MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

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Administered by:

8th April 2025

Dear Board Members

Upcoming meeting of the Board
Wednesday 16th April 2025

Please find overleaf the agenda for the meeting of the Board to be hosted at the Middle Level Offices, March PE15 0AH at 7pm on Wednesday 16th April 2025.

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

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

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

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

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

Yours truly

P BURROWS, FCIWEM C.WEM CEnv

Clerk to the Board

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

Wednesday 16th April 2025 – 7pm
Middle Level Offices, March, PE15 0AH

Agenda:

Item No	*Topic*	*Format*	*Lead*
1	Welcome & apologies	Verbal	Chair
2	Declarations of Interest	Verbal	Chair
3	Minutes of last meeting and matters arising	Pages 3 - 11	Chair
4	Constitution & Membership • Attendance • Vacancies & appointments • Training	Pages 12 - 13	Clerk
5	Clerk's Report • Fens Reservoir	Pages 14 - 18 Pages 19 - 21	Clerk
6	Environment Officer's Report	Pages 22 - 27	Clerk
7	Chairman's Items	Verbal	Chair
8	Consulting Engineer's Reports, including: • Capital Programme & FCRM Grant-In-Aid	Pages 28 - 51	Clerk or Engineer
9	Health & Safety	Pages 52 - 54	Chair
10	District Officer's Report	Verbal	DO
11	Governance • Internal Controls • Banking • Accounts Return for 2023/2024 • Auditors report for 2023/2024 • Risk Assessment • Review Policies • Review Policy Statement • Exercise of Public Rights • Consideration of potential litigation, liabilities, commitments • Transparency code for smaller authorities (if relevant) • Defra IDB 1 Returns • Annual Governance Statement	Pages 55 - 59 Pages 60 - 64 Pages 65 - 74 Pages 75 - 84 Pages 85 - 90 Pages 91 - 101 Page 102	Clerk
12	Finance Report: looking back • Finance officer's review • Budgeting • Payments 2024 • Highland Water Contributions • Annual Accounts and Finance papers 2024/2025	Pages 103 - 104 Page 105 Pages 106 - 109	Clerk
13	Finance Report: looking forward • Finance Officer's summary • Fees, remuneration and subscriptions • Determination of land for rating purposes (Confidential papers) • Rate arrears (Confidential papers) • Precept to the Environment Agency • Rating Estimates for 2025/2026 • Agricultural Drainage Rates and Special Levy requirements or 2025/2026	Pages 110 - 111 Page 112 Page 113	Clerk
14	Middle Level IDB Change	Pages 114 - 116	Clerk
15	Date of Next Meeting	Verbal	Chair
16	Any other business	Verbal	Chair

(NB: If required for any agenda item:

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

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March 5th District Drainage Commissioners
hosted at the Middle Level Offices, March on Tuesday 9th April 2024

PRESENT

T Hopkin Esq (Chairman)	P Hayes Esq
A Payne Esq (Vice Chairman)	J Lilley Esq
E Alterton	A Miscandlon Esq
T Alterton Esq	T Taylor Esq
P Beeton Esq	A Woollard Esq
J French	

Ms Samantha Ablett representing the Clerk was in attendance and Morgan Lakey (Operations Engineer)

Apologies for absence

Apologies for absence were received from S Bushell Esq, G Hopkin Esq, C Boden and C Marks Esq.

The Chairman welcomed new council representatives to the annual meeting of the Board.

C.1264 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.

Mr T Hopkin declared an interest in the district Officers fee.

A Miscandlon Esq & J French declared interests in any payments relating to Middle level Commissioners (as a member of the Board)

Mr T Alterton & Miss Alterton declared an interest in planning application (MLC ref no's: 392, 396 & 471) for the Wilkinson Family.

C.1265 Confirmation of Minutes

RESOLVED

> That the Minutes of the Meeting of the Commissioners held on the 11th April 2023 are recorded correctly and that they be confirmed and signed.

C.1266 Constitution & Membership

Miss Ablett reported that during Paul Burrows' 14 months in his role as Clerk to the Boards, he had attended a number of meetings and taken stock of the way in which the Middle Level Commissioners were supporting Boards with the right paperwork to ensure they were providing clarity and consistency across Boards. She advised that with this in mind Mr Burrows considered the agendas needed a refresh to assist Members with the flow and make it easier for minutes of the meetings to be prepared to a better standard and in a timely manner.

She advised that Mr Burrows, having attended several Board meetings during the past year, it was evident that some Boards did not have as good attendance as others and were struggling in term of membership and governance, including one Board having to escalate viability concerns to Defra. She added that the purpose of this agenda item was to assist in reporting this information to Defra in order to bring greater clarity around the strength of Boards in terms of membership. It was Mr Burrow's intention that those Boards that were struggling it may trigger conversations around whether they needed to consider amalgamating with neighbouring Boards.

Miss Ablett also outlined how Mr Burrows had invited all Chairs, Vice Chairs and Board Members who sit on more than one IDB within the Middle Level to an informal session recently 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. She added that a small group was identified to draft an initial case for change and that this would be shared when ready for wider inputs and views.

Annual Appointments

RESOLVED

> That T D Hopkin be appointed as Chairman of the Commissioners
>
> That A Payne be appointed as Vice-Chairman of the Commissioners
>
> That T D Hopkin be appointed as District Officer of the Commissioners

C.1267 Clerk's Report

Miss Ablett referred to the Clerk's comments regarding the procurement of electricity for the Middle Level Commissioners and its administered Boards. She reported that an Electricity Committee had been formed bringing together a small group of IDB Chairs to review options and ultimately decide on the next contract arrangements.

Miss Ablett enquired whether the Commissioners would authorise the Electricity Committee to decide the next electricity contract on their behalf.

RESOLVED

> That the Electricity Committee be authorised to decide the next electricity contract on behalf of the Commissioners.

C.1268 Environment Officers' Report

Mr Lakey reported that it was currently planned to reflect the Commissioner's BAP in the next few months and it was currently considered that routine works should progress normally. However, more intrusive works such as woody vegetation/bank trimming works could require Environment screening work before they could commence.

He advised of the proposed changes in the timing of flail mowing, which is being promoted as National Policy resulting from implications to hedgerows, and to the proposed depth of cuts that could be allowed under guidance.

Mr Lakey referred to issues regarding works around badger sets and apparent contradictions within licences concerning this. He confirmed that this is an ongoing issue which is being challenged nationally and while this is ongoing, it is not possible to proceed with new licences.

He reported on changes to operating procedures with regards to water vole habitat and how this might affect the Commissioner's flail mowing operations.

Mr Lakey referred to requirements for Commissioner's to enhance the environment through their works and he also mentioned the implications of biodiversity net gain."

Mr Lakey advised the Clerk was encouraging the Commissioners to consider appointing an environmental representative, similar to the Board's Health & Safety representative, who would act as Sofi's go to person.

RESOLVED

> That the Chairman be appointed to act as the Commissioners' Environmental representative.

C.1269 Chairman's Items

Land at the Slamp

Miss Ablett reported an application had been made to register the Commissioners' own land at the Slamp and the former Assistant Clerk had signed a statement of truth and had filed all the supporting documentation with the Land Registry.

She added there was the issue of the parcel of land at the entrance gate on which rubble and debris had been deposited by the owner/occupier of the kart track. She advised the owner of the kart track claims ownership of this land, although there was no evidence of this. In this respect a statutory declaration had been sworn by the former Assistant Clerk, which had been filed at the Land Registry by Hunt & Coombs Solicitors, on behalf of the Commissioners. She added it was anticipated that ownership would be disputed and the Commissioners needed to wait for the outcome of the application to the Land Registry before considering its position.

The Consulting Engineer advised that there were now 3 static caravans on site, despite planning permission only having been given for one. Ms French confirmed this was the case and advised she would again request for the Council's enforcement officer to inspect the site and take any necessary action.

RESOLVED

> That Ms French arranges for a Council enforcement officer to visit the site in relation to the number of caravans illegally sited.

C.1270 Consulting Engineers' Reports

Miss Ablett reported the Planning Engineer would appreciate the Commissioners' comments relating to new developments and the use of SuDS.

The Commissioners confirmed they had the same concerns as those raised by other Boards and advised that in some cases developers did not always install the surface water designs approved by both the Commissioners and the Council.

The Commissioners enquired who was responsible for checking that plans submitted and approved were adhered to. Ms French advised this was the responsibility of Building Control, which was outsourced by the Council, and agreed that any check was probably not as in depth as was required. She advised that where problems were identified these should be reported to the new Heading of Planning at Fenland District Council, although she acknowledged that this would be after the event.

Miss Ablett drew the Members attention to the Planning Engineer's comments relating to the piping of a watercourse at Point 7 and his advice to the Commissioners to be cautious in approving this due to the precedent this may set for other applications in the area, which may result in a challenge to the Commissioners if not approved. This was duly noted by all Members present.

Miss Ablett referred to the Planning Engineer's comments relating to the application for the erection of 18 dwellings on land to the east of Berryfield, March (MLC Ref No.) and to the request made by the Commissioners at the last meeting that an email be sent to all Members requesting guidance on all larger and problematic applications. Miss Ablett explained that despite the Planning Engineer asking Members for their comments regarding this application, he was disappointed with the number of responses received as this was not sufficient for him to take further action.

She advised that the application was Pending Consideration and enquired how the Commissioners wished for the Planning Engineer to respond.

Members apologised for not responding to the Planning Engineer over the requested advising of the Commissioners' concerns regarding the attenuation of surface water on site being sufficient for the impermeable area, sustainable for future maintenance and to who would be responsible for maintenance in years to come.

Miss Ablett enquired how the Commissioners wished to proceed with such applications going forward.

The Commissioners agreed that a Planning Committee should be formed to include a few Members and for the Planning Engineer to correspond with the Committee on such applications.

Miss Ablett referred to the Capital Programme and advised the Chief Engineer had confirmed this was a draft programme and would be updated and become more meaningful once the District Wide study was completed and information regarding the district identified. This would also determine the amount of Grant in Aid that may be available. Miss Ablett advised the Commissioners needed to keep in mind there may be areas that may not be fully funded and therefore should consider how this would be funded in the future.

Mr Lakey reported on the works undertaken last year.

Miss Ablett advised that in view of the increased cost in electricity and number of rainfall events being experienced it was important that accurate meter reads were obtained and submitted to the electricity supplier on a quarterly basis. She enquired whether the Commissioners wished for the M & E Consulting Engineer to take the meter reads, which would ensure that accurate reads were being obtained and submitted regularly to the electricity supplier. This would result in accurate billing and also highlight any meter issues sooner. She advised the cost of this service would be in the region of £480 per annum. Commissioners agreed this was the best course of action.

Miss Ablett referred to Pumping Station key dates, which were based on records held, and reported the engineer had asked Members to let him know if they were aware of any discrepancies or any additional information that would be useful, based on their knowledge of pumping stations. She explained this would assist with key health indicators and district studies.

The Commissioners advised they were unfortunately unable to provide the M & E Consulting Engineer with any further information.

RESOLVED

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

ii) Weed control and drain maintenance
That the maintenance works contained within the report be undertaken

iii) MLC Ref No. 545 – That the Planning Engineer responds to the applicant advising of the Commissioners' concerns regarding the attenuation of surface water on site being sufficient for the impermeable area, sustainable for future maintenance and to who would be responsible for maintenance in years to come.

iv) That a planning committee be formed to include:

The Chairman
The Vice Chairman
Mr T Alterton and Miss E Alterton and
T Taylor Esq

v) That where larger, more problematic applications or where two to three small developments were being dealt with as one application the Planning Engineer is to correspond with the Commissioners' planning committee.

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

vii) That the M & E Consulting Engineer be authorised to arrange for quarterly meter reads to be taken at each of the Commissioners' pumping stations

C.1271 Health & Safety

The Chairman referred to the report received from Cope Safety Management following their visit to the district, on the 4th January 2024.

He reported there were no significant issues to be addressed at either pumping station and as requested at the last inspection the position of the handrail at the weedscreen had been adjusted and a toe board fitted.

The Chairman advised the only matter discussed related to the overhead powerline pole leaning further than seen on previous visits,

The Consulting Engineer reported that this issue was logged with UK Power Networks annually.

C.1272 District Officers Report

The District Officer advised there was not much more to add to that already reported by the Consulting Engineer.

He reported there had been a few problems at Flaggrass Hill Road at the junction with Creek Road which had been resolved by the adjacent landowner with the Commissioner's assistance.

C.1273 Governance

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

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

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

b) Risk Management Strategy and insured Values

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

ii) Miss Ablett referred to the insured sums of the pumping stations and confirmed these had been index linked for 2023-2024 as requested at the last meeting. She advised it was the responsibility of the Commissioners to ensure that the pumping stations were adequately insured as any claim would be proportionate, if the assets were found to be underinsured.

Councillor Miscandlon reported this was an area being discussed at other Board meetings and it had been requested that the Boards had an assessment of the value of each pumping station so that a current valuation would be available for insurance purposes.

Miss Ablett advised that it was proving difficult to locate a professional valuer who was a specialist in valuing such assets as pumping stations and added that the Middle Level Commissioners did not have the resources to undertake such a valuation.

Miss Ablett confirmed she had enquired whether the insurance company were able to recommend anyone and was waiting to hear, but explained that any valuation undertaken would be at a cost to the Commissioners.

Members discussed the insured sums and agreed that these were sufficient and no further action necessary.

RESOLVED

i) The Commissioners considered & approved their new risk management strategy.
ii) The Commissioners considered and approved the sums insured and that these continue to be index linked.

c) Finance Regulations & Finance Code

Miss Ablett referred to the Commissioner's Finance Regulations and Finance Code Policy which are available on the website for Commissioner's to approve for an extension of one more year.

RESOLVED

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

d) Review of Internal Controls

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

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

e) Exercise of Public Rights

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

f) Consideration of potential litigation, liabilities, commitments.

Miss Ablett reported that as part of the Annual Governance review the Commissioners' 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 Commissioners that would need to be included within the accounting statements for the financial year ended 31st March 2024.

g) DEFRA IDB1 Return

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

i) Annual Governance Statement

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

C.1274 Finance Report – Looking Back

Finance officer's review and key messages

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

Budgeting

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

Payments 2023

The Commissioners considered and approved the Payments for 2023.

(NB: A Miscandlon Esq declared an interest in payments to Middle Level Commissioners as a member of the Middle Level Board.)

(NB: The District Officer declared an interest in the payment made to him.)

Highland Water Contributions

Miss Ablett referred to the Highland Water Contributions received for 2023/2024.

Annual Accounts and Finance Papers 2023/2024

The Commissioners considered and approved the Annual accounts and Finance Papers for the year ended 31st March 2024, as required in the Audit regulations.

RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Commissioners for the financial year ended 31st March 2024.

C.1275 Finance Report – Looking Forward

Finance officer's review and key messages

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

Fees, Remuneration & Subscriptions :

District Officer's Fee

The Commissioners gave consideration to the District Officer's fee for 2024-2025.

RESOLVED

> That the Commissioners agree that the sum of £1,002 be allowed for the services of the District Officer for 2024/2025.

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

ADA subscription

Miss Ablett reported that ADA increased subscriptions by 6.5% for 2024, from £597 to £636.

RESOLVED

> That the requested increased ADA subscription for 2024 be paid.

Determination of Annual Values for Rating purposes.

The Commissioners considered the recommendation for the determination of annual value for rating purposes.

RESOLVED

i) That the determination recommended be adopted by the Commissioners
ii) That the Clerk be empowered to serve notices and to take such other action as may be necessary to comply with statutory requirements.
iii) That the Chairman and the Clerk be empowered to authorise appropriate action on behalf of the Commissioners in connection with any appeal against the determination.

Rate Arrears

The Commissioners considered the writing-off rate arrears of £29.30.

RESOLVED

> That the rate arrears be written off.

Estimates & Rate Requirements for 2024/25

Miss Ablett advised that when considering the rating estimates and the Agricultural Drainage Rates and Special Levy requirements for 2024/2025, the Commissioners should note the comments made by the Responsible Finance Officer

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2024/2025 and were informed by Miss Ablett that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 10.85% and 89.15%.

RESOLVED

i) That the estimates be approved.

ii) That a total sum of £36,177 be raised by drainage rates and special levy.

iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £3,926 and £32,251 respectively.

iv) That a rate of 7.4p in the £ be laid and assessed on Agricultural hereditaments in the District.

v) That a Special levy of £32,251 be made and issued to the Fenland District Council for the purpose of meeting such expenditure.

vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution v).

vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

C.1276 Date of next Meeting

RESOLVED

That next Meeting of the Commissioners be held on Wednesday 16th April 2025 at 7pm at the Middle Level Offices

Provided by the Middle Level Commissioners		**Item No:**	**4**
Meeting:	**MARCH 5TH DDC**	**Subject:**	**CONSTITUTION & MEMBERSHIP**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Polly Tombleson**

RECOMMENDATIONS

The Board is asked to:

A. Annual Appointments of Chair & Vice-Chair
B. Note the current status of its membership and the role they each play as members serving the interests of the Board.
C. Review attendance records and identify any resolutions as necessary.
D. Reenforce the need for members to view all five ‘Good Governance’ videos.
E. Identify any topic areas for additional training, as well as any inspection/site visit requirements.

1. Current status

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

	Elected Members	Appointed Members	Total Members	Quorum
Composition	9	N/A		5
Actual	9	7 FDC	16	
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	Emma Alterton	Ratepayer	
2	Tony Alterton	Ratepayer	
3	Paul Beeton	?	
4	Steven Bushell	Nominee of Ratepayer (Hopkin Farms)	
5	Paul Hayes	Ratepayer	
6	Geoff Hopkin	Ratepayer	
7	Tony Hopkin	Ratepayer	Chair & District Officer
8	Jack Lilley	Nominee of Ratepayer (P L Hayes)	
9	Andrew Payne	Ratepayer	Vice-Chair

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	Chris Boden	FDC	Councillor
2	Jan French	FDC	Councillor
3	Stuart Harris	FDC	Councillor
4	Charlie Marks	FDC	Councillor
5	Alex Miscandlon	FDC	Councillor
6	Tim Taylor	FDC	Councillor
7	Andrew Woollard	FDC	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	9/4/2024	11/4/2023	12/4/2022	13/4/2021
1	Emma Alterton	Present	Present	Present	Present
2	Tony Alterton	Present	Present	Present	Present
3	Paul Beeton	Present	apologies	Present	Present
4	Steven Bushell	Apologies	apologies	Present	N/A
5	Paul Hayes	Present	Present	Present	Apologies
6	Geoff Hopkin	Apologies	apologies	apologies	Present
7	Tony Hopkin	Present	Present	Present	Present
8	Jack Lilley	Present	Present	Present	
9	Andrew Payne	Present	Present	Present	Present

Attendance at Chairs Meetings

No	Name	6/12/2024	6/10/2023	13/12/2022	12/4/2022
1	Tony Hopkin		Present		

Appointed Members (current and previous)

No	Name (Council)	9/4/2024	11/4/2023	12/4/2022	13/4/2021
1	Chris Boden (FDC)	Apologies	N/A	N/A	N/A
2	Jan French (FDC)	Present	Present	Present	
3	Stuart Harris (FDC)		N/A	N/A	N/A
4	Charlie Marks (FDC)	Apologies	N/A	N/A	N/A
5	Alex Miscandlon (FDC)	Present	N/A	N/A	N/A
6	Tim Taylor (FDC)	Present	N/A	N/A	N/A
7	Andrew Woollard (FDC)	Present	N/A	N/A	N/A

3. Elections, vacancies & appointments

3.1 To consider the annual appointments of Chairman & Vice-Chair

4. Training

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

4.2 To date 1 of 16 Board Members have reported viewing all five videos.
To date 5 of 16 Board Members have reported viewing 2 of the 5 videos.

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

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

Author Name: Polly Tombleson
Role: Senior Business Support Officer

Provided by the Middle Level Commissioners		Item No:		5
Meeting:	**MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS**	**Subject:**	**CLERK'S REPORT**	
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Paul Burrows**	

RECOMMENDATIONS

The Board is asked to:

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

1. MLC Services to IDBs

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

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

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

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

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

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

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

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

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

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

We are refocussing because:

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

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

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

The shorter-term measures to mitigate this are:

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

The medium-term measures to mitigate this are:

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

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

- Consent compliance
- Enforcement (inc complex cases and legacy issues)
- Major development and sites of concern (inc, multi-agency working)

- Authorisations and powers of entry
- Proactively formalising land registry, easements and agreements
- Communications and engagement

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

2. Electricity

2.1 Electricity Service

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

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

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

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

3. Charging for Planning & Consenting

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

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

The Board is asked to support the need to review our charging model to maximise income. The new model will be implemented from the 1st April 2025. This will be reviewed annually, and the Clerk invites feedback.

4. Rating

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

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

Upgrading to DRS 365 (the software licence, training and transitioning work) will cost circa £10k per site (ie covering MLC and our administered IDBs) and the annual support charge will be circa £5k per site. This covers their costs and provides a more robust, sustainable and better supported system than we currently have, reducing risk to MLC and our administered IDBs. These costs will be reviewed next on 1 April 2025 and annually thereafter. The existing DRS2005 maintenance fee is £1k per annum.
The only other options we have would be to create our own software (which is impractical) or revert to a paper-based system (which would be a retrograde and resource intensive step). In these circumstances the WMA would offer a year extension to the DRS2005, hosted on their server, but at our risk should Microsoft decide to turn off the Access 2003 platform upon which the existing DRS is dependent.

5. Debt Management

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

6. **Highland Water & IDB Precept.**

A formal appeal to the Minister under Section 57 (4) of the Land Drainage Act 1991 was thankfully narrowly avoided in 2024/25 given that the Anglian (Great Ouse) Regional Flood & Coastal Committee (RFCC) agreed a one-off approach to covering the shortfall in the Environment Agency's budget to ensure highland water claims (HWC) to local IDBs were met.

In addition, the Environment Agency's HWC budget for 2025/26 was increased from that which was indicatively allocated. Had the indicative allocation stood, the forecast budget shortfall would have essentially resulted in the Environment Agency imposing an active withdrawal of management of a number of districts and the Middle Level catchment without any underpinning consultation with those affected, impact assessment, any clear policy position or procedure.

However, without a programme of reform and mitigations, we will potentially be in an appeal situation at some not too distant point in the future. The time that would have been spent drafting and lodging an appeal has been used more constructively to develop 'The Highland Water Conundrum' document. This has been submitted to the Minister, Defra, the Environment Agency and our Local Authorities.

There are a range of measures that are outside of the control or influence of ourselves and IDBs that would make a positive difference. I have identified these as recommendations within the document. Many of these recommendations are for the Environment Agency to consider and implement as appropriate. I would be happy to discuss further and contribute directly to any reviews that take account of this matter.

We feel that it is unfair that HWC payments are under threat without mitigations being available that provide us and IDBs with a greater degree of control, influence and/or choice. We and IDBs have no choice but to receive and manage water that flows into our/their districts from highland areas. We/they are providing a public service to beneficiaries within (and of) highland areas and we/they have no choice to not provide this service.

The 'Highland Water Conundrum' document is available to Middle Level Board Members and Commissioners upon request.

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

7. Insurance

Our insurance has been arranged using Towergate insurance brokers for the year to 31*st* March 2025. AXA offered a 2-year extension of the tripartite 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 not being any changes to the existing cover, i.e. increase in valuations.

Covering MLC and our administered IDBs, the business combined policy premium has increased this year by £16,875, due to the significant increase in pumping station valuations following the meetings last year. The fleet policy premium has also increased considerably due to the both the number and size of claims during the year, together with there being additional vehicles and plant. We have been warned that AXA capped the increase in the fleet premium, but if this had gone out to tender would probably have been in the region of £110,000 plus 12% Insurance Premium Tax. This equates to an increase of £68,000.

More concerningly, AXA will no longer be offering a specific policy for IDBs going forward so this is likely to have a significant impact on the premium for 2026-2027 as there are only a few insurance companies that will quote for our business. NFU have declined to quote.

Author Name: Paul Burrows
Role: Clerk

Provided by the Middle Level Commissioners		Item No:	Under Clerks report
Meeting:	**MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS**	**Subject:**	**FENS RESERVOIR**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Paul Burrows**

RECOMMENDATIONS

The Board is asked to:

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

1. Latest position

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

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

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

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

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

2. IDB Interests

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

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

3. Legal approach

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

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

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

Anglian Water would <u>not</u> expect to cover <u>any legal costs</u> related to activities such as:

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

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

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

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

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

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

Author Name: Paul Burrows
Role: Clerk

Provided by the Middle Level Commissioners		Item No:	6
Meeting:	**MARCH 5TH IDB**	**Subject:**	**ECOLOGY & ENVIRONMENTAL SERVICES MANAGER'S REPORT**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Sofi Lloyd**

RECOMMENDATIONS

The Board is asked to:

A. Note the updated Environmental Services Package will take effect from April 2025.
B. Be informed that the environmental review and Biodiversity Action Plan update meeting is scheduled to take place with the relevant Board members in the coming months. Please make interim provision for the new BAP to be reviewed, agreed and adopted prior to the next Board meeting.
C. Note that the new Hedgerow Regulations 2024 prohibits the cutting of any hedge growing on agricultural land between the 1st March - 31th August inclusive.
D. Be reminded that any non-routine maintenance including bank slip repairs or reprofiling, culvert installation or replacements, tree felling, established scrub removal and channel de-watering require environmental screening well ahead of the planned works, to ensure works are compliant, using the request form available on the MLC website: Conservation – Middle Level
E. Be aware that you will require licenced supervision of certain works that take place around badger setts, which MLC can provide.
F. Note that a Board Representative will be required to attend a biodiversity training day in 2025. Those who have some control over the works undertaken within the district is best placed to attend.
G. A reminder that the Board has a culverting policy and a presumption against culverting unless no other feasible option is available: Standing Advice – Middle Level.
H. Report bank slips that require remedial works as soon as they occur or are noticed.

1) Review of Consultant Engineer's recommendations

Considering the categorisation and function of reach 21-22 for capacity rather than conveyance, the Consultant Engineer will recommend a less intensive bank and channel maintenance regime in this area to optimise provisions for biodiversity, in line with the BAP objective for ditch management. The aim should be for 2-3 year rotational bank management and 3-5 year desilting regime.

2) Environmental Services Package Update

Further to the update and discussion at the Middle Level IDB Chairs meeting in December 2024, you will have seen and heard us over the previous 12 months, setting out our plans and reasoning for focussing, updating and re-defining the range of services that we provide to IDBs across and beyond the Middle Level. This will take time and my ambition is to have a catalogue defined and ready to implement on 1st April 2026.

However, within all our service provision it is ecological and environmental compliance that carries greatest risk to Boards, Board Members, Board employees, the Middle Level Commissioners and their staff. A step-change in service is overdue and we have been building towards this over the last two-years as reflected in the 2024/25 fee adjustment. Therefore, we plan to launch the new Environmental Services Package in 2025/26, as this will help IDBs to begin to significantly improve and evidence their environment compliance and delivery straight away. This also ensures that the Middle Level Commissioners are not under-writing other IDBs environmental responsibilities.

For the Boards where services from the Middle Level Commissioners will be discontinued from 1st April 2026, please use information in this letter to help scope, define, compare and negotiate the environmental services you'll require from your new supplier(s). The Service Package from us through 2025/26 will enable and facilitate the transition.

Background

Historically, IDBs have made a small contribution towards the MLC Environment Officers' salary to access ecological and environmental advice and guidance if required, in a mostly re-active manner. There has been little definition around what services have been included.

However, protecting and improving biodiversity and the environment are higher than ever on the political agenda, and the Government is looking for strong and proactive environmental delivery from Public Bodies to contribute towards their own challenging statutory environmental targets. As such, legislation and scrutiny has strengthened significantly around how IDBs deliver their statutory environmental duties. This is demonstrated by the recent changes to the information Defra requests via the IDB1 report.

Also, the general public is nowadays much better informed and aware of the state of nature and have more confidence in challenging IDBs about their environmental delivery and compliance. For these reasons, it is more important than ever for IDBs to be able to evidence how they have considered the environment when determining their approaches to flood risk and water level management.

Inevitably, this has meant that IDBs now require greater support to meet and evidence their statutory environmental duties. There has also been a growth in demand for suitably capable and qualified ecologists and the market hasn't kept pace with the demand, therefore salaries have increased similarly to other in-demand professional services. This also reflects that these days ecologists also take personal liability, thus if something goes wrong on their watch then, notwithstanding the responsibility and prosecution risk for IDB Board members, they can also be 'struck-off', a bit like doctors. They therefore need to be reassured about who they are working for and the associated commitment to compliance of the organisation.

Going forward

As outlined at the Chairs meeting in December 2024, we have developed an Environmental Service Package that aims to support IDBs to achieve <u>minimum statutory environmental compliance</u>. The details of the new package are set out below:

Environmental Services Package

Ref:	Category:	Details:	Days Equivalent:
1.	**General Consultancy** *(inc. retained service)*	Up to 2 days general consultancy which can be used for: • Screening and assessment of non-routine works using the ESR (Environmental Screening Report) process. • Preliminary habitat and species surveys & reporting* • Ad-hoc advice and guidance. • Initial advice & communications for pollution incidents • INNS identification and advice. • Biodiversity Action Plan BAP ditch survey & reporting**	**2**
2.	**Environmental Compliance Health Checking**	• One environmental review with MLC Env. & Ecol. staff per year & subsequent reporting. • Review must include budget setting & expenditure recording for reporting to Defra (IDB1). • Review & assessment of proposed annual programme of works prior to Board approval. • BAP report & review for Board.	**1.25**

3.	**Planning Ecology Services**	• Up to 1 day for consent applications advice & guidance^ • Over 1 day will be charged on a time and materials basis. This includes responses to Local Plans and Strategies on the IDBs behalf.	**1**
4.	**Keeping up-to-date**	• Communication of relevant updates in policy, legislation, regulation and best practice.	**1**
5.	**Training**	• Attendance for up to 2 candidates at 1 environmental training day per year.	**1**
Total:			**6.25 days p.a.**
Cost (2025/26)			**£2,375**

Notes: *Any surveys or mitigations that follow on from preliminary surveys, including licenced work such as water vole displacement, will be charged on a time and materials basis or can be contracted out if MLC staff are fully booked.
** Any unused consultancy balance can be used to cover the recommended annual 1-day BAP ditch survey, with any shortfall charged separately. If any pre-works surveys (ESRs) are undertaken in the year, they will be extended so that they count as the BAP ditch survey for efficiency.
^ For activity not rechargeable to developers/consent applicants.
Unused category balances can be used to cover shortfalls in other categories within the financial year as mutually agreed. Unused balances cannot be carried forward outside the financial year but its use can be discussed with MLC with potential for it to be used to contribute towards assisting the IDB to progress a BAP objective instead if capacity allows.
For IDBs who also contract operational services from MLC (via Morgan Lakey, Operations Manager), there will be a 16% reduction in fees, reflective of the efficiency gained from being able to integrate your environmental compliance procedures into our operational processes and communicate freely with your other service providers, taking the annual charge down to £1995 (2025/26).

We are confident that the above service provision will deliver the range of support that is most frequently requested and required by IDBs and reflects what is necessary to achieve and demonstrate minimum environmental compliance.

However, the minimum service package is not exhaustive and is not all-inclusive, therefore additional ad-hoc consultancy, charged on a time and materials basis will still be available if needed and where MLC staff capacity allows. This could include:

- Supervision of Licenced CL27 drainage operations over a badger sett
- Licenced protected species activities including water vole displacements and badger sett disturbance / closures etc.
- Habitat creation or enhancement consultancy and habitat condition assessments
- Invasive species control

Where we have insufficient capacity to deliver additional consultancy, we will be able to advise on your selection of third-party supplier and provide them with advice, however the IDB would take on the client role and be the organisation commissioning the supplier, overseeing their delivery and performance.

Benefits of a service provided by MLC

Our commitment is that our fees will remain not for profit and will be very competitive compared with peer IDBs and those of qualified external profit-making environmental consultants.

It is our intention that from 1st April 2025, the service package fees will be charged. For IDBs who also contract their operational services from us via Morgan Lakey, there will be a 16% reduction in fees, reflective of the efficiency gained from being able to integrate your environmental compliance procedures into our operational processes and communicate freely with your other service providers, taking the annual charge down to £1995.

IDB ecology and the IDB industry is quite niche (e.g. bespoke ecological and environmental licenses and permits). Our ecologists specialise in and represent the local and national IDB industry interests and challenge local and national policy where it is not enabling of our work. We have strength of voice in representing the largest number of IDBs in the country. An example of this is the successful legal challenge made to Natural England last year to clarify and amend the conditions within the IDB-specific badger licence (CL27) to make it more enabling of our routine maintenance work taking place around badger setts. This was not something that ADA, our national representative was able to progress for us, despite the implications for IDBs nationally. Our ecologists also hold multiple IDB-relevant protected species licences and can carry out licenced activities most commonly required by IDBs for a much-reduced cost compared to an external ecological consultancy.

There are an increasing number of funding opportunities available for a wide range of environmental improvements, including those which could be of benefit to IDBs. This includes biodiversity net gain funding, peat conservation and developer contributions such as Section 106 funding. Many of these require use of local, regional and national networks, personal relationships and partnerships, along with a landscape scale view. We provide this as we invest in it to benefit the Middle Level Commissioners. We therefore can help IDBs to be better placed and more competitive to access such funding by evidencing their experience and competence in delivering positive outcomes for biodiversity in a consistent way and in partnership with other local environmental managers.

Some of the benefits you will have received to date from the ecology and environmental services department are not always visible and would be difficult for an external consultancy to replicate in the same efficient manner. A lot of work has taken place in the background to significantly improve the way that you can evidence your environmental compliance. This has included:

- Assessment of all relevant consent applications on behalf of many IDBs to ensure their statutory duties in relation to the environment are discharged and evidenced. This sometimes includes site visits, meetings and reports. It also includes the development and publication of new pre-application environmental guidance for consent applicants, for all IDBs.
- Influencing and contributing towards national, regional and local policy and strategy development. This includes wildlife licencing, Local Nature Recovery Strategies, which IDBs have a statutory duty to consider, Local Plans, Fens Reservoir planning and Environmental Stewardship options which will benefit IDBs.
- New templates, processes and services available to all IDBs to help them deliver and evidence their environmental compliance in relation to non-routine works using the ESR (Environmental Screening Report) process.
- Development and launch of compliant standard operating procedures for routine works including flail mowing and desilting. Associated training provided to a number of IDB contractors.
- A retained ecological consultancy service (which you may have chosen not to use)
- Monitoring, influencing and communicating legislative changes that affect IDBs such as badger licenses and Hedgerow Regulations
- A scheduled environmental review and BAP refresh visit (the BAP is required to deliver an IDBs statutory biodiversity duty)

We hope that this has provided you with sufficient information regarding the new service package from 1st April 2025. I appreciate that the step-change in fee may not be universally well received by Board Members that are less engaged and aware of their personal and collective environmental liabilities and risks. The Ecology and Environmental Services team are keen to meet with you to discuss this further as part of your scheduled environmental review in the coming weeks and months.

We will work on the premise that your Board will opt in and engage with the Environmental Service Package. Indeed, it’s success and your compliance requires a two-way relationship and input.

You may choose to benchmark this package against other service providers and opt-out. If so, please feel free to use the information above to secure comparable quotes. You will also need to bear in mind the following:

- The additional Board members responsibilities and associated training and expertise required to become an intelligent client in commissioning ecological and environmental services. You need to know what service you are asking for and what standards are required.

- Alternative suppliers will likely still require inputs from Middle Level Commissioners staff which will be billed at an hourly rate and liaising with alternative suppliers may impact the cost, timeliness and quality of other services we provide your Board.
- Alternative suppliers will need to consider how they invest in the IDB sector locally, regionally and nationally and the myriad of partnership activity there is within and around the Middle Level.

Your clerk will need to be reassured that any alternative service provider will support and enable your environmental compliance to report on your behalf to Defra with due confidence.

We commit to reviewing the Service Package both qualitatively and quantitatively as it beds-in to ensure continued value for money for the IDBs and the Middle Level Commissioners.

3) The Management of Hedgerows (England) Regulations 2024

In May 2024, Defra announced The Management of Hedgerows (England) Regulations 2024 which put the baseline for hedgerow management practices into law, and replaced the regulation of management previously provided for via cross compliance. The Regulations require:

- a 2-metre buffer strip, measured from the centre of a hedgerow, where a green cover must be established and maintained. Also, no cultivation or the application of pesticides or fertilisers should take place within this buffer strip;
- a hedgerow cutting ban from 1 March to 31 August (inclusive).

These Regulations apply to any hedgerow growing on land used for agriculture if that hedgerow has:

- a continuous length of 20 metres or more; or
- a continuous length of less than 20 metres and, at each end, meets (whether by intersection or junction) another hedgerow.

Please advise your workforce / contractors of the change and programme such works to take place within the compliant period: Hedgerow management rules: cutting and trimming - GOV.UK

4) Licensing of IDB works around badger setts.

Previously, MLC had planned to roll out training and licence administration services to enable all IDBs to access the CL27 Badger Licence and to conduct their routine and periodic maintenance work compliantly around badger setts. However there were some issues with licence returns in 2023 which highlighted some regional variation in the regulation and enforcement of CL27 licence requirements within Natural England, and some developing impractical licence requirements. MLC and representatives from 3 other IDBs made a successful legal challenge to Natural England regarding the issues and have secured some positive changes to the licence which are more enabling of our low-risk routine maintenance work taking place around badger setts. This has removed the need for all IDBs to hold their own badger licences (although they may wish to do so anyway) and makes it much easier for MLC to continue to provide qualified and licenced supervision of works where necessary. Any work that carries any risk of damaging a badger sett or disturbing a badger within a sett, even if the risk is deemed to be small, is still licensable and MLC should be contacted for further advice where such works are planned. This includes desilting over or near to a badger sett. Where there is uncertainty, if any works are planned within 30m of a badger sett, please contact MLC for advice and guidance. Please see the updated CL27 licence on-line for full details of activities that are likely to be licensable: Licence to interfere with badger setts for watercourse and drainage purposes (CL27) - GOV.UK

5) Improved advice and guidance provision:

a) We have developed some extended pre-application advice and guidance for consent applicants to help them understand what environmental considerations they need to make before submitting an application to us. This includes helping them to secure the correct ecological advice and what ecological assessments they need to submit with their application. This will help applicants to avoid delays in us processing their application until such information is received. It has already reduced the number of queries and frequently asked questions that we have had to respond to. It also helps to ensure more efficient delivery of the IDBs statutory responsibilities regarding the environment that are associated with consenting the work of others in and around IDB channels. Please take a look on the website for more information.

b) We have welcomed new ecological resource at MLC who will be assisting with delivering the new service package to IDBs. **Abigail Leach** has a wealth of relevant knowledge and experience that she has brought with her, most recently from working at the Broads Authority, and is very well regarded in the industry. Abigail has already revised and updated the **biosecurity policy** and will be launching it later this year at the next IDB training event.

Author Name: Sofi Lloyd
Role: Ecology and Environmental Services Manager

Provided by the Middle Level Commissioners		Item No:	8
Meeting:	**MARCH FIFTH DDC (Hereafter referred to as the Board)**	**Subject:**	**CONSULTING ENGINEERS REPORT: CHIEF ENGINEER'S SUMMARY & CAPITAL PROGRAMME**
Date:	**Wednesday 16th April 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. **Decide how to proceed in light of GiA funding uncertainty.**

1. Technical Services

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

1.2 We are receiving an increased number of questions from developers ahead of planning applications/consent applications, with an expectation that we can provide the information freely. We have completed the review of our charging model and we will be introducing a new charging model for answering these questions if applicants do not enter into a pre-app agreement.

Please refer to item 4 in the Clerks report.

The Board is asked to acknowledge this approach.

2. Summary of Key Planning Issues

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

2.3 **Engagement with the Local Planning Authorities (LPA)**

There has been a significant disconnect with the LPA's since the pandemic partly due to the changes of working practices, ever decreasing resources and lack of suitably qualified officers.

Several Council representatives have urged the need to engage with the LPA's and the developers. Where possible efforts have been made to reengage with all members of planning departments but particularly with the Case Officers but this has proved difficult. Despite several requests to engage, discuss and resolve the issues with the relevant parties these remain unanswered and this is considered to be poor partnership working.

There is particular concern about the larger strategic sites which experience has proven will take several years to build out and involve several RMA potentially including the LPA, the Environment Agency, the LLFA, the MLC, the Boards and Anglian Water etc. together with other interested parties with changing staff or representatives being involved. Therefore, it is considered that it is in everyone's interest for development specific "Drainage/Construction/Ecology" Strategy or Strategies to be established.

The documents can:

A. Identify the key challenges involved and facing the LPA, RMAs, Landowners and Developers, and other parties concerned and identify opportunities and provide a strategic direction to encourage an integrated and sustainable approach in the context of the proposed development.

B. Advise on how the site will be established, developed and maintained during its lifetime. This will include but will not be limited to the provision of further design detail of the on site surface water disposal systems; any potential improvement works and installation of relevant infrastructure; design, construction and long term maintenance arrangements including relevant open watercourses; ecological protection and enhancement of open watercourses; etc.

C. Assist any new officers when dealing with the development concerned, provide more certainty and potentially speed up the decision making for all parties.

D. Strengthen RMA strategic working and if dealt with correctly would speed up decision making, both are being promoted by Government and contained within the latest version of the NPPF and reduce long term costs for all parties including the LPA's.

In respect of an enquiry to an LPA in respect of a Strategic Allocation for a Mixed Use Development comprising residential development up to 1,000 dwellings, employment (B1, B2, & B8), Local Centre (A1, A2, A3, A4 & D1), Primary School and associated infrastructure the Case Officer involved responded as follows:

"As such, the IDB, and their decision to Grant or Refuse land drainage consent is at the discretion of the IDB and covered under legislation separate to planning, and I note your interest in engaging with them to address this matter. As this is separate to the planning system, the LPA will not involve themselves in this matter further, unless changes need to be made to the surface water drainage scheme approved by the LPA as a result of discussion with the IDB."

Planning Conditions

Efforts have also been made to engage with a well-respected local Principal Planning Officer requesting a conversation about the intricacies of imposing planning conditions. The officer concerned has advised that whilst the position is noted and would be a good idea he considers that it would be inappropriate for him to provide guidance given his status as an Interim Officer. He added that he understood that the authorities Head of Planning and Development Manager would be better placed to deal with the enquiry and would "be in touch". This approach has not yet been received.

Planning Sub-Committee

Following the Planning Engineers return from sick leave a process was implemented to accommodate the contents of items iv & v of resolution C.1270 Consulting Engineers' Reports:

iv) That a planning committee be formed to include: The Chairman, The Vice Chairman, Mr T Alterton, Miss E Alterton and T Taylor Esq

v) That where larger, more problematic applications or where two to three small developments were being dealt with as one application the Planning Engineer is to correspond with the Commissioners' planning committee.

Planning Applications

<u>Creek Fen Area</u>

Provision of a storm tank at March Water Recycling Centre (WRC), Creek Fen Road, March – Anglian Water Services Ltd (MLC Ref No 503)

Discussions are in hand concerning the damage to the verge caused by the over run at the entrance to March WRC.

Residential development adjacent to Hillcroft, Creek Road, March Land to the west - Peter Humphrey Associates (MLC Ref No 223); Mr Brownlow & Ms Davis (MLC Ref No 534) & Land to the east - Mr Brownlow & Ms Davis (MLC Ref No 539 & 544) & Brownlows Yard - Mr Brownlow & Ms Davis (MLC Ref No 552)

Further to the previously approved Planning in Principle (PIP) applications FDC Ref. Nos. F/YR22/1112/PIP & F/YR22/1414/PIP MLC Ref. Nos. 534 & 539 an additional PIP application for nine homes has been submitted to, and subsequently refused planning permission by, the District Council.

The Decision Notice advises that:

"This permission has been refused for the following reason(s):

1 By virtue of its location and land use, within an area of high and medium risk of surface water flooding, and its failure to pass the Sequential Test, the proposed development would place people and property in an unjustified risk of flooding, contrary to policy H2 of the March Neighbourhood Plan 2017, policies LP4, LP14 and LP16 of the Fenland Local Plan 2014, and paragraph 168 of the National Planning Policy Framework."

During a review of recent planning applications, it was noted that a further planning application FDC Ref. No. F/YR23/0528/F MLC Ref. No. 544 was submitted to the District Council for the site previously granted site FDC Ref. No. F/YR22/1112/PIP & MLC Ref. No. 544. In view of the Boards previous resolution C.1240 Consulting Engineers' Report, including planning and consenting matters (2023 Annual Meeting) which states that:

"iv) MLC Ref Nos. 223,534 & 539 –That the Planning Engineer responds to applicant as March 6th DDC when dealing with a similar application advising the applicant that a connection to the adopted sewer system would be requested in much the same way."

It is suggested that, in order to expedite any issues and alleviate any confusion, a letter advising of advising on the Boards position is issued to the relevant parties.

Extract from Morton & Hall Consulting Ltd's Drg. No H8533/403A highlighting the planning application site in green.

<u>Elm Road Area</u>

Residential development at Berryfield

Phase A - Erection of 30 dwellings (max) east of Berryfield, Berryfield, March – The Wilkinson Family (MLC Ref Nos 392, 396 & 471) & FPP Facades (MLC Ref No 498)

The properties on the western boundary of the site which back on to the original Berryfield are complete and occupied.
It is not known if the water control and associated structures have been installed.

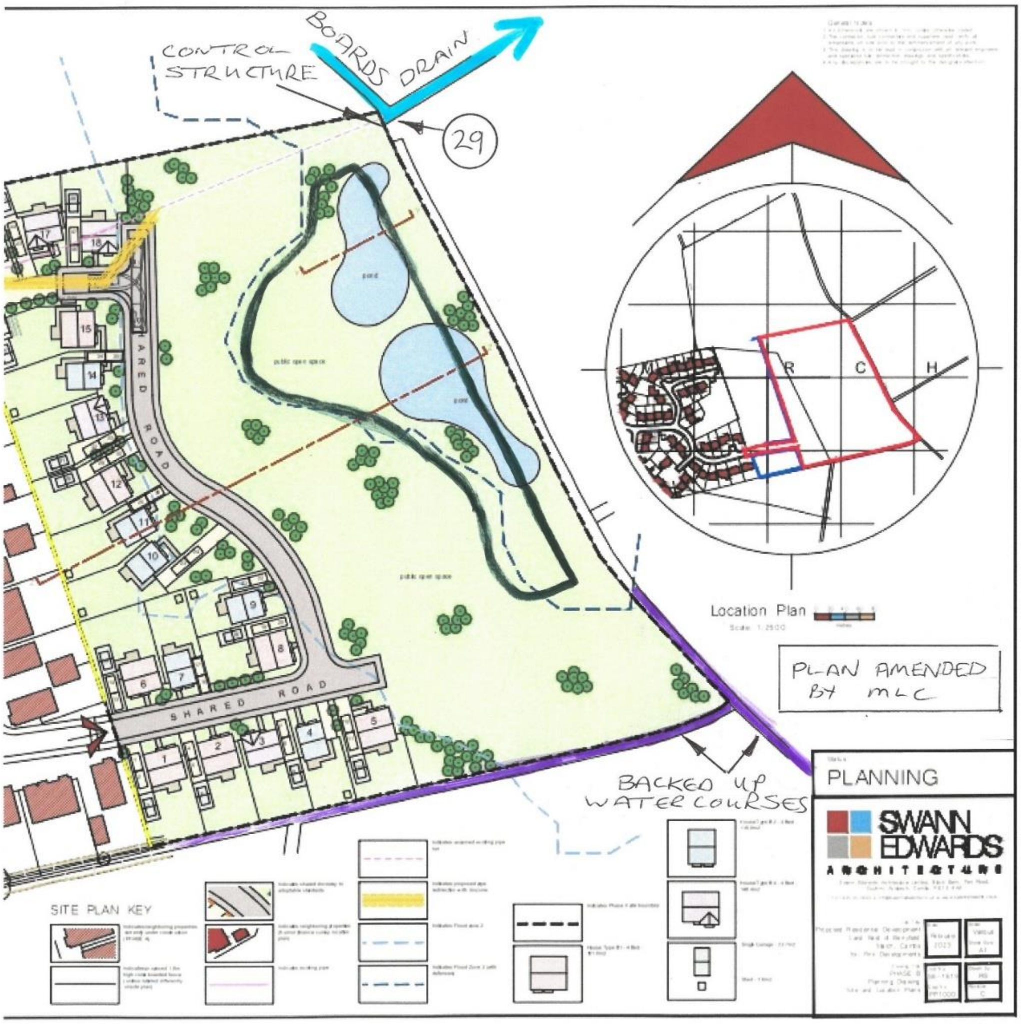
Phase B - Erect 18 x dwellings with associated infrastructure and the formation of 2 x balancing ponds and public open space - Fink Developments (MLC Ref No. 545)

Further to item iii of resolution C.1270 Consulting Engineers' Reports:

iii) MLC Ref No. 545 – That the Planning Engineer responds to the applicant advising of the Commissioners' concerns regarding the attenuation of surface water on site being sufficient for the impermeable area, sustainable for future maintenance and to who would be responsible for maintenance in years to come.

The Planning Engineer, upon his return from sick leave, prepared a response to the Case Officer which included an option that provided mutual benefit to both the developer and the Board, as follows:

1. The mitigation of the impacts of surface water discharge from the site.
2. Provide storage to alleviate flooding in the Boards system during rainfall events, thus reducing the pressure on the larger system; reducing the Boards costs and carbon footprint and will assist with achieving “net zero”.
3. Improve water quality by removing sediments and nutrients.
4. Contribute both to the developer’s provision of Biodiversity Net Gain (BNG), support diverse ecosystems and also enhance the Boards system in terms of biodiversity.
5. Provide a Blue/Greenspace and amenity area for the residents in the immediate area.



Amended extract from Swann Edwards Architecture’s Drg. No SE-1819 PP 1000 Rev. C showing a suggested area of mutual benefit, edged in black.

However, this planning application was refused by the Planning Committee in January for the following reasons:

“This permission has been refused for the following reason(s):

1 Part of the development, including the internal access road for 10 of the dwellings, is within Flood Zone 2. Despite the submission of a Sequential Test Statement on behalf of the applicant, it is concluded that a Sequential Test for the proposals has not been adequately undertaken in line with the approved guidance provided in the Cambridgeshire Flood and Water SPD. Accordingly, the application is contrary to Chapter 14 of the NPPF, Part B of Fenland Local Plan Policy LP14 and Policy H2(c) of the March Neighbourhood Plan.

2 The application as submitted has failed to demonstrate that the development would not result in a net loss in biodiversity value, which conflicts with Fenland Local Plan policy LP16(b) and LP19. “

Residential development at Highfield House, Elm Road, March – Mrs E Wilkinson (MLC Ref Nos 432 & 520) + Millfield Developments Ltd (Mr P Hussey) (MLC Ref Nos 550 & 557)

Further to previous reports the Reserved Matters planning application FDC Ref. No. F/YR23/0909/RM MLC Ref. No. 550 was approved subject to the imposition of Planning Conditions by the District Council in July.

A Discharge of Conditions application FDC Ref. No. F/YR24/3156/COND MLC Ref. No. 557 which includes details reserved by conditions 7 (surface water drainage) and 8 (surface water run-off) was submitted in October but a decision remains pending.

The use of infiltration was originally proposed but permeability testing was unsuccessful, and it was concluded that “Infiltration is not a viable method of surface water discharge at the proposed development.”

No approach has been made to, and no correspondence received by, the Board in respect of this site.

Hybrid Application: Full application to erect 41 x dwellings (1 x 2-storey 2-bed, 28 x 2- storey 3-bed and 12 x 2-storey 4-bed) with associated parking, landscaping, and a new access, and Outline application with matters committed in respect of access for the erection of up to 2 x dwellings on land to the west of 180 to 200 Elm Road, March - Innerspace Home Group Ltd (MLC Ref No 518)

Following the submission of a Revised FRA & Drainage Strategy by the Boards Chair requested a site meeting for the Boards Planning Sub-Committee. Further discussion has enabled the attendance of FDC’s Case Officer, a representative from the LLFA together with the applicant. The meeting is to be held imminently.

The revised document is currently being reviewed.

Rising main replacement

In July 2024, Anglian Water Services Ltd., proposed replacing a rising main from their booster station at Riverdown, at March Water Recycling Centre (WRC), alongside Creek Fen Road – A land agent on behalf of AWSL submitted an initial application to replace the c.3km long rising main but provided insufficient detail on their proposal. In recent months, they have been repeatedly requested to submit additional documentation and detail, some of which has been received, and this is currently being reviewed before processing.

The issues raised concerned i) a lack of coherent detail in their Preliminary Ecological Appraisal ii) only one consent was applied for three IDB drain crossings iii) AWSL said they would direction drill and lay the new rising main at a 'suitable depth' of 2.5-3m below ground level under the IDB drain bed levels but didn't establish what current bed levels are iv) they stated the replacement rising main would be along the existing route, yet after checking their on-line service plans using DIGDAT, it became apparent that while the new main route mirrored that of the existing, the new corridor is much closer to the Old River Nene v) concern was raised with the Agent that the new route might intrude into the 20m byelaw distance for the Nene and a GIS file was requested to accurately ascertain. They claimed that a GIS file was not something they could supply, and that the PDF location map supplied should be more than sufficient for our needs. Legally, AWSL have a jurisdiction easement 3m either side of a rising main so concern remains that the new route may infringe the byelaw distance.

While AWSL is a statutory undertaker, their Agent has continually shown considerable arrogance coupled with a nonchalant manner in satisfactorily dealing with further information requests by phone and email. A relatively straight forward and routine project with a so-called partner organisation has been laborious from the outset and further details are still awaited. Their anticipated start date is April/May 2025.

District Wide

March to Wisbech Transport Corridor (Previously known as the Re-opening of the March to Wisbech Rail-line – Scheme No 398128) (Wisbech Rail) (MLC Ref No 477)

No further correspondence has been received, and no further action has been taken in respect of the Commissioners' interests.

C. Fenland District Council

Fenland Sustainability Appraisal Scoping Report Consultation

This high level document is currently the subject of a consultation.

It is a statutory requirement for Local Planning Authorities to carry out an appraisal of the sustainability of their Local Plan. Sustainability Appraisal (SA) is an iterative process which forms an integral to the plan making process and is used to appraise the social, environmental, and economic effects of the Local Plan.

It should provide a sound evidence base for the plan, form an integrated part of the plan preparation process and will help ensure that decisions are made that contribute to achieving sustainable development.

The SA Scoping Report is the first stage in the SA process. Through an assessment of the current situation in Fenland, the SA Scoping Report identifies which issues need to be addressed and identifies objectives to test the Plan and policies against. This assessment will help to establish the Issues, Vision and Objectives of the emerging Local Plan.

The document is primarily aimed at Historic England, Natural England and The Environment Agency but comments are welcome from any organisation or individual.

At the time of writing the document is being considered with the intention of issuing a response by the deadline.

D. Cambridgeshire & Peterborough Flood and Water (C&P FloW) Partnership

In addition to the items discussed above, the following issues of interest to the Board have been raised:

a. Cambridgeshire Flood Risk Programme

Given that a year has passed since the workshop and no meaningful correspondence or outcomes appear to have been received, the Commissioners requested an update on this programme. However, it is understood that these sites are included in the Cambridgeshire Flood Risk Management Strategy: 2024 Action Plan Review. See below.

b. Community Flood Action programme

Further copies of the Community Flood and Water newsletter have been issued. You can view previous editions and subscribe to receive the newsletter automatically at Community flood action programme | Cambridgeshire County Council.

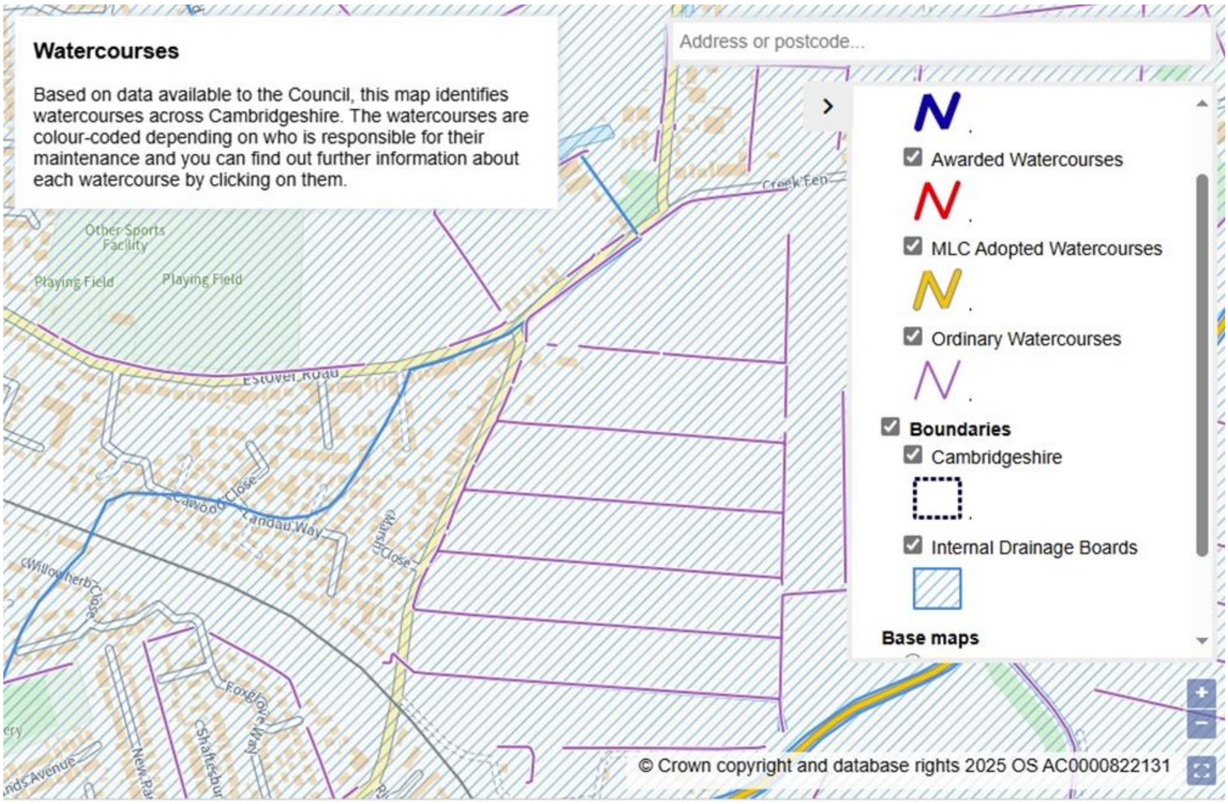
c. Watercourse Mapping Tool

The Flood Risk team has published a Watercourse Mapping Tool - Watercourse management | Cambridgeshire County Council

The tool was driven by feedback from local communities, landowners, and other stakeholders who wanted to understand more about watercourse responsibilities. It aims to provide a public tool that can be used to identify location of and responsibility for different watercourses. The watercourses are colour-coded depending on type/maintenance obligations and you can find out further information about each watercourse by clicking on them. The map includes the following details in Cambridgeshire:

- Ordinary watercourses
- Awarded watercourses
- Middle Level Commissioners (MLC) Adopted watercourses
- Main rivers
- Internal Drainage Board boundaries

It is acknowledged that there will be some watercourses, particularly the smaller ones, that are not yet included on the map. It is intended to expand on this map, adding more information wherever possible. If there are watercourses in your area that satisfy the definition above but are not currently included in the mapping, please contact the Flood Risk Team so that these can be discussed and added where appropriate.



Extract from the CCC Watercourse Mapping Tool showing part of the Boards area

1. Cambridgeshire Flood Risk Management Strategy (FRMS): 2024 Action Plan Review

A plan review has been prepared to provide an update on the progress of actions listed in the Cambridgeshire FRMS, which was adopted in 2022, highlighting contributions, completed work and any risks or challenges.

The contents are currently being reviewed in detail, but it summarises that:

> "Progress has already been made against 54 of the 58 actions with 6 actions now having been completed. There are several obstacles that impede progress in some areas, these are outlined below. Despite that and the persisting wet weather conditions, headway has been made across most actions and by multiple partners.
>
> The importance of clear communication remains in focus, whilst the impactful action led by community groups and local landowners continues to provide positive results.
>
> There is still some uncertainty from external factors that influence the work we do. In response to this we take an adaptive approach so we can be prepared for the changing circumstances."

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

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

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

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

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

With these factors in mind, we have published our first 'standing advice note' which is included as Appendix 3 and is available on our website https://middlelevel.gov.uk/standing-advice-2/. Standing Advice Note MLC001 effectively declares our flood and drainage infrastructure 'at capacity'. The intent is to develop and publish further notes over the coming months.

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

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

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

1. Capital Programme

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

The Board is asked to decide how to proceed.

Author Name: Nicola Oldfield
Role: Chief Engineer

Appendix 1:	**Capital Programme**
Appendix 2:	**List of applications since last meeting**
Appendix 3:	**Operational Services Report**
Appendix 4:	**M&E Report**
Appendix 5:	**MLC001: Middle Level System Flood & Drainage Infrastructure Capacity**

Appendix 1

March Fifth District Drainage Commissioners

Capital Improvement Programme (2025/2026)

		PREVIOUS YEAR	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
North Creek 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	3,000.0	3000.0
	Pumping station pumping and control equipment replacement	4.6	0	0.0	0.0	10.0	50.0	0.0	0.0	0.0	0.0	0.0	0.0	64.6
	Pumping station automatic weedscreen cleaning equipmet	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	0.0	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
South Creek 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	3,000.0	3000.0
	Pumping station pumping and control equipment replacement	4.6	0	0.0	0.0	6.0	0.0	50.0	0.0	0.0	0.0	0.0	0.0	60.6
	Pumping station automatic weedscreen cleaning equipmet	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	0.0	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
	Refurbishment of inlets/outfalls	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Drainage Channels														
		9.2	**0.0**	**0**	**0**	**16**	**50**	**50**	**0**	**0**	**0**	**0**	**6,000**	**6,125**

See engineers report for proposals to deliver grant aid business case

APPROVED AT MEETING 12th APRIL 2022

Weed-screen cleaner at North Creek p/s moved to post 10 years
Weed-screen cleaner at South Crek p/s moved to post 10 years
Pump replacement at South Creek p/s moved to post 10 years
Business case to be developed for pump replacement and control panel at North Creek p/s
If North Creek p/s to be 100% grant funded then proceed
Business case to be funded from development account

Appendix 2

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

MLC Ref.	***Council Ref.***	***Applicant***	***Type of Development***	***Location***
552	F/YR24/0254/F	Mr Brownlow & Ms Davis	Residential (9 Dwellings)	Creek Road, March
553	F/YR24/0373/F	Ashewell Developments	Conversion (Agricultural to 2 Dwellings)	Flaggrass Hill Road, March
554	F/YR24/0512/F	Mr K Kidman	Residence	Newlands Avenue, March
555	F/YR24/0526/F	Mr Cherry	Industrial	Norwood Road, March
556	F/YR24/0682/F	Mr & Mrs Goodwin	Residence (Extension)	Berryfield, March
557	F/YR24/3156/COND	Mr P Hussey	Residential (4 Dwellings)	Elm Road, March
558	F/YR24/0999/F	Mr S Bushell	Residence & Agricultural	School Grounds, March

There have been no applications for Byelaw Consent (to undertake works in and around watercourses) or (to discharge to a watercourse) granted since the last meeting.

The following infiltration device application has been acknowledged since the last meeting:

MLC Ref	***Council Ref***	***Option 1 (Self-certification) or Option 2 (Checking Form)***	***Applicant***	***Location***	Date acknowledged
556	F/YR24/0682/F	Option 1	Mr & Mrs Goodwin	Berryfield, March	18/11/2024

Provided by the Middle Level Commissioners		Item No:	8
Meeting:	**MARCH FIFTH DDC**	**Subject:**	**CONSULTING ENGINEERS REPORT: OPERATIONAL SERVICES**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Morgan Lakey**

1. Weed Control & Drain Maintenance

The maintenance and drain works carried out last year generally accorded with the recommendations approved by the Commissioners at their last Annual Meeting.

Harrison Agricultural Contractors carried out the Commissioners' flail mowing requirements last season and have indicated that they are available to undertake them again for the ensuing year. A sum for the completion of flail mowing district drains has been included within the estimate.

Following previous years' requirements and with the Commissioners' approval, the Commissioners' drains immediately upstream of North and South Creek Pumping Stations, reaches 1-2-3 and 20-21, were included in the annual machine cleansing programme. This action was deemed necessary to reduce the mass of aquatic weed required to be manually cleaned from the Pumping Stations' weedscreens. It is recommended that a sum is allowed for both reaches to be included again in this year's machine cleansing programme.

Following a sudden increase in the North Creek water level last April, it was noted the outlet at Point 22 had been vandalised or collapsed. A joint inspection was carried out with the Chairman, revealing a collapsed brick headwall and the sluice structure was damaged beyond use. Due to the structure not being used for many years and the condition of the failing brick work, any repairs would be uneconomic, and it was agreed to look at a more cost-effective solution. As the culvert also posed a liability to the adjacent MLC twenty-foot drain, a jointly funded option was agreed. An ecological survey was carried out by the Middle Level ecologist, allowing the failing brickwork to be removed and the bank profile reinstated with imported clay.

Collapsed Outlet at Point 22

West of Point 32

A pre-harvest district inspection last summer indicated that a majority of the Commissioners' district drains were in a satisfactory condition and being maintained to a good standard. Following a list of historical surface water issues associated with Elm Road area to the West of the catchment. It was agreed to include a small drain adjacent to Flaggrass Hill Road, within last year's machine cleansing programme. The additional works alleviated the backed-up water and allowed a significant improvement to the water conveyance into the Commissioner's system at Point 32. This area will be included in future inspections and appropriate action taken if required.

A recent joint inspection of the Commissioners' district drains was undertaken with the Chairman. The inspection indicated that majority of drains are currently in a satisfactory condition, however as the Commissioners' annual meeting falls during the early part of the growing season a subsequent district inspection will be required during the summer months to accurately identify any additional drain maintenance requirements.

North Creek Pumped System

The Commissioner's drains within the North Creek area are in a generally satisfactory condition following last year's programmed machine cleansing works. The Creek Road spur drain, reach 21-22, was the only drain omitted from last year's cleansing programme. However, as stated above, the outlet has now been decommissioned, and the drain only serves as additional holding capacity for the district. The drain currently remains in a satisfactory condition and will be cleansed on a 'as and when required' basis.

The collapsed Badger setts and small areas of bank subsidence identified on reaches 24-25-26 have not deteriorated any further and had no impact on completing the programmed machine cleansing works efficiently and compliant. They have naturally begun to self-heal and will be regularly monitored and any remedial works required, programmed in to be completed in-line with ecological guidelines.

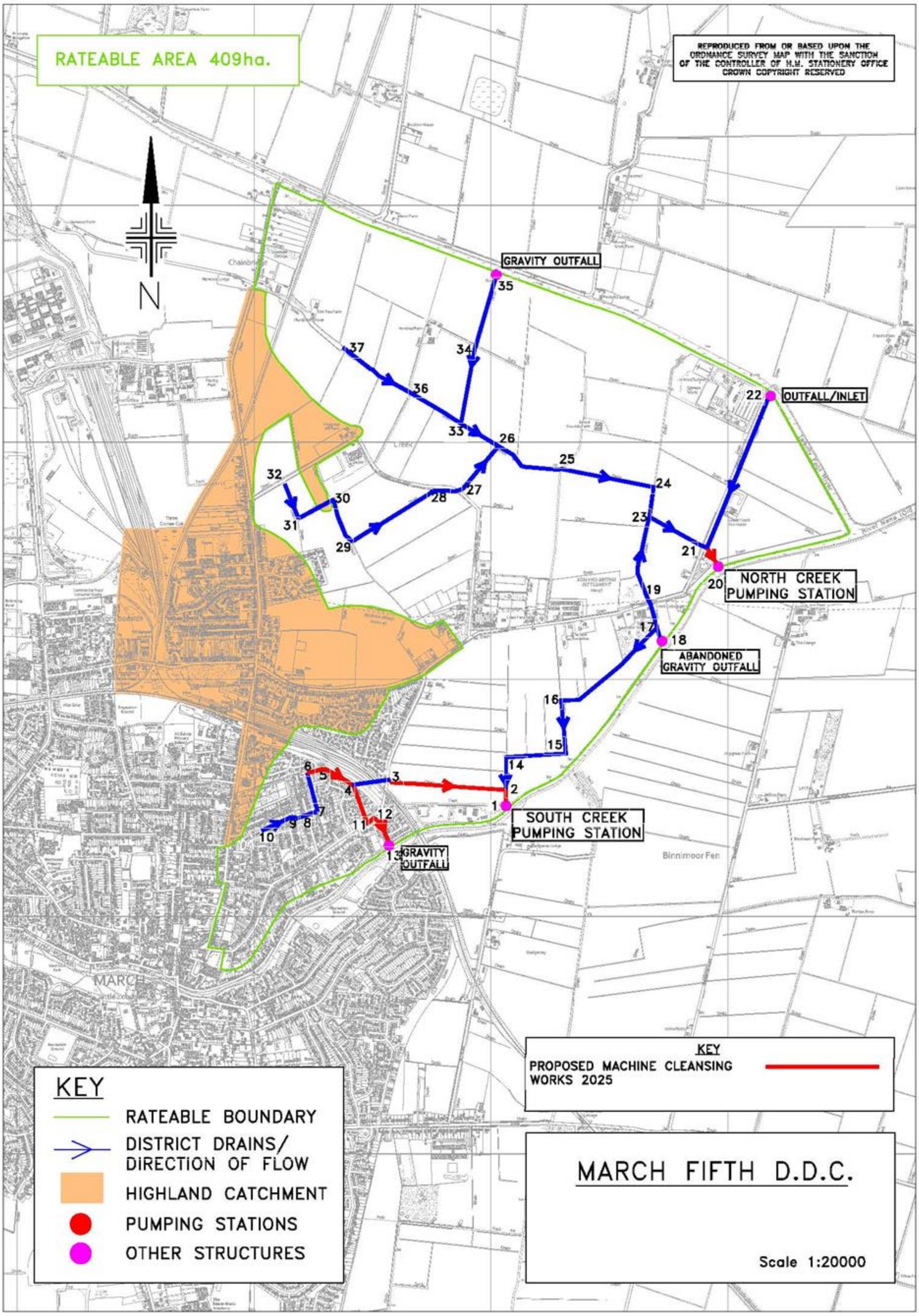
South Creek Pumped System

The recent inspection indicated that the Commissioner's drains within the South Creek area are currently in a good condition following machine cleansing works in 2023. Historically district drains in the South Creek area have been prone to late occurring infestations of submerged weed growth, most notably semi-buoyant Rigid Hornwort (*Ceratophyllum dermersum*). The annual cleansing of this area has dramatically reduced this issue, however, as mentioned previously reach 1-2-3 will be included in the machine cleansing programme to prevent future issues with large accumulations of aquatic weed at the manually cleaned weedscreen.

Creek Road/Newlands Avenue/Foxglove Way – Gravity System

Watercourses in the Foxglove Way area remain in a good condition and it is pleasing to report only small amounts of windblown litter and debris are visible within the drain, and there have been fewer cases of fly-tipping reported recently. It is envisaged regular visual inspections of drains will continue for the next season to ensure any domestic or household debris being fly tipped into the Commissioner's watercourse can be dealt with swiftly and to monitor for potential recolonisation of any invasive, non-native aquatic vegetation.

The inspection did highlight sporadic stands of aquatic vegetation and small accumulations of organic matter due to the ongoing herbicide applications carried out to control the invasive aquatic vegetation. As works in this area are very dependent on good weather and suitable ground conditions. It is recommended they are included in this year's machine cleansing programme but postponed if required due to any seasonal bad weather. A provisional sum has been included in the estimated costs for the proposed works to be completed and the plan on the following page shows the extent of the works and their locations.


RATEABLE AREA 409ha.
REPRODUCED FROM OR BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF H.M. STATIONERY OFFICE CROWN COPYRIGHT RESERVED
N
GRAVITY OUTFALL
OUTFALL/INLET
NORTH CREEK PUMPING STATION
ABANDONED GRAVITY OUTFALL
SOUTH CREEK PUMPING STATION
GRAVITY OUTFALL
Binnimoor Fen
KEY
PROPOSED MACHINE CLEANSING WORKS 2025
KEY
RATEABLE BOUNDARY
DISTRICT DRAINS/ DIRECTION OF FLOW
HIGHLAND CATCHMENT
PUMPING STATIONS
OTHER STRUCTURES
MARCH FIFTH D.D.C.
Scale 1:20000

2. **Estimated Costs of Anticipated Drain Maintenance and Weed Control Programme**

The estimated costs of this year's recommended Weed Control and Drain Maintenance works are shown below, please refer to the previous plan for locations. A provisional sum has also been included within the Commissioners' budget to allow for any emergency machine cleansing, bank slip repair or culvert clearance works required later in the season.

North & South Creek Pumped System

				£
1.	Flail mowing District drains	Item	Sum	3200.00
2.	Application of Roundup to control emergent weed and reed	Item	Sum	900.00
3.	Machine Cleanse: Foxglove Way area drains	Item	Sum	6000.00
4.	<u>Provisional Item</u> Allowance for any culvert clearance, bank slip repair, emergency or additional machine cleansing that may be deemed necessary later in the year	Item	Sum	1200.00
5.	Fees for inspection, preparation and submission of report to the Commissioners, arrangements and supervision of herbicide applications and maintenance works	Item	Sum	1050.00
			TOTAL	**£12,350.00**

Orders for the application of herbicides by the MLC are accepted on condition that they will not be held responsible for the failure or efficacy of any treatment.

Author Name: Morgan Lakey BSc
Role: Operations Manager

Appendix 4

Provided by the Middle Level Commissioners		Item No:	8
Meeting:	**MARCH FIFTH DDC**	**Subject:**	**CONSULTING ENGINEERS REPORT: MECHANICAL & ELECTRICAL**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Dave Bantoft**

1. M&E key messages and advice

1.1 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.

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

The stations and pumps are at an age where reliability is a concern, and a plan should be put in place to overhaul or replace items as necessary to ensure ongoing reliability. As both stations are approaching 50 years old

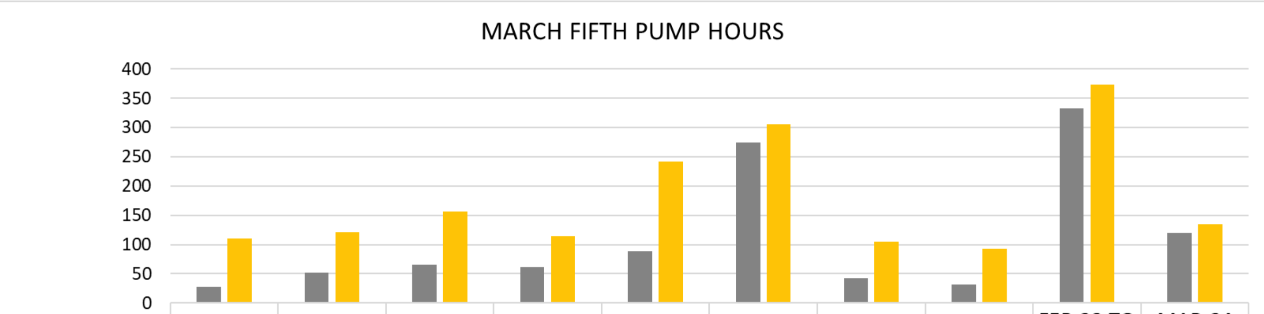
1.3 **North Creek**

The control panel is from 1976 and should be replaced, similar control panels at other sites have been in the region of £8k to £10k. The canister pump is from 1990 and we have no records of overhaul during this time. Plans should be put in place for its replacement. Pumps of this type are likely to be in the region of £30k to £40k. The insulation readings for the pump do not cause concern but with pumps of this age they can deteriorate quickly when seals fail.

1.4 **South Creek**

The control panel is from 2005 and is in satisfactory condition. It would benefit from the exterior metal cabinet being updated to provide better protection for the panel and to allow the panel to be worked on in wet conditions if necessary. The submersible pump is from 2005 and we have no records of overhaul during this time. Plans should be put in place for its replacement. Pumps of this type are likely to be in the region of £40k to £50k. The insulation readings for the pump do not cause concern but with pumps of this age they can deteriorate quickly when seals fail.

2. Pumping summary



	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	FEB-23 TO MAR-24	MAR-24 TO JAN-25
North Creek	28	52	66	62	89	275	43	31	332	120
South Creek	110	121	157	115	242	306	105	93	374	135

3. Inspections

3.1 The mandatory site Electrical Installation Condition Reports (due every 5 years) were carried out at both North & South Creek Pump Stations on 29th March 2024 and both sites are in a satisfactory condition.

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.**

						Telemetry
Station	**Built**	**Pump**	**Pump Overhaul**	**Controls**	**Bars**	**Telemetry**
North Creek	1976	1990	1990	1976	1976	2023
South Creek	1976	2005	2005	2005	1976	2023

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

middle level commissioners

Proudly managing water levels in the Fens since 1862

Standing Advice Note MLC001:

Middle Level Flood and Drainage Infrastructure Capacity

Issued: 01 May 2024 (Version 1)

Key messages

A. **Our flood and drainage infrastructure should be considered as 'at capacity' during October to April.**

B. **Unless there is a compelling exception case, we will not consent surface water discharges greater than greenfield run-off rate and/or any new water entering our catchment across a watershed.**

C. **We consider that the cumulative impact of attenuating surface water from developments and timing of discharges has been to elongate the duration that our system is under stress. This increases our operational costs and could increase the risk of flooding.**

D. **We are concerned that there is seemingly no post-construction review of SuDS against their design and performance reviews through their lifecycle. Therefore, even well-designed SuDS may not be performing as expected/consented and there may be a cumulative impact of this across our catchment. Long term appropriate maintenance and inspection is considered a deficiency.**

E. **The opportunity to release stored water into our system during May to September should be actively explored within strategic flood risk assessments, development masterplans and local flood risk management strategies and in consultation with our engineers.**

F. **In considering and granting planning permission, Local Planning Authorities need to understand, consider and acknowledge the impact of new development upon their special levy and future funding requests under Defra's Partnership Funding policy. It should be noted that under this policy housing built or converted after January 2012 is not included within FCRM government grant-in-aid calculations.**

G. **Prior to granting outline planning permission, Local Planning Authorities must consider whether any proposed Biodiversity Net Gain provisions will be compatible with the flood risk management activities undertaken by MLC and other IDBs, for the full 30-year registration period. If this is not known, the LPA should seek advice from MLC prior to granting outline planning permission.**

H. **In considering and granting planning permission, Local Planning Authorities ought to secure funding from developers towards future capital investment in our water management infrastructure.**

I. **The Environment Agency needs to understand, consider and acknowledge the impact of new development and sub-optimal SuDS upon the Highland Water claims from the Middle Level Commissioners.**

J. **As statutory consultees and fellow Risk Management Authorities under the Flood & Water Management Act, Lead Local Flood Authorities and the Environment Agency need to consider and reflect this advice within their responses to Local Planning Authorities so as not to increase flood risk within the Middle Level.**

K. **Developers and Local Planning Authorities ought to consider the adoption of measures such as rainwater harvesting and re-use to avoid as much water as possible from entering the drainage network.**

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

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

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

Advice Primarily For:

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

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

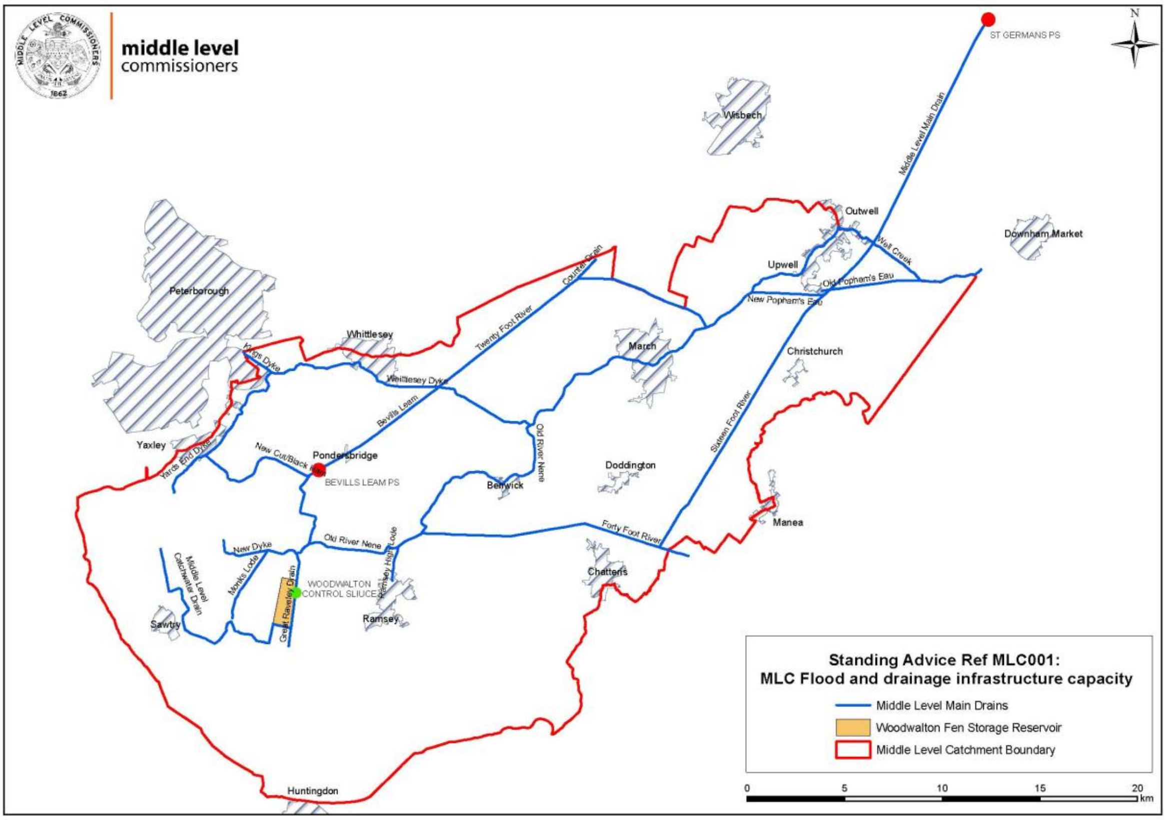
The Commissioners elect a Board and, via an Executive Committee, appoint a Chief Executive who leads a staffing structure to deliver their various statutory duties and responsibilities.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

1 May 2024

Site Safety Inspection Record

March 5th IDB

Complete

Name of organisation:	March 5th IDB
Date of site visit	12.02.2025 12:30 GMT
Address of inspected premises	Flagrass Hill Farm Hill Road March Cambridgeshire PE15 0AH
Name of Advisor	Martin Clark
Time of arrival at site:	12.02.2025 12:30 GMT
Audit Name	March 5th IDB

Audit	
An opening meeting was held with Tony Hopkin	
Have there been any accidents since our last visit? None recorded	No
Have there been any new starters since our last visit? None recorded	No

1

No significant issues were recorded since the previous site visit on 04.01.24. 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) .

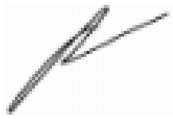
2

North Creek pumping station was visited and no significant issues were recorded.

South Creek pumping station was visited and as previously recorded the overhead electrical power line pole closest to the pump station is leaning at an angle that is cause for concern. It is recommended that this is monitored and the provider responsible for maintaining overhead power lines is informed of the general condition / concerns.

Photographic Risk Assessment

Advisor's signature



Martin Clark
17.02.2025 10:06 GMT

Departure time	12.02.2025 14:33 GMT

Photographic Risk Assessments closed out during the visit.

Nil

Number of outstanding Photographic Risk Assessments	0 From 0 to 99

Provided by the Middle Level Commissioners		Item No:	11
Meeting:	**MARCH 5TH DISTRICT DRAINAGE COMMISSIONERS**	**Subject:**	**GOVERNANCE**
Date:	**Wednesday 16th April 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
M. Note the IDB1 return made on its behalf to Defra.
N. Authorise the Chairman to sign the annual return for 2025.

1. Annual Governance & Accountability Return (AGAR) and Internal Auditor

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 Note the Financial Code for the Board is included within its 'Governance Documents' also available on its page via www.middlelevel.gov.uk

2.3 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.

2.4 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.

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

3. Authorisations

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

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

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

4. Responsible Finance Officer

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

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

a) **That the role of the position of Head of Finance to the Middle Level Commissioners is to include the appointment as Responsible Financial Officer to the Board.**

b) **That the person appointed as Head of Finance for the Middle Level Commissioners be added to the Barclays Bank PLC mandate and authorised to sign cheques and authorised to make payments on behalf of the Board.**

c) **That the person appointed as clerk to the Middle Level Commissioners be added to the Barclays Bank PLC mandate and be authorised to sign cheques and to authorise payments on behalf of the Board.**

d) **That the person appointed as Head of Finance to the Middle Level Commissioners will be appointed as the administrator on behalf of the Middle Level Commissioners to the Barclays Bank PLC internet banking platform as used by the Middle Level Commissioners.**

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

5. Risk Assessment and Insured Values

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

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

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

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

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

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

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS
INSURED VALUES OF FIXED ASSETS

	As At 1st April 2025
North Creek Pumping Station	473,288.00
South Creek Pumping Station	479,814.00
	953,102.00

5.3 **The Board are asked to consider index-linking their pumping station valuations for insurance purposes.**

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

The Board are asked to review and approve their updated Policy Statement (Appendix 4).

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

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.

7.1 The Board's IDB1 return to Defra for the year 2023/24 is included as Appendix 5.

8. Annual Governance Statement:

8.1 To review and complete the Annual Governance Statement for the year ended 31st March 2025. (Appendix 6)

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.

10. Transparency Code for Smaller Authorities

10.1 In previous years the Board has continued with a limited assurance review approach and not take advantage of the audit exemption available for smaller public bodies with income and expenditure less than £25,000.

Author Name: Paul Burrows
Role: Clerk

Appendix 1 Annual Return 2023/2024
Appendix 2 Audit Report 2023/2024
Appendix 3 Anti-Bribery & Financial Regulations Policies
Appendix 4 Policy Statement
Appendix 5 IDB1 2023/24
Appendix 6 Annual Governance Statement 2025

Appendix 1

March Fifth District Drainage Commissioners

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 March Fifth District Drainage Commissioners 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 March Fifth District Drainage Commissioners on application to:

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

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

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

Announcement made by: P Burrows - Clerk to the Commissioners

Date of Announcement: 15th August 2024

Annual Internal Audit Report 2023/24

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

WWW.MIDDLELEVEL.GOV.UK

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

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

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

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

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

Date(s) internal audit undertaken: 10/04/2024 11/04/2024 23/04/2024

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

Signature of person who carried out the internal audit: R. PETERS – WHITINGS

Date: 23/04/2024

***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:

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

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

09/04/2024

and recorded as minute reference:

C. 1273

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

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

	Year ending		Notes and guidance
	31 March 2023 £	31 March 2024 £	*Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.*
1. Balances brought forward	93,365	95,790	*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	29,166	31,910	*Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.*
3. (+) Total other receipts	5,910	2,707	*Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.*
4. (-) Staff costs	0	0	*Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.*
5. (-) Loan interest/capital repayments	0	0	*Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).*
6. (-) All other payments	32,651	32,542	*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	95,790	97,865	*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	112,090	107,860	*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	809,000	809,000	*The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.*
10. Total borrowings	0	0	*The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).*

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 04/04/2024

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

09/04/2024

as recorded in minute reference:

C.1274

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 **March Fifth District Drainage Commissioners – DB0049**

1 Respective responsibilities of the auditor and the authority

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

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

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

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

2 External auditor's limited assurance opinion 2023/24

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

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

None

3 External auditor certificate 2023/24

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

External Auditor Name			
PKF LITTLEJOHN LLP			
External Auditor Signature		Date	08/08/2024

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.

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

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

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

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

Client comment:

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

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

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

2. Employee Benefits

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

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

Client comment:

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

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

3. Provisions

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

Client comment:

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

4. Budget figures

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

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

Client comment:

As part of the finance regulations, we are required to carry out a budget monitoring exercise during the course of the year. For those Boards that have a relevant meeting, this is reviewed by the Board at their autumn/winter meeting. For all other Boards the monitoring exercise is completed as at the end of the calendar year, at this point the majority of the drain maintenance works have been completed, as would be any planned maintenance works at pumping stations. The expenditure to-date is then forecast to the end of the financial year and compared to the budget and initially sent to the chairman for review. Depending on the outcome of the monitoring exercise depends on whether it is considered appropriate to hold an emergency meeting. However, it is likely that if there were an extraordinary event the Board would be aware "in real time" and appropriate action taken at that point.

It is not policy to update budgets depending on levels of expenditure as there is no ability to increase revenue through rates and special levy once they have been set. The original budget is therefore used as comparative to analyse variances of actual expenditure against.

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

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

5. Surplus Funds

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

Client comment0:

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

6. Rental of Land

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

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

Client comment:

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

7. Financial Regulations

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

Client comments:

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

8. Bank Transfers

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

Client comment:

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

9. National Saving & Investment bank accounts

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

Client comment:

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

10. Website Publication

We note that there has been, for a number of years, significant information available to the public. We note that for some boards the latest information does not appear to have been updated, for example the JPAG practitioner guide on the website across all the boards has not been updated since the 2018/19. An updated version of JPAG guide is made available each year.

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

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

Client comment:

Every effort is made to update the relevant pages of all authorities in an efficient and timely manner and in accordance with the regulations.

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

11. Outstanding old cheques and unreconciled transactions

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

Client comment:

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

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

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

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

Client comment:

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

Specific Points

Nightlayers IDB

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

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

Client comment:

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

Waldersey IDB and Hundred of Wisbech IDB – Joint Pumping Arrangement

As in previous years it is noted that there is a discrepancy between debtor held in Waldersey IDB and the creditor held in Hundred of Wisbech IDB.

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

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

We note that there have been discussions to potentially amalgamate the two boards, this would eradicate the anomaly. However, in the absence of this, we suggest that meetings and account preparation periods be brought into line, if possible, to eradicate this issue.

Client comment:

These costs relate to the contribution for the costs of the shared pumping facility and at the time of production of the year end accounting statements discussions were taking place concerning potential changes to the contribution as a result of changes in land use. A new proposal had been put forward which was broadly approved by both Boards.

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

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

March East IDB

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

Client comment:

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

Hundred of Wisbech

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

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

We look forward to reviewing this in due course.

Client comment:

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

Manea & Welney

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

We take this opportunity to thank your staff involved in our audit for their assistance and cooperation in achieving substantial completion by the stated target deadlines. We trust that the engagement team have not caused significant disruption during the execution of their procedures.

Yours sincerely,

Whitings LLP

Whitings LLP

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.

March Fifth DDC

Administered by:

middle level
commissioners

Governance
Financial Regulations 2025 – 2035

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

A SUMMARY

1. These Financial Regulations should be read in conjunction with the Board’s, Standing Orders, Regulations as to proceedings, Schedule of Reserved Matters and Scheme of Delegations to ensure that its resources are properly managed, accounted for and controlled.

2. The level at which decisions relating to the finances and functions of the Board are to be taken are as set out in the Schedule of Reserved Matters and the Scheme of Delegations

3. The Clerk shall be responsible for maintaining adequate and effective controls and procedures in the manner and format he/she considers to be best and shall where appropriate, prepare additional rules of procedure or guidance, supplementary to these Regulations.

4. The Clerk shall be responsible for setting up and maintaining the financial and management accounting/reporting systems, processes, procedures and coding lists. Such systems shall be properly documented and shall not be changed without the approval of the Clerk. The Head of Finance (Treasurer) to the Middle Level Commissioners shall be the Board’s Responsible Financial Officer, as defined in and for the purposes of the Accounts and Audit Regulations. The MLC finance team will support the Head of Finance in providing this function.

5. The Clerk shall advise the Board and carry out the Boards instructions in securing economy, efficiency and effectiveness in its use of resources and for ensuring that value for money is provided.

6. The Clerk shall ensure that the Board’s Financial Statements for each Financial Year ending 31 March are prepared in compliance with the requirements of the Accounts and Audit Regulations and the Financial Reporting Standard for Smaller Entities and, so far as may be appropriate, the Practitioners’ Guide to the Preparation of Financial Statements for IDBs (and any subsequent requirements) applicable at the time of preparation.

7. The Clerk shall ensure that the Board considers and approves its Financial Statements for a Financial Year in accordance with the provisions of the Accounts and Audit Regulations.

8. All employees and members have a responsibility for health and safety, compliance with policies and legislation, procedures and codes of practice, for the general security of the Board’s property, and, for economy efficiency and effectiveness in the use of resources.

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

B SCHEME OF BUDGET DELEGATION

1. The Clerk shall be a budget holder and is responsible to the Board for the overall management of the Board's Finances, the Expenditure Estimates and all Budgets.

2. The Board's Consulting Engineer is responsible to the Board to the extent that he/she is so authorised by the Board and is allocated funds for the purpose of preparing and managing the Board's Capital Works Budget.

3. The Board's Consulting Engineer and/or the Chairman and/or the District Officer are responsible to the Board to the extent that they are so authorised by the Board and are allocated funds for the purpose of preparing and managing where applicable the Board's Maintenance Works Budget, the Plant/Labour Operating Accounts, the Plant Renewals Budget, the Stock Control Account and the Rechargeable Works Budget and any other matter in respect of which they are authorised under the Scheme of Delegations.

4. Other than as set out in the Scheme of Delegations or where authorised to do so by a resolution of the Board, no other person shall be empowered to enter contracts on behalf of the Board unless authorised to do so by a budget holder. Nor shall any other person commit the Board to a particular course of action or provide an undertaking or assurance to any third party without the prior consent of the Clerk and/or Responsible Finance Officer and/or the Chairman.

5. No budget holder other than the Chairman shall procure goods and services, charge, allocate or otherwise commit expenditure against a budget that they have no budgetary responsibility for.

C MANAGING BUDGETS & REPORTING

1. The Clerk shall be responsible for preparing the Board's Estimates/Budgets, for monitoring income and expenditure during the course of the year, for alerting the Chairman to any material variances, and, for providing budget holders with the financial information that they require and assisting them as necessary to enable them to properly prepare/manage their budgets. The Clerk shall further ensure that the Board are presented with and consider the proposed expenditure estimates in order that the Rates and Special Levies can be determined for each financial year in due time in accordance with the Land Drainage Act 1991 and it is the individual budget holder's responsibility to provide him/her with their detailed budgets and supporting information in order that this may be done.

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

3. All correcting journal entries shall always be authorised and approved by the Clerk.

4. The Clerk shall ensure that appropriate mechanisms are in place for alerting the Chairman immediately should a Local Authority fail to make their Special Levy payment at the agreed time, or where Drainage Rates are outstanding following reminder. The Clerk and Chairman will agree a course of action and whether a special meeting of the Board is required.

5. Every budget holder is responsible for seeking to ensure that actual expenditure on each of their budgets does not exceed the budget as approved and shall regularly monitor income/expenditure to this end. Budget holders shall, whenever practicable, get approval for material adverse variances to any of their budgets that are anticipated. Approval shall be sought in accordance with the Schedule of Reserved Matters and the Scheme of Delegations.

6. The Clerk may convene a meeting of the Board or a Committee. The Chairman or any 3 other Board members shall also have the power to convene such a meeting.

7. The Consulting Engineer shall prepare a Report for each Board meeting at which such items appear on the agenda detailing amongst other things the progress made on approved capital schemes in respect of which he/she has been instructed during the reporting period as compared to approved budgeted costs, and, when appropriate, will propose new capital schemes for consideration. Such Report will also detail any maintenance work which he/she has organised for the Board during the reporting period and the cost of such work.

8. The Clerk shall also prepare Financial Report(s) for each Board meeting and, shall prepare any other management accounting/financial report that may be required by the Board.

9. In considering its financial health, estimates, rates and investment strategy, the Board will consider as a minimum:
    I. Whether it has sufficient General Fund Reserves to cater for above average annual expenditure due to, for example, excessive pumping or urgent works.
    II. Whether it is utilising and planning for use of any Development Charges account appropriately for future capital works.
    III. Whether it has sufficient Asset Improvement/Future Works budget taking account of its asset base, asset age/reliability, capital programme requirements and likely grant eligibility.
    IV. Its financial ability to secure and pay off a suitable value Public Works Loan to bridge any gap between its Asset Improvement/Future Works budget and likely value of works.

D PURCHASING GOODS & SERVICES (INCLUDING PLANT)

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

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

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

2. The budget holder shall be responsible for ensuring that quotations or tenders are sought when required by the above table. Where it is not possible to get the required quotations or tenders, the Chairman's written approval must be obtained prior to awarding any contract.

3. Any agreed contractors, consultants or suppliers list shall be maintained and kept up to date by the Clerk.

4. A budget holder must never agree to permit a third party to provide them with goods/services where tenders or quotations are required without obtaining a copy of their terms of business beforehand.

5. Budget holders shall fully comply with all Competition Law, the Bribery Act 2010 and the Modern Slavery Act 2015 and shall so far as is reasonable, satisfy themselves as to the insurance policies of contractors, and their systems of work before awarding works contracts.

6. Budget holders shall not enter into any contract that has been reserved to the Board or delegated to a Board Committee without obtaining the Clerk's approval beforehand. The Clerk shall not permit any

budget holder to enter in to such a contract if he/she considers it to be inappropriate or that the required approval has not been given.

7. The relevant budget holder is responsible for ensuring that the procurement of all goods and services is authorised by the Board or in accordance with the Scheme of Delegations. All emergency work must be approved by the Chairman.

8. All procurement of goods and services shall be authorised by the signing and dating of an official purchase order or purchase instruction. On so authorising the procurement of goods or services the budget holder will have satisfied themselves that the Financial Regulations have been complied with and that any approval required by the Schedule of Reserved Matters and the Scheme of Delegations has been obtained. The Clerk shall be authorised to raise, sign and date a purchase order or purchase instruction where the procurement has been authorised by resolution of the Board.

9. The budget holder must never break down a job and string a number of purchase orders or authorisations together simply to avoid having to get 3 written quotations/tenders.

10. The following information must be clearly stated on each purchase order or instruction:

    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 **<u>1 November</u>** 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.

March Fifth District Drainage Commissioners

Administered by:

middle level commissioners

Governance

Policy Statement on Water Level and Flood Risk Management

1 Issued

1.1 This policy is issued and has been adopted by the March Fifth District Drainage Commissioners.

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

2 Introduction

Purpose

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

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

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

Background

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

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

3. Governance and local accountability

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

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

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

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

Aim

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

Objectives

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

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

4.3 The Commissioners support the national aim and objectives for the management of flood risk and water levels and the Commissioners policy and approach will be consistent with them.

5. Flood risk and water level management in the Commissioners District

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

5.2 The Commissioners make decisions regarding flood risk within the District taking into account the following:

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

5.3 The following outlines the key details of the District:

- Total area of the drainage district: 409 ha
- Catchment area draining to and including the District: 525 ha
- Area of Agricultural Land: 330 ha
- Area of other (non-agricultural) land: 79 ha

5.4 Assets for which the Commissioners have operational responsibility:

- Water Level Control Structures: 4 No
- Watercourses (maintained): 8 km
- Raised embankments: 0 km
- Reservoirs: 0 ha
- Sustainable drainage systems (SuDS): 0 no
- Pumping Stations: 2 no

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. Communication and transparency

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

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

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

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

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

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

9. Working together

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

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

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

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

10. Environmental Measures

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

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

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

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

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

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

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

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

10.5 The Commissioners have no Water Level Management Plan.

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

Department
for Environment
Food & Rural Affairs

Internal drainage boards in England

Annual Report for the year ended

31 March 2024

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

No later than 28 February 2025 a copy must be provided to:

- Flood and Coastal Erosion Risk Management Division, Department for Environment, Food and Rural Affairs via flood.reports@defra.gov.uk
- Asset Management and Engineering, Environment Agency via idbfund@environment-agency.gov.uk
- The Chief Executives of:
  – all local authorities that pay special levies to the Board;
  – all County Councils or London Boroughs within which the Board is situated.

Please complete the form electronically, and please answer **ALL QUESTIONS**.

Please round all cash figures down to nearest whole £.

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

Section A – Financial information

Preliminary information on special levies issued by the Board for 2024-25

Special levies information for financial year 2024-25	
Name of local authority	**£**
1. FENLAND DISTRICT COUNCIL	32,251
2.	
3.	
4.	
5.	
6.	
7.	
8.	
Total	32,251

Section A – Financial information (continued)

Income and Expenditure Account for the year ending 31 March 2024

All internal drainage boards must ensure that the Income and Expenditure information provided below is consistent with the Board's annual accounting statements which have been prepared in accordance with proper practices found in *Governance and Accountability for Smaller Authorities in England – A Practitioners' Guide to proper practices to be applied in the preparation of statutory annual accounts and governance statements March 2023*[1]

	Notes	Year ending 31 March 2024 £
INCOME		
A. Drainage Rates		3,499
B. Special Levies		28,411
C. Higher Land Water Contributions from the Environment Agency		1,614
D. Contributions received from developers/other beneficiaries		
E. Government Grants (includes capital grants from EA and levy contributions)		
F. PSCAs overall total Breakdown: from EA from other RMAs		
G. Loans		
H. Rechargeable Works		
I. Interest and Investment Income		800
J. Rents and Acknowledgements		
K. Other Income Write back of provision Rent		 94 200
Total income		**34,618**
EXPENDITURE		
L. New Works and Improvement Works		
M. Total precept to the Environment Agency		2,225
N. Watercourse maintenance		10,110
O. Pumping Stations, Sluices and Water level control structures		2,218
P. Administration		9,566
Q. PSCAs		

[1] https://saaa.co.uk/wp-content/uploads/2023/06/PractitionersGuide_2023.pdf

R. Rechargeable Works		
S. Finance Charges		
T. Biodiversity enhancement and conservation – overall total Breakdown: General, across the whole region SSSI specific, where relevant	 493	493
U. Other Expenditure Insurance		662
Electricity costs – overall total Breakdown (if possible): Standing charge (per annum) Unit charge (per annum)	 307 6,962	7,269
Fuel (petrol and diesel costs) – overall total Breakdown: Pumping stations Fleet and plant machinery		
Total expenditure		**32,543**
EXCEPTIONAL ITEMS		
V. Profits/(losses) arising from the disposal of fixed assets		
Net Operating Surplus/(Deficit) for the year		**2,075**
W. Developers Funds income not applied in year		62,811
X. Grant income not applied in year		

Value of drainage rates outstanding at year end?

2.355 %
£ 82.69

Value of special levies outstanding at year end?

0 %
£ 0

Notes:

K. Include all other income, such as absorption account surpluses (for example plant and labour absorption accounts). Please include sub-total of all other income in the first row and then a breakdown in separate rows below.

L. State the gross cost of undertaking minor capital works that have not been capitalised and the annual depreciation charges of all major schemes that have been capitalised. You should also include a fair proportion of the support costs directly associated with delivery of the schemes.

M. State the total precept demanded for the year as properly issued by the Environment Agency, in accordance with section 141 of the Water Resources Act 1991. Providing that the precept has been properly issued as before stated it should always be included here, even when the Board has appealed against the amount of contribution, in accordance with section 140 of the Water Resources Act 1991. Where the Board knows with certainty the outcome of any such appeal, it should also include the appropriate accrual/prepayment.

N. State all costs associated with the maintenance of watercourses, meaning work associated with open channels, pipelines, culverts, bridges, etc. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with delivery of the maintenance programme. Please do not include electricity or fuel costs as these are captured separately.

O. State all costs associated with maintaining and operating the pumping stations, sluices and water level control structures. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with maintaining and operating the pumping stations, sluices and water level control structures. Please do not include electricity or fuel costs as these are captured separately.

P. Include the cost of non-technical staff only, office accommodation, annual depreciation of office equipment that has been capitalised, minor office equipment that has not been capitalised, postages, telecoms', stationery, printing, advertising, auditing of accounts, general insurances and all other costs associated with supporting the organisation. Please note that this does not include support costs, which are directly associated with the delivery of front line services. Please do not include electricity or fuel costs as these are captured separately.

Q. State all costs associated with the PSCA.

R. State all costs associated with undertaking work for third parties. Plant, vehicle and labour charges should include a fair proportion of the overheads such as depot/workshop costs, employment on-costs, insurances and depreciation, etc. You should also include a fair proportion of the support costs directly associated with undertaking the rechargeable work.

S. Include the cost of servicing any borrowing, in terms of bank/loan/hire purchase Interest payable.

T. State all costs associated with undertaking works – capital or maintenance – that are likely intended to help enhance and/or conserve biodiversity. These costs are likely to be incurred in implementing actions set out in an IDB's Biodiversity Action Plan or other conservation actions. If possible, you should identify the overall costs and break them down into two groups: general across the whole IDB area, and SSSI specific areas (in implementing actions set out in SSSI Water Level Management Plans or SSSI River Restoration Plans). Please do not include electricity or fuel costs as these are captured separately.

U. Include all other expenditure, such as a provision for bad/doubtful debts, write-offs, and absorption account deficits (for example plant and labour absorption accounts). Please include sub-total of all other expenditure in the first row and then a breakdown in separate rows below.

V. For the disposal of assets, state the difference between any proceeds from the sale/disposal of the asset and the cost of the asset less accumulated depreciation.

W. Total balance of developer fund year end.

X. Unspent grant at year end.

Section B – IDB Reporting

Please answer **ALL QUESTIONS**. We will assume a negative response for any that are not answered.

Policy Delivery Statement

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

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

2. What year was your statement last updated?.. 2019

Biodiversity

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

4. If "yes" is the Biodiversity Action Plan available on your website? ....Yes ☒ No ☐

5. What year was your Biodiversity Action Plan last updated?............................ 2022

6. Have you reported progress on BAP implementation on your website?..................................Yes ☐ No ☒

7. When was biodiversity last discussed at a Board meeting (date)?.............................. 09/04/2024

8. Do you have a biosecurity process?...Yes ☒ No ☐

SSSI water level management plans

9. Are you responsible for any SSSI water level management plans?.....................................Yes ☐ No ☒

If so, please complete the following table:

Name	Partners	Date of last review	Date of last update

10. Do you contribute towards any SSSI water level management plans?................................Yes ☐ No ☒

If so, please complete the following table:

Name	Partners	Date of last review	Date of last update

11. Area of SSSI with IDB responsible for water level management plan/s.......... | 0 hectares

12. Area of SSSI with IDB contribution towards water level management plan/s.......... | 0 hectares

13. Area of SSSI where IDB water level management activities are contributing to recovering or favourable condition?.......... | 0 hectares

14. Area of SSSI where IDB water level management actions are needed to achieve recovering or favourable condition?.......... | 0 hectares

Access to environmental expertise

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

15. Appropriately skilled Board Members (e.g. Board member from an Environmental Body/Authority) ☐

16. Co-opted members ☐

17. Directly employed staff ☐

18. Contracted persons or consultants ☒

19. Environmental Partners/NGOs ☐

20. Other ☐

If so, please list:

Public sector cooperation agreements (PSCAs)

21. How many active PSCAs are you working on? | 0

22. Which risk management authorities are you working with on a PSCA?

Environment Agency	
Lead local flood authority	
Local authority (not a lead local flood authority)	
Internal drainage board	
Water company	
Other	

If other, please list:

23. Please indicate the type of work being undertaken.

Routine maintenance	
Asset operation and monitoring	
Asset repairs	
Support during flood incident	
Support during flood recovery	
Other	

If other, please list:

Asset Management

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

24. ADIS ☐

25. Paper Records ☐

26. Other Electronic System ☒

If so, please list:

Excel

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

28. What is the cumulative total of identified watercourse that the Board periodically maintains?

8 kilometres

29. How many pumping stations does the Board operate?

2 pumping stations

30. How many pumps does the Board operate?

electric	2
diesel	
renewable energy pumps (e.g. directly powered by wind, solar, hydro, etc)	
temporary / mobile pumps	
other type of pumps	

31. If other, please list:

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

1.44 cm3/sec

Health and Safety

33. Does the Board have a current Health and Safety policy in place? Yes ☒ No ☐

34. Does the Board have a Board Member focused on ensuring that Health and Safety is considered when board decisions are made? Yes ☒ No ☐

35. Does the Board have a responsible officer for Health and Safety? Yes ☒ No ☐

36. Have there been any reportable incidents in the past year? Yes ☐ No ☒

If so, please summarise in the box below:

Guidance and Best Practice

37. Has your IDB adopted a formal Scheme of Delegation? Yes ☒ No ☐

Has your IDB provided, or accessed via a third party, training for board members in the last year in any of the following areas?

38. Governance ☒

39. Finance ☒

40. Environment ☒

41. Health, safety and welfare ☐

42. Communications and engagement ☐

43. Other ☐

If so, please specify:

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

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

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

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

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

Has your Board adopted the following governance documents:

49. Standing Orders .... Yes ☒ No ☐

50. Have the Standing Orders been approved by Ministers .... Yes ☒ No ☐

51. Byelaws .... Yes ☒ No ☐

If you have Byelaws, have:

52. you adopted the 2021 model byelaws........ Yes ☒ No ☐

53. Or have you adopted the 2012 model byelaws........ Yes ☐ No ☒

54. the byelaws been approved by Ministers........ Yes ☒ No ☐

55. Code of Conduct for Board Members........ Yes ☒ No ☐

56. Financial Regulations........ Yes ☒ No ☐

57. Register of Member's Interests........ Yes ☒ No ☐

58. Anti-fraud and corruption policy........ Yes ☒ No ☐

Board membership and attendance

59. How many Board members (in total – elected and appointed) do you have on your IDB?	16
60. Seats available to appointed members under the Land Drainage Act 1991.	9
61. Number of elected members on the board at year end.	9
62. Number of appointed members on the board at year end.	7
63. Mean average number of elected members in attendance at each board meeting over the last financial year.	6

64. Mean average number of appointed members in attendance at each board meeting over the last financial year.	1

65. Have you held elections (with or without a vote) within the last three years?......................Yes ☐ No ☒

66. If you have held elections, did they comply with the requirements specified by the Secretary of State under Regulation 28 of the Land Drainage (Election of Drainage Boards) Regulations 1938?..N/A......Yes ☐ No ☐

Complaints procedure

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

68. Number of complaints received in the financial year?	0
69. Number of complaints outstanding in the financial year?	0
70. Number of complaints referred to the Local Government & Social Care Ombudsman?	0
71. Number of complaints upheld by the Local Government & Social Care Ombudsman?	0

Public Engagement

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

Published:

72. your completed IDB1 Form ☒

73. press release/s ☐

74. newsletter/s ☐

75. notice/s ☒

76. public consultation ☐

77. updated your IDB website ☒

Media engagement with:

78. national and/or local media e.g. TV, radio, etc ☐

79. national and/or local media e.g. newspaper, magazine, etc ☐

80. trade media ☐

81. social media ☐

Public meetings:

82. Held public meeting/s ☒

83. Attended meetings e.g. Parish Council, local interest group, local flood group, etc ☐

Public events:

84. attended show/event/s e.g. county shows, fairs, etc ☐

85. attended trade event e.g. Flood and Coast, Flood and Water Live, etc ☐

86. hosted IDB open day ☐

Section B: NOTES

Guidance and Best Practice

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

Board membership and attendance

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

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

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

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

Section C – Declaration

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

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

Signature	SAblett
Date	18/02/2025
Name in BLOCK LETTERS	MISS SAMANTHA ABLETT
Designation	ASSISTANT TREASURER
Email address	sam.ablett@middlelevel.gov.uk

Section 1 – Annual Governance Statement 2024/25

We acknowledge as the members of:

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2025, that:

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

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

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

and recorded as minute reference:

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

Chair

Clerk

WWW.MIDDLELEVL.GOV.UK

Provided by the Middle Level Commissioners		Item No:	12
Meeting:	**MARCH 5TH DISTRICT DRAINAGE COMMISSIONERS**	**Subject:**	**FINANCE REPORT: LOOKING BACK**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Andrew Wool/Sam Ablett**

RECOMMENDATIONS

The Board is asked to:

F. Note the Highland Water contributions
G. Consider and approve the payments detailed within Appendix 1.
H. Consider and approve the Annual Accounts & Finance Papers 2024/2025 (Appendix 2).

Finance Officer's review and key messages

Storm Recovery Grant

Following the setting of the rates for 2024/2025 details concerning the Storm recovery Grant were released and claims had to be submitted within an incredibly tight time-frame. A claim for £3,604.43 was submitted on behalf of the Commissioners for excess winter pumping costs (Tranche 1) which was successful and has now been paid.

1. Budgeting

1.1 The budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2025.

2. Payments for 2024

2.1 Payments are detailed within Appendix 1

3. Highland Water Contributions

3.1 Under Section 57 of Land Drainage Act 1991 the Board can make a claim for funding to the Environment Agency for the additional costs of the onward management of water from the district's highland. It is at the Environment Agency's discretion if they pay the contribution and it is accounted for within the local team's annual maintenance budget.

When completing the budget proposal claims were estimated against the likely out-turn for 2023/2024 and the budgeted expenditure for 2024/2025. The winter storm events gave claims significantly more than previous claims but following an understanding that the Environment Agency were able to switch funding within their revenue/capital programmes the full estimated claims were included in the rating proposals. The highland water claim included within the rating estimates was £3,197.54. Following an earlier Government announcement, details were eventually released concerning the Storm Recovery Grant and a claim for excess pumping costs for the first trance (T1) was submitted in the sum of £3,604.43.

Following the submission of claims for contributions the gross sum of £495.62 (£2,090.15 less £1,594.53 paid on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2023/2024 based on the Commissioners' actual expenditure on maintenance work for that financial year and the sum of £1,891.33 in respect of 80% of the Commissioners' estimated expenditure for the financial year 2024/2025.

To adjust for this additional funding the relevant elements of the Storm Recovery Grant (T1) need to be adjusted against the Highland Water claims. The Highland Water calculation for these additional receipts amounts to £914.93, which will be adjusted from the Storm Recovery Grant.

During the autumn of 2024/2025 we were notified by the Environment Agency that they were not able to meet all Highland Water payments in full for 2024/2025, however the RFCC have since made up the difference and we can confirm that the full Highland Water claims have been paid.

4. Annual Accounts and Finance papers 2024/2025:

4.1 Annual Return 2024/2025:

To consider the Annual Accounts and bank reconciliation for the year ended on the 31st March 2025 and the completion of Section 2 of the Annual Return as required in the Audit Regulations. Appendix 2

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

Appendix 1 Payments for 2024/25
Appendix 2 Annual Accounts & Finance Papers 2024/25

Appendix 1

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

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

Middle Level Commissioners - IDB Health & safety re-charge 2023-2024	408.00
Middle Level Commissioners - Statutory declaration for land at The Slamp	10.00
Middle Level Commissioners - Administration charge, postages, telephone charges, stationery and Travelling	4,942.14
Middle Level Commisssioners - Fees (Weed control and drain maintenance 2023-24, production of Board report, planning and development applications)	1,173.00
Middle Level Commissioners - Pumping station maintenance	337.16
Middle Level Commissioners - Taking meter reads for start of new contract	139.99
Association of Drainage Authorities - Annual subscription 2024	763.20
Environment Agency - Precept	1,145.81
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Middle Level Commissioners - Pumping station maintenance	434.72
Middle Level Commissioners - Supply of electrical installation condituion reports for pumping stations (Account from CMS Electrical)	240.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Middle Level Commissioners - Internal audit fees (Whiting & Partners, 2023/2024 accounts)	618.00
Middle Level Commissioners - Pumping station maintenance	101.95
PKF Littlejohn LLP - Audit Fee (2023-2024 accounts)	252.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Middle Level Commissioners - Administration charge, postages, telephone charges and stationery	4,714.38
Middle Level Commisssioners - Fees (Production of Board report, planning and development applications)	730.80
B J Plant Hire Ltd. - Drain maintenance	552.00
Environment Agency - Precept	1,145.81
Middle Level Commissioners - Telemetry charges	576.00
Middle Level Commissioners - Renewal of insurances	1,078.13
Middle Level Commisssioners - Fees (Planning and development applications)	3,481.20
Harrison Agricultural - Flail mowing	1,872.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Middle Level Commissioners - Pumping station maintenance	353.96
B J Plant Hire Ltd. - Drain maintenance	3,588.00
Middle Level Commissioners - Contribution (Conservation Officer)	775.75
Middle Level Commissioners - Pumping station maintenance	101.95
Middle Level Commissioners - Chemical weed control of District drains.	843.64
Information Commissioners - Data Protection Registration renewal	52.00
Middle Level Commissioners - Pumping station maintenance	353.96
Middle Level Commisssioners - Fees (Planning and development applications)	208.50
Middle Level Commissioners - Contribution to retirement gift	100.00
Tony Hopkin - District Officer's Fees for 2024-2025	1,002.00
Carlile's Nursery & Grounds Maintenance - Grass cutting at pumping stations	110.00
Corona Energy - Electricity supply (North Creek pumping station)	2,145.59
Corona Energy - Electricity supply (South Creek pumping station)	755.15
Corona Energy - Electricity supply Payments on Account	6,369.67
	42,356.46

(NB - Amounts shown include Value Added Tax)

Appendix 2

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS
ACCOUNTS FOR THE YEAR ENDED 31st MARCH 2025
GENERAL FUND

2025				2024			
Mar-31	Expenditure during the year			Apr-01	Balance Brought Forward		32,054.73
	Precept		2,291.62	2024			
	Insurances	1,078.13		Mar-31	Rate Income & Special levy	36,165.11	
	Repairs & Renewals	3,125.21			Interest on Deposit Accounts	458.84	
	Fuel	3,005.07			Rent	200.00	
	Drainworks	12,389.53			Consent	150.00	
	Administration charge, Audit fee,				Highland Water Contributions	3,302.29	
	Printing, Stationery, Advertising etc	10,348.86	29,946.80		Storm Recovery Grant	2,689.50	42,965.74
	Future Works Fund		3,000.00				
	Balance Carried Forward		39,782.05		Write Back of provisions		0.00
			75,020.47				75,020.47

BALANCE SHEET

Capital Section

Liabilities			Assets		
Capital Provisions Account		809,000.00	Land - Slamp	9,000.00	
			North Creek Pumping Station	400,000.00	
			South Creek Pumping Station	400,000.00	
		809,000.00			809,000.00

Revenue Section

General Fund	39,782.05	Ratepayers Account - Arrears	276.59
Development Charges Account	64,202.82	Rent Account - Arrears	0.00
Sundry Creditors	9,594.52	Defra Grant-in-Aid	1,942.92
Future Works Fund	6,042.94	Sundry Debtors	641.51
		Value Added Tax - Refunds due	1,451.49
		Balance In Hand - Treasurer's Accounts	115,309.82
	928,622.33		928,622.33

March Fifth District Drainage Commissioners

Summary of Bank Reconciliations as at 31st March 2025

Barclays - Treasurers Account 2024/2025

1st April 2024			31st March 2025		
Balance brought forward		104,821.18	Payments made during the year	42,356.46	
31st March 2025			Transfers	0.00	
Receipts during the year					42,356.46
Clerk's collection account	48,405.12				
Interest on deposit accounts	1,349.69	49,754.81			
			Balance carried forward		112,219.53
		154,575.99			**154,575.99**

National Savings - Treasurers Account 2023/2024

1st April 2024		31st March 2025	
Balance brought forward	3,039.12	Payments made during the year	0.00
31st March 2025			
Interest on deposit accounts	51.17	Balance carried forward	3,090.29
	3,090.29		**3,090.29**

Barclays Bank PLc

Current Account

Balance per Statement as at 31st March 2025	19,890.00
Less unpresented cheques	0.00
Add outstanding lodgements	0.00
Balance per Trial Balance	19,890.00

Cash balances as at 31st March 2025

Barclays Bank PLc

Current Account	**19,890.00**
Business Premium Account	**92,329.53**

National Savings

Investment Account per passbook	**3,090.29**
Total reconciled cash balances per accounts	**115,309.82**

March Fifth DDC
Reconciliation between statement of accounts and Annual Return

Financial year ended 31st March 2025

				Per Annual Return
Line 1	**Balances brought forward**			
	General fund	32,054.73		
	Development charges account	62,810.54		
	Future works account	3,000.00		
			97,865.27	**97,865**
Line 2	**Rates and Special Levies**			
	Agricultural rates	3,926.08		
	Special Levies	32,251.00		
	Penalty	17.33		
	Costs	0.00		
	Write-off	-29.30		
			36,165.11	**36,165**
Line 3	**Total other receipts**			
	Interest			
	General fund	458.84		
	Development charges account	899.08		
	Future works	42.94		
	Rent	200.00		
	Highland Water	3,302.29		
	Consents	150.00		
	Discharge contribution	493.20		
	Storm recovery grant	2,689.50		
	Write back of provision	0.00		
			8,235.85	**8,236**
Line 4	**Staff costs**			
	Wages/salaries	0.00		
	National insurance contributions	0.00		
	Pension costs	0.00		
	Travelling expenses	0.00		
			0.00	**0**
Line 5	**Loan repayments**			
	PWLB - Principal	0.00		
	PWLB - Interest	0.00		
			0.00	**0**
Line 6	**All other payments**			
	Precept	2,291.62		
	Rates, insurances, telephones	1,078.13		
	Repairs and renewals	3,125.21		
	Fuel	3,005.07		
	Drainworks	12,389.53		
	Administration	10,348.86		
	Development charges fees	0.00		
	Pumping Station Improvements - Telemetry	0.00		
			32,238.42	**32,238**
Line 7	**Balances carried forward**			
	General Fund	39,782.05		
	Development charges account	64,202.82		
	Future works	6,042.94		
			110,027.81	**110,028**

Reconciliation
Line 1 + Line 2 + Line 3 - Line 4 - Line 5 - Line 6 — 110,027.81

Section 2 – Accounting Statements 2024/25 for

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

	Year ending		Notes and guidance
	31 March 2024 £	31 March 2025 £	*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	95,790	97,865	*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	31,910	36,165	*Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.*
3. (+) Total other receipts	2,707	8,236	*Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.*
4. (-) Staff costs	0	0	*Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.*
5. (-) Loan interest/capital repayments	0	0	*Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).*
6. (-) All other payments	32,542	32,238	*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	97,865	110,028	*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	107,860	115,310	*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	809,000	809,000	*The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.*
10. Total borrowings	0	0	*The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).*

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 2025 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

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

Date 07-04-2025

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

as recorded in minute reference:

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

Provided by the Middle Level Commissioners		Item No:	13
Meeting:	**MARCH 5TH DISTRICT DRAINAGE COMMISSIONERS**	**Subject:**	**FINANCE REPORT: LOOKING FORWARD**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Andrew Wool/Sam Ablett**

RECOMMENDATIONS

The Board is asked to:

A. Consider the Finance Officer's summary
B. Fees, remuneration and subscriptions
C. Review & approve Determination of land for rating purposes & Rate arrears (Confidential papers)
D. Note the Precept to the Environment Agency
E. Review & Approve Rating Estimates for 2025/2026
F. Consider & approve the Agricultural Drainage Rates and Special Levy requirements for 2025/2026

Finance Officer's summary and key messages

The Clerk to report

1. Fees, Renumerations and Subscriptions

1.1 To consider the District Officer's fee for the ensuing year.

1.2 Subscription to the Association of Drainage Authorities (ADA) will increase by 6.5%, from £636 to £678 for 2025.

2. Precept to the Environment Agency

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

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

The precept for 2024 was £2,291.62.

3. Determination of land for rating purposes and rate arrears – Confidential papers

4. Estimates for 2025/26

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

4.3 The Board are reminded that it is standard practice to budget for an average year in terms of rainfall and associated pumping requirements.

5. Rate Requirements for 2025/26

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

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

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

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

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

Appendix 1

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS
BUDGET 2025/2026

		Budget 2024/2025 £	Actual to 31/03/2025 £	Budget 2025/2026 £
1	Insurances	725	1,078	1,132 [A]
2	Repairs and renewals	2,500	3,125	3,000
3	Fuel (Electricity)	4,375	3,005 [B]	3,250 [C]
4	Drainworks (including Environmental measures)	15,800	11,388	17,290
5	District Officers' fees	1,000	1,002	1,055
6	Administration charge, Health and Safety contract, Audit fee, printing, stationery, advertising,	10,100	10,349	10,917
7	Environment Agency - Precept	2,292	2,292	2,337
8	Improvement works	3,000 [E]	3,000 [D]	3,000 [D]
		39,792	35,238	41,981
	LESS Deposit Accounts interest, Highland Water Contributions etc	3,615	6,801 [E]	1,892 [F]
		36,177	28,438	40,089

Remarks

A - Includes estimate for increased premiums

B - Actuals to February 2025, March 2025 based on meter reading as at end of March 2025

C - Estimated expenditure based on an 5 year average rainfall, assumed an increase in Electricity rates when contract renews in October 2025

D - Provision for future works

E - Includes full Highland Water contribution adjusted for Storm Recovery Grant

F - Includes Highland Water Contribution capped at affordable budget level as advised by the EA

Appendix 2

March Fifth District Drainage Commissioners

Rate and levy requirements

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

a) Proportion to be borne by the Agricultural Sector – 10.85%

b) Proportion to be borne by Special levy issued to Fenland District Council – 89.15%.

The product of a rate of 1p in the £ on Agricultural land and buildings is £531.

In 2024/2025 a rate of 1p together with corresponding Special levy would raise £4,889

Revenue cash balance in hand increased by £7,727 in 2024/2025 to - £39,782.

The estimated net expenditure for revenue and capital works of £40,090 in 2025/2026 is equivalent to:-

a) a rate in the £ on Agricultural land and buildings of 8.20p and

b) a Special levy on Fenland District Council of £35,740

In 2024/2025 a rate of 7.40p in the £ was raised together with a Special levy of £32,251 on Fenland District Council.

P BURROWS

Clerk to the Commissioners

April 2025

Provided by the Middle Level Commissioners		Item No:	14
Meeting:	**MARCH FIFTH DDC**	**Subject:**	**MIDDLE LEVEL IDB CHANGE**
Date:	**Wednesday 16th April 2025**	**Officer Responsible:**	**Paul Burrows** **On behalf of the working group**

RECOMMENDATIONS

The Board is asked to:

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

1. Recap

1.1 As previously reported to the MLC Board and IDBs administered by the MLC, on 15th February 2024 the Chairs, Vice Chairs and Board Members who sit on more than one IDB within the Middle Level (and those outside the catchment that we administer) had been invited to an informal session in Ramsey to share thoughts about the future IDB governance landscape within the Middle Level and whether action was needed to ensure this was resilient for the future. The consensus from those who attended was that we needed to act and a small working group has been identified to draft an initial case for change.

1.2 The working group met on 5th September 2024 and were joined by Innes Thomson, ADA Chief Executive. The group used the 'Geoff Beel' vision from 2009 as a starting point to discuss the primary drivers for change and the key concerns that any proposed new model would need to take account of. A summary note from the meeting was issued on 9th September 2024.

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

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

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

2. Case for Change – Key Messages

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

a) Changes in agriculture and land-ownership, with fewer family farms reducing the scale of hands-on active IDB membership, along with a general aging demographic.
b) Degradation of pumping stations the majority of which are at the end of their reliable life, with insufficient funds and complex governance arrangements stifling proactive and efficient investment.
c) A steady increase in legislative and statutory responsibilities, along with increased societal and government expectations of IDBs meaning the resources and costs

associated with these overheads have become a sizeable proportion of overall expenditure, particularly for smaller IDBs. This is set to increase further.

d) Increasing operational pressures as climate change accelerates and IDBs have to adapt to dealing with extremes of drought and high, intense rainfall, whilst being highly vulnerable to energy costs.
e) The inherent financial dependence upon eligibility, availability and leverage of government grant with responsible investment strategies being beyond the reach of many IDBs' rate and levy payer base.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. Next steps and potential timescales

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

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

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

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