals (including Environmental measures)	19,150	23,551 [A]	23,700 [B]
3	Administration charge, Health and Safety contract, Audit fee, printing, stationery, advertising etc	7,800	7,527	8,023
4	Improvement works	15,300 [C]	13,204 [C]	15,300 [C]
5	Environment Agency Precept	3,071	3,071	3,133
		45,546	47,874	50,707
	LESS Deposit Accounts interest	1,208	1,073	1,208
		44,338	46,801	49,499

Remarks

A - Includes for:
- Flail mowing/weed cutting 13,692
- Engineering Fees 4,549

B - Includes provision for:
- Flail mowing/weed cutting 14,950

C - Culvert refurbishment/future works

Estimated General Fund					
Opening Balance		**33,810**	**33,810**	33,810	
Rate set	9.50p	46,801	46,801		
Rate Required				49,499	10.00 p
Rates W/Off					
Net Expenditure		44,338	46,801	49,499	
Balances		-2,462	0	0	
Closing Balance		33,810	33,810	33,810	

Appendix 2

Churchfield & Plawfield Internal Drainage Board

Rate and levy requirements

Under Section 37 of the Land Drainage Act 1991, the appropriate proportions in which the net expenditure of the Board must be borne for 2025/2026 is:-

a) Proportion to be borne by the Agricultural Sector – 17.29%.

b) Proportion to be borne by Special levy issued to the Borough Council of Kings Lynn and West Norfolk – 82.71%.

The product of a rate of 1p in the £ on Agricultural land and buildings is £856.

In 2025/2026 a rate of 1p together with corresponding Special levy would raise £4,926.

Estimated revenue cash balance in hand on 31st March 2025 – £34,000.

The estimated net expenditure for the Boards Revenue and Capital Programmes in 2025/2026 is £49,499, is equivalent to:-

a) a rate in the £ on Agricultural land and buildings of 10.00p and

b) a Special levy on the Borough Council of Kings Lynn and West Norfolk of £40,940.

In 2024/2025 a rate of 9.50p in the £ was raised together with a Special levy of £38,654 on the Borough Council of Kings Lynn and West Norfolk.

Members should give consideration to funding requirements for future improvement works and the likely impact of inflationary pressures on future budgets when setting the rate.

P BURROWS

Clerk to the Board

February 2025

Provided by the Middle Level Commissioners		Item No:	14
Meeting:	**CHURCHFIELD & PLAWFIELD IDB**	**Subject:**	**MIDDLE LEVEL IDB CHANGE**
Date:	**Monday 3rd March 2025**	**Officer Responsible:**	**Paul Burrows** **On behalf of the working group**

RECOMMENDATIONS

The Board is asked to:

A. Have an open and objective discussion about their health, their fitness for the future and their reliance and interdependency with the health of all other IDBs within the Middle Level and the Middle Level Commissioners.
B. Respond to the questions posed to inform the approach to detailed design.
C. Gauge the degree of support for taking control of change proactively locally.
D. Provide a £300 contribution towards the costs of developing the detailed design.

1. Recap

1.1 As previously reported to the MLC Board and IDBs administered by the MLC, 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 has been identified to draft an initial case for change.

1.2 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 note from the meeting was issued on 9th September 2024.

1.3 The Middle Level Board of the Middle Level Commissioners, recognising their leadership, convening and facilitating role, as well as their interest in the governance and operational health of IDBs within their catchment, approved £10k of seed funding used to commission an outline design report. Gradeas Consulting Limited was engaged to undertake this work.

1.4 The working group met on 16th January 2025 to review the draft report and agree the approach to crucial engagement with IDBs that is essential in moving forward with the work into a detailed design phase.

1.5 The outline design report has been made available to IDB Chairman and Board Members to be read in conjunction with this paper.

2. Case for Change – Key Messages

2.1 There are a variety of factors that contribute to the view that the current IDB governance model within the Middle Level is not sufficiently robust for future generations, with an increasing number of IDBs being in poor financial and membership health today.

a) Changes in agriculture and land-ownership, with fewer family farms reducing the scale of hands-on active IDB membership, along with a general aging demographic.

b) Degradation of pumping stations the majority of which are at the end of their reliable life, with insufficient funds and complex governance arrangements stifling proactive and efficient investment.
c) A steady increase in legislative and statutory responsibilities, along with increased societal and government expectations of IDBs meaning the resources and costs associated with these overheads have become a sizeable proportion of overall expenditure, particularly for smaller IDBs. This is set to increase further.
d) Increasing operational pressures as climate change accelerates and IDBs have to adapt to dealing with extremes of drought and high, intense rainfall, whilst being highly vulnerable to energy costs.
e) The inherent financial dependence upon eligibility, availability and leverage of government grant with responsible investment strategies being beyond the reach of many IDBs' rate and levy payer base.

2.2 Given the two-tier nature of water management within the Middle Level **we collectively are only as strong as the weakest link**, so whilst an IDB may be or may consider themselves relatively fit for the future, they ought to consider the landscape scale position.

2.3 Boards need to be mindful that the scale of change potentially needed in the Middle Level would be beyond the 'business as usual' IDB amalgamations that are ongoing or have happened in recent history and would therefore need significant resourcing to enact and implement. This would need to be programmed and resourced with the Environment Agency and Defra. Even with dedicated and bespoke drive, realistically any change we stimulate now would take a 5-15 year period to come to fruition. The problem ought not to be left to the next generation to fix.

2.4 The five key messages the working group would encourage the Board to consider are:

1. The need to **future-proof** – thinking about the next two generations of farmer, land manager and beneficiary.
2. The ambition to **retain local control** – the increasing risk of change being designed and directed nationally.
3. Our collective ability to inform and **influence** locally, regionally and nationally to strengthen our negotiating position to **lever investment** and policy change, as well as **deliver efficiently and effectively to avoid higher future costs**.
4. The **changing representation** within IDB membership given changes in land-use, development and water level management.
5. The need for a more **cost-effective delivery model** with overhead costs proportionate to expenditure.

3. Outline Design – Questions for IDBs and individual Board Members

3.1 The approach taken to the outline design has been an objective, analytical one driven by readily available date. Collectively we need to add the operational view and Middle Level knowledge to focus and scope the next stage of detailed design.

3.2 Having reviewed the draft outline design report the working group debated the outline options and despite a range of differing views, they suggest that:

a) The option of one or two IDBs is not progressed to detailed design as it was felt that this would create an entity that is too big and would arguably be as cumbersome to govern and service as the existing model. There is little appetite for becoming the largest IDB in the country.
b) Options for five or six IDBs are not developed, supporting the view and rationale presented within the report (Section 7).
c) Options for three and four IDBs are progressed to detailed design.

3.3 Alongside seeking the views of IDBs via this paper the working group suggested that an online form be made available for individual Board Members to also submit their views and that in parallel to this engagement we write to the following seeking their view and steer:

a) Local Authorities, including Lead Local Flood Authorities (LLFAs)
b) Environment Agency
c) Anglian (Great Ouse) Regional Flood & Coastal Committee (RFCC)
d) Association of Drainage Authorities (ADA)
e) Defra

3.4 Questions for IDBs to consider and feedback via the Chairman to the MLC Chief Executive by close on Friday 4th July 2025.

Q1 On a scale of 1-10, do you consider that there is a need for change?
1 = don't see a need to change to 10 = radical reform is long overdue.

Q2 What are your hopes and fears for the future and within any new model?

Q3 Do you consider that your IDB is fit for the future?
Yes or No – Please explain your answer.

Q4 What are the current strengths of your IDB that you wish to see retained within any new model and what are the weaknesses you wish to see mitigated?

Q5 Do you agree that the options of one, two, five and six IDBs are not progressed to detailed design?
Yes or No – Please explain your rationale if you disagree.

Q6 Which options to you feel warrant progressing to detailed design, or have you an alternative suggestion?

Q7 Do you have a preferred option from within the outline design options of three and four IDBs? Yes or No **-** If yes, which option and explain why.

Q8 The report references a number of considerations that could be considered further within detailed design *eg specific boundaries, differential rates, ringfencing accrued budgets, operational districts, employee and the service delivery model.* **Which of these is most important to you and why? Have you any specific issues or observations you would like to be assessed?**

Q9 Are you supportive of any change being designed and led locally and what role would you like to play within this?

Q10 Have you any other feedback or issues that you feel have not been considered within the work so far?

4. Next steps and potential timescales

4.1 The aim is for feedback to be consolidated over summer and reviewed by the working group in September 2025.

4.2 If human and financial resources are available and the feedback corroborates the need to act, the detailed design will then be scoped and commissioned with the ambition to present the results and seek IDB approval to a preferred option at their 2026 meetings.

Author Name: Paul Burrows
Role:
Chief Executive, Middle Level Commissioners

Working group members:
Mick Mottram, Michael Dale, Emma Alterton, Sam Johnson, David Boyce, Jonathan Brown, Hugh Whittome, Marc Heading, Richard Price, Paul Burrows (plus other MLC staff inputs*)*