# UPWELL INTERNAL DRAINAGE BOARD

At a Meeting of the Upwell Internal Drainage Board
held at the Lamb & Flag, Welney PE14 9RB on Wednesday 22nd January 2025.

PRESENT

K Goodger (Chair)
P Clabon (Vice-Chair)
G Bliss
R Gladwin
W Gladwin
R Gott
G Gowler
P Hartley
S Hartley
A Kew
J Kirk (KLWN)
A Quail
J Quail

Miss Samantha Ablett representing the Clerk and Mr Carl Nunn the District Foreman were in attendance.

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

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

Welcome and Apologies

Apologies for absence were received from S Calton, C Crofts (KLWN), C Marks (FDC) and R Means.

B.2145 Declarations of Interest

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

P Clabon declared an interest in the planning items.

R Gladwin declared an interest in the item regarding Rates outstanding over 1 year.

B.2146 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 31st May 2024 are recorded correctly and that they be confirmed and signed.

B.2147 Matters Arising

a) Cock Fen Pumping Station

i) Miss Ablett reported the Easement paperwork was still with the solicitors, and this had been delayed as Upwell IDB had not been included as having Right of Way.
She added the board had previously agreed to pay the legal costs of £4,000 plus VAT, however these were now £4,500 plus VAT, together with the Bards own legal costs of around £1,500. She enquired whether the Board would approve payment of the additional costs.

The Board approved to pay the additional costs.

ii) Miss Ablett reported that unfortunately, the Board had not been added to the Right of Way agreement for the land on the corner of Jones' Drove, owned by Mathew Tonks and Rory Ritchie, however the Board had been using the track for access for many years without any problems. She enquired whether the Board wished to be added to the Easement and for a quote to be obtained, but warned the residents/landowners may request some form of payment.

Members considered that as the Board had been using the track for access for many years, it was not necessary to incur further costs for the Board to be added to the Easement, in which they have been omitted, and it would address any problems should they arise in the future.

Miss Ablett reported that electrification of the pumping station would be resurrected when the Easement had been finalised and would be subject to UKPN works programme. She added that due to environmental constraints the work would have to be undertaken in the summer so it would be delayed until the summer of 2025 at the earliest.

Miss Ablett advised that when an inspection of Pumping Stations was undertaken, this would provide more information for the Board to make an informed decision.

iii) Miss Ablett reported that the Land Registry map had been sent to the Chairman and Vice-Chairman showing the extent of the registered and unregistered land at the pumping station and she enquired whether any further action was required.

Members considered the land should be registered in the name of the Board and requested the Clerk to arrange for this to be done.

b) Miss Ablett referred to the gate at Hen Meadow/Cock Fen pumping station and advised a Land registry map and title details had been sent to the Chairman and Vice-Chairman and she enquired whether any further action was required.

The Vice-Charman agreed that he would contact the landowner and enquire whether they would have any objection to the Board erecting a gate for security purposes.

c) Miss Ablett reported that a letter, regarding the discharge pipe at Upwell Fen pumping station, had not been sent to Waldersey Farms as the land was unregistered.

Members considered the Board's District Foreman should carry out a temporary repair and support the pipe support with clay and Mr Kew advised that Waldersey Farms would liaise with the Board's District Foreman if access was required.

d) Miss Ablett enquired that as the land between Upwell Fen pumping station and the fence line to the Environment Agency's bank was unregistered whether the Board wished for the land to be registered in the Board's name.

Members considered the land should be registered in the name of the Board and requested the Clerk to arrange for this to be done.

e) Miss Ablett updated the Board on the drainage rates outstanding for more than 1 year. She advised that a new rating system was to be implemented shortly, after which it was hoped that the identification of unknown occupiers would then be addressed.

RESOLVED

a) i) That the additional legal fees associated with the Easement be paid.
   ii) That the Board is not added to the Easement at this time.
   iii) That the land at Cock Fen pumping station be registered in the name of the Board.

b) That the Vice-Chairman contact the landowner of Hen Meadow regarding the Board erecting a gate a Cock Fen pumping station for security purposes.

c) That the Board's District Foreman carry out a temporary repair and support the pipe with clay and Waldersey Farms to liaise with him should access be required.

d) That the Land between Upwell Fen pumping station and the fence line to the Environment Agency's bank be registered in the name of the Board.

B.2148 Constitution & Membership

Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

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

**1. Current status**

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

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

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

| No | Name | Status (one of four categories) | Commentary |
|---|---|---|---|
| 1 | H Bliss | Ratepayer | |
| 2 | S Calton | Nominee of ratepayer (Fred Hartley Estates Ltd) | |
| 3 | P Clabon | Ratepayer | Vice-Chair & District officer |
| 4 | R Gladwin | Ratepayer | |
| 5 | W Gladwin | Nominee of Ratepayer ( ?) | |
| 6 | K Goodger | Ratepayer | Chair & District Officer |
| 7 | R Gott | Ratepayer | |
| 8 | G Gowler | Ratepayer | |
| 9 | P Hartley | Nominee of Ratepayer – (Frank Hartley & Sons) | |

| | | | |
|---|---|---|---|
| 10 | S Hartley | Nominee of Ratepayer – (Frank Hartley & Sons) | |
| 11 | A Kew | Nominee of Ratepayer - (Waldersey Farms Ltd) | |
| 12 | R Means | Nominee of Ratepayer – (Fred Hartley Estates Ltd) | |
| 13 | A Quail | Ratepayer | |
| 14 | J Quail | Nominee of Ratepayer – (Scott Oldroyd & Co) | |

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

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

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

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

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

## 2. Attendance

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

Elected Members

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

Attendance at Chairs Meetings

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

Appointed Members (current and previous)

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

| | | | | | |
|---|---|---|---|---|---|
| 4 | C Marks (FDC) | Apologies | Present | N/A | N/A |
| 5 | C Rose (BCKLWN) | Present | Present | Attended | Attended |

**3. Elections, vacancies & appointments**

3.1 There are no vacancies on the board.

3.2 The next Election of the board will be in 2026

**4. Composition and amalgamations**

4.1 The Board is encouraged to continually monitor and review its membership, financial and climate resilience, along with assessing its influence locally, regionally and nationally. These are all factors that may lead the Board to consider changing its composition and/or amalgamation with (an)other Board(s).

4.2 Amalgamations and composition changes are not swift processes and can take a number of years. They require planning and additional/specialist resourcing by the MLC as your clerk, Environment Agency and Defra. Therefore, the Board is encouraged to think ahead five to ten years in its decision making, thinking about the next generation.

**5. Training**

5.1 All Members are asked to digest the Good Governance Guide for Internal Drainage Boards published by the Association of Drainage Authorities and view the five accompanying videos intended to bring the guide to life. They are available via https://middlelevel.gov.uk/about/idb-governance/

5.2 To date 3 of 18 Board Members have reported viewing all five videos.
To date 6 of 18 Board Members have reported viewing 2 of the 5 videos
To date 2 of 18 Board Members have reported viewing 3 of the 5 videos
To date 1 of 18 Board Members have reported viewing 4 of the 5 videos

5.3 Members are asked to identify any topics areas they would value further training on as well as any site inspections that would help them undertake their role on the Board more effectively.

5.4 Member training is reported to Defra as part of the annual IDB1 return.

**Author Name: Polly Tombleson**
**Role: Senior Business Support Officer**

The Board considered the report.

<u>Composition & Amalgamations</u>

Miss Ablett reminded members that the Board had had discussions with Sutton & Mepal IDB and Manea & Welney DDC regarding amalgamation in the past and enquired whether the Board wished to investigate amalgamation further, based on the comments made by the clerk.

The Chairman reported that he and the Vice- Chair had attended several meetings regarding amalgamations as this was an area being encouraged by both ADA and the Middle Level Commissioners. He added that in the past, Manea & Welney District Drainage Commissioners would have been the obvious choice with which to amalgamate, but as both the Commissioners and the Board have their own flail mower and employee, and the Commissioners did not pump into the Middle Level System whereas the Board did. He considered here was no common ground.

It was agreed that the Board did not wish to pursue amalgamation further at this time.

B.2149 Clerk's Report
Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

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

**1. MLC Services to IDBs**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The medium-term measures to mitigate this are:
- IDB reform/amalgamation across the Middle Level, including a review of the business model between the MLC and IDBs.
- Increasing and diversifying income, including a review of our charges associated with planning and consenting.

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

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

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

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

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

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

A summary of the discussion:

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

- There is a recognition that implementation of a preferred option would need to be resourced, managed and led as a change programme.

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

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

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

The next steps identified:

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

**3. Electricity**

3.1 **Electricity Service**

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

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

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

**4. Charging for Planning & Consenting**

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

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

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

**5. Rating**

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

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

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

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

**6. Debt Management**

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

**Author Name: Paul Burrows**
**Role: Clerk**

The Board considered and approved the report and its content.

Miss Ablett referred to the Clerk's comments regarding the work ongoing to review the Middle Level Commissioners' charging model for planning and consenting and enquired whether the Board would support the need to review the charging model to maximise income.

RESOLVED

That the Board support the proposals for charging for planning and consenting.

Fens Reservoir

Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

A. Approve that the Board act as one with the Middle Level Commissioners and other impacted IDBs. Therefore, the Middle Level Commissioners staff, consultants and legal service provider are authorised to act on behalf of and represent the Board.

B. Acknowledge that the Fens Reservoir DCO may need to overwrite/disallow existing statutory powers held by the Board and delegate the decision making on this to the Clerk, engaging with the Chairman/Vice Chairman as he sees fit.

**1. Latest position**

1.1 On behalf of the Middle Level Commissioners and IDBs, we responded to the phase two public consultation and having worked closely with Anglian Water over the last 24-months, what is now clear within the proposals is that in terms of water source, water transfer, site flood resilience, emergency drawdown and downstream water transfer routes, the planning, construction and operation of the reservoir will be dependent upon the Middle Level Commissioners' and IDB infrastructure, our operations and our resources. These need to be ready and resilient for this enhanced future role.

1.2 Whilst the Middle Level has always been key within UK food security, the Fens Reservoir (see website) is a game-changer as our collective infrastructure and operations will also become critical for regional housing and economic growth beyond our catchment. This is arguably the boldest and most transformational investment in the Fens since the original great drainage schemes of the 1600s. It presents a great opportunity to bring resilience and investment into the Middle Level as we face the accelerated challenges of a changing climate as evidenced within the recent Future Fens Integrated Adaptation Programme's Climate Change Risk Assessment.

1.3 We will be prioritising input into the Fens Reservoir as the potential gains are significant and the stakes are high. Therefore, please be mindful that other service standards may be affected.

1.4 We have been recovering our staff time costs associated with many aspects of supporting Anglian Water develop the Fens Reservoir proposals through a Service level Agreement (SLA). The SLA is being updated to cover additional technical support we need to bring in, e.g. consultants. We are also finalising a separate agreement for reservoir project funded additional staff capacity.

1.5 By spring 2025 Anglian Water aim to have a whole scheme solution identified ahead of another design freeze and third non statutory public consultation.

## 2. IDB Interests

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

| Organisation | Direct Interest areas | Notes |
|---|---|---|
| Middle Level Commissioners | Interaction with and impact on MLC infrastructure and operations:<br>• Water sources<br>• Emergency drawdown<br>• Site design<br>• Downstream transfer<br><br>Governance impacts of reservoir | |
| Curf & Wimblington Combined IDB | Interaction with and impact on IDB infrastructure and operations:<br>• Site design (main site)<br>• Downstream transfer<br><br>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:<br>• Site design (treatment works)<br>• Downstream transfer<br><br>Governance impacts of reservoir | |
| Sutton & Mepal IDB | Interaction with and impact on IDB infrastructure and operations:<br>• Downstream transfer | |
| Warboys Somersham & Pixley IDB | Interaction with and impact on IDB infrastructure and operations:<br>• Downstream transfer | |
| Manea & Welney District Drainage Commissioners | Interaction with and impact on IDB infrastructure and operations:<br>• Downstream transfer | |
| Upwell IDB | Interaction with and impact on IDB infrastructure and operations:<br>• Downstream transfer | |

| | | |
|---|---|---|
| Bluntisham IDB | Interaction with and impact on IDB infrastructure and operations:<br>• 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 not expect to cover any legal costs related to activities such as:

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

3.2 We approached several external solicitors with experience in DCOs and are due to get into contract with our preferred supplier in January 2025.

3.3 For the Fens Reservoir, if the Middle Level Commissioners (including their employees and consultants) are to act on behalf of the MLC and IDBs they administer in a manner that is legally robust for a scheme of this complexity and significance, it is prudent to secure specific delegations and authority from each organisation.

3.4 Acting as one will enable efficiencies, increase agility, improve responsiveness and help manage and mitigate conflict of interests that some individual MLC/IDB Board Members have with the Fens Reservoir.

3.5 Acting independently would mean each organisation may need different staffing and legal service arrangements to look after their individual interest, i.e. the MLC staffing structure would not be able to act for each IDB as well as the MLC. This is impractical. It is also unlikely we would be able to practically manage the terms of any security/non-disclosure requirements that come with a scheme of this type by acting independently.

3.6 As the Fens Reservoir Development Consent Order will disallow/overwrite exiting statutory powers held by the Middle Level Commissioners and IDBs, the Board is asked to acknowledge this need and delegate the decision-making authority to the Clerk engaging with the Chairman/Vice Chair as he sees fit.

**Author Name: Paul Burrows**
**Role: Clerk**

Miss Ablett referred to the Clerk's comments.

RESOLVED

i) That the Board act as one with the Middle Level Commissioners and their impacted IDB's. Therefore, the Middle Level Commissioners staff, consultants and legal service provider are authorised to act on behalf of and represent the Board.

ii) That the Board acknowledge 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.

B.2150 Environment Officers' Report

Miss Ablett advised the Middle Level Commissioners were in the process of developing a service catalogue and associated fee structure for the Boards and it was hoped this would be defined and ready to implement on 1st April 2026.

She emphasised that within the service provision it was ecological and environmental compliance that carried the greatest risks to members and employee of the Board, together with the Middle Level Commissioners and their staff.

Miss Ablett reported that as outlined at the Chairmans' meeting in December, the Middle Level Commissioners plan to launch a new Environmental Services Package in 2025/2026 as this would help Boards to significantly improve and evidence their environmental compliance and delivery. She added this also ensured the Middle Level Commissioners were not underwriting the environmental responsibilities of other Boards.

Miss Ablett advised the service packages would have a cost attached, which would be in the region of £2,000 and £2,400 and further details would be sent to the Chairman shortly.

B.2151 Consulting Engineers' Reports
Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

A. **Acknowledge the proposed approach to introduce interim charges for responding to applicant's questions.**

B. **Confirm whether it wishes to create, adopt and issue standing advice notes for its district and instruct the Consulting Engineer accordingly.**

C. **Confirm if it wishes to submit any bids for the IDB Fund T2B.**

**1**. **Technical Services**

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

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

Please refer to item 4 in the Clerks report.

**2**. Summary of Key Planning Issues

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

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

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

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

2.2 ***The Board's System Flood & Drainage Infrastructure Capacity***
**Further to the last Board meeting the Board is asked to confirm whether it wishes to create, adopt and issue standing advice notes for its district and instruct the Consulting Engineer accordingly.**

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

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

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

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

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

Also refer to Section 4.2.

2.4 **Other Developments**

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

<u>Welney</u>

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

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

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

**3**. **IDB Recovery Fund T2B**

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

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

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

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

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

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

**4**. **Capital Programme**

4.1 In terms of FCRM Grant-in-Aid (FCRM GiA) the current indication is that there will be no further funding allocation within the current spending review period. This has meant that the catchment study due to start this year will not be funded to completion next year and work has been stopped.

4.2 However, at the recent Cranbrook/Counter Drain Flood Risk Management Strategy meeting it was agreed that detailed structural inspections of the adjacent Boards' pumping stations could be completed this financial year to inform the strategy. It is therefore proposed to use the funding allocated to the catchment study this year to deliver an asset inspection of the Board's pumping stations. The Consulting Engineer will progress this in consultation with the Environment Agency. The results of the inspection will confirm the residual life of the pumping station and inform future grant funding bids.

4.3 The Board's Capital Programme is shown as Appendix 1.

**Author Name: Nicola Oldfield**
**Role: Chief Engineer**

**Appendix 1: Capital Programme**
**Appendix 2: List of applications since last report**
**Appendix 3: M&E Report**

# Appendix 1

**Upwell Internal Drainage Board**

**Capital Improvement Programme (2025/2026)**

| | | PREVIOUS YEARS | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 | 2032/33 | FUTURE YEARS | ALL YEARS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Pre Yr 0 | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 | Post Year 10 | Total Expenditure |
| Bedlam Bridge p/s | Pumping station replacement | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 5,000.0 | 5000.0 |
| | Pumping station pumping and control equipment replacement | 4.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 90.0 | 0.0 | 0.0 | 0.0 | 0.0 | 94.4 |
| | Pumping station automatic weedscreen cleaning equipment | 0.0 | 0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 |
| | Pumping station Control building refurbishment/replacement | 0 | 0 | 0.0 | 0.0 | 30.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 30.0 |
| | Pumping station compound/surrounds improvements | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | | | | | | | | | | | | | | |
| Cock Fen p/s | Pumping station replacement | 0 | 0 | 0.0 | 0.0 | 10,000.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10000.0 |
| | Pumping station pumping and control equipment replacement | 59.1 | 8.3 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 67.4 |
| | Pumping station automatic weedscreen cleaning equipment | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | Pumping station Control building refurbishment/replacement | 0.0 | 0 | 15.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 15.0 |
| | Pumping station compound/surrounds improvements | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | | | | | | | | | | | | | | |
| Nordelph p/s | Pumping station replacement | 0 | 0 | 0.0 | 0.0 | 0.0 | 5,000.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 5000.0 |
| | Pumping station pumping and control equipment replacement | 4.4 | 0.0 | 0.0 | 15.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 19.4 |
| | Pumping station automatic weedscreen cleaning equipment | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | Pumping station Control building refurbishment/replacement | 0 | 0 | 0.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 |
| | Pumping station compound/surrounds improvements | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | | | | | | | | | | | | | | |
| Padgetts p/s | Pumping station replacement | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 2,000.0 | 0.0 | 0.0 | 0.0 | 300.0 | 2300.0 |
| | Pumping station pumping and control equipment replacement | 4.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 4.4 |
| | Pumping station automatic weedscreen cleaning equipment | 0 | 0 | 0.0 | 6.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 6.0 |
| | Pumping station Control building refurbishment/replacement | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | Pumping station compound/surrounds improvements | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | | | | | | | | | | | | | | |
| Upwell fen p/s | Pumping station replacement | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 5,000.0 | 5000.0 |
| | Pumping station pumping and control equipment replacement | 4.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 25.0 | 0.0 | 0.0 | 0.0 | 0.0 | 29.4 |
| | Pumping station automatic weedscreen cleaning equipment | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | Pumping station Control building refurbishment/replacement | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 |
| | Pumping station compound/surrounds improvements | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 15.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 15.0 |
| Plant | Ford Ranger - MK15 YAY | 13.5 | 0 | 0.0 | 15.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 28.5 |
| | New Holland Tractor AE67 BXX (March '18 - £75,000) | 0.0 | 0 | 51.0 | 0.0 | 50.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 50.0 | 151.0 |
| | Shelbourne Reynolds Flail mower (Sept '16 - £26,000) | 0.0 | 0 | 26.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 20.0 | 0.0 | 46.0 |
| | | | | | | | | | | | | | | |
| Drainage Channels | Piling works - (Old Croft River) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| | Asset refurbishements | 0.2 | 0.0 | 8.0 | 300.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 308.2 |
| | | | | | | | | | | | | | | |
| | | **90.4** | **8.3** | **100** | **346** | **10,090** | **5,010** | **15** | **2,115** | **0** | **0** | **20** | **10,350** | **28,145** |

Cock Fen TBC
Repairs to Upwell Fen PS discharge pipe TBC
Plant TBC

**Appendix 2**

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

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

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

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

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

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

**Appendix 3**

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

1. **M&E key messages and advice**

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

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

1.1 Padgetts Corner

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

1.2 Upwell Fen

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

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

1.3 Cock Fen

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

1.4 Nordelph

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

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

1.5 Bedlam Bridge

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

## 2. Pumping summary

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

## 3. Inspections, maintenance and minor works

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

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

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

## 4. Pumping Station Key Dates

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

| | Station | | | | |
|---|---|---|---|---|---|
| **Station** | **Built** | **Pump** | **Pump Overhaul** | **Motor O/H** | **Controls** |
| Bedlam Bridge | 1948 | 1980(1) 2006 (2) | 2015(1) 2006(2) | 2015 (1) 2006 (2) | 1980 |
| Cock Fen | 1975 | 1975 | 2013(1) 2012 (2) | 2010 (1) 2010 (2) | 1975 |
| Nordelph | 1932/1970 | 1970 | 2011 | 2011 | 1970/1991 |
| Padgetts Corner | 1980 | 2012 | 2012 | 2012 | 2015 |
| Upwell Fen | 1967 | 1976 | 2011 | 2011 | 2018 |

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

**Author Name: Dave Bantoft**
**Role: M&E Engineer**

The Board considered the reports of the Consulting Engineers.

Miss Ablett reminded Members they had approved to support the need to review the charging model, earlier in the agenda, and advised the Middle Level Commissioners would be introducing interim charges for responding to questions from developers if they or their consultants did not enter into a pre-app agreement. She advised these charges would be payable by the applicant and not the Board and it was hoped this would encourage the applicant to enter into an agreement, which would reduce costs to the Board.

Members acknowledged the proposed approach to introduce interim charges.

<u>The Board's system flood & drainage infrastructure capacity</u>

Miss Ablett reminded members the Middle Level Commissioners were issuing a standing advice note, which effectively declared their flood and drainage infrastructure was at capacity.

She reported the notice was issued to Local Councils and the Environment Agency last year for them to consider within their decision making with regards to planning matters.

She added the Board needed to appreciate and plan for the limitations within the Middle Level receiving system within its own pumping station improvement schemes.

Miss Ablett enquired whether the Board wished to create, adopt and issue standing advice notes for its district and instruct the Consulting Engineer accordingly.

The Chairman advised that as the Board had been proactive during the last rainfall event, the District had not suffered. The Vice-Chairman considered the Middle Level Commissioners would be more proactive as they would drop the levels at the Sixteen Foot River before any event and the Chairman confirmed that this had been done in the past ahead of a rainfall event due to weather predictions being more accurate.

He added that the Board's District would be able to cope with excess water if both they and the Middle Level Commissioners continued to be proactive, however if the Board was asked to cease pumping into the Middle Level System this would have an impact on the Board.

Mr Gladwin considered that if the Board stated there was no reserves within the District that this would deter any development within the area.

Mr P Hartley agreed that this could result in planning applications being rejected.

The Chairman considered more information was required before a decision could be made and Miss Ablett agreed to forward this to both the Chairman and the Vice-Chairman for their review and Members authorised them to make a decision on behalf of the Board.

On a separate point, the Chairman reported he and the Vice-Chairman, together with the Chairman of both Sutton & Mepal IDB & Manea & Welney DDC, had attending a meeting, led by the Environment Agency, at the Middle Level offices regarding Welches Dam pumping station.

The Chairman reported that the Environment agency were looking to decommission Welches Dam pumping station, in less than 10 years as it was costing in the region of £2,000,000 per annum to operate in its current state. He explained that the proposal was to use the gravel extraction at Mepal as a storage area for the water that would have been evacuated by pump at Welches Dam into the Washes, to be used in the summer months for irrigation purposes.

The Chairman reported the Environment Agency were asked that if there was a wet summer where the water that would normally be pumped into the river and used for irrigation would go if the lagoons were full and Welches Dam was not available. He advised the overall view by the attendees was that Welches Dam should not be decommissioned.

He added that the Environment Agency, together with the Middle Level Commissioners were hopeful that the Fens Reservoir would be used to take water from the Middle Level System.

The Chairman reported that at the moment, the Environment Agency were undertaking a study to investigate the proposals further.

<u>IDB Recovery Fund T2B</u>

Miss Ablett referred to the Chief Engineer’s comments regarding the Tranche 2B funding available for capital only works.

She advised the Chief Engineer considered, that with the limited resources available to the Middle Level Commissioners, they would be unable to deliver works within the timescale.

Miss Ablett explained that given the age of most Boards’ assets, the Chief Engineer would be uncomfortable launching into delivery of any work without first assessing the existing buildings and equipment and appraising a range of options to ensure that any money, whether it be grant-in-aid or the Board’s own funds, is spent wisely.

<u>Capital Programme</u>

Miss Ablett referred to the Capital Programme and the Chief Engineer’s comments and added that in view of the uncertainty surrounding the availability of GiA funding, the Board needed to consider how it would pay for future capital works going forward.

Miss Ablett referred to the programme and the £300K included for refurbishment of structures in 2025-2026 and advised that as the grant money previously allocated, had not been approved, this capital wok had been withdrawn. She added that applications for GiA would be made when details of any future funding were known, at which time the Capital Programme would be updated.

<u>Mechanical & Electrical</u>

Mss Ablett referred to the Mechanical & Electrical Consulting Engineer’s report.

Miss Ablett reported the Engineer had advised the weedscreen hoist drum at Upwell Fen pumping station had corroded and would benefit from being recoated to prevent further deterioration. She advised that costs could be in the region of £5,000 and enquired whether the Board wished for this work to be undertaken.

Mr P Hartley enquired whether the work would be undertaken with the drum in situ and Miss Ablett was unable to answer this.

The Chairman considered the drum should be looked at when the Board carried out its annual inspection of the District and he enquired what the implications would be if the drum was not recoated. Miss Ablett advised she would ask the M & E Consulting Engineer to provide more information of the work required.

Mr Kew reported that Karl Gilbert Engineering undertook this type of work and would be able to provide a quote. The Chairman asked Mr Kew to arrange for them to inspect the drum and provide a quote for recoating it.

Miss Ablett referred to the Pumping Station key dates, based on records held, and asked Members to advise the Consulting Engineer if they were aware of any discrepancies or additional information.

Miss Ablett advised that considering the uncertainty of GiA funding the Board was strongly advised to consider the development of an investment plan for asset refurbishment/replacement.

The pump overhaul records were discussed, and Members requested the Consulting Engineer be asked to advise of the urgency of any works to the pumps and of the order in which the works should be undertaken.

It was agreed that a pump overhaul programme be discussed at the next meeting and an item included in the agenda.

<u>RESOLVED</u>

i) That the report be approved.

ii) That the Board support the approach to introduce interim charges for responding to applicant's questions.

iii) That more information on the standing advice notes be provided to both the Chairman and Vice-Chair and that they be authorised to make a decision on behalf of the Board.

iv) That the Capital programme be reviewed again once it has been updated and the engineer continues to develop the programme alongside applications for grant-in-aid.

v) That the Consulting Engineer provides more information of the work required and time scale before a decision is made on the recoating of the weedscreen hoist drum at Upwell Fen pumping station.

vi) That the weedscreen hoist drum at Upwell Fen pumping station be reviewed during the Board's inspection of the District in the summer and that a quote be obtained from Karl Gilbert Engineering.

vii) That the Consulting Engineer be asked to advise of the urgency of any works to the pumps and of the order in which the works should be undertaken.

viii) That a pump overhaul programme be discussed at the next meeting and an item included in the agenda.

B.2152 Chairman's Items

The Chairman reminded Members that a meeting had taken place with all parties at Mumbys Drove and an agreement had been reached for the Board to erect fencing and plant a hawthorn and a quick thorn hedge. He advised that this work would be completed in January 2025.

B.2153 Health & Safety

The Chairman gave a verbal update following his meeting with COPE Safety Management on 20th January and reported the visit had gone well and no further concerns or recommendations had been raised.

He added the only matter which remains outstanding is that of the erection of specific warning signage for the pumping stations, which COPE Safety Management had advised the Middle Level Commissioners would be arranging.

Miss Ablett advised that any request for work to be undertaken by the Middle Level Commissioners would have to come from the Board.

*Post meeting: viz:*

Cope
SAFETY MANAGEMENT

**Site Safety Inspection Record**

Upwell IDB — Complete

| | |
|---|---|
| **Name of organisation:** | Upwell IDB |
| **Date of site visit** | 20.01.2025 13:01 GMT |
| **Address of inspected premises** | Pates Farm<br>Wisbech Road<br>Tips End<br>Welney<br>Wisbech<br>Cambridgeshire<br>PE14 9SQ |
| **Name of Advisor** | Martin Clark |
| **Time of arrival at site:** | 20.01.2025 13:01 GMT |
| **Audit Name** | Upwell IDB |

**Audit**

**An opening meeting was held with**

Ken Goodger

| | |
|---|---|
| **Have there been any accidents since our last visit?** | No |

None recorded.

| | |
|---|---|
| **Have there been any new starters since our last visit?** | No |

**1**

The pumping stations at Bedlam Bridge, Cock Fen, Nordelph, Padgetts Corner and Upwell fen were discussed with Ken Goodger.

No significant issues were raised and it was understood that the observations previously raised at Nordelph pumping station ( where the pump manager resides) have now been rectified, including removal of obsolete equipment and improving housekeeping.

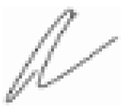
**2**

As discussed all pumping stations have a requirement to be provided with additional signage to indicate. High voltage, automated machinery and the location and emergency contact details of persons responsible.

It is recommended that Middle Level Commissioners provide a suitable standard format site sign that can be amended to provide site specific details (location in what 3 words etc) .

**Photographic Risk Assessment**

**Advisor's signature**



Martin Clark
20.01.2025 21:23 GMT

| | |
|---|---|
| **Departure time** | 20.01.2025 14:21 GMT |

**Photographic Risk Assessments closed out during the visit.**

Nil

| | |
|---|---|
| **Number of outstanding Photographic Risk Assessments** | 0<br>From 0 to 99 |

<u>RESOLVED</u>

That the Middle Level Commissioners be asked to supply the necessary signage as required by COPE Safety Management.

B.2154 District Officers Report
Viz:
**Upwell IDB work report May 2024 to January 2025**

**Drainworks**

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

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

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

**Pumping Stations**

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

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

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

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

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

The Board noted and approved the District Officers Report.

B.2155 Governance
Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

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

## 1. Annual Return & Auditors Report 2023/2024

1.1 The AGAR provides the framework by which the governance of the Board is assessed. The Board's last AGAR is available on its page via www.middlelevel.gov.uk

1.2 The Board/Commissioners to consider:

- the comments of the auditors on the Annual Return for the year ended 31st March 2024. (Appendix 1)
- the Audit Report of the Internal Auditor for the year ended 31st March 2024. (Appendix 2)

1.3 The Board are reminded that Whitings LLP were appointed as internal auditor for a five-year period commencing 1st April 2023 (financial years 2023/24 to 2027/28).

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

## 2. Internal Controls

2.1 Within the financial operations at the Middle Level offices there are a series of controls in place to ensure the segregation of duties, so as far as practical within a small workforce, that no one person has control of a single operation from start to finish. The Internal Controls are available via the website within the 'Governance' section on the Board's page.

2.2 The Board needs to ensure there is adequate separation of duties within its running and decision making. Members are asked to refresh themselves as to the Member Code of Conduct (available within the Governance Documents on the Board's webpage) and ensure their declarations of interests are clear and up-to-date.

2.3 If a Board Member (or their business) undertakes contracted work (or bids for such work) for the Board it is recommended that they be excluded from any decision making as a matter of course and that appropriate contractual arrangements are in place.

2.4 If the Member also has a lead role for the Board (eg Chairman/Vice Chairman) then it is important that the Board puts in place safeguards to ensure a separation of duties, particularly being clear on who is acting as lead client for the contractor.

## 3. Authorisations

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

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

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

## 4. Responsible Finance Officer

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

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

i) **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.**

ii) **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.**

iii) **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.**

iv) **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.**

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

## 5. Risk Assessment and Insured Values

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

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

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

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

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

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

**UPWELL IDB**
**INSURED VALUE OF FIXED ASSETS**

**PUMPING STATIONS & BUNGALOW**

| | As At 1st April 2025 |
|---|---|
| Cock Fen Pumping Station | 2,600,000.00 |
| Padgetts Corner Pumping Station | 590,000.00 |
| Bedlam Bridge Pumping Station | 2,100,000.00 |
| Upwell Fen Pumping Station | 1,400,000.00 |
| Nordelph Pumping Station | 1,600,000.00 |
| | 8,290,000.00 |
| Nordelph Bungalow | 130,000.00 |
| | 8,420,000.00 |

## 6. Policy Reviews

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

**The Board are asked to note the update and re-publication of their Complaints Procedure and Privacy Policy.**

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

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

## 7. IDB1

7.1 **Defra Reporting**

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

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

In summary:

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

## 8. Exercise of Public Rights

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

8.2 In order to warrant a positive response to this 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.

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

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

**9. Consideration of potential litigation, liabilities, commitments:**

9.1 The clerk to report.

**Author Name: Paul Burrows**
**Role: Clerk**

**Appendix 1 Annual Return 2023/2024**
**Appendix 2 Audit Report 2023/2024**
**Appendix 3 Anti-Bribery & Financial Regulations Policies**

**Appendix 1**

# Upwell Internal Drainage Board

## Notice of conclusion of the audit

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

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

1 The Audit of accounts for the Upwell Internal Drainage Board for the year ended 31st March 2024 has been completed and the accounts have been published.

2 The Annual Governance & Accountability Return including the auditor's certificate and opinion is available for inspection and copying by any local government elector of the area of Upwell Internal Drainage Board on application to:

The Clerk
Upwell Internal Drainage Board
85 Whittlesey Road
March
Cambridgeshire
PE15 0AH

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

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

Announcement made by: P Burrows - Clerk to the Board

Date of Announcement: 15th August 2024

## Annual Internal Audit Report 2023/24

UPWELL INTERNAL DRAINAGE BOARD

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

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

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

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

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

Date(s) internal audit undertaken: 03/06/2024 06/06/2024 10/06/2024

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

Signature of person who carried out the internal audit: P. PEETER – WHITINGS LLP

Date: 10/06/2024

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

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

## Section 1 – Annual Governance Statement 2023/24

We acknowledge as the members of:

UPWELL INTERNAL DRAINAGE BOARD

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2024, that:

| | Agreed | | |
|---|---|---|---|
| | Yes | 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:

31/05/2024

and recorded as minute reference:

B.2141

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

Chair [signature]

Clerk [signature]

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## Section 2 – Accounting Statements 2023/24 for

UPWELL INTERNAL DRAINAGE BOARD

| | Year ending 31 March 2023 £ | Year ending 31 March 2024 £ | Notes and guidance. Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records |
|---|---|---|---|
| 1. Balances brought forward | 404,696 | 358,899 | *Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.* |
| 2. (+) Precept or Rates and Levies | 216,547 | 253,978 | *Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.* |
| 3. (+) Total other receipts | 28,744 | 5,914 | *Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.* |
| 4. (-) Staff costs | 35,778 | 41,127 | *Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.* |
| 5. (-) Loan interest/capital repayments | 30,318 | 30,318 | *Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).* |
| 6. (-) All other payments | 224,992 | 230,118 | *Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).* |
| 7. (=) Balances carried forward | 358,899 | 317,228 | *Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).* |
| 8. Total value of cash and short term investments | 363,143 | 385,913 | *The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – **To agree with bank reconciliation.*** |
| 9. Total fixed assets plus long term investments and assets | 3,540,347 | 3,540,347 | *The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.* |
| 10. Total borrowings | 483,968 | 465,712 | *The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).* |

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

I certify that for the year ended 31 March 2024 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

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

Date 19/04/2024

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

31/05/2024

as recorded in minute reference:

B:2142

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 **Upwell Internal Drainage Board – DB0116**

### 1 Respective responsibilities of the auditor and the authority

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

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

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

- summarises the accounting records for the year ended 31 March 2024; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

### 2 External auditor's limited assurance opinion 2023/24

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

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

None

### 3 External auditor certificate 2023/24

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2024.

External Auditor Name

**PKF LITTLEJOHN LLP**

| External Auditor Signature | PKF Littlejohn LLP | Date | 08/08/2024 |
|---|---|---|---|

**Appendix 2**

Whitings
Chartered Accountants LLP

Fenland House, 158 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.

**General points**

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

   It is noted that, whilst a large proportion of boards took the option to revalue for insurance purposes their pumping station and residential assets during recent years, there are still some boards that have not followed suit. We have seen elsewhere that such revaluations have sometimes resulted in significant uplifts in value, and as such we would suggest that any remaining boards that have yet to carry out such an exercise do so at the earliest convenience. It should be noted that this is largely in relation to residential property. Should a complete rebuild following an unforeseen catastrophic event be required, current valuations may no longer be appropriate given today's prices which may lead to a shortfall in funds which would have to be drawn out of surplus funds if other financial arrangements were not available.

   We would recommend that in the absence of specific information to the contrary suggesting need for earlier review, that a revaluation exercise be performed for insurance purposes at least every 5 years on all major board assets. This is especially important given the significant increase in material and labour costs seen in recent times as a result of rising inflation and global material shortages. However, we are pleased to note that boards are being asked whether they wish for insurance to be index linked going forward and would strong suggest that all boards agree to this proposal.

*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**

*And administered IDBs*

## Governance

## Anti Bribery Policy

*(includes gifts, hospitality & donations)*

## 2024 - 2029

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

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

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

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

**Risk Assessment**

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

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

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

- Bribery by others to secure business from the MLC/IDB
- Bribery by others to secure regulatory decisions from MLC/IDBs
- Bribery by others to secure operational benefits from MLC/IDBs

- Bribery by MLC/IDB employees or MLC Board/IDB members of others to influence an advantage

**Control Measures**

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

**Gifts, Hospitality and/or Donations**

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

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

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

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

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

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

**Procedure**

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

**Dealing with Bribery**

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

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

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

# Upwell IDB

*Administered by:*

## 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:

    i. The name of the supplier.

    ii. The agreed price of the goods/services required, other than in an emergency or where impractical to do so.

    iii. The Unique Order No as approved by the budget holder.

11. The Clerk shall ensure that procedures are in place for establishing when goods or services, have been charged, allocated or otherwise expenditure has been committed against an unauthorised budget.

12. All quotes/tenders, delivery notes, invoices for payment and credit notes shall be matched to the official purchase order or instruction, examined and coded before they are proposed for payment or set off. If the budget holder or the Clerk deems any invoice/credit note to be incorrect they shall not process such invoices/credit notes for payment or set off until satisfied that payment or set off is properly due. The quotes/tenders, purchase orders and delivery notes

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

13. The Clerk shall ensure that all Invoices which have been approved for payment are duly scheduled for payment.
14. All Invoices shall be authorised by the Chairman and checked by the Clerk prior to making payment.

15. Where it is considered that there are valid reasons for departing from these procedures the approval of the Chairman shall be obtained. Any such departure shall be reported to the Board.

**E BANK MANDATE AND INVESTMENTS**

1. No changes shall be made to the Board's bankers or the bank mandate without the prior consent of the Board.

2. Approved signatories for the Board's bank accounts are as follows:

    1. The Chairman

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

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

3. All cheque books, deposit books, banking cards, online access and other documentation or materials relating to the Board's bank accounts shall be retained in the custody of the Clerk.

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

5. The Clerk shall maintain Contact Details relating to financial transactions. All bank accounts shall be reconciled monthly and checked at regular intervals by separate officers of the Clerk.

**F INVESTMENTS AND BORROWINGS STRATEGY**

1. All investments made by the Board are made within guidance received from CIPFA (Chartered Institute of Public Finance Accountants) Guidance for the Public Sector, and relevant legislation:

    - The Board's investment activities are limited by statute

    - The Board may invest with major Banks and/or Building Societies

    - The Board's investments are to be regarded as low/medium risk

    - The Board's investments must be made in the name of the Board and not any named individual

2. All investments shall be negotiated by the Clerk and reported to the Board. They must be for an appropriate period.

3. All borrowings shall be effected in the name of the Board and shall be from the Public Works Loans Board. In an emergency there may be an exception.

4. No borrowings shall be taken out without a resolution of the Board.

5. All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk.

**G COLLECTING MONEY**

1. The Clerk shall be responsible for ensuring that all monies received are properly recorded in the accounting records.

2. Electronic copies of all receipts issued shall be retained for at least six years.

3. The Clerk shall be responsible for ensuring that the Drainage Rates and Special Levies are substantially collected by **1 November** each year. Outstanding Rates/Levies shall be pursued in a timely manner after that date.

4. The Clerk shall ensure that procedures are in place for all debts to be substantially collected within 30 days from the Debtor Invoice tax point date and for when a debt becomes 3 months overdue or whenever a debt becomes doubtful or is disputed.

**H FUNDING APPLICATIONS**

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

**I SUNDRY DEBTORS**

1. Each budget holder shall be responsible for providing the Clerk with the necessary information to enable rechargeable work to be properly accounted for and invoiced, and, any other debts due to be properly invoiced. The budget holder shall advise the Clerk whenever an Invoice is to be raised for goods provided or services rendered, under their control.

2. The Clerk shall ensure that all such Invoices are properly raised as soon as practicable after being authorised.

3. The Clerk shall be responsible for ensuring that all other debts due to the Board are properly raised when required and collected appropriately.

4. The Clerk shall be responsible for ensuring that the Board consider whether any rents payable to them should be reviewed by a Chartered Surveyor at least once every 5 years.

5. The Clerk shall calculate any claims for Highland Water payments from the Environment Agency and send such claims to the Agency by the dates specified by the Agency.

6. Any refunds due to debtors for whatever reason shall be approved by the Clerk prior to being paid or otherwise accounted for.

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

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

**J EMPLOYING/MANAGING STAFF**

1. The Chairman shall be responsible to the Board for all matters regarding any employees, including employment policies, procedures, terms and conditions. The Chairman acts as the employee's line manager. This includes taking capability and disciplinary action against Board employees having followed due process.

2. The Board's approval shall be required for the employment of additional permanent staff.

3. The Chairman shall have the authority to employ temporary staff and replace permanent staff provided the employment costs are contained within the Expenditure Estimates/Budgets approved by the Board.

4 Subject to the above paragraphs and to the terms of any employee's contract, Board members shall not individually have the power to formally offer anyone any form of employment or to dismiss a Board employee, or otherwise take disciplinary action against any of the Board's employees unless the Board has specifically authorised such action by resolution.

5. Board members other than the Chairman and the District Officer shall not individually give instructions to any of the Board's employees, unless delegation has been approved by the Board.

6. The Chairman and the District Officer shall be responsible for managing the day-to-day activities of employees and for determining the nature and extent of these activities.

**K ASSET ACCOUNTING/MANAGEMENT**

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

2. The Clerk shall be responsible for documenting and maintaining the records of the Board's Assets.

**L AUDIT**

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

**M SALARIES AND WAGES**

1. The Board shall, where appropriate, seek independent advice before making significant changes to terms and conditions of employment and, save where such changes are as a result of legislative change, no changes shall be made to terms and conditions of employment (deliberately or otherwise) without the prior consent of the Board.

2. The Clerk shall be responsible for the proper compilation of the payroll(s) and for the final determination of pay, as approved by the Board.

3. All annual holiday entitlements (including any carried forward provisions) shall be agreed with the Chairman and/or the District Officer at the beginning of every financial year and signed off by him/her as such, in accordance with the Board's terms and conditions of employment.

4. All time-off in lieu, sick leave, working-from-home arrangements and other absences from work or the work place shall be approved in writing by the Chairman and/or the District Officer.

5. All proposed payments of salaries and wages shall be authorised by the Clerk prior to being made.

**N INSURANCES**

1. The Clerk shall be responsible for expeditiously submitting all insurance claims that the Board agrees should be pursued. The Board shall be responsible for providing the Clerk with all of the necessary information he/she deems necessary in order to successfully make an insurance claim.

2. The Chairman and/or the District Officer shall immediately notify the Clerk of any loss, liability or damage or any event likely to lead to a claim on any of the Board's insurance policies and shall, where appropriate, notify the police of the relevant circumstances.

**O SECURITY**

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

**P REVIEW OF FINANCIAL REGULATIONS**

1. The Board and Clerk reserves the right to make reasonable changes to these Regulations at any time in future.

2. Failure to take action against any employee or Member following a breach of the Financial Regulations does not constitute a waiver of the Board's right to take disciplinary action on any future breaches of the Financial Regulations and no single or partial action taken shall prevent any further disciplinary action being taken or other action being taken against any employee or Member.

a) <u>Completion of the Annual Accounts and Annual Return of the Board – 2023/2024.</u>

i) The Board considered and approved the comments of the Auditors on the Annual Return for the year that ended on the 31st March 2024.

ii) The Board considered and approved the Audit Report of the Internal Auditor for the year that ended on the 31st March 2024.

b) <u>Review of Internal Controls</u>

Miss Ablett reported that the internal controls the Middle Level Commissioners have in place in their services to the Board have now been summarised and are available on the Board's webpage.

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

c) Authorisations

The Board considered the review of authorisations.

RESOLVED

i) The Board considered and authorised that all employees and contractors of the Middle Level Commissioners are considered as duly authorised officers and are therefore able to use the Boards powers and IDB byelaws for their operational and regulatory roles on behalf of the Board.

ii) The Board confirmed their stance that their Chairman, Vice-Chair and employee are considered as duly authorised officers and therefore able to use the Boards powers and IDB byelaws for their operational and regulatory roles on behalf of the Board.

d) Responsible Finance Officer

RESOLVED

The Board considered and approved the recommendations:

vi) 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.

vii) 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.

viii) That the Chairman and Vice-Chair be approved to be added to the Barclays Bank Plc mandate.

ix) 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.

x) 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.

xi) That following Mr Robert Hill leaving the employment of the Middle Level 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.

e) Risk Assessment & Insurance Valuations

Miss Ablett reminded Members of previous discussions regarding the need to value the pumping stations to ensure they are adequately insured. She advised that a proposal from a company called Kroll had been received and referred Members to two options proposed.

She referred to the Clerk's comments and advised the proposal would need to be reviewed with the IDB Chairs to establish how costs would be apportioned.

Miss Ablett asked for the Board's opinion on the pumping station valuation proposal.

After some discussion, the Board considered that site visits to all pumping stations should be undertaken for valuation purposes.

RESOLVED

That site visits to all pumping stations should be undertaken for valuation purposes.

f) Policy Reviews & DPO

The Board considered the review of the policies.

RESOLVED

i) The Board considered and approved the policy reviews for the Complaints Procedure, Privacy policy and the Anti-Bribery and Financial Regulations policies.

ii) That the Board approve that while there is a service level agreement for provision of clerking services in place between the Board and the Middle Level Commissioners, the Middle Level Commissioner's Lead Clerk acts as their Data Protection Officer.

g) Exercise of Public Rights

Miss Ablett referred to the publishing of the Notice of Public Rights and publication of unaudited Annual return, Statement of Accounts, Annual Governance Statement and the Notice of Conclusion of the Audit and Right to inspect the Annual Return.

h) Consideration of potential litigation, liabilities, commitments.

Miss Ablett reported that as part of the Annual Governance review the Board were required to consider if there were any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end that have a financial impact on the authority. She 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/Commissioners that would need to be included within the accounting statements for the financial year ended 31st March 2025.

B.2156 Finance Report

Viz:

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

**RECOMMENDATIONS**

The Board is asked to:

A. Consider the Finance Officer's summary

B. Note the Budgeting review within Appendix 1.

C. Fees, remuneration and subscriptions

D. Note the Precept to the Environment Agency

**Finance Officer's review and key messages**

Storm Recovery Grant

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

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

**1. Budget Monitoring**

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

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

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

**2. Fees, Renumerations and Subscriptions**

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

**3. Precept to the Environment Agency**

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

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

The precept for 2024 was £ 60,520.59.

**Author Name: Andrew Wool/Sam Ablett**
**Role: Treasurer/Assistant Treasurer**

**Appendix 1 Budget Monitoring 2024/2025**

**Appendix 1**

**UPWELL INTERNAL DRAINAGE BOARD**
**BUDGET MONITORING 2024/2025**

| | | Approved budget 2024/2025 | Actual to 30th Nov. 2024 | Forecast to 31st March 2025 |
|---|---|---|---|---|
| | | £ | £ | £ |
| 1 | District labour | 45,500 | 33,721 | 45,500 |
| 2 | Insurances and Telephones | 4,750 | 6,149 | 6,395 |
| 3 | Repairs and Renewals | 10,000 | 10,143 [A] | 12,145 |
| 4 | General Maintenance | 28,500 [B] | 8,253 [C] | 19,500 [D] |
| 5 | Fuel (Oil and Electricity) | 66,750 | 28,163 [E] | 66,750 [F] |
| 6 | District Officers' Fees etc | 5,200 | 0 | 5,200 |
| 7 | Administration Charge, Health and Safety Contract, Audit Fees, Printing, Stationery, Advertising etc | 27,275 | 12,297 | 27,275 |
| 8 | Plant Replacement Funding | 19,375 [G] | 1,188 [G] | 21,157 [G] |
| 9 | Public Works Loan | 30,318 | 0 | 30,318 |
| 10 | Environment Agency - Precept | 44,139 | 44,139 | 44,139 [H] |
| 11 | Tractor / Flail Mower Replacement | 22,325 [I] | 0 [I] | 19,799 [I] |
| 12 | Improvement Works | 10,000 [J] | 500 [J] | 10,500 [K] |
| 13 | Reinstatement of Balances | 34,647 | 0 | 34,647 [L] |
| | | 348,779 | 144,552 | 343,324 |
| | LESS Deposit Accounts interest, Fishery Rent etc | 35,631 | 3,643 [M] | 36,642 [N] |
| | | 313,148 | 140,909 | 306,682 |

| Estimated General Fund: | | | |
|---|---|---|---|
| Open balance at 01.04.2024 | 140,513 | 140,513 | 140,513 |
| Rates Raised - 33.25p | 313,146 | 236,582 | 236,582 |
| Special Levy | | 76,564 | 76,564 |
| Rates W/Off | | (35) | (35) |
| Net Expenditure | 313,148 | 140,909 | 306,682 |
| Storm Recovery/Balances | 34,647 | 48,082 | 82,729 |
| (Estimated) Closing balance | 175,158 | 360,797 | 229,671 |

**Remarks**

| | | |
|---|---|---|
| A | Service/repair tractor-mower | 1,232 |
| | Serevice/repair works truck | 2,648 |
| B - | Includes for contractor hire: slubbing | 20,000 |
| C - | Includes for contractor hire: slubbing | 0 |
| D - | Includes for contractor hire: slubbing | 9,000 |
| E - | Includes accounts to September, estimated for March | |
| F - | Provision based on increased annual pumped volume and estimate for new contract rates from October 2024 | |
| G - | Funding for plant replacement strategy | |
| H - | Environment Agency charge | 60,521 |
| | Middle Level contribution | (16,382) |
| | | 44,139 |
| I - | Asset replacement fund (Annual Depreciation) | |
| J - | Cock Fen P/S Electrification | |
| | Cock Fen Electrification - Easement | |
| K - | Cock Fen P/S - Gear Box Overhaul | 5,000 |
| | Upwell Fen p/s - Discharge pipework repairs | 5,000 |
| | Cock Fen Electrification - Easement | 500 |
| L - | Provision for Reinstatement of Balances Reduced By Winter 23/24 Pumping (not to a 'year-in-hand') | |
| M - | Includes: | |
| | Interest | 3,543 |
| N - | Includes: | |
| | Interest | 4,543 |
| | Loan funding - Cock Fen P/S Gear Box Overhaul | 5,000 |
| | Asset fund - Upwell Fen P/S Discharge Pipe Repairs | 5,000 |

Finance officer's review and key messages

The Board considered & noted the key finance messages of the Responsible Finance Officer.

i) Budget monitoring

The Board considered and approved the Budget Monitoring forecast up to 31st March 2025.

ii) ADA subscription

Miss Ablett reported that ADA had increased subscriptions by 6.5% for 2025, from £975 to £1039.00

RESOLVED

That the requested increased ADA subscription for 2025be paid.

iii) Precept

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

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

The precept for 2024 was £60,520.59.

B.2157 Date of next Meeting

RESOLVED

That next Meeting of the Board be held on Wednesday 4th June 2025 at the Lamb & Flag, Welney.

2.45pm Inspection
5.30pm Meeting
7pm Meal

……………………………………………….
Chairman

……………………….
Date