



Commissioners Meeting
Thursday 6th November 2025, 12.45pm
Middle Level Offices, March

Agenda:

<i>Item No</i>	<i>Topic</i>	<i>Format</i>	<i>Lead</i>
1	Welcome & apologies	Verbal	Chairman
2	Declarations of Interest	Verbal	Chairman
3	Minutes of last meeting and matters arising	Pages 2 - 5	Chairman
4	MLC Schedule of Reserved Matters & Scheme of Delegation Review	Page 6	Chief Exec
5	Constitution & Membership • Members appreciation to Commissioners on their resignations • Review Commissioners declarations • To elect the Chairman of the Commissioners for the ensuing year • To elect Commissioners to form the Board for the ensuing year • To elect the Vice Chairman of the Commissioners • Appointment of the Executive Committee • Appointment of the employers' side representatives for the Employment Committee • Appointment to the Navigation Advisory Committee • Appointment to the Environment Committee • Appointment to the Water Resources Committee	Pages 7 - 9	Chairman
6	Chairmans Report	Enc 1	Chairman
7	Finance and Governance – Head of Finance report inc review: • Annual Accounts of the Commissioners for the financial year 2024/2025 • Approve any Public Works Loan applications • Rate arrears - confidential papers • Debt management principles	Enc 2 Available at the meeting	Head of Finance
8	Date of Next Meeting – Thursday 30 th April 2026 – 12.45pm	Verbal	Chairman
9	Any other business	Verbal	Chairman

Middle Level Commissioners Meeting



middle level
commissioners

At a meeting of the Middle Level Commissioners held at the Middle Level Offices, March on Wednesday 30th April 2025.

PRESENT

J Brown (Chair)
H Whittome (Vice-Chair)
P Allpress
R Brown
M Heading
M Latta
A Lensen
A Morris
S Whittome

Lord de Ramsey Esq
Mr D Fountain

Paul Burrows (CEO of Middle Level Commissioners), Ruth Martin (Lead Clerk), Nicola Oldfield (Chief Engineer), Andrew Wool (Head of Finance) & Sofi Lloyd (Ecology & Environment Services Manager) were in attendance.

Cllr A Miscandlon was also present as a visitor.

Welcome and Apologies

The Chair welcomed everyone to the meeting.

C.932 Declarations of Interest

The Chairman 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.933 Minutes of the last meeting and matters arising

RESOLVED

The minutes of the Meeting of the Commissioners held on the 7th November 2024 are recorded correctly and that they be confirmed and signed.

C.934 Constitution and membership

The Chief Executive advised that there are currently 4 vacancies on the Board. The Commissioners need to consider how they fill these vacancies when the elections are held in November 2025.

As reported at the November meeting, formal Declaration forms have been sent out to known Commissioners, and the forms have also been posted on the Middle Level Commissioners website. We need to communicate this to as many prospective Commissioners as possible, but for Land Registry to

provide us with the information we need to do this would cost in the region of £70,000 and so we need to look at other ways to do this. As of today, only 16 Commissioners have declared, and 2 deputies have been nominated. There is an assumption that all those seated around the table have declared, and a reminder that they need to complete the documentation if they have not.

The Chair reiterated this, asking the Commissioners to please encourage others to declare their eligibility.

C.935 Annual Report: Items escalated by the Board

The Chief Executive referred the Commissioners to his report and summarised the key areas of focus and decisions made by the Middle Level Board earlier.

Efficiencies and Income Generation

The Chief Executive reported that we are on the cusp of unlocking efficiencies and income generation opportunities, but these may require some up-front investment. We have received some Government Storm Recovery grant funding which has provided over £4 million of investment, some of which has enabled us to unlock other efficiencies such as the solar installations at St Germans. In addition, the optimisation of St Germans and the introduction of a more hands on approach of management of the pumping station is likely to provide £80,000 of annual savings. The Board endorsed the ambition to become Electricity Net Zero, recognising that the solar installations at St Germans are effectively free investment.

Moving to Income Generation, and the improved charging model for development and planning will benefit the Asset Improvement Fund, with greater developer fees which can be invested in our infrastructure. Alongside this is the intent to appoint an Enforcement and Compliance Officer, and also addressing efficiencies within our control whilst facing uncomfortable truths regarding funding and how we unlock that funding.

The Chair advised that the resolutions within the report were passed unanimously by the Board and recommended that the Commissioners endorse the report.

RESOLVED

The Commissioners endorse the Annual Report

C.936 Chair and Vice Chair Role and Responsibilities and associated proposal for expenses.

The Chair, Vice Chair and Mr Allpress all declared an interest in this item.

The Chief Executive introduced the paper included in the agenda. He advised that the Board had earlier supported the adoption of an expenses approach to remuneration, recognising the evolution of roles over time and increase complexity of issues that the Chair and Vice Chair now need to commit time to. He explained that the Middle Levels Acts, although old but which are still in force, tie our hands meaning the payment of a salary or lump sum fee is not open to us. He referred to the roles and responsibilities for the positions of Chair and Vice Chair that has been developed and sought approval for these to be integrated into the Commissioners Scheme of Delegation.

RESOLVED

That the proposal 'MLC: Chair responsibilities and remuneration' is approved and adopted, including

- Authorising the Chief Executive and Head of Finance to develop the forms and adjust internal controls to implement the expenses approach.
- Authorising the Chief Executive and Head of Finance to review, approve or reject expenses payments and agree the hourly rate proposed for lost time from employment.
- Authorising the Chief Executive to change and re-publish their scheme of delegation and schedule of reserved matters.

C.937 Finance and Governance – Treasurers report

The Chairman advised the Commissioners of the following.

Drainage rates and special levies for the financial year 2025/2026

In the present financial year, the Commissioners' estimated net Revenue expenditure after deduction of grants and contributions will be £2,765,379. It is estimated that £85,900 will be met from miscellaneous income leaving £2,679,479 to be funded. Further, to finance the St Germans Pumping Station Replacement Scheme Annuity, loans have been drawn down from the Public Works Loan Board, annual repayments being £688,242 and improvement works to be funded through draw down from the Public Works Loan Board, calculated repayment to be £79,519, giving a total of £3,447,240 to be funded.

A rate of 33.50p in the £ on agricultural land and buildings together with Special Levies totalling £1,212,008 would be required to meet this sum under the provisions of the Land Drainage Act 1991.

After very careful consideration of the probable actual expenditure in 2024/2025, taking the likely cash flow requirements for 2025/2026 and the Commissioners' balances fully into account the recommendation of the Board is that for 2025/2026 a rate of 33.50 p in the £ should be levied on agricultural land and buildings and Special Levies totalling £ 1,212,008 should be issued to District Councils in the area.

The Chair proposed that a rate of 33.50p be set. The Commissioners agreed unanimously.

RESOLVED

- i) a rate of 33.50 p in the £ on agricultural land and buildings
- ii) a Special Levy on Fenland District Council of £ 668,505.
- iii) a Special Levy on Huntingdonshire District Council of £ 273,272.
- iv) a Special Levy on the Borough Council of Kings Lynn and West Norfolk of £ 270,208, and
- v) a Special Levy on Peterborough City Council of £ 23.

C.938 Rate Arrears

RESOLVED

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

C.939 Penalties

The Chief Executive reported that 156 penalty notices were raised during the financial year 2024/2025

C.940 Miscellaneous Items

Complaints Update

The Chief Executive advised that there have been no complaints received that required escalating to the Commissioners.

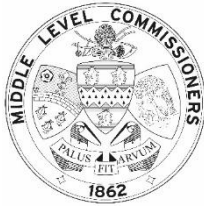
C.941 Date of Next Meeting

The Chair advised that an inspection will be held on 26th June 2025 for the Middle Level Board to which Commissioners are welcome to join.

C.942 Any other Business

The Chair presented a gift to Lord de Ramsay, in recognition of his many years of service to the Middle Level Board. The Chief Executive reflected that the Board wished to present him with a gift that reflected the importance of geography in the Middle Level, and so they had commissioned topographical map of the Fens which was duly presented to Lord de Ramsey.

With no other items raised by Commissioners, the meeting closed at 1.05pm.



Schedule of Reserved Matters and Scheme of Delegation

November 2025

The [current version](#) of the Commissioners' Schedule of Reserved Matters and Scheme of Delegation has not been reviewed for some time. The schedule outlines the organisational decision making that is vested with the Middle Level Commissioners and the the Middle Level Board, along with delegations to the Chairman/Vice Chairman, Chief Executive (Clerk), Chief Engineer and Head of Finance (Treasurer).

As organisational responsibilities have evolved there have become gaps and some inconsistencies that need to be addressed, along with aspects that are impractical. There is also the opportunity to streamline and modernise the schedule.

The Commissioners' are asked to approve that their Schedule of Reserved Matters and Scheme of Delegation be reviewed and are asked for views on the scale and nature of modernisation and streamlining they wish to see. They are asked to delegate the review to the Chief Executive who will work with the Executive Committee to recommend an updated version.

Currently there are significant reserved matters held by the Commissioners that for practical reasons ought to be formally delegated to the Middle Level Board as part of an updated schedule. The current delegations may have been more appropriate when there were significantly greater number of declared Commissioners attending their meetings.

It is recommended that within the update the matters reserved for the Commissioners be limited to those specified under s68 of the Middle Level Act 1862:

"the superintendence of all matters and affairs belonging to or vested in the Commissioners and the exercise of all powers and duties to be performed by them shall subject and without prejudice to the rights and powers of the Commissioners at any meeting be exercised by the Middle Level Board, save that the Board may not levy taxes (lay rates or raise Special Levies) or borrow money"

The Commissioners would therefore have the following matters vested in their decision making and, once a revised schedule is approved, then this would form the agenda of the Commissioners meetings:

- a) Electing Commissioners to form the Middle Level Board
- b) Appointing the Chair and Vice Chair
- c) Appointing Commissioners to sub-committees
- d) Setting the drainage rate and associated special levy (as recommended by the Middle Level Board)
- e) Approving any borrowing - public works loans (as recommended by the Middle Level Board)
- f) Hearing any appeals from any decision taken by the Middle Level Board
- g) Ability to call in any matter delegated to the Middle Level Board

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

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

Provided by the Middle Level Commissioners		Item No:	4
Meeting:	MIDDLE LEVEL COMMISSIONERS	Subject:	CONSTITUTION & MEMBERSHIP
Date:	Thursday 6 th November 2025	Officer Responsible:	Polly Tombleson
RECOMMENDATIONS The Board is asked to: A. Appreciation of Commissioners regarding recent notifications from Board members 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. Determine whether there are composition changes and/or amalgamations it wishes to progress. E. Reinforce the need for members to view all five 'Good Governance' videos. F. Identify any topic areas for additional training, as well as any inspection/site visit requirements.			

1. Current status

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

	Elected Members	Appointed Members	Total Members	Quorum
Composition	15	N/A		5
Actual	11	2 FDC, 1 KLWN, 1 HDC	15	
Vacancies	4			

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

There are currently **4** vacancies

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

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

No	Name	Appointing Council as at July 2023	Commentary (one of three categories)
1	Sally Howell	HDC	Councillor
2	Chris Crofts	BCKLWN	Councillor
3	Dee Laws	FDC	Councillor
4	A Miscandlon	FDC	Councillor

- 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.
- 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	24/6/2025	30/04/2025	7/11/2024	26/6/2024
1	Patrick Allpress	Apologies	Present	Present	Present
2	Duncan Boughton	Present	Apologies	Present	Apologies
3	Jonathan Brown	Present	Present	Present	Present
4	Robert Brown	Present	Present	Present	
5	Marc Heading	Present	Present	Apologies	Present
6	Dr Derek Langslow	Apologies	Apologies	Present	
7	Mathew Latta	Apologies	Present	Present	
8	Andrew Lensen	Apologies	Present	Present	Apologies
9	Hugh Whittome	Apologies	Present	Present	Present
10	Stephen Whittome	Apologies	Present	Present	
11	Alison Morris	Apologies	Present	Present	
12					
13					
14					
15					

Appointed Members (current and previous)

No	Name (Council)	24/6/2025	30/04/2025	7/11/2024	26/6/2024
1	C Crofts BCKLWN	Present	Apologies	Present	Apologies
2	D Laws FDC	Present	Apologies	Apologies	
3	A Miscandlon FDC	Present		Apologies	Present
4	Sally Howell HDC	Present		Present	

3. Elections, vacancies & appointments

3.1 Current vacancies – November 2025 – 4

3.2 Current Commissioner Declarations of Eligibility:

Private Land: Number Declared = 16 inc 3 deputies

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

5. Training

- 5.1 All Members are asked to digest the Good Governance Guide for Internal Drainage Boards published by the Association of Drainage Authorities and view the five accompanying videos intended to bring the guide to life. They are available via <https://middlelevel.gov.uk/about/idb-governance/>
- 5.2 To date 0 of 15 Board Members have reported viewing all five videos.
To date 9 of 15 Board members have reported viewing 2 of the five videos
- 5.3 Members are asked to identify any topics areas they would value further training on as well as any site inspections that would help them undertake their role on the Board more effectively.
- 5.4 Member training is reported to Defra as part of the annual IDB1 return.

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