Establishing New Internal Drainage Boards - Guidance

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Foreword

This document provides guidance on setting up new Internal Drainage Boards (IDBs) where there is a perceived need and local support. This publication is not intended to form an opinion on the suitability of IDBs or to advocate, but to provide guidance for a process to create such a Board, and a framework to operate and manage it.

This document is currently limited to England.

More than 10% of England has managed water levels, which are reliant on daily actions by existing IDBs to ensure that, as far as is practicable, water levels are controlled to enable the sustainable use of land. Water level management is a subject with vital economic consequences for food production, infrastructure, leisure, tourism, industry, and other businesses within lowland areas. At the same time it has shaped, and must continue to support, the biodiversity both within and outside of designated sites.

IDBs must also embody the principle of the beneficiary pays through their Drainage Rates and Special Levy and ensure that, through their Board membership structure, those who contribute get a say in the management of the IDB.

The information in this document has been obtained by consulting with people and groups who are either currently involved in the running and management of an IDB, or who are likely to have an interest in one. Their help has been invaluable in highlighting the benefits associated with an IDB, and also some of the issues involved in setting one up. Information has been drawn from the Swavesey IDB which was the last IDB to be set up in England in 1981.

The authors would like to thank the many people who have contributed to this report as listed in the acknowledgements.

Finally, although every care has been taken in this publication, neither its authors nor their organisations can accept any legal liability for its contents.

Executive summary

An Internal Drainage Board (IDB) is a local public body that manages water levels. This guidance document aims to provide sufficient advice on the process of forming a new Internal Drainage Board.

The document aims to inform staff within Defra, the Environment Agency, Regional Flood and Coastal Committees (RFCCs), Lead Local Flood Authorities (LLFAs), local land drainage and water level management groups and individuals, existing IDBs and local authorities. The document includes the roles, functions and processes of an IDB and the roles each of these organisations have in establishing an IDB.

The guidance document explains the purpose and function of an IDB, and outlines the setup process for creating an Internal Drainage Board, up until Ministerial Order is made, establishing an IDB in statute.

Its aim is to provide generic guidance in England for areas not previously covered by an IDB, and areas where IDBs have previously been abolished. An IDB can be viable in areas of special flood or water level management risk, however, before the setup process is progressed the feasibility of setting up an IDB must be considered.

It is recommended that the legal setting up and running of an IDB is fully understood by those groups considering forming a new IDB, before the start of the legal process.

There are many physical, practical and economic constraints that must be considered when investigating the feasibility of an IDB and this document provides guidance on how to investigate these further. It also includes information on the legislative process, how boundaries are set, how drainage rates and levies are agreed and their funding mechanisms.

In addition the interpretation of the Medway Letter, which is used to set boundaries of a new Drainage district and funding, is being reviewed by Defra. As a consequence, this guidance document makes assumptions on the allowable interpretation of the recommendations within the Medway Letter. As these and other policies and legislation are developed, this guidance will change, but, as it is intended to be a web-based document, it can be updated as appropriate.

This guidance has been developed alongside the consideration of forming IDBs in the Lyth Valley (South Cumbria) and Waver, Wiza & Wampool catchments (North Cumbria). The findings of the assessment to form IDBs in these catchments are available as separate reports.

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Contents

1 Introduction

1.1 Document Aims

The aim of this document is to provide guidance for those interested in setting up new Internal Drainage Boards (IDBs). It is intended to provide sufficient advice to inform Defra, the Environment Agency regions, Regional Flood and Coastal Committees, Lead Local Flood Authorities, Local Authorities, Natural England, local land drainage groups and individuals and communities, existing IDBs and landowner groups. Its aim is to be generic guidance for England so that it can apply to areas not previously covered by an IDB, and areas where IDBs have been previously abolished.

This national guidance has been produced alongside the consideration of forming two prospective IDBs in the south of Cumbria, and north of Cumbria. Reports relating specifically to these areas are available separately.

1.2 Who this document is aimed at

This document is aimed at groups wishing to set up an IDB or water level management board, and also for the authorities and agencies that provide the regulation for this function. It is intended to be a web based document available electronically for download.

1.3 What is an Internal Drainage Board?

An Internal Drainage Board (IDB) is a public body that has been established under statute in areas of special drainage need in England and Wales, with permissive powers to undertake work to provide land drainage and water level management within their Internal Drainage District (IDD). Each Internal Drainage District has a defined area, with the IDB having powers to deal with matters affecting water levels, land drainage and flood risk in that area. Much of their work involves the maintenance of rivers, drainage channels, outfalls and pumping stations, facilitating drainage of new developments and advising on planning applications. They also have statutory duties with regard to the environment and recreation when exercising their permissive powers. Internal Drainage Districts are not determined by county or unitary council boundaries, but by consideration of the hydrological catchment within a given area.

Statutory bodies dealing with drainage matters date back to 1252, but most IDBs today were established by the Government following the passing of the Land Drainage Act 1930. The activities and responsibilities of the Boards are currently controlled by the Land Drainage Act 1991 (LDA 1991) as amended by subsequent Acts, and other legislation.

2 Background

2.1 Role of an Internal Drainage Board

The main roles of an IDB are set out in the Vision for Internal Drainage Boards in England and Wales. IDBs as modern flood authorities have a wide range of duties and responsibilities that stem from a strategic catchment-based approach to flood risk management. The roles are stated as follows:

- **Water level management** – IDBs aim to provide sound water level management through the close management of water levels – in watercourses or underground (groundwater) – for the purpose of reducing the risk from flooding and for sustaining all land uses and the environment.

- **Areas of special flood risk** – Low-lying areas of England and Wales require the daily close attention of specialist, local, water level management bodies, such as IDBs, local authorities or the Environment Agency. These will actively manage and reduce the risk of flooding in a sustainable way, and to ensure that land use, inhabitation and ecology can continue into the future.

- **Catchment basis** – IDBs operate within the strategic objectives of catchment management plans and Water Framework Directive strategic plans. Water level and flood risk management on a local catchment basis should determine any strategic approach to managing fluvial systems. This is a principle supported by the EU Water Framework Directive and Defra's Future Water (2008) strategy and upheld by Internal Drainage Boards in England and Wales, Waterschappen in Holland, Consorzi di bonifica in Italy and by other water level management authorities in many other countries across Europe. Lead Local Flood Authorities will develop local strategies at county/ unitary boundary level.

The role of IDBs was historically focused on the drainage of land, but IDBs now incorporate a number of wider functions within planning and environmental management. They co-ordinate and manage land and water levels by co-operative means between agencies, groups and communities. They support and develop agricultural, commercial, biodiversity and leisure objectives, although appropriate water level management of land remains a significant and vital part of their work.

IDBs hold important knowledge and expertise in identifying, reducing and managing flood risk for their catchments. IDBs also have responsibilities associated with Sites of Special Scientific Interest (SSSIs) plus other designated environmental areas within their boundaries. Moreover, they have a responsibility, in exercising their functions, for conserving biodiversity and are expected to implement IDB Biodiversity Action Plans.

IDBs protect and manage the water corridor, and provide a valuable service to the town and country planning process by guiding and advising Planning Authorities regarding surface water management, flood risk and sustainable urban drainage.

An IDB has permissive powers to carry out maintenance and improvement works on ordinary watercourses within their Internal Drainage District, they also have some regulatory powers associated with these watercourse. The Environment Agency's powers to carry out works apply to watercourses within IDB drainage districts that are designated as main rivers. However, works to Main Rivers can be undertaken by IDBs with agreement of the Environment Agency under the Flood and Water Management Act 2010 (FWMA 2010). IDBs are not responsible for riparian watercourses.

IDB would normally maintain the ordinary watercourses and other related assets, and levy rates on land owners and occupiers and Special Levies on Local Authorities to meet the costs of doing this and any necessary capital works to extend or renew their assets.

2.1.1 Expectations of a new IDB

New IDBs will predominantly operate under the Land Drainage Act 1991 using legislative and permissive powers to undertake work to manage the drainage and water levels of their districts in a sustainable way and to significantly reduce the risk flooding to local communities, property, businesses and infrastructure. Within their districts, they will have direct responsibility for works on ordinary watercourses, drainage channels, outfalls and pumping stations, facilitating drainage of new developments and advising on planning applications. They will also have statutory duties with regard to the environment and recreation when exercising their functions.

2.1.2 IDBs and the Flood and Water Management Act 2010

The Flood and Water Management Act 2010 (FWMA 2010) recognises and builds on the key role of IDBs in managing flood risk. IDBs continue to perform their functions as per the Land Drainage Act 1991 but with additional duties and powers bestowed by the FWMA 2010, which are discussed further below. The Environment Agency continues to provide general supervision for flood defence works, and consents to works that IDBs undertake that affect main rivers.

Under the FWMA 2010, IDBs must act consistently with the National Flood and Coastal Erosion Risk Management Strategy for England. IDBs will play a role in helping Lead Local Flood Authorities to develop and implement their local flood risk strategies and will need to support and act consistently with these strategies when performing their functions.

IDBs have a duty to cooperate with any other flood risk management authorities exercising their flood risk management functions, which will include complying with reasonable information requests by the Risk Management Authorities.

The FWMA 2010 allows flood and coastal risk management functions to be carried out with agreement by both parties enabling local authorities, the Environment Agency and IDBs to work in partnership that best suits local needs, making best use of resources. The Environment Agency still maintains responsibility for main rivers unless this is specifically transferred by agreement.

IDBs, with the Environment Agency, Lead Local Flood Authorities and district councils, will have powers to designate third party assets as features that affect the risk of flooding or coastal erosion. Once designated, owners must seek permission from the authority to change or remove a designated feature.

The FWMA 2010 includes a provision to allow IDBs to work in consortia with other IDBs. This enables IDBs to share administrative, professional or technical services as well as perform flood risk management functions for one another.

IDBs will be statutory consultees to the Sustainable Drainage System (SuDS) approval process where proposed drainage systems will involve discharge of water into an ordinary watercourse in an Internal Drainage District.

The FWMA 2010 includes a duty for IDBs to contribute to sustainable development in discharging their flood and coastal erosion risk management (FCERM) functions. This complements the existing duty that the Environment Agency has under section 4 of the Environment Act 1995.

It also provides environmental powers to local authorities, IDBs and the Environment Agency to carry out works which have regard to the National Strategy, that have a net beneficial impact, and are deemed by the relevant authority to be desirable for the natural environment or other aspects of the environment, such as the historic environment, landscape, amenity or leisure benefits. This is in the context of ensuring that the overall programme of FCERM contributes to all three pillars of sustainable development.

Further details about the Flood and Water Management Act 2010 and what it means for different public bodies, including IDBs, can be found on Defra's website.

2.2 How Internal Drainage Boards are funded

Historically, IDBs rated all properties within their Drainage Districts directly, so that all occupiers, whether of agricultural property, houses, commercial properties, etc., received a rate bill. All occupiers paid directly for the land drainage and flood risk management service provided by the IDB, based on the rateable value of their properties and land. The principle was that IDB income should represent the rate levied on those who directly benefited from their service.

The position still remains essentially the same today. Agricultural properties and land owners still pay a drainage rate directly to the IDB, based on the assessable "annual" value of their land. The IDB also issues a special levy on all district or unitary local authorities for all other land and property within an Internal Drainage District. The special levy covers the other business properties and land, houses, roads, power stations etc in an Internal Drainage District. The drainage rates and special levies represent the core funding raised to implement an IDB’s works. The mechanisms by which rates are calculated and collected are discussed in Section 4.12.

In addition, the Environment Agency may pay IDBs for the costs of catering for water from higher areas that flows into drainage districts. This is typically offset by the payment of precepts from IDBs to Environment Agency for works the Environment Agency undertake on main rivers carrying water away from the Internal Drainage District. IDBs can also secure grants to assist with the funding of capital and environmental works via Flood Defence Grant in Aid (FDGiA) from Defra, Local levy, the lottery funding agencies and the European Union where appropriate.

2.3 Typical Internal Drainage Board Structure

Each IDB is a public body with its activities under the direct control of the Board. Their geographical areas of responsibility can vary in size from a few hundred hectares to tens of thousands of hectares, depending on the size of the Internal Drainage District. Because of this variation, there is not a single typical management structure, but a number of different models are available. An optimal IDB structure is discussed in Section 6.

The Boards consist of members elected from the agricultural drainage rate payers, and members appointed by levy-paying local authorities. The Board may employ or contract in staff as it sees fit, and pay salaries, pension contributions and other benefits. The office staff usually includes a Clerk who acts as the executive officer, and an Engineer to look after maintenance and improvement works and to comment on planning applications. Other staff typically employed by an IDB include: finance, ratings, biodiversity and planning officers, operations supervisors and directly-employed or contracted-in labour forces. The number and mix of these staff is dependent upon the size and needs of a particular Internal Drainage District.

In a number of cases staff will be employed by an individual IDB but will conduct work on a rechargeable basis for a number of other IDBs within a consortium or group. Examples of this practice include: the Bedford Group of Drainage Boards, Somerset Drainage Boards Consortium, and the Water Management Alliance.

2.4 IDBs and Infrastructure

Effective water level management can be critical to the continuing ability of infrastructure crossing over, on or under a drainage district to function for the benefit of society. Most commonly associated with the term ‘infrastructure’ in this context are facilities for:

- Food production and distribution;
- Electricity generation, transmission and distribution;
- Telecommunication;
- Water supply (drinking water, waste water/sewage, stemming of surface water (e.g. dikes and sluices));
- Public health (hospitals, ambulances);
- Gas and petrochemicals transportation and supply;
- Roads
- Transportation systems (airports, harbours, inland shipping, fuel supply, railways);
- Security services (police, military).

As a result of the Government's response to the Pitt Review the term 'Critical infrastructure' is now a term defined by the UK Government to describe particular assets that are essential for the functioning of wider society and the economy. In addition a number of further infrastructure assets may be essential to local communities and businesses. An IDB needs to consider the impact of its work on both local needs and strategic assets such as national and regional transport routes and facilities, power transmission facilities, gas, water and wastewater pipelines, and water and wastewater treatment facilities.

3 Roles and responsibilities

In this section the Roles and Responsibilities of the various parties involved in the set up, start up and running of an Internal Drainage Board and related flood risk management are discussed.

3.1.1 Environment Agency

The Environment Agency was established by the Environment Act 1995 and is a Non-Departmental Public Body of Defra. It is empowered under the Water Resources Act 1991 to manage flood risk arising from designated "main" rivers and the sea. It is the principal flood risk management operating authority in England and undertakes general supervision on flooding matters including flood risk management, floodplain mapping, flood warning, and floodplain development advice. It has concurrent powers to undertake works on behalf of IDBs or Lead Local Flood Authorities (LLFAs).

As previously stated the Environment Agency exercises a supervisory role over all IDBs and it is the Environment Agency who will oversee the process of setting up a new IDB, and will formally apply to Defra for an Order to be made.

The Environment Agency maintains responsibility for Main Rivers but can arrange for these powers to be exercised on its behalf by an IDB under the FWMA 2010.

The Environment Agency administers grant for capital projects to Local Authorities and Internal Drainage Boards (collectively known as risk management authorities). Therefore the Environment Agency will consider applications for grants for capital works proposed by an IDB.

3.1.2 Defra

Defra has national policy responsibility for drainage, flood and coastal erosion risk management and provides funding through grant in aid to the Environment Agency. The Environment Agency also administers grant for capital projects to Local Authorities and Internal Drainage Boards (collectively known as risk management authorities).

3.1.3 The Minister

The "relevant Minister" or "Minister" is referred to in the Land Drainage Act 1991. This role is currently performed by the Secretary of State for Environment, Food and Rural Affairs.

The Minister is responsible for making an Order in exercise of the powers conferred by section 3(5) and (7) of the LDA 1991. This formally establishes an Internal Drainage District and Internal Drainage Board in law.

The Minister also appoints the first elected members of a new Internal Drainage Board.

3.1.4 Regional Flood and Coastal Committees

Regional Flood and Coastal Committees (RFCCs) play an important role in guiding the Environment Agency's flood and coastal erosion risk management activities in their region. Under the Flood and Water Management Act 2010 it is intended that they will

also have a wider role in assisting the scrutiny of local authority risk assessments, maps and plans required by the EU Floods Directive.

The Environment Agency is required to obtain the consent of the RFCC for the regional programme for flood and coastal risk management capital projects. The RFCC retain responsibility for raising the local levy, and help decide how these and other funds raised locally (such as general and special drainage charges and contributions from IDBs) will be spent.

RFCCs ensure local democratic input into the decision making process, and they have a critical role to perform in ensuring the effectiveness of the strategic overview, through not only the provision of advice but also the peer review of local plans, and an ability, through their elected member majority, to ensure that constituent authorities are held to account for the establishment and fitness for purpose of partnerships and the production and quality of local plans.

In regards to IDBs, RFCC Chairs have been asked by Defra to oversee the amalgamation process of IDBs within their region. The Environment Agency may consult the RFCC whilst developing a Scheme to form a new IDB.

Levies are raised by the RFCC and are used to support flood risk management projects and works that are not considered to be national priorities and do not attract full national funding. Local Levy therefore allows locally important projects to be undertaken to reduce the risk of flooding.

3.1.5 Borough, District, and Unitary Councils

Under the Land Drainage Act 1991 district level local authorities within an Internal Drainage District pay a contribution to the costs of an IDB known as a Special Levy. In exchange for this they receive a proportionate number of places on the Board of the IDB.

3.1.6 Lead Local Flood Authority (LLFA)

The Flood Risk Regulations 2009 define the Lead Local Flood Authority (LLFA) for an area as the unitary authority or the county council. Many of their powers and duties were established under the Flood and Water Management Act 2010. This does not prevent partnership arrangements making full use of all capabilities and experience locally, and the Act enables LLFAs to arrange for a flood risk management function to be exercised on their behalf by flood or coastal erosion functions to another risk management authority by agreement. Indeed it should bring together all relevant bodies to help manage local flood risk.

IDBs will play a key role in local partnerships led by local authorities. The local authorities will be able to arrange for a flood risk management function to be exercised on its behalf by work to IDBs with their agreement.

District local authorities and IDBs will continue to manage ordinary watercourses. The FWMA 2010 now allows consenting powers to be carried out on their behalf. This will mean county local authorities will be able to authorise other to take direct responsibility for consenting of third party works, enabling district councils and IDBs to have more effective control of the watercourses they manage.

3.1.7 Natural England

Liaison is maintained between IDBs and Natural England in order that all works are completed in an environmentally sensitive manner. In the event that a new IDB is created, Natural England may need to be consulted under the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010, protected species legislation and the Environmental Impact Assessment regulations.

3.1.8 Interested Parties

This includes all those individuals and groups who may have an interest in the establishment, operation and success of an IDB, including its proposed work. They often include landowners, farmers, business owners, householders and the wider community in the proposed drainage district. They may also include people outside the drainage district who will have an interest: e.g. those affected downstream, visiting the area, paying council tax in a levy-paying local authority or even the wider taxpaying public who therefore contribute to Revenue Support Grant.

Other organisations who may have an interest in or may be affected by the running of the IDB include: the Association of Drainage Authorities (ADA), Country Land and Business Association (CLA), English Heritage, Royal Society for the Protection of Birds (RSPB), Wildlife Trusts, Friends of the Earth, Local Government Group, the National Trust, National Farmers Union, any National Park Authorities, Water Companies, Coal Authority and other national and sub-national, government and 3rd sector organisations.

Early consultation with these groups and individuals, by those intending to set up an IDB is essential and should make use of their local knowledge and expertise. Some may have local advisory teams who can provide advice on land management and may provide sources of funding. Early consultation will lead to improved understanding of the issues involved in setting up and running a new IDB. Further to this, many interested parties will be willing to work alongside an IDB to deliver economic and environmental benefits.

4 Setup process

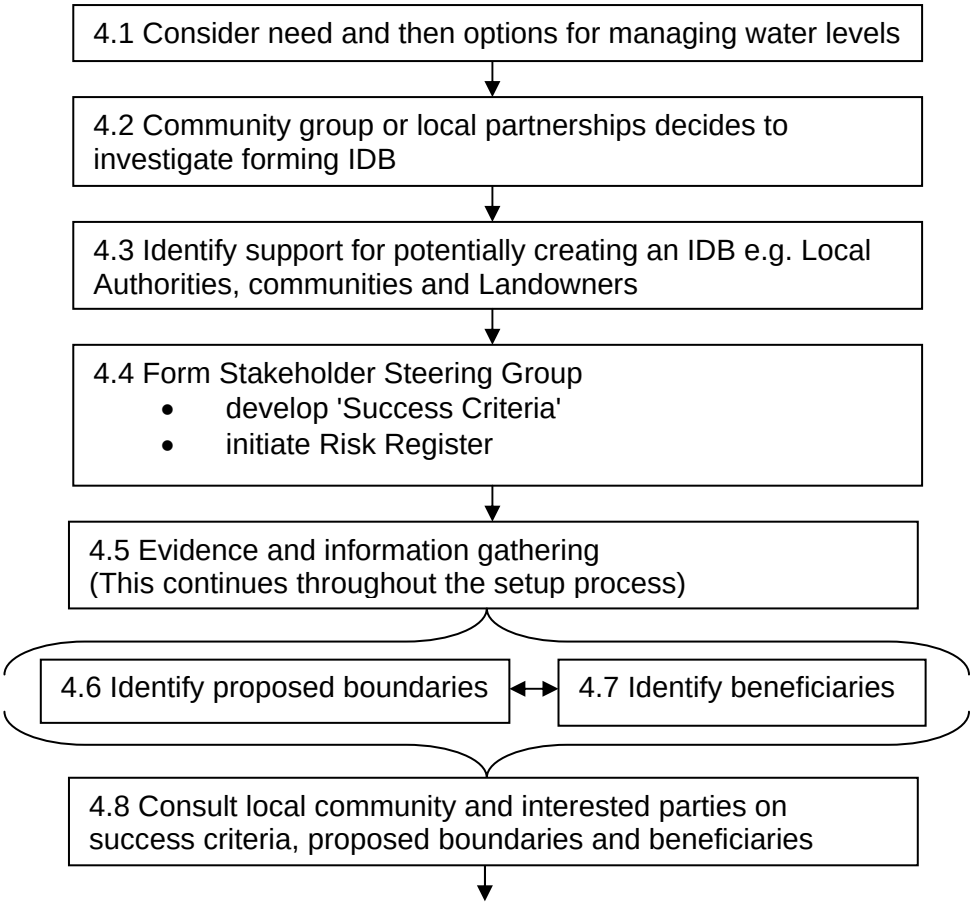
This section explains the pre-legislation setup process, and the funding of that process. Sections 1, 2 and 3 of the Land Drainage Act 1991 (LDA 1991) set out what Internal Drainage Boards are, the process for reviewing the boundaries of existing Internal Drainage Districts, and schemes for the reorganisation of Internal Drainage Districts including the creation of new IDBs.

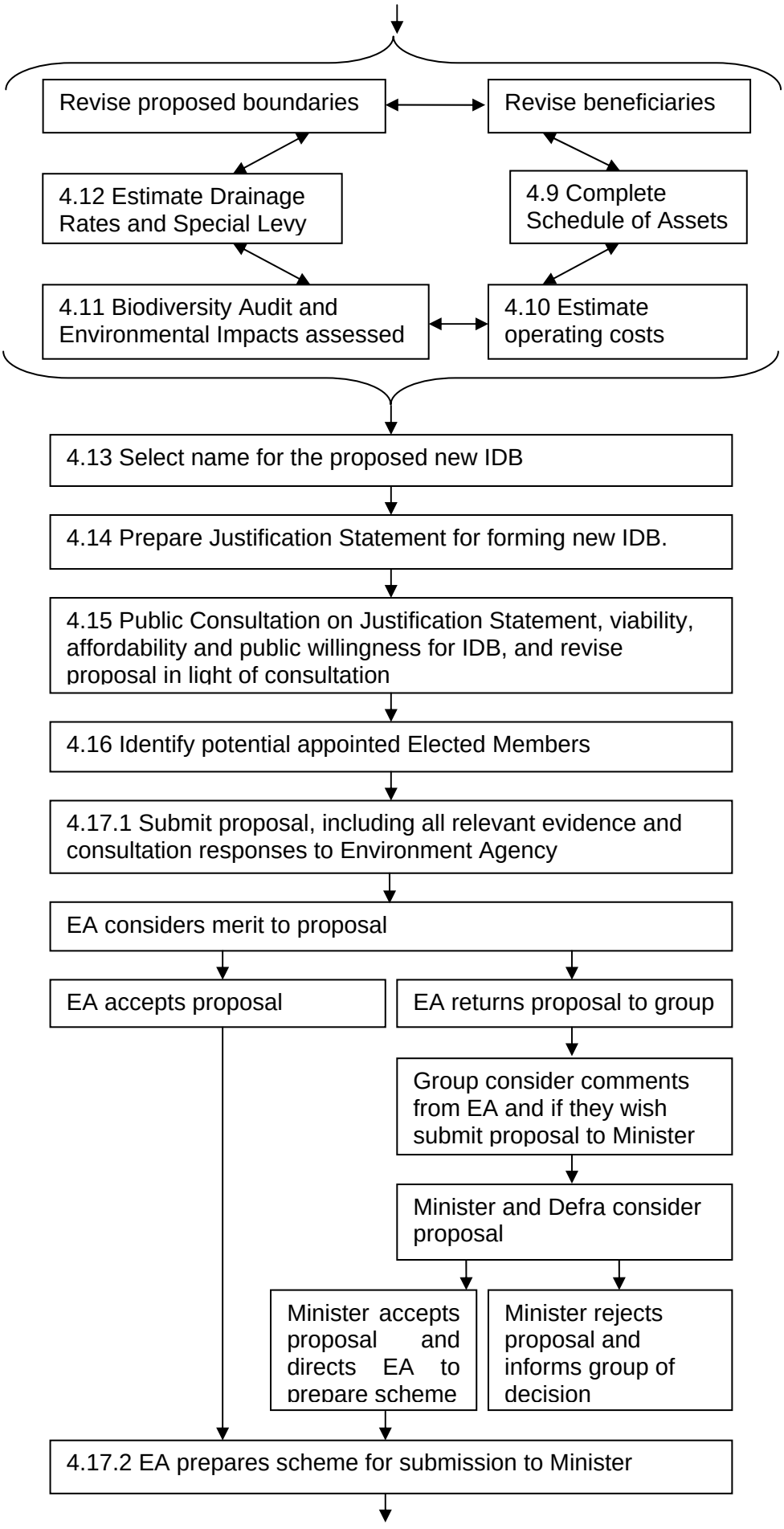
Under Section 3 of the LDA 1991, the Environment Agency may prepare, and submit to the relevant Minister for confirmation, a Scheme making provision for the constitution of new Internal Drainage Districts and the constitution of Internal Drainage Boards for such districts. The Environment Agency can do this at any time, but is compelled to do so if directed by the relevant Minister.

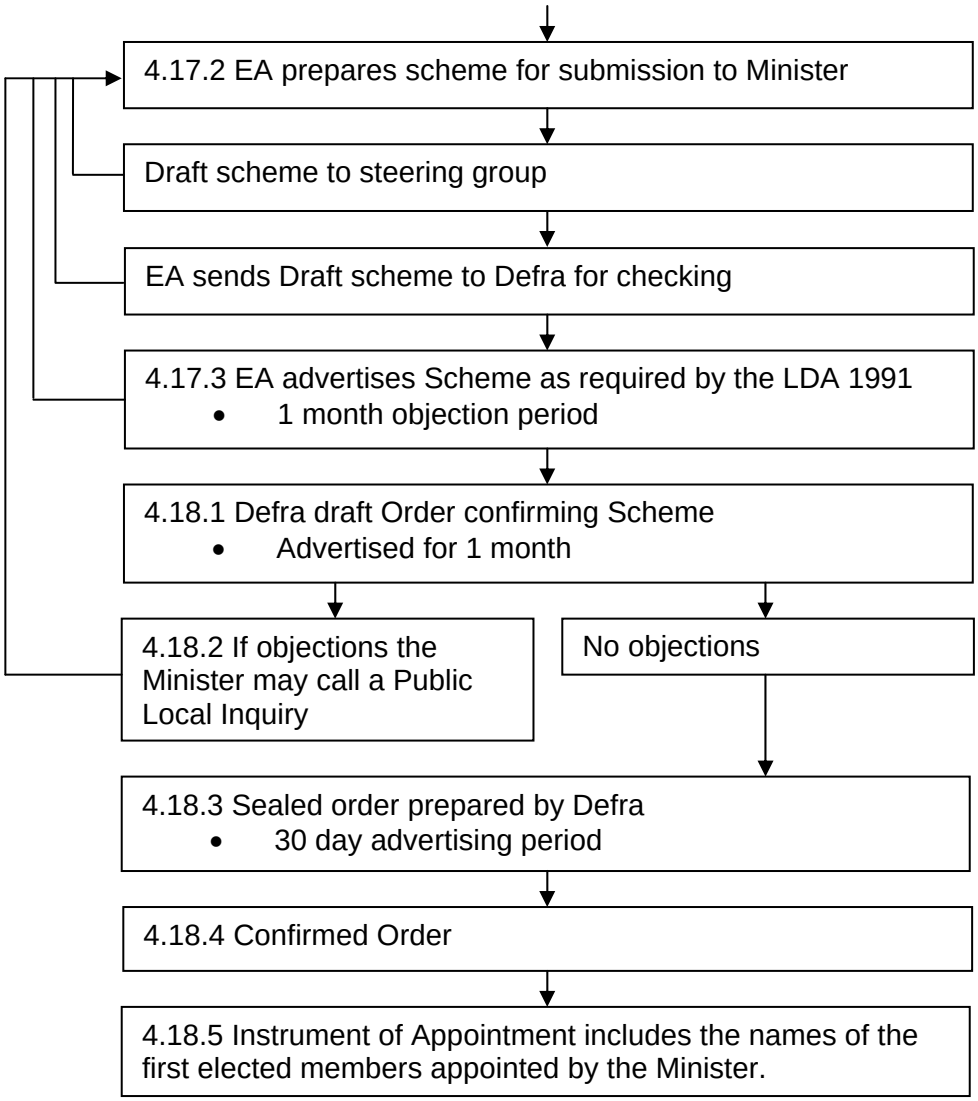
The following setup process guidance provides the reader with an overview of the process of forming an IDB, suggests what information and evidence would be useful to the Environment Agency or Minister when deciding whether to proceed with a scheme to form an IDB, and describes the legal process of producing a Scheme and Ministerial Order to form a new IDB.

The legislation does not specify who meets the setup costs for a new IDB and it is likely that the majority of these costs would need to be borne by the beneficiaries who are proposing to set up the new IDB. Where a proposed IDB would maintain another organisation's existing water level management assets, the said organisation may also choose to contribute to the formation of a new IDB either financially or in kind.

Flow Diagram of Setup Process




Revise proposed boundaries
Revise beneficiaries
4.12 Estimate Drainage Rates and Special Levy
4.9 Complete Schedule of Assets
4.11 Biodiversity Audit and Environmental Impacts assessed
4.10 Estimate operating costs
4.13 Select name for the proposed new IDB
4.14 Prepare Justification Statement for forming new IDB.
4.15 Public Consultation on Justification Statement, viability, affordability and public willingness for IDB, and revise proposal in light of consultation
4.16 Identify potential appointed Elected Members
4.17.1 Submit proposal, including all relevant evidence and consultation responses to Environment Agency
EA considers merit to proposal
EA accepts proposal
EA returns proposal to group
Group consider comments from EA and if they wish submit proposal to Minister
Minister and Defra consider proposal
Minister accepts proposal and directs EA to prepare scheme
Minister rejects proposal and informs group of decision
4.17.2 EA prepares scheme for submission to Minister



4.1 Considering the need, and options, for managing water levels

Before deciding to form an IDB in an area, the need for the management of water levels and range of options available should have been fully considered. These options may be set out as part of a wider review of a catchment such as a flood risk management strategy.

The formation of an IDB is just one of the options that should be considered, especially in areas where a significant change in the management of water levels is proposed such as the construction of new assets, decommissioning of assets, or enhancement or withdrawal of maintenance.

4.2 Decision to investigate the feasibility of an IDB

Following an indication that managing of water levels is an important area of work in a particular area, a community group, third sector organisation, local authority, or other statutory body may choose to consider forming an IDB for a variety of reasons.

It is likely that this will occur as a result of two situations:

- To manage an existing FCRM or Water level management system (i.e. where this work is no longer carried out by the current operating authority),

- To manage a new or proposed water level management system and enable local funding contributions for this work (e.g. where there is a belief that water level management is needed in area which is currently not managed).

A judgement needs to be made as to whether an area's water level issues could be alleviated by a locally-run and managed IDB supervising the water levels and/or drainage of land in that area; and having powers and duties to maintain improve and manage watercourses and control structures in the area.

4.3 Identify support for potentially creating an IDB

In order to gauge initial levels of support for creating a new IDB, a group wishing to take forward the proposal should first write to interested parties in the area outlining their decision to investigate forming an IDB and the reasons why. Maintaining good engagement with interested parties in the local community will be important throughout the process of creating an IDB.

4.4 Steering Group

An IDB is a statutory body, consequently there are a number of responsibilities that occur when setting up and running an IDB. As a result, an IDB must be shown to be a viable, sustainable and affordable option, with the general agreement of land and property occupiers and owners, and statutory authorities who would be affected by the proposal.

Therefore, it is advisable at the start of the setup process to bring together a steering group of key local interested parties affected by the proposed plans. The steering group should oversee the development of plans for a new IDB throughout the setup phase.

In order that the group is aware of what key data and information is available it is advised that a representative of the Environment Agency's Regional or Area Team is sought to assist this group.

4.4.1 Success Criteria

Those proposing an IDB, together with their steering group, should agree a short statement affirming the reasons for creating an IDB and the broad aims for any future IDB. This statement should cover the outcomes and benefits the IDB will bring to both people and the environment.

This could be termed the 'success criteria' for setting up a new IDB and can be developed into a justification statement for forming a new IDB later in the setup process.

4.4.2 Risk Register

At the start of the setup process, the steering group will need to identify risks and ways of managing them. These might include financial, time, social and environmental risks. An example of a risk register is provided in Appendix 3.

As the setup process continues the risks will change and the register needs to be kept under regular review by the steering group and the landowner group. These risks will need to be reviewed against the business case for the IDB.

4.5 Evidence & Information gathering

Once the Steering group, success criteria and risk register have been agreed the next step to forming an IDB is to compile the relevant evidence. This can be done alongside the following stages and needs to be completed by the group proposing the new IDB before the information is submitted to the Environment Agency. It is important that this evidence is developed in consultation with the steering group and the wider local community (see section 4.15.1 Consultation).

Evidence and information should provide:

- information about the proposed new IDB,
- demonstrate the viability and affordability of a new IDB,
- and provide evidence that a new IDB is supported by the local community and statutory authorities.

Once completed this body of evidence should be submitted to the Environment Agency in the first instance, or to the relevant Minister thereafter, to help them decide whether a scheme should be prepared to forming a new IDB

The following evidence should have been developed for submission to the Environment Agency or Minister:

- a justification statement for a new IDB including the reasons behind the decision to investigate the creation of an IDB, and a business case which shows that there is benefit in creating an IDB;
- an explanation of how the new IDB will link to relevant strategies and studies e.g. Preliminary Flood Risk Assessments, Local Flood Risk Management Strategies, Catchment Flood Management Plans, Water Level Management Plans, and River Basin Management Plans;
- the objectives and activities of the new IDB;
- a map of proposed boundaries for the new IDB;
- an identification of beneficiaries and qualitative description of benefits;

- the name of the new IDB;
- a qualitative environmental impact statement;
- an estimate of the operating expenses of a new IDB
- a flood risk assessment, if there are fundamental changes proposed to the water level management of an area, which would show what the impact of the way the IDB will operate has on flooding and whether it is detrimental or not;
- an estimate of the Drainage Rates and Special Levies to be set by a new IDB;
- an estimate of the Environment Agency Precept from a new IDB, and Higher Level Water Contributions to a new IDB;
- the findings from any public consultations held, including a summary of consultation responses received, and an explanation of alterations made to proposals following consultation.
- the number of elected members proposed for the new Board, and where they will be elected from;
- the names and addresses of land occupiers or representatives to be recommended to the Minister as the appointed Elected Members of the first IDB;
- the names and addresses of:
- all groups and interested parties involved in the setup process;
- local authorities covering the proposed Internal Drainage District;
- other statutory consultees who may be affected;
- newspapers which circulate in the proposed Internal Drainage District.

4.6 Deciding Boundaries

Once a decision has been made to investigate forming an IDB, the group proposing to form an IDB should begin defining what area a new Internal Drainage Board would manage. This is likely to be an iterative process and must be done in consultation with interested parties and the steering group. It is likely to change as the understanding of an area's needs, beneficiaries and hydrology are developed throughout the setup process, resulting in a map of the proposed Internal Drainage District.

It is important to begin developing a proposed Internal Drainage District boundary at an early stage so that potential beneficiaries of an IDB, and the assets that a new IDB may be responsible for, can be identified. The key driver in determining a boundary will be the benefits that can be delivered by the operations of a new IDB in that location.

Deciding the boundaries of any institution or designation can often be contentious; therefore it is recommended that the proposed boundaries are discussed and

developed at an early stage with key interested parties and the steering group who have relevant local and technical knowledge.

4.6.1 How boundaries are decided

IDBs are permitted by Section 1 of the Land Drainage Act 1991 to serve Internal Drainage Districts, defined as areas of land which "will derive benefit, or avoid danger, as a result of drainage operations".

The Medway Letter was issued by the Minister in 1933, as his decision on an appeal against the constitution of new Drainage Districts in Medway. The decision covered what should, and what should not, be included when determining the limits of Drainage Districts, effectively providing guidance on how the legislative requirement of ‘deriving benefit or avoiding danger’ should be interpreted. The Letter has set a legal precedent with previous Ministerial decisions relying upon it.

The boundaries of a new IDD must be agreed in order to formally proceed with the creation of an IDB. This decision should take into account the topography of the area, and should allow for the inclusion of low-lying areas at flood risk or which would derive benefit from water level management activities. Higher ground that would either be cut off by flood events or requires water levels to be managed carefully, for its own benefit or that of the wider catchment, may also need to be considered. However any new boundary could not go beyond the legal definitions of the Land Drainage Act and there would need to be a robust evidence base on what level of benefit those in a proposed boundary were receiving.

The starting point for the setting of boundaries should be the principles of the Medway Letter, as this still stands. However, in some circumstances where there is a significant justification and the benefits can be clearly demonstrated, exceptions may be considered by the Minister. The following discussion about the Medway Letter in sections 4.6.2 and 4.6.3 are therefore provided as the Environment Agency’s best interpretation.

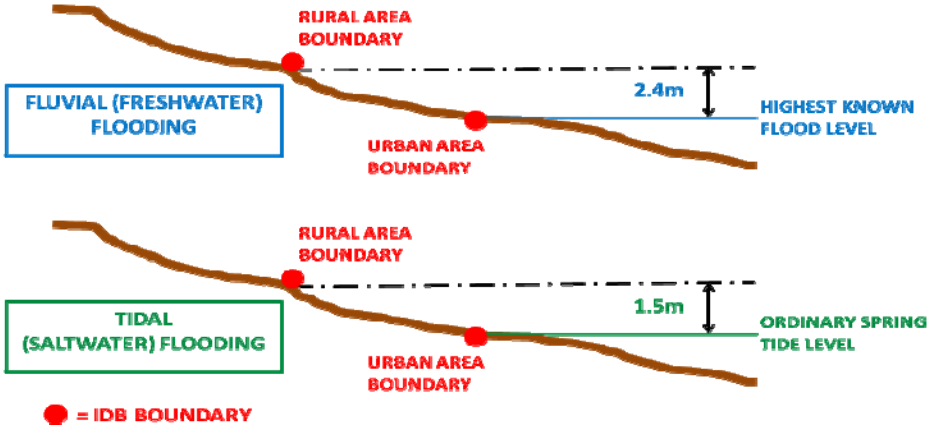
Once the area has been agreed, the infrastructure and amenities protected should be recorded, including agricultural land, roads and other non-rateable infrastructure, and houses and other residential properties, and commercial and industrial properties (i.e. properties and land that are not agricultural). The landowners and occupiers can be determined. It will also enable a petition of local landowners within the agreed area.

4.6.2 Medway Letter

Although the Medway Letter (1933) is not a statutory provision, it has been used as the precedent for the setting of Internal Drainage District boundaries since 1933. Its basis was sound catchment drainage within special drainage needs areas.

At the time the Letter was written, IDBs performed a predominantly rural function and so some boundaries were drawn as such, to the exclusion of the then urban areas. This is reflected in the principles suggested in the Medway Letter for determining the limits of Internal Drainage Districts being set at the 'Highest Known Flood Level' in urban areas but at a height above this level in rural areas. Boundaries also differ in tidal and non-tidal areas. This is summarised in the following diagram.

Diagram to illustrate IDB boundaries set under the Medway Letter 1933



Whilst IDBs management of rural catchments still remains today, the importance of urban flood risk and surface water management has increased substantially. At the same time, there has been a significant spread of urban areas into existing Internal Drainage Districts. Similarly, our understanding of hydrological processes and catchments has significantly progressed.

4.6.3 Interpreting the Medway letter

In order to identify the potential boundaries for new IDBs the language used in the Medway Letter needs to be adapted to modern day terms and circumstances. For instance, the Medway Letter refers to the "highest known flood level", whereas today it is usual to look at the return period for a flood event and the area that could be flooded. This is normally written as the area flooded by a 1 in XXX year flood event, where XXX is a number of years.

For the purposes of establishing new IDBs, the Medway Letter could be interpreted to mean an area of land within Flood Zone 2 (on the Environment Agency flood risk map). This means the chance of river flooding in any year is between 1% and 0.1% and the change of sea flooding in any year is between 0.5% and 0.1%).. When compared with other readily available flood risk data, Flood Zone 2 gave the best correlation with existing Internal Drainage Districts.

Therefore, it is suggested that the National Flood Risk Assessment (NaFRA) Flood Zone 2 flood risk maps are used as a starting point for setting IDB boundaries in both urban and rural areas and in fluvial and tidal areas. The area or regional office of the Environment Agency should be able to provide Flood Zone 2 flood maps to those interested in forming a new IDB, data is also available on the EA Website.

If other evidence, data and maps is available for areas that would benefit from land drainage and water level management activity, these should also be considered. The Medway Letter allows for the inclusion of areas outside of its limits if access to land

would potentially be cut off without land drainage or water level management operations occurring. Therefore, areas that could be 'cut off' or could potentially derive benefit from the activities of an IDB should be added to the Flood Zone 2 risk area. These additional areas should then be considered for inclusion in the proposed IDD on a case by case basis.

Alternatively, if areas within the Flood Zone 2 area can be proven not to derive any benefit and would not be 'cut off', then these areas should be considered for exclusion from an IDD on a case by case basis.

Defra plans to update and modernise the requirements of the Medway Letter. The guidance on establishing new IDBs will be updated following this.

4.7 Identifying beneficiaries

The beneficiaries of forming an IDB are directly related to the size and shape of the boundary of the Internal Drainage District. This is because the LDA 1991 dictates that areas of land that may be brought within the limits of drainage districts are those that will derive benefit or avoid danger as a result of drainage operations. Therefore, the beneficiaries and boundaries must be developed as part of an iterative process throughout the setup phase by the group proposing the IDB, steering group, and in consultation with interested parties.

Individual land and property boundaries, landowners, occupiers, land uses, land classification, and infrastructure should all be identified at this stage, as far as is reasonably practicable, so that benefits can start to be estimated.

4.7.1 Landowners and occupiers

Information on landowners and occupiers will be useful for developing a broad estimate of drainage rates and special levies and in preparation for a consultation on proposals if agreed by the steering group. In the interests of transparency and accountability, it is important that the Environment Agency validates the proposed beneficiaries and boundaries once prepared by the steering group.

Information about the ownership of land is available from the Land Registry for a charge, but does not include unregistered land and will not give details of the occupier if the land is rented or leased. Local knowledge can therefore be invaluable in trying to determine occupiers. This could be collected through a series of private meetings with known local landowners and occupiers marking up a series of maps with their knowledge or via a public meeting, or written consultation with known landowners or occupiers.

The provisions of the Data Protection Act 1998 and their registrations are likely to preclude the address lists of the Environment Agency and other public bodies being available for community use.

4.7.2 Land use and classification

The Local Environment Agency office may hold maps on land classifications, types and land uses. Another useful source of land information may be the Rural Payments Agency. MAGIC (http://magic.defra.gov.uk/) is a useful GIS resource for finding out statutory rural and environmental designations that occur in an area. Local authorities

may hold data on land use, especially in relation to amenities, businesses, and residences.

4.7.3 Infrastructure

The local Environment Agency office should have access to information on key infrastructure within the catchments where a new IDB is being considered, including information in the national receptors database which lists assets at risk of flooding.

4.8 Initial Consultation

Once the group proposing to form an IDB and the steering group have prepared an initial boundary for the new IDB and a summary of beneficiaries, they may choose to consult at this early stage with the local community to ask whether they agree with:

- the success criteria for forming an IDB;
- the proposed boundary;
- the list of beneficiaries is correct.

This will give an initial assessment of community and interested party support for an IDB and help steer the next stages of the setup process. Early consultation with local authorities within the proposed boundary is essential. Groups intending to set up a new IDB will need support from all the special levy paying authorities in the proposed district. They should therefore initiate dialogue about extent of benefits the authorities would expect an IDB to deliver. They should also establish what level of public support for the proposals authorities would expect the groups to secure.

In light of the findings from the initial consultation the group proposing to form an IDB and steering group should revise the success criteria, boundaries and beneficiaries.

4.9 Schedule of Assets

A schedule of the watercourse and drainage assets should be identified during the setup phase. This should including information on the location, ownership, and condition of the assets and associated maintenance regime and costs. Such assets may include drains, ditches, pumps, sluices, weirs and other water control structures. Some or all of these assets may be transferred to the responsibility of a new IDB.

Information held by the Environment Agency regarding their existing assets should be made available by Environment Agency Area flood risk managers. Any District or Unitary Authorities in the area may be able to provide further information on assets in relation to ordinary watercourses and Lead Local Flood Authorities should hold a register of structures or features which, in the opinion of the authority, are likely to have a significant effect on a flood risk in its area.

4.10 Estimating operating expenses of a new IDB

A level of income is required to adequately deliver an IDB’s minimum statutory requirements. Therefore, during the setup process, an estimate of the operating expenditure of a new IDB should be approximated so that a new IDB's affordability can be assessed. This should include: administrative, planning, maintenance,

environmental, and capital works costs and an estimation of the EA precept. An IDB cannot succeed and will not be acceptable to the community if it is deemed too costly to the beneficiaries.

Estimates can be derived from various means: existing EA operational data, local authority data, and via comparisons with existing IDBs with similar catchments elsewhere in the country.

The Association of Drainage Authorities (ADA) has compiled some IDB Profile Sheets, in Appendix 5, summarising the basic profiles and funding of a range of different types and sizes of IDB. These sheets may be useful for groups proposing to form an IDB and steering groups when developing an assessment of costs.

ADA has developed an IDB Budget Build-up Sheet to assist with the estimation of operational expenses for a proposed IDB. This can be found in Appendix 4.

The Environment Agency holds current maintenance information for the areas that it manages, predominantly relating to main river. This would be available from Environment Agency Area Flood Risk Managers although this register may not include all assets in the area. Local Authorities may hold data on their own maintenance regimes.

If assets within a catchment are to remain part of the main river network after the formation of a proposed IDB, a proportion of the maintenance costs for these assets should be included in the estimation as it is likely that the IDB will have to contribute to the upkeep of these assets via the EA precept. Estimations of EA precept and Higher Land Water Contributions should be discussed with the Environment Agency regional and area staff.

Some IDBs publish their accounts or financial summaries on their websites. It should be noted that the districts and operations of IDBs vary greatly and therefore the operational costs vary significantly between IDBs. It is important when using data contained in IDB accounts and financial summaries to build a costs estimate for a new IDB to consider:

- the size of the catchment area;
- how the Drainage Board is governed;
- whether the catchment is pumped or gravity;
- topography and land use of the catchment;
- how much work there will be to attain a consistent level of maintenance, which will be based on the condition and effectiveness of assets adopted;
- environmental impact and biodiversity/ conservation obligations

4.11 Biodiversity Audit and Environmental Impacts

A biodiversity audit will need to be undertaken to establish what environmental/biodiversity issues need to be considered. This should include what designate environmental sites and wildlife occurs within the proposed Internal Drainage District. The biodiversity audit should be written in consultation with Natural England who should be able to advise on what detail and information would be

required in any further Environmental Impact Assessment under either the EIA (Land Drainage Improvement Works) Regulations 2005 or the EIA (Agriculture) Regulations 2006, depending on the circumstances.

Local wildlife organisations may be able to assist with a biodiversity audit and preparation of any assessment of environmental impacts.

4.12 Raising of Expenses: Drainage Rates and Special Levies

Section 36 of the Land Drainage Act 1991 determines that the expenses of an IDB shall be met by:

- drainage rates collected from agricultural land and buildings within the Internal Drainage District;
- Special Levies issued on District and Unitary Authorities within the Internal Drainage District;
- contributions from the Environment Agency

All properties within an Internal Drainage District are deemed to derive benefit from the activities of an IDB. Every property is therefore subject to a Drainage Rate paid annually to the IDB.

For the purposes of rating, properties are divided into a) Agricultural Land and Buildings and b) Other Land (such as domestic houses, factories, shops etc). Occupiers of all "Other Land" pay Council Tax or Non-Domestic Rates to the Local Council (District or Unitary) who then are charged by the IDB. This charge is called the "Special Levy". The IDB, therefore, only demands Drainage Rates direct on Agricultural Land and Buildings and not for Occupiers of “Other Land” (i.e. residences, offices etc.).

The basis of this is that each property has been allotted an "Annual Value" which were last revised in the 1991.The Annual value is an amount equal to the yearly rent, or the rent that might be reasonably expected if let on a tenancy from year to year commencing 1 April 1988.This is the same basis on which Council Tax bands are currently set.

The Annual Value for a property remains the same from year to year. The proportion paid by Agricultural Land Drainage Rates versus Special Levy is the Annual Value of all the Agricultural Land and Buildings in the Internal Drainage District versus the Annual Value of all the “Other Land” within the Internal Drainage District. This can vary as properties are built or demolished. Each year the IDB lays a rate "in the £" to meet its estimated expenditure. This is multiplied by the Annual Value to produce the amount of Drainage Rate due on each Assessment. A breakdown of the rate in the £ is shown on the reverse of the Demand Note sent by an IDB to an Occupier to show how money is spent.

When Agricultural Land or Buildings upon which a rate is levied is changed to other uses, the occupier must notify the IDB as this may change the land use to “Other Land” and therefore move the land across to the Special Levy and out of Agricultural Land Drainage Rates.

The Special Levy is met by the Local Authority and is treated as general expenditure met by all households rather than targeted on to the occupiers of “Other Land” within the Internal Drainage District, nor is the charge a separate part of their Council Tax Bill such as the Police Precept. However up to 86% of the Special Levy has historically been met by Formula Grant allocations from HM Treasury. Funding of Special Levy by Formula Grant is not ring-fenced to be spent only on Special Levy. The Formula Grant support for Special Levy used to be set year on year based on the previous year’s Special Levy demand, however Formula Grant is now set for whole Spending Review Period by the Government and as such is inflexible to changes in Special Levy changes in Period.

4.12.1 Estimating Annual Values

A detailed ratings exercise, typically conducted by a land agent or IDB ratings officer, is used to calculate the annual values of all land and property within the Internal Drainage District.

As at this stage there is no IDB in existence, the provisions of the Data Protection Act 1998 and their registrations is likely to preclude the address lists and land ownership data held by the Environment Agency or other public bodies being made available for community use. Therefore, a precise drainage rate and special levy cannot be calculated.

A group proposing to form an IDB should use agricultural land classification maps and data, and council tax and business rate banding data where available to estimating the total annual value of Agricultural Land and Buildings, and Other Land within a proposed Internal Drainage District.

These estimated annual values can then be used to estimate the division of expenses between Drainage Rates and Special Levy. From this the rate “in the £” that would be set by an IDB on Agricultural Land and Buildings and the Special Levy to be issued on each Local Authority can be estimated in order to meet the proposed IDBs estimated expenditure.

This estimation of drainage rates and special levy can then be used to assess the affordability of an IDB and used to gauge public opinion via consultation.

4.12.2 Differential Rates

Section 38 of the Land Drainage Act 1991 enables the division of Internal Drainage Districts for the purposes of setting different drainage rates and special levies in each sub-district, called Differential Rates.

In principle, Differential Rates should only be used to reflect differential levels of service from an IDB. This may occur where a part of the District is pumped and another part drains under gravity, or where some parts of the District receive a reduced or enhanced level of benefit from IDB activity (e.g. significantly higher land within the District, or coastal land within the District).

If differential rates are proposed for a new IDB: a map should be produced clearly showing the sub-districts proposed; and separate rating and special levy estimations conducted for each sub-district. The decision to set differential rates could be deferred until after the Internal Drainage Board has been constituted.

ADA has produced a briefing paper for IDBs on Differential Rating Orders.

4.13 Naming the Board

"Internal Drainage Board" is a legal term defined in the Land Drainage Act 1991 that "shall be the drainage board for an Internal Drainage District".

The name of a new Board should concisely describe the hydrological area covered by the new Internal Drainage District. Common naming conventions for IDBs include the name of a major river or watercourse, fen, levels, marsh, moor, valley, or washland within the district, or a major town in the district, followed by 'Internal Drainage Board'.

However, one of the main drivers of the Flood and Water Management Act 2010 was to move away from land drainage and flood defence to an approach embodying the management of risks. Whilst Internal Drainage Board is an adequate term for naming a new IDB, it may be advantageous for the name to better describe the modern function of an IDB. ADA therefore advises that the term 'Water Level Management Board' is used instead of 'Internal Drainage Board'. Defra have indicated that this term is acceptable and has been used for the recently amalgamated Isle of Axholme and North Nottinghamshire Water Level Management Board.

If desirable a tagline on written material could be added to explain a new Board's responsibilities in terms understood by the local community which it serves. For example: "Upper Great Ouse Water Level Management Board - The water level management authority in Bedfordshire and Buckinghamshire". Note: a tagline should not appear on the formal order establishing the new IDB.

4.14 Justification Statement

Using the evidence gathered, the Steering Group needs to determine the viability and affordability of an IDB, i.e. given a proposed set of services a new IDB should provide, are the proposed charges (drainage rates and special levy): proportionate to the benefits received, affordable to those paying, and sufficient to cover the costs of services.

A Justification Statement should be written by the group proposing to form a new IDB and the Steering Group, to describe what services would be provided by a new IDB and to what standard. This should provide a qualitative description of the benefits of an IDB (e.g. water level management, pumping, channel /watercourse clearance, conveyance condition, other maintenance, incident response, warning, incident recovery, planning control) and clarify what will happen as a result of the IDBs work (e.g. maintain reasonable access for users of road to properties, shops business).

In essence, the following level of evidence will be required:

- Services that will be provided
- Total expenses for providing the services (See Section 4.10)

- Drainage Rates and Special Levies (See Section 4.11), Higher Land Water Contributions, FDGiA, and other grants.
- The beneficiaries of each of the different services? (See Section 4.7)
- Who will pay towards the service provision (See Section 4.12)
- How differing levels of benefit will be reflected in different charges (E.g. Differential Rates, see Section 4.12.2)
- How a new IDB will contribute to *sustainable development*? (See Defra Sustainable Development Guidance for Local Flood Authorities)
- How a new IDB will contribute to the conservation and enhancement of biodiversity in their Internal Drainage District.

To answer some of the questions above, the group proposing to form an IDB and the steering group may wish to produce a statement of principles they would expect a new IDB to adhere to when conducting its work. This may be especially useful when explaining the function of an IDB to a local community unfamiliar with the functions of a modern IDB.

To prepare a statement of principles, it may help to look at policy statements from existing IDBs. IDB policy statements provides a public statement of each Board's approach to its management of flood risk and water levels in its area. The basic format of a policy statement was agreed by Defra, the Environment Agency and ADA.

Each IDB policy statement explains the IDB's policy with regard to how they:

- assess the risk of flooding from ordinary watercourses in their District;
- reduce or manage these risks;
- play a part in flood warning dissemination plans, local emergency planning and response, including exercises;
- operate within an economically, technically and environmentally sound framework, and;
- comply with statutory environmental obligations and contribute to relevant biodiversity targets.

The Vision for Internal Drainage Boards in England and Wales, written by ADA, embodies the core principles supported by current IDBs and may also be useful background reading when preparing a statement of principles.

4.15 Public Consultation - Understanding a community's wishes

Before a Scheme is prepared by the Environment Agency and submitted to the Minister to form a new IDB, those seeking the formation of a new IDB will need to have evidence that a new IDB is not only technically and economically feasible but socially feasible too.

To understand social feasibility, a public consultation of the community and stakeholders within the catchment of the proposed Internal Drainage District should be conducted. The support of any District or Unitary Local Authorities within the proposed IDD will need to be sought.

4.15.1 Consultation

Consultation, in the context of forming an IDB, is not clearly defined and is not mentioned within Section 3 of the Land Drainage Act 1991. However, the formation of an IDB should have support from statutory authorities, and general agreement by land and property occupiers and owners who would be affected by the proposal. Therefore, a public consultation should be held at a suitable point within the setup process by the group proposing the formation of an IDB. The consultees should include land, property, and infrastructure owners and occupiers, competent authorities, and other interested parties within the proposed Internal Drainage District.

As a guide, any group proposing to form a new IDB should secure agreement from all District and Unitary Authorities within the Internal Drainage District who would pay special levy under the proposals. A decision to go ahead should only be taken by the group if it concludes that, on balance, the proposal has the support of communities, local interest groups and landowners who would be affected.

Groups should be able to demonstrate how they have considered the relative priority of the views expressed, taking into account the extent to which respondents would be affected by the proposal.

Local authorities may have a view on the level of consultation and support they would expect to see before committing to any proposals, so early dialogue with authorities will be important.

Previous consultations may have been conducted in an area where an IDB is proposed, e.g. for a Flood Risk Management Strategy or Water Level Management Plan. These consultations may have already received a significant amount of feedback from the community concerned and given an indication of the communities' wishes in terms of water level and flood risk management within a catchment.

Depending on the circumstances of the proposed IDB and level of preceding consultation and dialogue with the community, the detail and format of a consultation may vary. This should, at a minimum, include:

- an estimation of the special levy and drainage rates imposed on a proposed Internal Drainage District,
- the activities and responsibilities the new IDB would undertake,
- a map of the proposed Internal Drainage District,
- name of proposed IDB
- estimated benefits and beneficiaries of a new IDB including environmental impacts.

4.16 Board Membership

The membership of Internal Drainage Boards is set out in Schedule 1 of the Land Drainage Act 1991. There are two principal types of Board member: Elected Members and Appointed Members.

No legal limits have been set for the number of Board members permitted on an IDB. However, in the creation of any new Board, the recommendations of the Defra Review of IDBs should be taken into account. The Review recommended that small IDBs should have a total membership not exceeding 13, and larger IDBs should have memberships not exceeding 21. There should also be a balance between landowners and those representing householders and the environment.

Example guidance for board member appointment can be found on many of the IDB websites, for example – South Holland IDB.

4.16.1 Elected Members and electoral districts

The elected members are those members of an Internal Drainage Board who represent the occupiers of land that pay drainage rates to an IDB. Elected members are organised into electoral districts if appropriate within the Internal Drainage District. In setting up a new IDB, the number of representatives on the new IDB and the setup of electoral districts must be decided.

As a guide, elected members should represent areas arranged geographically of between 500 ha and 5000 ha in size. For example, Lindsey Marsh Drainage Board has 10 elected members representing 5000 ha each, the Isle of Axholme and North Nottinghamshire Water Level Management Board has 12 elected members representing 2000 ha each.

It is recommended that electoral districts be catchment based. It may be necessary to group small numbers of adjacent catchments to form workable electoral districts, but it is essential that the electoral districts represent an even geographical spread of the Internal Drainage District.

4.16.2 Appointing the first Elected Members

Once a Minister forms an IDB, the Minister will appoint the first elected members to the new Board, as per Section 1 (4) of the LDA 1991(see Section 4.18.5).

In establishing a new IDB, the community groups should liaise with the Environment Agency to identify representatives and occupiers of land within the proposed Internal Drainage District who could be recommended to the Minster as the first elected members of the new Board.

Alternatively, the community group may wish to advertise locally for volunteers from the proposed Internal Drainage District who would be willing for their name to go forward to the Minister as the appointed elected members of the IDB for the first year of its creation.

In both cases an interview process may be necessary, similar to that conducted for members of a Regional Flood and Coastal Committee (RFCC).

In cases where IDBs amalgamate, the Environment Agency requests the existing Boards to nominate from their elected members those members who they wish to be the elected members for the amalgamated IDB. These names are put to the Minister as recommendations.

4.16.3 Appointed Members from Local Authorities

Special Levy-paying Local Authorities ("Charging Authorities" under the LDA 1991) may appoint members to an Internal Drainage Board. The number of appointed members relates to the proportion of income from special levy verses drainage rates. However, the number of Appointed Members may not exceed by more than one the number of elected members of an IDB.

The nominating special levy paying local authorities will appoint the requisite number of nominated members. These councils should be informed of the number of nominations required at the earliest opportunity, once the number of elected members has been decided.

4.17 The Scheme

To setup an IDB in law the Environment Agency must first prepare and submit to the relevant Minister a Scheme making such a provision. The Scheme is prepared under Section 3 of the LDA 1991.

4.17.1 Decision to prepare a Scheme

According to Section 3 of the Land Drainage Act 1991 the Environment Agency may at any time prepare and submit to the relevant Minister a Scheme making provision for the formation of an IDB. Alternatively, the relevant Minister can direct the Environment Agency to prepare and submit a Scheme for the formation of an IDB.

The group proposing the formation of an IDB should submit all of the evidence and information gathered, as summarised in part 2.4 of this guidance, to either the Environment Agency's or the relevant Minister. Defra or the Minister may choose to issue guidance on how the Environment Agency will make their decision.

If the proposal for an IDB is agreed by the Environment Agency, or relevant Minister, the Environment Agency's regional legal department will be instructed to prepare a Scheme.

4.17.2 Drafting the Scheme

The Scheme is drafted by the Environment Agency using a template provided by Defra.

The draft Scheme should be sent to any community group or individuals as the Environment Agency deems necessary for checking. The draft Scheme is then sent to Defra who scrutinise and check the legality. They may raise queries to be answered by the Environment Agency requiring further consultation with community groups or individuals. This ensures that a smooth process is followed.

Defra then confirms if the draft Scheme is acceptable and the final Scheme is then prepared for sealing and signature by the Director of Legal Services.

4.17.3 Advertising the Scheme

Copies of the draft Scheme are sent to all local authorities, navigation authorities, harbour authorities and conservancy authorities affected by the proposed formation of an IDB as required under the LDA 1991.

A Public Notice is placed in the local press for which there is a one-month objection period. If objections are received the Environment Agency would work with the Community Group and others to try and reach a resolution which overcomes the objection.

Once objections have been overcome, or if there are no objections, the scheme proceeds to the next stage, which is the responsibility of Defra.

4.18 The Order

An IDB is established in law by an Order confirming the Scheme. The Order is made by a statutory instrument by the relevant Minister (Secretary of State for Environment, Food and Rural Affairs). The Order is made in exercise of the powers conferred by

Section 3 (5) and (7) of the Land Drainage Act 1991 and in accordance with the procedure set out in Schedule 3 to the LDA 1991.

4.18.1 The draft Order

Once any objections to the Scheme have been resolved, Defra prepares a draft Order to confirm the Environment Agency scheme. This must be advertised in the London Gazette, and any other such place as the Minister considers appropriate. Following the placing of this advertisement there follows a 30 day objection period for the draft Order. The advertisement is made in accordance with Schedule 3, Section 2 (1) of the LDA 1991.

4.18.2 Public local inquiry

Before making an Order the relevant Minister may call a public local inquiry to be held with respect to any objections to the draft Order. This occurred in the formation of Swavesey IDB.

4.18.3 The Sealed Order

Either following the resolution of any objections or if there are no objections, Defra then makes the Order and advertises that the Order has been made, again with a 30 day objection period. This is known as the Sealed Order Stage (Schedule 3, paragraph 4 of the LDA 1991).

4.18.4 The Confirmed Order

Defra is then required to further advertise in the London Gazette, and any other such place as the Minister considers appropriate, a notice of confirmation of the Order with a six-week objection period. Unless objections are received, this advertising period does not interfere with the Order coming into force. This is known as the Confirmed Order Stage and is conducted as per Schedule 3, paragraph 6 of the LDA 1991.

4.18.5 The Instrument of Appointment

Finally an Instrument of Appointment will be sent by the relevant Minister that includes the names and addresses of the first elected members of the Board. These are appointed by the relevant Minister for a term of office of one year from the 1st November next, as per Section 1 (4) of the LDA 1991.

4.18.6 Timescales

The length of time required to set up a new IDB in law will vary depending on the size, scale and support of the proposals. It will be dependent on the time taken to collate and present sufficient evidence to the Minister to approve a new IDB in law. As a general guide it may take between one and two years.

5 What happens next

Once an IDB has been setup in law the new Internal Drainage Board will need to complete the following activities during its first year of operation:

- Appoint Special Levy paying Local Authority members to the Board
- Review all information developed during setup
- Identify sources of funding for year one (e.g. Public Loans Board)
- Appoint secretariat support to develop Business Plan based on aims and objectives
- Set standing orders
- Set bylaws
- Set differential rates (if required)
- Prepare business plan
- Prepare detailed budget
- Conduct detailed survey of area (ratings) and assets (costs)
- Prepare transfer of assets agreements from preceding operators to new IDB
- Develop drainage charging rates, special levy amounts, higher water contributions, EA precept and other funding/costing mechanisms.
- Begin preparing Water Level Management Plans for designated environmental or heritage sites (e.g. SSSIs)
- Begin preparing a Biodiversity Action Plan
- Appoint staff as employees or let contract for services
- Collect first drainage rates and special levy
- First Board elections

6 An Optimal IDB

The most successful IDBs will be those that deliver demanding expectations of a statutory body and their responsibilities for maintaining an efficient and effective delivery of drainage and flood management whilst meeting their environmental responsibilities at the same time. Constructive collaboration with the Environment Agency and wider stakeholders is also essential - and this requires time, effort and vision.

Board membership needs to be drawn from a wide spectrum of local interests to include water level management for multiple objectives and as part of integrated catchment management.

This section is intended to briefly summarise how an optimal IDB could be organised, but the actual organisation should be appropriate to the nature and size of the new IDB.

Delivery of Wider Government Objectives

Vision

- Boards must develop a clear vision of the service they are providing, the standards they aspire to meet and how they are monitoring their performance against them.

- They should agree how the Board proposes to meet its environmental duties, government biodiversity targets and SSSI duties.

- They should seek to formalise their working relationship with the Environment Agency through a formal Memorandum of Understanding covering IDB maintained assets and drains, especially with regard to maintenance, emergency cover, provision and sharing of data, provision of planning advice, and the alignment of Board activities with Catchment Flood Management Plans.

Transparency

- A Board should take reasonable steps to ensure that the general public can obtain information on the vision, workings and performance of the Board. Much of this is encapsulated in a model agreed between ADA and Defra and already issued to IDBs. A Board should produce literature explaining the Board's vision and how interested parties can obtain more information, including attending meetings (this could be part of an expanded Policy Statement).

- A Board should produce an annual report summarising the Board's activities for the past year (including evaluation of delivery performance), and setting out a forward programme of work.

- A Board should maintain and regularly update a website containing basic information on the Board including a map of the district, its Policy Statement, Standing Orders, Bye-laws, dates of meetings, contact details and details of proposed maintenance and capital works. The website should also be used to assist with consultations with wider stakeholders. This information should also be available to be viewed as a paper copy.

- Adopt a set of standing orders that includes details of required quorums and the requirements for declarations of member and officer interests.

- Develop a formal Scheme of Delegation to members and officers.

Accountability

- Boards must ensure that adequate measures for internal audit are in place, are properly funded and are regularly reviewed.

- Complete an asset survey and maintain a record of all watercourses, pumps, sluices and other facilities they maintain (irrespective of ownership). The condition of these assets, the benefit derived from them, and required future expenditure should be formally assessed and documented in an Asset Management Plan and updated annually. The ecological status of watercourses and wetlands should be determined and monitored as part of asset management.

- Board annual financial accounts should provide more detail on its policy with regard to depreciation, the criteria for maintenance of reserves and sinking funds and should cross-reference to the asset management plan discussed above. The format and policies should be consistent with guidelines provided by ADA.

- Boards should be able to separately account for expenditure related to agricultural land drainage, and that related to drainage of non-agricultural land or environmental management. It is appreciated that many drains and assets perform more than one function, but Boards should be able to demonstrate that income and expenditure paths are aligned to priorities and are equitable.

- In order to assist in the financial planning of rate and special levy payers, Boards should seek to provide three year financial plans in addition to an annual budget.

- Boards should be able to provide information on their activities, assets and expenditure to Defra and the Environment Agency. To do so may require collation of records and data in a standardised and digitally transferable manner.

Representation

Boards should have adequate representation and reflect where possible the sources of funding and also wider government objectives. Boards should critically evaluate their current representation. Key indicators that will be useful in this evaluation are:

- Is any particular group of rate, levy or charge payer under or overrepresented on the Board relative to their financial contribution?

- Ensure the diversity of board membership represents the diversity of the District.

- Hold contested Board elections

- Ensure a high average attendance record by Board members at meetings and have agreed actions for when a member's attendance falls below agreed levels.

- Ensure each elected member covers a sufficient geographical area (e.g. not less than 1,000 hectares)

- Ensure continued representation of appointed members from all special levy paying local authorities

- Ensure there is an action plan to address representation if it is considered to be unbalanced, contested elections infrequent or vacant board seats a regular occurrence. This may be addressed by changing the number of seats and their allocation between elected and council nominated members, or by seeking additional nominated members should be put in place.

- Boards should actively seek to fill vacant seats as and when they arise by means of nomination and with a view to ensure representation of wider interests.

- Each IDB should periodically review the number of board seats to see if it is optimal. The JBA Review of IDBs of 2006 showed that boards can remain effective even with membership as low as 6 and with elected members on the basis of one seat per 3,000 hectares. Board membership should, however, ideally not exceed 21, and for smaller Boards should not exceed 13.

Training of Board members

- The contribution of Board members can be enhanced by suitable training in their role and responsibilities. Each Board should seek to provide access to and to fund suitable training for its members.

Term Limits

- The role of Chairman should as a matter of good practice be rotated after a maximum of nine years of continuous service, with a gap of three years before being eligible for re-election.

Ensuring wider stakeholder participation

- The engagement and participation of stakeholders representing local environmental, social and non-agricultural business interests should be actively pursued. This exercise should include:

  - Drawing up a list of stakeholders and their interests.

  - Identifying if these stakeholders are adequately represented by the existing membership.

  - Development of a stakeholder communication and engagement plan.

Access to Specialist Advice

- Each Board should assess which areas of specialist advice are required for its operations and should identify a source of this advice (whether from existing retained staff or externally resourced). For most Boards there will be a need for a retained engineer and environmental officer to ensure adequate advice and monitoring for compliance with the recommendations of this Review. Any cost associated with obtaining this advice should be budgeted for on a recurring basis.

Internal Structure and Management

Roles and responsibilities

- Each Board should produce and publish an organisation chart showing its key members and officers. As a minimum, the roles of Chairman, Vice-Chairman, Clerk, Chief Executive (if applicable), Engineer, Finance Officer and Environment/Conservation officer/specialist should be shown.

- A suitably qualified person should be named with responsibility for the financial accounts and compliance with Schedule 2 of the Audit Commission Act 1998.

- A suitably qualified environmental/conservation specialist should be appointed capable of providing advice on the discharging of all the Board's environmental duties.

- A named responsible person is required for health and safety matters, including compliance with statutory duties.

- Boards should clarify the roles of each of their officers and provide written job descriptions, including areas of responsibility, reporting lines, and details of any delegated powers. It should include indicative competences for each role following guidance provided by ADA.

Service Cover

- Boards should provide a staffed office or contact telephone number Monday to Friday (excluding public holidays) during normal office hours (9am to 5pm).

- 24/7 cover for emergencies should be provided and contact arrangements publicised. The cover should include operative duties and also access to key knowledge/ information about the Board's area and activities.

Value for Money

- IDBs must be able to demonstrate that they are providing value for money. Appendix 5 provides a range of different types and sizes of IDB and may be useful for an IDB wishing to compare its own performance against other IDBs values for administration and maintenance costs. The IDB should ascertain the reasons for any substantial variation from the norm.

- It is also recommended that:

    - Suitable records should be kept of the inputs and time required for key maintenance and administrative activities. All staff directly or indirectly employed by a Board should record their time against discrete activities to allow monitoring and analysis.

    - Using the information from the above, specifications should be developed with indicative resource inputs for tasks accounting for at least 25% of expenditure on maintenance and administration.

    - Every 5 years, competitive quotes should be obtained from internal and external suppliers for a proportion of the work to be undertaken each year. For work not competitively tendered, comparison against market rates for the current provision should be undertaken.

    - All contracted-in work should be procured using a process that meets best practice and legislative requirements. The supplier should be appointed using a formal contract, specification, and performance

criteria and the contractor/supplier should be required to provide appropriate insurance cover.

Organisation

- The Board will need to be able to retain the services of a clerk/finance officer, engineer, environment/conservation officer and appropriate administration staff. To achieve sufficient management capacity at least one of these roles should be on a full-time basis.

- There will need to be sufficient planned income to support the above recommendations while maintaining sufficient budget for maintenance and capital works. In the absence of detailed information on likely costs, a suggested capacity 'test' is whether the Board can sustain an increase in expenditure of £5,000 - £10,000 a year (to cover such items as appointment of a conservation officer with a retainer budget, increased ADA subscriptions and improved internal audit and procurement procedures). For Boards currently not having access to a full-time staffed office the higher figure may apply.

- Where income is considered insufficient, then Boards should consider:

    - Amalgamation where there is another Board reasonably close and where sufficient local accountability can still be achieved – especially if this simplifies local authority representation.

    - Grouping with other Boards - for the provision of management and administration and perhaps sharing of offices, computer systems, plant and direct labour where appropriate. The grouping could take the form of a consortium with jointly employed or shared staff or a grouping with shared management and administration. In any grouping, the arrangements should be formalised and documented, including arrangements to ensure equitable and accountable funding of shared services and consistency in delivery standards and policy.

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List of abbreviations

ADA	Association of Drainage Authorities
ADR	IDB levied agricultural drainage rate
ALT	Agricultural Land Tribunal
BAP	Biodiversity Action Plan
CLA	Country Land & Business Association
COW	Critical Ordinary Watercourse
Defra	Department of Food and Rural Affairs (formed 2001)
DRO	Differential Rating Order
EA	Environment Agency (from 1996)
IDB	Internal Drainage Board
IDD	Internal Drainage District, Area served by an IDB
FRM	Flood Risk Management
FCERM	Flood and Coastal Erosion Risk Management
FWMA 2010	Flood & Water Management Act 2010
LDA 1991	Land Drainage Act 1991
LLFA	Lead Local Flood Authority
MAFF	Ministry of Agriculture Fisheries and Food (until 2001)
NFU	National Farmers Union
NRA	National Rivers Authority (until 1996)
RFCC	Regional Flood and Coastal Committee
RV	Rateable Value
SAC	Special Area of Conservation
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WFD	Water Framework Directive
WLM	Water Level Management
WLMP	Water Level Management Plan

Glossary

Article 4 Directions These revoke "permitted development" rights, bringing schemes under planning control. They are issued by the Council in circumstances where specific control over development is required, primarily where the character of an area of acknowledged importance would be threatened. They are therefore more commonly applied to conservation areas. Such Directions are usually applied over an area rather than an individual property. The effect of such a Direction is to remove permitted development rights, thereby necessitating a planning application to be made. Article 4 Directions are not issued without careful consideration, because the Council may be required to pay compensation in circumstances where you cannot obtain planning permission for development which otherwise would be treated as permitted development.

Asset. Any property or object of value

Benefit. The positive quantifiable and unquantifiable changes that a project is expected to produce. It includes damages avoided.

Contributions. Funding from sources outside flood and coastal erosion risk management budgets

Cost The costs of a project including any capital and recurrent expenditure, administrative costs, monitoring and enforcement costs, and research and development costs. Cost savings should be treated as negative costs, not benefits. Similarly, contributions should be treated as deductions from the costs.

Cost-benefit analysis. Comparison of present value benefits and costs as part of an economic appraisal.

Critical Infrastructure. The national infrastructure is the underlying framework of facilities, systems, sites and networks necessary for the functioning of the country and the delivery of the essential services which impact on every aspect of our daily life. There are nine sectors which deliver essential services: energy, food, water, transport, telecommunications, government and public services, emergency services, health and finance. Within these sectors there are key elements that comprise the critical national infrastructure. These are the components or assets without which the essential services cannot be delivered. The criticality is defined in relation to the number of beneficiaries of an item of infrastructure.

Critical Ordinary Watercourse (COW). Means a sub division of ordinary watercourse identified as most likely to flood properties. The Environment Agency has taken over responsibility of most COWs by enmainment.

Differential Rating Order. If there are a number of Boards wishing to amalgamate but they are concerned about different ratings in their respective districts, then they can apply to Defra for a Differential Rating Order (DRO) which allows for different ratings in different areas of the new board.

Drainage. Includes defence against water (including sea water), irrigation other than spray irrigation, warping and the carrying on, for any purpose, of any other practice which involves management of the level of the water in a watercourse (S.72 (1) LDA 1991 andS.113 (l) WRA 1991 as amended by S.100 Environment Agency 1995). References in the LDA 1991 to the carrying out of drainage works include references to the improvement of drainage works (S.72 (5) LDA 1991).

Drainage body. Means the Environment Agency, an Internal Drainage Board or any other body having the power to make or maintain works for the drainage of land (S.72 (l) LDA 1991).

Environment An all encompassing term including a range of receptors which can be impacted such as: biodiversity; population; human health; flora; fauna; soil; water; air; climatic factors; material assets; cultural heritage including architectural and archaeological heritage; and landscape. The interrelationship between these receptors characterises the environment in which we live.

Environmental Assessment The process whereby the effects of a set of options on the environment are identified, measured and assessed to determine their significance.

Environmental Impact Assessment (EIA) A process set out in European and domestic legislation that must be followed when proposing specific types of work, including most forms of flood and coastal erosion risk management, where the environmental effects of the work are systematically considered and suggestions are made to mitigate any negative impacts.

External Funding Investment from organisations and project partners which complements Grant in Aid (GiA) and income from charges and levies

Flood defence. Means the drainage of land and the provision of flood warning systems (S.I 13(1) WRA 1991).

Local authority. Means the council of a county, county borough, district or London borough or the Common Council of the City of London (S.72 (l) LDA 1991, and S.221 (l) WRA 1991).

Lead Local Flood Authority. A role established by the Flood Risk Regulations 2009 for the designated local authority to be responsible for planning better to reduce the risk of flooding, and complements other operational activities the council already undertakes.

Main River. Means a watercourse shown as such on a main river map and includes any structure or appliance for controlling or regulating the flow of water into, in or out of the channel which: (a) is a structure or appliance situated in the channel or in any part of the banks of the channel; and (b) is not a structure or appliance vested in or controlled by an internal drainage board (S.I 13(1) WRA 1991, and see S.137 (4) WRA 1991)

Maintenance. Maintenance and repairs do not change the defence or its performance, but simply maintain it in good working order or restore it to its previous condition in the event of a breakdown.

Maintenance costs. The costs of maintaining an asset so it continues to function as intended.

Operating authority A body with statutory powers to undertake flood and coastal erosion risk management activities. This is usually the Environment Agency, local authority or internal drainage board.

Ordinary watercourse. Means a watercourse that does not form part of a main river (S.72 (l) LDA 1991 and see the definitions of 'main river' and ‘critical ordinary watercourse’ above).

Robust. A decision is robust if the choice between the options is unaffected by a wide range of possible future scenarios.

Special Protection Area (SPA) Areas designated for rare or vulnerable birds or migratory birds and their habitats, classified under Article 4 of the EC Directive on the Conservation of Wild Birds.

Stakeholder. A stakeholder is any individual, group of individuals, organisation or political entity, including the public, interested in or affected by a decision to be made. They may be, or perceive that they may be, affected either directly or indirectly by the outcome of the decision.

Strategic Environmental Assessment. A process set out in European and domestic legislation that must be followed to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision makers, monitored and that opportunities for public involvement are provided.

Valuation. A method of applying a monetary value to positive and negative impacts.

Watercourse. Includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the WIA 1991) and passages through which water flows (S.72(1) LDA 1991, and above on the meaning of 'public sewer', similarly see S.I 13(1) WRA 1991 but contrasts.221(1) WRA 1991).

Appendices

Appendix 1 - Relevant Legislation

Wildlife and Countryside Act 1981(as amended by Countryside and Rights of Way Act 2000)

As public bodies, every IDB has a duty under Section 28G of the Wildlife and Countryside Act 1981 to take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a site has been designated a Site of Special Scientific Interest.

The Agriculture Act 1986

This places a duty on the Minister to achieve a reasonable balance between farming and conservation and to designate Environmentally Sensitive Areas (ESAs).

Land Drainage Act 1991

Under the Land Drainage Act 1991 & 1994, and amendments passed through other Acts, IDBs are responsible for general supervision over all aspects of land drainage within their districts, improving and maintaining the drainage system, including the operation of pumping stations, regulating activities in and alongside the drainage system (other than those watercourses under the control of the Environment Agency), duties to conservation and raising income to support land drainage works.

Sections 61A & C LDA 1991 (as introduced by the LDA 1994.) state that in 'as far as may be consistent' with functions with relations to land drainage, an IDB must ‘further the conservation and enhancement of natural beauty and the conservation of flora, fauna and geological or physiographical features of special interest’. This relates to all of an IDB's work whether inside or outside of designated wildlife sites. Section 13 goes on to set out the particular arrangements that must be made for an IDB working within legally protected sites - Sites of Special Scientific Interest (SSSIs).

When ‘formulating and considering any proposals’ IDBs must ‘take into account’ any impacts on ‘beauty or amenity’, freedom of access or existing public facilities, and must ‘have regard to the desirability’ of public access to sites.

Land Drainage Act 1991
(http://www.opsi.gov.uk/acts/acts1991/ukpga_19910059_en_1)

Land Drainage Act 1994
(http://www.opsi.gov.uk/acts/acts1994/ukpga_19940025_en_1)

Water Industry Act 1991

http://www.opsi.gov.uk/acts/acts1991/ukpga_19910056_en_1

Water Resources Act 1991 (http://www.opsi.gov.uk/Acts/acts1991/ukpga_19910057_en_1)

Drainage Rates (Forms) Regulations 1993

Under sections 48(4), 49(6), 65(1) and 72(7) of the Land Drainage Act 1991 these regulations allow for demand of drainage rates under Forms 1 and 2, a copy of which are in Appendix 1 of the LDA 1991.

http://www.opsi.gov.uk/si/si1993/Uksi_19930223_en_1.htm

The Conservation (Natural Habitats) Regulations, 1994

The Conservation (Natural Habitats) Regulations implement the Habitats Directive and Birds Directive in Great Britain. These regulations have now been superseded by the Conservation of Habitats and Species Regulations 2010. Flood management operating authorities have a duty to comply with these Regulations.

Where there is no formal WLMP, operating authorities must still ensure their operations comply with the Habitats Regulations. Even for plans that maintain the status quo and contain no new actions, the operating authority must consider whether the ongoing activities are compliant.

Environment Act 1995

This Act provided the establishment of the Environment Agency and other statutory bodies, and from this the Environment Agency derives its powers to carry out the flood defence function. The Environment Agency has a duty under the Environment Act 1995, section 6(4) (as amended by the FWMA 2010), to exercise supervision over all matters relating to flood and coastal erosion risk management through England and Wales,, in accordance with the part 1 of the FWMA 2010.. The Environment Act as amended by the Flood & Water Management Act 2010 provides that Regional Flood and Coastal Committees (RFCCs), which are committees of the Environment Agency, carry out flood and coastal risk management functions.
(http://www.opsi.gov.uk/acts/acts1995/ukpga_19950025_en_1)

Code of Practice on Environmental Procedures for Flood Defence Operating Authorities (Internal Drainage Boards and Local Authorities) Approval Order 1996

(http://www.opsi.gov.uk/SI/si1996/Uksi_19963062_en_1.htm#fnf003)

Water Framework Directive 2000

The Water Framework Directive (WFD) came into force in December 2000, with implications for all sectors whose activities impact on, or are impacted by, the water environment. The purpose of WFD is to prevent deterioration of, and to enhance ecological water quality, ensure reduction/prevention of groundwater pollution (especially from hazardous substances), promote sustainable water use and contribute to the mitigation of floods and droughts.

The WFD requires all inland and coastal waters to reach ‘good ecological status’ by 2015, although this may only be for Good Ecological Potential depending on the type of water body. This is to be achieved by establishing a river basin district structure within

which demanding environmental objectives will be set, including ecological targets for surface waters. The Environment Agency is the lead organisation in England for implementation of the WFD and IDBs will be required to respond to its direction.

http://www.legislation.gov.uk/uksi/2003/3242/contents/made

Water Act 2003

http://www.opsi.gov.uk/acts/acts2003/ukpga_20030037_en_1

Natural Environment and Rural Communities Act 2006

There is a legal requirement to make a contribution to the conservation of biodiversity under this Act, which imposes biodiversity duties especially in relation to byelaws.

The Natural Environment and Rural Communities Act is designed to help achieve a rich and diverse natural environment and thriving rural communities through modernised and simplified arrangements for delivering Government policy. This is an Act to provide for all bodies concerned with the natural environment and rural communities, in particular wildlife and SSSI's, National Parks and the Broads.

Section 40(1) of the Natural Environment and Rural Communities Act 2006 places a duty on IDBs to conserve biodiversity. As a public body, every IDB must have regard in exercising its functions, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity

Section 40(3) states that conserving biodiversity includes restoring or enhancing a population or habitat. In so doing, an IDB should have regard to the list published by the Secretary of State of living organisms and types of habitat that are of principal importance for the purpose of conserving biodiversity. In effect, this list consists of the Biodiversity Action Plan priority species and habitats for England.

Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England.

http://www.opsi.gov.uk/acts/acts2006/ukpga_20060016_en_1

Flood Risk Regulations 2009

The purpose of these regulations is to transpose the EC Floods Directive (Directive 2007/60/EC on the assessment and management of flood risks) into domestic law and to implement its provisions. In particular, it places duties on the Environment Agency and local authorities to prepare flood risk assessments, flood risk maps and flood risk management plans. These regulations outline the roles and responsibilities of the various authorities consistent with the Flood and Water Management Act and provide for the delivery of the outputs required by the Directive including Preliminary Flood Risk Assessments, maps showing impact and extent of possible future significant flood events, and flood risk management plans.

http://www.legislation.gov.uk/uksi/2009/3042/contents/made

The Eels (England and Wales) Regulations 2009

http://www.legislation.gov.uk/uksi/2009/3344/made

Flood and Water Management Act 2010

The Flood and Water Management Bill gained Royal Assent on the 8 April 2010.The Act will implement several key recommendations of Sir Michael Pitt's Review of the summer 2007 floods, protect water supplies to consumers and protect community groups from excessive charges for surface water drainage. The Act recognises and builds on the key role of IDBs in managing flood risk. It requires the Environment Agency to develop a national strategy for managing coastal erosion and all sources of flood risk for England. Local authorities and IDBs must act consistently with this national strategy in developing and implementing the local flood risk strategies, and then also act consistently with those local strategies.

It allows transfer of authority between statutory bodies. (http://www.opsi.gov.uk/acts/acts2010/ukpga_20100029_en_1)

Add in RFCCs formed to replace RFDCs, clause clarifying IDB Consortia, and formation of LLFAs

Conservation of Habitats and Species Regulations 2010

These regulations replaced the Habitats and Birds Directives, updated the legislation and consolidated the various amendments which have been made to the Regulations since they were first made in 1994.The guidance for the Habitats and Bird Directives remains in use as the CHS regulations have updated and consolidated all of the legislative changes to the directives.

Some SSSIs are also Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), collectively known as Natura 2000 sites. This means they are internationally important for the wildlife they support, and are protected under the European Habitats Directive and Birds Directive respectively.

- Special Protection Areas (SPAs): To conserve the birds listed in Annex 1 of the Birds Directive as well as migratory birds.

- Special Areas of Conservation (SACs): To conserve the habitat types and animal and plant species listed under the Habitats Directive

These Directives obliges Member States such as the UK, to designate and protect sites from any deterioration or disturbance which would have significant effect on the nature conservation interest, and to take steps to conserve that interest. The Conservation (Natural Habitats & c) Regulations 1994 (the Habitats Regulations) transposed the requirements of these Directives into national law in Great Britain.

An IDB, when exercising any of its functions, must have regard to the requirements of the Habitats Directive 1992 so far as they may be affected by the exercise of those functions. This includes taking appropriate steps to avoid, in Special Areas of Conservation, the deterioration of natural habitats and the habitats of species as well as the disturbance of the species for which the areas have been designated. The Regulations also impose a general duty on competent authorities to ensure that the habitats and species listed under the Directive are maintained in favourable conservation status.

http://www.legislation.gov.uk/uksi/2010/490/contents/made

Byelaws

Under the Land Drainage Act 1991, Internal Drainage Boards have a duty to exercise a general supervision over all matters relating to the drainage of land within its district. Under Section 66 of the Land Drainage Act 1991 IDBs can make Byelaws that control all activities within a certain distance (usually 9 metres, but varies) of all watercourses within their district (other than main river). Boards may permit certain works or structures to be erected or undertaken within the Byelaw zone but a formal consenting system must be followed. The Boards have also adopted policies on their approach to the consenting of works in a watercourse or within a stated distance of that watercourse.

A consenting system exists to ensure that any proposed works do not endanger life or damage land and property elsewhere by increasing the risk of flooding.

Appendix 2 - Specialist Advice

The table shows a list of the specialist advice that may be required by an IDB

Area	Specialist Advice required
Employment Law	• Requirements of the legislation. • Advice on internal procedures and record keeping
Customer Service	• Good practice in customer service. • Measuring service performance. • Suggested benchmarks and targets.
Financial Accounts and Rating	• Accounts format and guidelines on accounting policy. • Use of computerised accounting systems. • Use of computerised rating systems.
Procurement	• Advice on EU and UK government public sector procurement procedures. • Standard contract documentation and specifications
Internal Audit	• Procedures and reporting. • Independent auditors
Human Resources	• Recruitment procedures. • Board member training and mentoring. • Staff skills development. • Structured career development
Environment	• Requirements of the legislation. • Government targets. • Best practice with regard to maintenance. • Advice on Water Framework Directive
Planning	• Current planning guidance. • Achieving consistency in policy delivery
Health and Safety	• Applicability of legislation to IDB activities. • Risk assessments
Engineering	• Appraisal of improvement schemes, economic analysis. • Scheme feasibility and design. • Duties and responsibilities under the Reservoirs Act (services of a Panel Engineer)
Asset Management	• Requirements for data acquisition and asset planning and management. • Development and maintenance of asset management plans
Sustainability	• Criteria for assessing sustainability
Information Technology	• Website development, maintenance and hosting. • Geographical Information Systems. • National Flood & Coastal Defence Database. • GPS and mobile computing
Research and Development	• Updates on the joint EA/Defra research programme and its outputs
Communications	• Communications planning. • Stakeholder engagement. • Production of information material

Several sources of advice are already available and used by existing IDBs:

- At a national level, ADA provides advice. Their branch meetings provide a venue for informal exchange of information and sources of advice. Many

Boards draw on advice available directly from or through their diverse membership.

- Officers of the Environment Agency and Natural England
- Local wildlife trusts and environmental NGOs such as the RSPB
- Informal networks of IDB Clerks and Engineers who seek advice and compare practice amongst themselves.
- Assistance from specialist private sector consultancies and other service providers

Appendix 3 - Example Risk Register

The following are some of the risks included with each stage of the IDB creation process; setup, start up and running. These are not Health and Safety risks.

Ref	Risks during IDB Setup	Probability of occurring	Likely min. Cost	Likely cost	Likely max. cost	Cost (£)	Mitigation Actions
	Insufficient funds to cover costs of setup process						
	Land boundaries incorrectly set, causing evaluations to be incorrect and income does not match expenditure						Care taken to ensure all information accurate and auditable
	Land boundaries not sufficiently encompassing and financial case can't be made for IDB creation						Flexible interpretation of guidance e.g. Medway letter
	Landowners dispute boundaries						Early consultation
	Insufficient information to make decision e.g. survey of assets incomplete or inaccurate						Early gathering of information and survey information from reliable sources
	EA Policy transfer of assets (e.g. Main River) being reviewed, and outcome uncertain						
	Defra review of interpretation of						

Ref	Risks during IDB Setup	Probability of occurring	Likely min. Cost	Likely cost	Likely max. cost	Cost (£)	Mitigation Actions
	Medway Letter ongoing, and definitive advice not available.						
	Objections to scheme, possibly resulting in Public Local Inquiry						Early consultation
	Financial case can't be made for creation						Consider alternative management models, revised boundaries, revised rates etc.
	Insufficient local knowledge or expertise to make an IDB successful						Buy in expertise from other areas
	New legislation before process complete						Be familiar with ongoing consultations
	Inaccuracy of financial "case" for scheme						Ensure robustness of financial analysis, looking at effects of risks on the programme
	Environmental Impact Assessment required						Adequate and early consideration of potential environmental issues
	Duties relating to SSSI and Natura 2000 sites may prove expensive						Adequate and early consideration of potential environmental issues
	WFD requirements on the EA						Early review of requirements so that potential issues can

Ref	Risks during IDB Setup	Probability of occurring	Likely min. Cost	Likely cost	Likely max. cost	Cost (£)	Mitigation Actions
	may prove some risk to an IDB						be determined
	Unregistered land can't be traced to an owner						Information available through Land Registry or through farmers' local knowledge

Ref	Risks during IDB Start Up	Probability of occurring	Likely min. Cost	Likely cost	Likely max. cost	Cost (£)	Mitigation Actions
	Assets in worse condition than anticipated						Contingency built into budget and financial forecast
	Management problems during transition phase						
	Board members unable to continue duties						Sufficient board representation to allow continued running until new board member can be appointed
	Wrong management model chosen						Amend IDB structure
	Local authority having insufficient funds to meet special levy from new IDB						
	Unable to identify or access sufficient funds to cover costs of start up process						

Ref	Risk during IDB running and maintenance	Probability of occurring	Likely min. Cost	Likely cost	Likely max. cost	Cost (£)	Mitigation Actions
	Flood return levels change following hydrological modelling or flood defence scheme, consequently reducing boundary area						Keep abreast of any works being done, and build sufficient robustness into financial planning
	Outcome measures impact on funding, reducing grant rate from 45%						Robustness in financial forecasting
	No requirement for reimbursable services from the IDB, reducing actual income						
	Depreciation of assets faster than anticipated						
	Increase in maintenance requirements above those forecast						
	New legislation						
	Objections to proposed works by the IDB						
	Area within boundary designated as SSSI or AONB						

	etc						
	BAPs may become compulsory						Consider preparation of these as beneficial and reflective of best practice

Appendix 4 – IDB Budget Build-Up Sheet

The table below provides an outline of an IDB budget, which could be used to develop an estimated budget for a new IDB. It has been developed by the Association of Drainage Authorities.

	Quantity	Unit	Rate	Amount	Comments
1 Drain Maintenance					
1a - Drain Maintenance Regular					
Routine Inspections and Clearance					
Inspections / Condition Assessment					
Removal of debris and blockages					
Bank Mowing					
Mechanical flailing					
Strimming / Hand cutting					
Channel weed clearance from Channels					
Mechanical weedcutting (roding)					
Manual weedcutting (hand roding)					
Mechanical raking					
Manual raking					
Chemical weed control (banks and channel bed)					
Bush and tree clearance					
Mechanical (flails or cutters)					
Manual					
Silt removal (regular)					
Bridge and culvert maintenance					
Regular inspections					
Repair and maintenance of flows					
Compensation (some IDBs follow a practice of paying compensation for crop damage where continuous access all year is required)					
Miscellaneous					

| | Quantity | Unit | Rate | Amount | Comments |

1a - Drain Maintenance Regular Continued

Support or Supervision Costs (Staff costs relating to supervision of drain maintenance activities should be included)

NOTES:-

For future planning of programmes and for cost control it is often beneficial to build up costs on a drain by drain basis, then amalgamate to catchment and/or whole Board levels.

	Quantity	Unit	Rate	Amount	Comments
1b - Drain Maintenance - Irregular					
Activities/Tasks/Headings					
Silt removal (periodic typically 10 - 15 year cycle)					
Mechanical					
Manual					
Batter reforming (periodic typically 20 - 30 year cycle)					
Improvements to access (gates etc.)					
Compensation					
Support or supervision costs Employment Costs for Supervising Engineer and/or Foreman.					

	Quantity	Unit	Rate	Amount	Comments

2 Pumping Stations, sluices and water control structures

2a - Pumping Stations

Activities/cost headings

Labour - Direct

Labour - Contract

Electricity/Fuel Charges

Insurance Expenses

Licence Fees - Waste Disposal (weed and trash etc.)

Telemetry costs

Communications costs - telephone/radio etc.

Public utilities - water, rates etc.

Electrical repair and maintenance

Mechanical repairs and maintenance

Building/structure/site maintenance

Ground rents and way leaves

Supervision costs (as for Drain Maintenance)

	Quantity	Unit	Rate	Amount	Comments

2b - Outfall sluices, water control structures etc.

Similar headings as for Pumping Stations could apply

	Quantity	Unit	Rate	Amount	Comments

3 Asset replacement, improvement and new works - schemes/projects

Activities/cost heads

Feasibility/detailed appraisal
Surveys and data acquisition
Hydraulic modelling/standards review
Option development
Environment Impact Assessment
Economic Assessment and Justification
Preferred Option including consultation
Reporting, Appraisal and Approvals
Financing costs (i.e. PWLB loans etc.)

Detailed Design and Procurement
Detailed Designs
Contract Documentation
Tendering
Contract Awards
Project Management

Delivery
Contract Works
Land acquisition / compensation
Fees - planning applications etc.
Project Management and Supervision

Post Works
Retentions
Project management costs

NOTE:-
Price build up for each project required

	Quantity	Unit	Rate	Amount	Comments

4 Support Services and

Administration

Activities/cost heads

Salaries and Staff Costs
Salaries (Not included in Sections 1,2 and 3)
National Insurance
Superannuation / Pensions

Staff Expenses
Travelling
Subsistence
Training
Personal Communications
Medical Expenses
Personal Protective Equipment
Appointment Costs

Office Costs
Rates
Power and Heating
Cleaning
Repair and Maintenance of Buildings
Furniture and Fittings

Office Administration Costs
Telephone/Fax/Internet
Postage
Cleaning
Stationary
Insurance - Liabilities etc.

Office Equipment and Machinery
Equipment purchases
Equipment maintenance

I T Systems
Office Networks
Software purchases
Hardware and software support and licences
Digital Mapping - GIS and AMS

	Quantity	Unit	Rate	Amount	Comments

4 Support Services and Administration cont.

Professional Expenses
Audit Fees - Internal and external
Valuers fees
Employment law, personnel etc.
Legal fees
Subscriptions - ADA etc.
Election expenses
Bailiff fees

Financial Expenses
Banking fees

Members Expenses
Travel
Training
Inspections
Members Insurance

Advertising and Publicity
Formal Notices - Rates and Levies, Elections etc.
Web-site
General Publicity and Information - Events, Newsletters etc.

	Quantity	Unit	Rate	Amount	Comments

5 Other Expenditure

Possible cost headings

Environment Agency Precept

PWLB Loan Repayments and Interest

Plant Pool Contributions

	Quantity	Unit	Rate	Amount	Comments

6 Income

Possible income sources

Environment Agency Highland Water Contributions

Rechargeable Works

Culverting Fees

Development Contributions

Rental Income

Investment Income / Interest

Grant Aid

Miscellaneous

Note
The resulting net expenditure after deduction of all income from the above sources will need to be financed from Agricultural Drainage Rates and Special Levies.

Appendix 5 – IDB Profile Sheets

The following summaries of IDBs have been gathered by the Association of Drainage Authorities. They cover a range of different types and sizes of IDB and may be useful for groups proposing to form an IDB and steering groups when developing an assessment of costs.

List of IDB Profile Sheets:

- Ancholme IDB
- Black Sluice IDB
- Dun Drainage Commissioners
- Finningley IDB
- Isle of Axholme & North Nottinghamshire WLMB
- Lindsey Marsh Drainage Board
- Lower Ouse IDB
- Lower Severn (2005) IDB
- Market Weighton IDB
- Newark Area IDB
- Parrett IDB
- Selby Area IDB
- Welland and Deepings IDB
- Witham Fourth District IDB

Ancholme IDB

http://www.shiregroup-idbs.gov.uk/

Management Arrangements	Consultant Lead	
Catchment Area draining to and within the district	76269	ha
Total Area of district	17812	ha
Area of pumped drainage	6521	ha
Area drained by gravity	11291	ha
Assets Maintained		
Pumping Stations	16	No.
Sluices and Water Control Structures	1	No.
Watercourses	237	km
Raised Embankments	15	km
Other Key Flood Risk Assets Management in area		
Main Rivers	171	km
River Flood Defences	53	km
Sea and Tidal Defences		km
Sites of Designated Environmental Interest		
Local Nature Reserves		No.
SSSI	4	No.
SPA/SAC	2	No.
RAMSAR	1	No.
Income Sources - 2010/2011		
Drainage Rates	£289,785	24%
Special Levies	£185,167	15%
Highland Water Contributions (from EA)	£613,320	50%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£64,232	5%
Rechargeable Works	£23,003	2%
Interest and Investment Income	£33	0%
Rents	£551	0%
Other Income	£49,213	4%
Expenditure - 2010/2011		
New Works & Improvement Works	£178,030	22%
EA Precept	£95,976	12%
Drain Maintenance	£230,311	28%
Pumping Stations, Sluices & Water Control Structures	£165,910	20%
Administration	£43,625	5%
Rechargeable Works	£12,585	2%
Finance Charges (e.g. Loan Repayments etc.)	£92,125	11%
Other	£7,684	1%

Black Sluice IDB

http://www.blacksluiceidb.gov.uk/

Management Arrangements	Stand Alone Board	
Catchment Area draining to and within the district	63585	ha
Total Area of district	43345	ha
Area of pumped drainage	42259	ha
Area drained by gravity	1086	ha
Assets Maintained		
Pumping Stations	34	No.
Sluices and Water Control Structures	0	No.
Watercourses	790	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	169.5	km
River Flood Defences	172.2	km
Sea and Tidal Defences	7.9	km
Sites of Designated Environmental Interest		
Local Nature Reserves		No.
SSSI	1	No.
SPA/SAC	1	No.
RAMSAR		No.
Income Sources - 2010/2011		
Drainage Rates	£999,102	48%
Special Levies	£954,271	46%
Higher Land Water Contributions (from EA)	£4,589	0%
Contributions Applied (e.g. from Developers etc.)	£31,952	2%
Government Grants	£0	0%
Rechargeable Works	£82,803	4%
Interest and Investment Income	£0	0%
Rents	£10,144	0%
Other Income	£5,806	0%
Expenditure - 2010/2011		
New Works & Improvement Works	£296,848	15%
EA Precept	£276,522	14%
Drain Maintenance	£844,658	41%
Pumping Stations, Sluices & Water Control Structures	£302,948	15%
Administration	£241,432	12%
Rechargeable Works	£73,870	4%
Finance Charges (e.g. Loan Repayments etc.)	£0	0%
Other	£0	0%

Dun Drainage Commissioners

http://www.shiregroup-idbs.gov.uk/

Management Arrangements	Consultant Lead	
Catchment Area draining to and within the district	21575	ha
Total Area of district	9317	ha
Area of pumped drainage	8423	ha
Area drained by gravity	894	ha
Assets Maintained		
Pumping Stations	24	No.
Sluices and Water Control Structures		No.
Watercourses	206	km
Raised Embankments		km
Other Key Flood Risk Assets Management in area		
Main Rivers	40	km
River Flood Defences	40	km
Sea and Tidal Defences		km
Sites of Designated Environmental Interest		
Local Nature Reserves		No.
SSSI	2	No.
SPA/SAC		No.
RAMSAR		No.
Income Sources - 2010/2011		
Drainage Rates	£65,178	9%
Special Levies	£419,500	57%
Highland Water Contributions (from EA)	£7,701	1%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£6,150	1%
Rechargeable Works	£226,389	31%
Interest and Investment Income		0%
Rents	£10,022	1%
Other Income	£2,568	0%
Expenditure - 2010/2011		
New Works & Improvement Works		0%
EA Precept	£148,265	21%
Drain Maintenance	£255,790	36%
Pumping Stations, Sluices & Water Control Structures	£124,561	18%
Administration	£47,731	7%
Rechargeable Works	£97,166	14%
Finance Charges (e.g. Loan Repayments etc.)	£25,731	4%
Other	£6,410	1%

Finningley IDB

http://www.shiregroup-idbs.gov.uk

Management Arrangements	Consultant Lead	
Catchment Area draining to and within the district	4800	ha
Total Area of district	4520	ha
Area of pumped drainage	3634	ha
Area drained by gravity	886	ha
Assets Maintained		
Pumping Stations	4	No.
Sluices and Water Control Structures		No.
Watercourses	50	km
Raised Embankments		km
Other Key Flood Risk Assets Management in area		
Main Rivers	10	km
River Flood Defences	10	km
Sea and Tidal Defences		km
Sites of Designated Environmental Interest		
Local Nature Reserves		No.
SSSI	4	No.
SPA/SAC		No.
RAMSAR		No.
Income Sources - 2010/2011		
Drainage Rates	£22,528	7%
Special Levies	£67,718	22%
Highland Water Contributions (from EA)		0%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£34,889	11%
Rechargeable Works	£4,818	2%
Interest and Investment Income	£20	0%
Rents	£176	0%
Other Income	£176,636	58%
Expenditure - 2010/2011		
New Works & Improvement Works	£150,648	48%
EA Precept	£14,829	5%
Drain Maintenance	£21,306	7%
Pumping Stations, Sluices & Water Control Structures	£48,068	15%
Administration	£15,009	5%
Rechargeable Works	£2,683	1%
Finance Charges (e.g. Loan Repayments etc.)	£27,068	9%
Other	£34,889	11%

Isle of Axholme & North Nottinghamshire WLMB

http://www.ioaidb.co.uk/

Management Arrangements	Consortium Member Board	
Catchment Area draining to and within the district	32693	ha
Total Area of district	28737	ha
Area of pumped drainage	22226	ha
Area drained by gravity	6511	ha
Assets Maintained		
Pumping Stations	21	No.
Sluices and Water Control Structures	6	No.
Watercourses	461	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	153	km
River Flood Defences	101	km
Sea and Tidal Defences	39	km
Sites of Designated Environmental Interest		
Local Nature Reserves	2	No.
SSSI	13	No.
SPA/SAC	0	No.
RAMSAR	2	No.
Income Sources - 2010/2011		
Drainage Rates	£365,972	35%
Special Levies	£572,644	55%
Highland Water Contributions (from EA)	£37,072	4%
Contributions Applied (e.g. from Developers etc.)	£11,684	1%
Government Grants	£32,358	3%
Rechargeable Works	£5,130	0%
Interest and Investment Income	£14,146	1%
Rents	£3,600	0%
Other Income	£1,387	0%
Expenditure - 2010/2011		
New Works & Improvement Works	£146,671	14%
EA Precept	£116,882	11%
Drain Maintenance	£184,992	18%
Pumping Stations, Sluices & Water Control Structures	£294,489	28%
Administration	£172,680	17%
Rechargeable Works		0%
Finance Charges (e.g. Loan Repayments etc.)	£14,718	1%
Other - Contribution to Capital Reserves	£113,561	11%

Lindsey Marsh Drainage Board

http://www.lmdb.co.uk/

Management Arrangements	Consortium Lead Board	
Catchment Area draining to and within the district	86550	ha
Total Area of district	52500	ha
Area of pumped drainage	41900	ha
Area drained by gravity	10600	ha
Assets Maintained		
Pumping Stations	30	No.
Sluices and Water Control Structures	10	No.
Watercourses	974	km
Raised Embankments	0	km
Strategic Ordinary Watercourses	66.6	km
Other Key Flood Risk Assets Management in area		
Main Rivers	178	km
River Flood Defences	173	km
Sea and Tidal Defences	28.5	km
Sites of Designated Environmental Interest		
Local Nature Reserves	44	No.
SSSI	11	No.
SPA/SAC	2	No.
RAMSAR	1	No.
Income Sources - 2010/2011		
Drainage Rates	£769,282	23%
Special Levies	£2,458,210	72%
Higher Land Water Contributions (from EA)	£72,272	2%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£41,807	1%
Rechargeable Works	£35,393	1%
Interest and Investment Income	£7,265	0%
Rents		0%
Other Income	£31,618	1%
Expenditure - 2010/2011		
New Works & Improvement Works	£1,155,155	30%
EA Precept	£450,451	12%
Drain Maintenance	£783,282	20%
Pumping Stations, Sluices & Water Control Structures	£758,815	20%
Administration	£459,584	12%
Rechargeable Works		0%
Finance Charges (e.g. Loan Repayments etc.)	£195,934	5%
Other	£36,518	1%

Lower Ouse IDB

http://www.loidb.co.uk/

Management Arrangements	Stand Alone Board	
Catchment Area draining to and within the district	19000	ha
Total Area of district	14000	ha
Area of pumped drainage	10500	ha
Area drained by gravity	3500	ha
Assets Maintained		
Pumping Stations	8	No.
Sluices and Water Control Structures	23	No.
Watercourses	181	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	47	km
River Flood Defences	0	km
Sea and Tidal Defences	0	km
Sites of Designated Environmental Interest		
Local Nature Reserves	0	No.
SSSI	2	No.
SPA/SAC	2	No.
RAMSAR	2	No.
Income Sources - 2010/2011		
Drainage Rates	£155,000	27%
Special Levies	£282,000	49%
Higher Land Water Contributions (from EA)	£1,200	0%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£96,000	17%
Rechargeable Works	£37,000	6%
Interest and Investment Income	£5,000	1%
Rents	£1,000	0%
Other Income	£500	0%
Expenditure - 2010/2011		
New Works & Improvement Works	£118,000	20%
EA Precept	£44,000	7%
Drain Maintenance	£232,000	38%
Pumping Stations, Sluices & Water Control Structures	£52,000	9%
Administration	£120,000	20%
Rechargeable Works	£37,000	6%
Finance Charges (e.g. Loan Repayments etc.)	£0	0%
Other		0%

Lower Severn (2005) IDB

http://www.lowersevernidb.org.uk/

Management Arrangements	Stand Alone Board	
Catchment Area draining to and within the district	?	ha
Total Area of district	26,000	ha
Area of pumped drainage	9,117	ha
Area drained by gravity	16,883	ha
Assets Maintained		
Pumping Stations	6	No.
Sluices and Water Control Structures	1	No.
Watercourses	480	km
Raised Embankments	3	km
Other Key Flood Risk Assets Management in area		
Main Rivers	0	km
River Flood Defences	0	km
Sea and Tidal Defences	0	km
Sites of Designated Environmental Interest		
Local Nature Reserves	1	No.
SSSI	5	No.
SPA/SAC	1	No.
RAMSAR	1	No.
Income Sources - 2010/2011		
Drainage Rates	£74,081	6%
Special Levies	£792,873	65%
Higher Land Water Contributions (from EA)	£149,772	12%
Contributions Applied (e.g. from Developers etc.)	£96,003	8%
Government Grants		0%
Rechargeable Works	£83,162	7%
Interest and Investment Income	£10,506	1%
Rents		0%
Other Income	£15,404	1%
Expenditure - 2010/2011		
New Works & Improvement Works	£0	0%
EA Precept	£193,728	16%
Drain Maintenance	£694,204	58%
Pumping Stations, Sluices & Water Control Structures	£19,139	2%
Administration	£229,955	20%
Rechargeable Works	£52,992	4%
Finance Charges (e.g. Loan Repayments etc.)		0%
Other		0%

Market Weighton IDB

http://www.marketweighton-idb.org/

Management Arrangements	Stand Alone Board	
Catchment Area draining to and within the district	31970	ha
Total Area of district	19557	ha
Area of pumped drainage	4800	ha
Area drained by gravity	14757	ha
Assets Maintained		
Pumping Stations	9	No.
Sluices and Water Control Structures	30	No.
Watercourses	193	km
Raised Embankments	7.1	km
Other Key Flood Risk Assets Management within area		
Main Rivers	28.4	km
River Flood Defences	21.5	km
Sea and Tidal Defences	11.2	km
Sites of Designated Environmental Interest		
Local Nature Reserves	2	No.
SSSI	3	No.
SPA/SAC	0	No.
RAMSAR	1	No.
Income Sources - 2010/2011		
Drainage Rates	£236,223	53%
Special Levies	£177,398	40%
Higher Land Water Contributions (from EA)	£8,426	2%
Contributions Applied (e.g. from Developers etc.)	£0	0%
Government Grants	£0	0%
Rechargeable Works	£11,926	3%
Interest and Investment Income	£613	0%
Rents	£0	0%
Other Income	£12,666	3%
Expenditure - 2010/2011		
New Works & Improvement Works	£0	0%
EA Precept	£60,464	15%
Drain Maintenance	£172,587	42%
Pumping Stations, Sluices & Water Control Structures	£31,123	8%
Administration	£139,816	34%
Rechargeable Works	£0	0%
Finance Charges (e.g. Loan Repayments etc.)		0%
Other	£8,515	2%

Newark Area IDB

http://www.naidb.co.uk/

Management Arrangements	Consortium Member Board	
Catchment Area draining to and within the district	97100	ha
Total Area of district	35530	ha
Area of pumped drainage	4709	ha
Area drained by gravity	30821	ha
Assets Maintained		
Pumping Stations	8	No.
Sluices and Water Control Structures	?	No.
Watercourses	587	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	171	km
River Flood Defences	171	km
Sea and Tidal Defences	0	km
Sites of Designated Environmental Interest		
Local Nature Reserves	0	No.
SSSI	0	No.
SPA/SAC	0	No.
RAMSAR	0	No.
Income Sources - 2010/2011		
Drainage Rates	£279,367	23%
Special Levies	£668,778	55%
Highland Water Contributions (from EA)	£95,798	8%
Contributions Applied (e.g. from Developers etc.)		
Government Grants	£23,141	2%
Rechargeable Works	£134,641	11%
Interest and Investment Income	£1,470	0%
Rents	£7,278	1%
Other Income	£8,359	1%
Expenditure - 2010/2011		
New Works & Improvement Works	£14,473	2%
EA Precept	£145,807	16%
Drain Maintenance	£425,058	48%
Pumping Stations, Sluices & Water Control Structures	£43,528	5%
Administration	£305,639	34%
Rechargeable Works	£134,641	15%
Finance Charges (e.g. Loan Repayments etc.)		
Other	-£178,000	-20%

Parrett IDB

http://www.somersetdrainageboards.gov.uk/

Management Arrangements	Consortium Member Board	
Catchment Area draining to and within the district	116,142	ha
Total Area of district	24,031	ha
Area of pumped drainage	147	ha
Area drained by gravity		ha
Assets Maintained		
Pumping Stations	1	No.
Sluices and Water Control Structures	264	No.
Watercourses	584	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	318	km
River Flood Defences	74	km
Sea and Tidal Defences	79	km
Sites of Designated Environmental Interest		
Local Nature Reserves	1	No.
SSSI	11	No.
SPA/SAC	8	No.
RAMSAR	2	No.
Income Sources - 2010/2011		
Drainage Rates	£147,491	7%
Special Levies	£634,558	31%
Highland Water Contributions (from EA)		0%
Contributions Applied (e.g. from Developers etc.)		0%
Government Grants	£1,198,066	59%
Rechargeable Works	£4,993	0%
Interest and Investment Income	£14,780	1%
Rents		0%
Other Income - EU Project	£16,127	1%
Expenditure - 2010/2011		
New Works & Improvement Works	£1,231,504	64%
EA Precept	£197,066	10%
Drain Maintenance	£203,744	11%
Pumping Stations, Sluices & Water Control Structures	£46,712	2%
Administration	£252,832	13%
Rechargeable Works		0%
Finance Charges (e.g. Loan Repayments etc.)		0%
Other		0%

Selby Area IDB

http://www.shiregroup-idbs.gov.uk/

Management Arrangements	Stand Alone Board	
Catchment Area draining to and within the district	23,152	ha
Total Area of district	19,342	ha
Area of pumped drainage	17,791	ha
Area drained by gravity	1,551	ha
Assets Maintained		
Pumping Stations	21	No.
Sluices and Water Control Structures	7	No.
Watercourses	465	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	69	km
River Flood Defences	62	km
Sea and Tidal Defences	0	km
Sites of Designated Environmental Interest		
Local Nature Reserves	0	No.
SSSI	1	No.
SPA/SAC	0	No.
RAMSAR	0	No.
Income Sources - 2010/2011		
Drainage Rates	£116,048	10%
Special Levies	£907,076	76%
Highland Water Contributions (from EA)	£3,503	0%
Contributions Applied (e.g. from Developers etc.)	£0	0%
Government Grants	£0	0%
Rechargeable Works	£149,625	13%
Interest and Investment Income	£4,880	0%
Rents	£5,500	0%
Other Income	£2,035	0%
Expenditure - 2010/2011		
New Works & Improvement Works	£293,621	23%
EA Precept	£136,931	11%
Drain Maintenance	£509,237	40%
Pumping Stations, Sluices & Water Control Structures	£142,934	11%
Administration	£119,027	9%
Rechargeable Works	£29,922	2%
Finance Charges (e.g. Loan Repayments etc.)	£34,613	3%
Other	£13,385	1%

Welland and Deepings IDB

http://www.wellandidb.org.uk/

Management Arrangements	Stand Alone	
Catchment Area draining to and within the district	35000	ha
Total Area of district	32434	ha
Area of pumped drainage	28380	ha
Area drained by gravity	4054	ha
Assets Maintained		
Pumping Stations	14	No.
Sluices and Water Control Structures	92	No.
Watercourses	655	km
Raised Embankments	35	km
Other Key Flood Risk Assets Management in area		
Main Rivers	119	km
River Flood Defences	88	km
Sea and Tidal Defences	19	km
Sites of Designated Environmental Interest		
Local Nature Reserves	10	No.
SSSI	6	No.
SPA/SAC	1	No.
RAMSAR	0	No.
Income Sources - 2010/2011		
Drainage Rates	£572,107	26%
Special Levies	£1,416,870	64%
Highland Water Contributions (from EA)	£36,713	2%
Contributions Applied (e.g. from Developers etc.)	£28,569	1%
Government Grants	£0	0%
Rechargeable Works	£14,830	1%
Interest and Investment Income	£19,772	1%
Rents	£52,344	2%
Other Income	£81,528	4%
Expenditure - 2010/2011		
New Works & Improvement Works	£0	0%
EA Precept	£214,895	10%
Drain Maintenance	£1,125,515	52%
Pumping Stations, Sluices & Water Control Structures	£368,645	17%
Administration	£384,725	18%
Rechargeable Works	£13,410	1%
Finance Charges (e.g. Loan Repayments etc.)	£0	0%
Other	£54,135	3%

Witham Fourth District IDB

http://www.w4idb.co.uk/

Management Arrangements	Stand Alone	
Catchment Area draining to and within the district	46,000	ha
Total Area of district	40,000	ha
Area of pumped drainage	40,000	ha
Area drained by gravity		ha
Assets Maintained		
Pumping Stations	7	No.
Sluices and Water Control Structures	2	No.
Watercourses	700	km
Raised Embankments	0	km
Other Key Flood Risk Assets Management in area		
Main Rivers	72.4	km
River Flood Defences	14.1	km
Sea and Tidal Defences	29.2	km
Sites of Designated Environmental Interest		
Local Nature Reserves	20	No.
SSSI	0	No.
SPA/SAC	0	No.
RAMSAR	0	No.
Income Sources - 2010/2011		
Drainage Rates	£1,011,198	39.0%
Special Levies	£1,272,153	49.0%
Highland Water Contributions (from EA)		0.0%
Contributions Applied (e.g. from Developers etc.)	£872	0.0%
Government Grants	£18,900	0.7%
Rechargeable Works	£53,605	2.1%
Interest and Investment Income	£28,535	1.1%
Rents	£6,122	0.2%
Other Income	£204,695	7.9%
Expenditure - 2010/2011		
New Works & Improvement Works	£49,513	2.2%
EA Precept	£309,758	13.7%
Drain Maintenance	£754,817	33.5%
Pumping Stations, Sluices & Water Control Structures	£408,320	18.1%
Administration	£369,659	16.4%
Rechargeable Works	£53,605	2.4%
Finance Charges (e.g. Loan Repayments etc.)	£61,675	2.7%
Other	£245,877	10.9%