Commissioners’ Meeting

Thursday 23rd April 2026, 12.45pm

Middle Level Offices, March

Agenda:

Item No	*Topic*	*Format*	*Lead*
1	Welcome & apologies	Verbal	Chairman
2	Declarations of Interest	Verbal	Chairman
3	Minutes of last meeting and matters arising	Pages 2 - 7	Chairman
4	Constitution & Membership • Commissioner declarations	Pages 8 11	Chairman
6	Annual Report: Items escalated by the Board	Verbal	Chairman
8	Finance and Governance *Review of Finance Report* and associated resolutions, i*ncluding but not limited to:* • Public Works Loan position • Determination of annual values for rating purposes and associated rate arrears • Penalties To hear the 2026/27 budget and rate recommendation from the ML Board and to set the budget and rate.	Enc Pages	Head of Finance
9	Date of Next Meeting (Thurs 12th November 2026)	Verbal	Chairman
10	Any other business	Verbal	Chairman

Middle Level Commissioners Meeting

At a meeting of the Middle Level Commissioners held at the Middle Level Offices, March on Thursday 6th November 2025.

Present

J Brown (Chair)
H Whittome (Vice-Chair)
P Allpress
D Boughton
C Crofts
M Heading
Lord De Ramsey
Dr Langslow
Ms D Laws
A Miscandlon
Ms A Morris
M Mottram

Welcome and Apologies for absence

The Chair welcomed everyone to the meeting, and in particular Mr Mottram who was attending his first Commissioners meeting, and also to Lord de Ramsey who was returning as a Commissioner after standing down from the Board at the last meeting.

Apologies were received from D Fountain, J Heading, S Raby, J Smith & M Smith.

C.943 Declarations of Interest

The Chair reminded the Commissioners of the importance of declaring an interest in any matter included in the agenda that involved or was likely to affect any of them.

C.944 Minutes of the last meeting and matters arising

RESOLVED

> The minutes of the Meeting of the Commissioners held on the 30th April 2025 are recorded correctly and that they be confirmed and signed.

C.945 MLC Schedule of Reserved Matters & Scheme of Delegation Review

The Chief Executive referred to page 6 of the papers. He has not included the current 'Schedule of Reserved Matters and Scheme of Delegation' but advised the Commissioners that this document requires some attention. After working with the Schedule for a few years, he has observed that there are gaps, impracticalities and unworkable items that need addressing, and gave the Commissioners some examples of these. The intention is that the amended document will be agreed with the Exec and then brought to the Commissioners for the final verification.

The Chief Executive is also looking at the overlap between the responsibilities of the Board and the Commissioners, although there is not much difference. The core of what the Commissioners should be doing are as stated in the 1862 Middle Level Act. The Commissioners delegate all of their responsibilities to the Board except for the setting of the rate and agreeing any borrowing. This will make the Commissioners meeting subject to items a-g listed on page 6 of the papers.

Mr Miscandlon agreed with the streamlining but asked if there were any legal implications that have changed since the 1862 Act. The Chief Executive confirmed that once the new scheme had been drafted there would be a conversation with the Exec around a legal cross check.

The proposals were put to the Commissioners and agreed unanimously.

RESOLVED

The Commissioners' approved that their Schedule of Reserved Matters and Scheme of Delegation be reviewed and gave their for views on the scale and nature of modernisation and streamlining they wish to see. The Commissioners delegated the review to the Chief Executive to work with the Executive Committee to recommend an updated version.

The Commissioners' agreed that their specific Schedule of Reserved Matters be amended as per above so this can form the foundation for the update.

The Commissioners' delegated approval of any updated Schedule of Reserved Matters and Scheme of Delegation to the Middle Level Board.

C.946 Constitution and Membership

The Commissioners were invited to review the Constitution and Membership Report. The number of Commissioners declaring their eligibility has increased, giving a wider pool from which to elect the Board but there is still more work to be done on this matter.

Members Appreciation to Commissioners on their resignations

The earlier Board meeting was the last as a Board member for Mr D Boughton. Mr Boughton has been a member of the Board since 1985 and has also been a previous Chairman of the Board. The Chief Executive presented Mr Boughton with gifts in appreciation of his long service. Mr Boughton added that he had enjoyed his period on the Board, especially remembering the project to replace the old St German's Pumping Station with the new station.

Mr Boughton was thanked for his long service, and it is hoped he will continue to attend the Commissioners meetings.

To elect the Chairman of the Commissioners for the ensuing year

Mr J Brown proposed Mr H Whittome be Chairman for the ensuing year. This was seconded by Mr A Miscandlon and agreed unanimously.

Mr H Whittome remarked that he would be the third generation of Whittome's taking on the role of Chair, adding that it would be a great honour and he will do his best to fulfil the role. He also thanked the outgoing Chair, Mr J Brown, as he reached the end of his tenure.

The outgoing Chair presided over the remainder of the meeting.

<u>RESOLVED</u>

> The Commissioners voted and agreed the Chairman during 2025/2026 – H W Whittome Esq

<u>To elect Commissioners to form the Board for the ensuing year</u>

Mr Mark Hall has accepted an invitation to join the Board, and following the resignation of Mr D Boughton, Commissioners were advised that there are 4 vacancies on the Board.

The present Board Members are:-

H W Whittome Esq (Chairman)	Dr D Langslow
J L Brown Esq (Vice Chairman)	M R Latta Esq
P W Allpress Esq	A Lensen Esq
R C Brown Esq	Ms A Morris
M E Heading Esq	S W Whittome Esq

<u>RESOLVED</u>

> The Commissioners voted and agreed all the above Commissioners' to be re-elected and Mr M Hall Esq also be elected to form the Middle Level Board.

<u>To elect the Vice Chairman of the Commissioners</u>

Mr H Whittome advised the Board that it was fortunate that Mr J Brown had said that he would be prepared to be appointed Vice Chair for a limited period. The previous succession plans within the Exec Committee have changed, but as Mr Brown had been closely involved in the current EA position, it seemed appropriate that Mr Brown continued his involvement until its completion. They would then hope to identify a member of the Exec who would be prepared to take on the Vice Chair role at an appropriate time.

Therefore, Mr H Whittome proposed that Mr J Brown be Vice Chairman for the ensuing year. This was agreed unanimously.

<u>RESOLVED</u>

> The Commissioners voted and agreed the Vice Chairman during 2025/2026 – J L Brown Esq.

Appointment of Executive Committee

The Commissioners considered the recommendation of the Board and to appoint the Executive Committee for 2025/2026.
The present members of the Committee are H W Whittome (Chairman), J L Brown (Vice Chairman), M E Heading, Ms A Morris and A Miscandlon. Mr P Allpress has withdrawn from this committee.
RESOLVED

> The Commissioners voted and appointed the above-named members to be elected for the Executive Committee being appointed as per the resolution at the Board.

Appointment of Employers' Side Representatives for Employment Committee

The Commissioners considered the recommendation of the Board and to appoint the Employers' Side Representatives and the Chairman for the Employment Committee for 2025/2026.

The present members of the Committee are A Miscandlon (Chair), Ms S Howell (Vice Chair), P W Allpress, J L Brown, M E Heading, Ms A Morris and H W Whittome.

RESOLVED

> The Commissioners voted and appointed the above-named members to be elected for the Employment Committee as per the resolution at the Board.

Appointment of the Commissioners' representation on the MLC Navigation Advisory Committee

Mr M Heading advised that he wished to stand down from this Committee. The Chief Executive advised that the meetings are open to all Commissioners.

The Commissioners appointed the Navigation Advisory Committee representatives for 2025/2026.

The present members of the Committee are J L Brown, M E Heading Ms S Howell and S W Whittome.

RESOLVED

> The Commissioners voted and appointed H Whittome, S W Whittome. Mrs D Laws and Ms S Howell to be elected.

Appointment of Members' Representatives for the Environment Committee

The Commissioners considered the recommendation of the Board and to appoint the Members' Representatives for the Conservation and Climate Committee for 2025/2026. Ms Lloyd advised that the input of a number of Commissioners will be needed as this Committee has a great deal of work to cover.

The present members of the Committee are The Lord De Ramsey, J E Heading, S T Raby, Dr D Langslow & Ms S Howell (Chair).

RESOLVED

> The Commissioners voted and appointed the above named members to be elected for the Conservation and Climate Committee as per the resolution at the Board.

Appointment of Water Resources Committee

The Commissioners appointed the Water Resources Committee for 2025/2026.

The present members of the Committee are J L Brown, R Brown, M E Heading and H W Whittome.

RESOLVED

> The Commissioners voted and appointed the above members to be elected.

C.947 Chairmans Report

The Chief Executive asked the Commissioners to consider the tradition of providing a Chairmans Report. The report is a version of the previous years annual report with some minor additions, which is sent to the Cambridgeshire Archives and added to the Middle Level Commissioners website.

Mr J Brown asked if the Commissioners could agree that the report goes directly to the website. This was agreed unanimously.

RESOLVED

> The Commissioners approved the Annual Report for the financial year 2023/24 and that future reports are posted directly to the Middle Level Commissioners website.

C.948 Finance and Governance – Treasurers report

Annual Accounts of the Commissioners for the Financial year 2024/2025

RESOLVED

> The Commissioners approved the Treasurer's report for the annual accounts for the financial year 2024/25.

Public Works Loans Application

The Commissioners were asked, in accordance with the 1862 Middle Level Act, to affirm the Boards decision to agree that a Public Works Loan may be sought should this be required.

This was agreed unanimously by the Commissioners.

RESOLVED

> That the Commissioners authorise the Chairman to approve entering into a Public Works Loan (up to the value of £500,000 repayable up to 30 years) should there be an emergency need to do so.

Rate Arrears

RESOLVED

> The Commissioners considered and approved the recommendation of the Board to write off the rate arrears.

Debt Management Principles

The Debt Management write offs were agreed.

C.949 Date of Next Meeting

The next meeting of the Commissioners will be held on 23rd April 2025 at 12.45pm

C.950 Any other Business

The Chief Engineer asked the Commissioners if, given the scale of the Capital Investment Programme, a Commissioners Works Committee should be appointed. The incoming Chair, Mr H Whittome, thought that this would be a good idea but would like to discuss this further with the Exec Committee, agreeing things such as the number of Commissioners on the committee, the remit of the committee and so on. Once this has been discussed he would be happy for a proposal to be presented at the next Commissioners meeting. The Commissioners were in agreement with this approach.

No other items were raised by Commissioners and the meeting closed at 1.20pm

Provided by the Middle Level Commissioners		Item No:	4
Meeting:	**MIDDLE LEVEL COMMISSIONERS**	**Subject:**	**CONSTITUTION & MEMBERSHIP**
Date:	**Thursday 23rd April 2026**	**Officer Responsible:**	**Gemma Ashby**

RECOMMENDATIONS

The Board is asked to:

A. Note the position regarding elections and consider the Cabinet Office's Governance Code on Public Appointments within its appointment of officials.
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. Outline the training undertaken in the last year as well as future needs or plan for training.
E. Confirm if an individual is to be nominated to represent the Commissioners and put forward for membership of Nordelph IDB

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	15	N/A		5
Actual	11	2 FDC, 1 KLWN, 1HDC	15	
Vacancies	4			

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

No	Name	Status (one of four categories)	Commentary
1	Patrick Allpress	Landowner/Ratepayer	
2	Jonathan Brown	Landowner/Ratepayer	Vice-Chair
3	Robert Brown	Landowner/Ratepayer	
4	Mark Hall	Deputy	
5	Marc Heading	Landowner/Ratepayer	
6	Dr Derek Langslow	Representative of Wildlife Trust	
7	Mathew Latta	Landowner/ratepayer	
8	Andrew Lenson	Representative of A G Reserves	
9	Alison Morris	Landowner/ratepayer	
10	Hugh Whittome	Landowner/ratepayer	Chair
11	Stephen Whittome	Landowner/ratepayer	
12			
13			
14			
15			

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, e.g. major infrastructure, commerce, community groups, environmental interests.

No	Name	Appointing Council	Commentary (one of three categories)
1	Chris Crofts	BCKLWN	Councillor
2	Sally Howell	HDC	Councillor
3	Dee Laws	FDC	Councillor
4	Alex Miscandlon	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	06/11/2025	24/6/2025	30/04/2025	7/11/2024
1	Patrick Allpress	Present	Apologies	Present	Present
2	Jonathan Brown	Present	Present	Apologies	Present
3	Robert Brown	Present	Present	Present	Present
4	Mark Hall	Apologies	Present	Present	Present
5	Marc Heading	Present	Present	Present	Apologies
6	Dr Derek Langslow	Present	Apologies	Apologies	Present
7	Matthew Latta	Apologies	Apologies	Present	Present
8	Andrew Lenson	Apologies	Apologies	Present	Present
9	Alison Morris	Present	Apologies	Present	Present
10	Hugh Whittome	-	Apologies	Present	Present
11	Stephen Whittome	Present	Apologies	Present	Present
12					
13					
14					
15					

Appointed Members (current and previous)

No	Name (Council)	06/11/2025	24/6/2025	24/6/2025	30/04/2025
1	Christopher Crofts BCKLWN	Present	Present	Present	Apologies
2	Dee Laws FDC	Present	Present	Present	Apologies
3	Alex Miscandlon FDC	Present	Present	Present	
4	Sally Howell HDC	-	Present	Present	

3. Elections, vacancies & appointments

3.1 In appointing the Chairman and Vice Chairman, the Board is expected to follow the principles within the Cabinet Office's Governance Code on Public Appointments. Unless there are exceptional circumstances, there is a strong presumption that no individual should serve in any one post for more than ten years. The tenure of the current Chairman is 5 months, and the tenure of the current Vice Chairman is 5 months.

3.2 Current Commissioner Declarations of Eligibility:

Ref No	Surname	First Name	Business Name	Date of Claim	Year for Claim Review
MLCR10001	Allpress	Patrick	Allpress Farms Ltd	23/04/2025	2028
MLCR10002	Boughton	Duncan	Ransonmoor Farm Ltd	06/11/2025	2028
MLCR10003	Brown	Jonathan	E C Brown & Sons	04/04/2025	2028
MLCR10004	Brown	Robert	E C Brown & Sons	02/04/2025	2028
MLCR10005	De Ramsey	Lord	Abbots Ripton Estates	27/01/2025	2028
MLCR10006	Fountain	David	C J Fountain & Son Ltd	03/02/2025	2028
MLCR10007	Hartley	Christopher	forms posted 27/1/2025		
MLCR10008	Heading	John	A & EG Heading Ltd	01/04/2025	2028
MLCR10009	Heading	Marc	A & EG Heading Ltd	07/04/2025	2028
MLCR10010	Latta	Mathew	A & EG Heading Ltd	30/04/2025	2028
MLCR10012	Morris	Alison	E H Morris (Stonea) Ltd	13/05/2025	2028
MLCR10014	Raby	Sam	H Raby & Sons	23/04/2025	2028
MLCR10016	Whittome	Hugh	Whittome Farms	27/01/2025	2028
MLCR10017	Whittome	Stephen	Whittome Farms	30/01/2025	2028
MLCR10018	Bragg	Alex	Royal London Asset Management/Waldersey Farms Lt	11/02/2025	2028
MLCR10019	Hall	Mark	Royal London Asset Management/Waldersey Farms Lt	11/02/2025	2028
MLCR10020	Smith	Jack	Royal London Asset Management/Waldersey Farms Lt	11/02/2025	2028
MLCR10021	Mottram	Michael	Veris Ltd	16/04/2025	2028
MLCR10022	Smith	Matthew	F Smith & Sons	06/10/2025	2028

Public/Charitable Land:

Ref No	Land Ownership: Organisation Name	Organisation Type	Surname	First Name	Organisation of Appointee	Date of Appointment	Year for Appointment Review
MLCR20001	Wildlife Trust	Charity (UK Based)	Langslow	Derek	Wildlife Trust	13/04/2023	2026
MLCR20002	AgReserves Ltd	Charity (Not UK Base	Lensen	Andrew	Ag Reserves Ltd	01/09/2025	2028

4. Composition and amalgamations

4.1 The Board is encouraged to continually monitor and review its membership, financial and climate resilience, along with assessing its influence locally, regionally and nationally. These are all factors that may lead the Board to consider changing its composition and/or amalgamation with (an)other Board(s). See 'The IDB governance future within the Middle Level of the Fen' within the Clerk's Report.

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

5. Training

5.1 IDBs are expected by Defra to support relevant externally accredited training and/or professional development of its Board Members, officers and employees (if appropriate). It is therefore recommended that the Board identifies and budgets for any such requirements.

5.2 In addition, IDBs are expected by Defra to provide in-house training and/or professional development opportunities for its Board Members, officers and employees (if appropriate).

5.3 Topics that Defra suggest are i) Governance ii) Ethics iii) Finance iv) Environment v) Health, safety & welfare and vi) Communications & engagement.

5.4 The Board are asked to outline the training undertaken in the last year as well as future needs or plan for training. Members are asked to identify any topics areas they would value further training on as well as any site inspections that would help them undertake their role on the Board more effectively.

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

6. Governance

6.1 Given their bank lot land holdings, the Middle level Commissioners are eligible for election to Nordelph IDB who have elections later in 2026. The Board and Commissioners are asked to confirm whether they wish to nominate an individual to represent the Commissioners to put forward for membership of Nordelph IDB.

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