

Charges and Fees

Sustainable Development 2020



Development Control Charges and Fees

This document has been prepared to detail the applicable charges and fees associated with the regulatory functions of the Upper and Lower Medway Internal Drainage Boards (“IDBs”). It is implemented on behalf of the UMIDB and LMIDB by the Water Management Alliance (“WMA”). Decisions on the application of these charges will be made by the respective Board in every instance.

The charges and fees detailed in this document relate to the following activities;

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1. Consent Application Fees

The charges associated with consent application fees are set out in table 1 below.

Description	Reason for the charge being levied	Fee due ¹
Application to alter a watercourse	Application under Section 23 of the Land Drainage Act 1991 (and Board's Byelaws where watercourse is Board-maintained)	£50.00
Application for relaxation of one of the Board's Byelaws (not Byelaw 3)	Application for a relaxation of Board's Byelaws (usually Byelaw 10)	£50.00
Application to install land tile outfalls into board maintained watercourse	Application for a relaxation of Board's Byelaws (per watercourse)	£50.00
Application to discharge surface water to a watercourse	Application for a relaxation of Byelaw 3 (and possibly other Byelaws)	£100.00
Application to discharge treated foul water to a watercourse	Application for a relaxation of Byelaw 3 (and possibly other Byelaws)	£100.00

Table 1: Consent Application Fees

Where an application form is submitted without payment of the relevant fee due, the application is not deemed valid and may not be considered by the Board.

¹ VAT is not payable on applications to the Board (statutory charges are beyond the scope).

2. Surface Water Development Contribution (SWDC) Rates

Prior written consent is required from the Board where a development will result in an increase in the rate or volume of flows in any watercourse and, one of the conditions imposed as part of any such approval is the payment of a development contribution to the Board. The charge is made to help fund the cost of improvements to the drainage network that are required to cater for increases in the rate and/or volume of surface water flows.

The relevant fee will be stipulated as part of a notification of intent to consent, at which point the applicant will be given a month to accept the SWDC as a condition of consent. The fee is payable when formal consent is issued following the applicant's confirmed acceptance of the conditions of consent. The SWDC is **not** due at the point of application.

The contribution is calculated by;

- Determining the impermeable area of the site to be positively drained (in square metres, m²)
- Establishing the charging band the impermeable area (in hectares) of the site that is to be positively drained will fall into (see table 2 below)
- Establishing the charging band the proposed discharge rate (in litres/second/impermeable hectare) will fall into (see table 3 below)

The Surface Water Development Contribution equation is therefore;

$$\text{SWDC} = \text{Impermeable Area Band} \times \text{Impermeable Area (m}^2\text{)} \times \text{Discharge Rate Band}$$

Banding	Impermeable area, A, discharging (ha)		Surface Water Development Contribution rate (£/m ²)
	Is greater than (>)	and is less than or equal to (≤)	
1	0	5	12.35
2	5	10	10.33
3	10	15	8.87
4	15	20	7.43
5	20	25	5.97
6	25	n/a	3.97

Table 2: Impermeable Area Bandings

Banding	Equivalent run-off rate (<i>litres/second/hectare</i>)		SWDC rate (<i>as % of full contribution rate</i>)
	Is greater than (>)	and is less than or equal to (\leq)	
1	0	1.4	3
	Is greater than (>)	and is less than (<)	
2	1.4	5	10
	Is greater than or equal to (\geq)	and is less than (<)	
3	5	10	15
4	10	15	20
5	15	20	25
6	20	25	30
7	25	30	35
8	30	35	40
9	35	40	45
10	40	45	50
11	45	50	55
12	50	55	59
13	55	60	63
14	60	65	67
15	65	70	71
16	70	75	75
17	75	80	79
18	80	85	83
19	85	90	87
20	90	95	91
21	95	100	95
22	100	n/a	100

Table 3: Discharge Rate Bandings

2.1. Additional SWDC Information:

- The current maximum charge applicable is £123,500 per impermeable hectare for sites with less than 5ha of impermeable area proposing to discharge at an un-attenuated rate.
- The Surface Water Development Contribution rates stated within this document are to be increased by inflation annually, and will be reviewed in detail on a 5 yearly basis. The next detailed review is scheduled for Q1 2023.
- The impermeable area of the site to be positively drained (in square metres, m²) should only reflect the additional impermeable area that is positively drained post development. It is therefore determined by taking away the area of impermeable surface positively drained to the watercourse prior to development from the proposed area of impermeable surface to be positively drained to the watercourse post development.

- Where high level overflows to watercourses are proposed from retention / soakaway systems that only exceed beyond the 1 in 100 year plus climate change design event² then these proposals will be charged at the 10% discharge rate banding (band 2).
- Where high level overflows to watercourses are proposed from retention / soakaway systems that exceed at return periods below the 1 in 100 year plus climate change design event then these proposals will be charged at the applicable discharge rate banding obtained from Table 3 (with the minimum charge being 10% band 2).
- Surface Water Development Contributions are payable at the rate applicable when the consent application is validated by the Board.

2.2. Example SWDC Equation

For clarity, a worked example of the SWDC equation is shown below. This example is the calculation of the Surface Water Development Contribution Fee for a site with 2.5 ha of impermeable surface discharging to a watercourse at a restricted rate of 25 litres per second.

Step 1 - establish the charging band the impermeable area will fall in to.

The 2.5ha impermeable area will fall in the $A \leq 5$ ha band, so the rate that will apply is £12.35/m².

Step 2 - look at which proportional charge band the discharge will fall within due to the restricted flow.

25 litres/second over 2.5ha equates to 10 litres/second/impermeable hectare. This falls in the greater than but equal to 10 l/s/ha but less than 15 l/s/ha banding (Band 4) so the proportional charge will be 20%.

Result - The Surface Water Development Contribution Fee due will therefore be:

SWDC = rate (£/m²) x area (m²) x proportional percentage (%)

SWDC = 12.35 x 25000 x 0.20

SWDC = £61,750

² taking into account environmental variables such as wet weather conditions and ground water levels

3. Commuted Maintenance Fee (CMF) Rates

A Commuted Maintenance Fee (CMF) is a one-off charge payable where the Board will become responsible for the future maintenance costs associated with a new culvert, bridge, weir, outfall, or other structure within their Internal Drainage District.

The relevant fee will be stipulated as part of a notification of intent to consent, at which point the applicant will be given a month to accept the Commuted Maintenance fee as a condition of consent. The fee is payable when formal consent is issued following the applicant's confirmed acceptance of the conditions of consent.

The Board will not seek to abandon the commuted responsibilities pertaining to any adopted structure for which a commuted maintenance fee has been paid and recorded in the commuted obligations register. This is true only when there is a defined timeline of adoption which has not elapsed.

Any fees stated within this section are to be increased by inflation annually.

3.1. Culverts in watercourses not owned by the Board

The Board may consider adopting private culverts in watercourses not owned by the Board subject to the payment of a CMF.

In such instances the Board will be responsible only for maintaining the clear flow of water through the structure while it is structurally sound (as determined by the Board's Officers). This will include desilting and vegetation clearance on a recurrence deemed necessary to meet water level management requirements. The responsibility for structural maintenance will remain with the riparian landowner and the Board maintains the right to remove structures which pose a flood risk or safety risk due to poor repair. As such the CMF is derived from the costs that will be incurred by the Board in maintaining the clear flow of water through the structure over the lifetime of the adoption (length of adoption to be determined by the Board).

The CMF for culverts in watercourses not owned by the Board can be determined using tables 4 and 5 below. For culverts over 150 metres the Board's Officers will determine the commuted maintenance fee based on a case by case basis.

Length of Culvert ($\varnothing < 750\text{mm}$)	Length of Adoption	
	50 years	100 years
< 18 metres	£1,539.67	£3,318.25
19 – 50 metres	£5,544.03	£13,130.06
51 – 100 metres	£10,026.22	£24,136.44
101 – 150 metres	£14,773.87	£35,673.74

Table 4: Commuted Maintenance Fees for culverts in a watercourse not owned by the Board with an internal diameter of less than 750mm

Length of Culvert ($\varnothing \geq 750\text{mm}$)	Length of Adoption	
	50 years	100 years
< 18 metres	£1,858.22	£4,114.63
19 – 50 metres	£7,586.03	£18,235.06
51 – 100 metres	£12,068.22	£29,241.44
101 – 150 metres	£20,899.87	£50,988.74

Table 5: Commuted Maintenance Fees for culverts in a watercourse not owned by the Board with an internal diameter greater than or equal to 750mm

3.2. Culverts in watercourses owned by the Board

Any consent granted to install a culvert within a watercourse owned by the Board will be subject to the payment of a CMF. The works may also require a wayleave agreement (please see section 4 of this document).

In such instances the Board will be responsible for maintaining the clear flow of water through the structure (including desilting and vegetation clearance on a recurrence deemed necessary to meet water level management requirements) as well as the structural integrity of the culvert in perpetuity. As such the CMF is derived from the costs that will be incurred by the Board in maintaining both the clear flow of water through the structure as well as the structural integrity.

The CMF for culverts in watercourses owned by the Board can be calculated by adding the relevant figure from table 6 below to the cost of replacement as determined by the Board's officers. For culverts over 150 metres the Board's Officers will determine the commuted maintenance fee based on a case by case basis.

Length of Culvert	Internal Diameter of Pipe (\varnothing)	
	$\varnothing < 750\text{mm}$	$\varnothing \geq 750\text{mm}$
< 18 metres	£1,858.22	£4,114.63
19 – 50 metres	£7,586.03	£18,235.06
51 – 100 metres	£12,068.22	£29,241.44
101 – 150 metres	£20,899.87	£50,988.74

Table 6: Commuted Maintenance Fees for culverts within Board owned Watercourses.

3.3. Watercourses

The Board may consider adopting watercourses in line with Policy 8 of the [Planning and Byelaw Strategy](#). Whether this adoption is to be subject to the payment of a CMF will be

determined on a case by case basis and would be derived from the costs that will be incurred by the Board in maintaining the watercourse over the lifetime of the adoption, as determined by the Board's Officers.

3.4. Sustainable Drainage Systems

The Board may consider adopting private drainage systems in line with Policy 10 of the [Planning and Byelaw Strategy](#). Whether this adoption is to be subject to the payment of a CMF will be determined on a case by case basis and would be derived from the costs that will be incurred by the Board in maintaining the structure over the lifetime of the adoption, as determined by the Board's Officers.

3.5. Pumping Stations

The Board may consider adopting private pumping stations subject to the payment of a CMF. The fee will be determined on a case by case basis and will be derived from the costs that will be incurred by the Board in maintaining the structure over the lifetime of the adoption, as determined by the Board's Officers.

3.6. Water Level Control Structures

The Board may consider adopting private water level control structures subject to the payment of a CMF. The fee will be determined on a case by case basis and will be derived from the costs that will be incurred by the Board in maintaining the structure over the lifetime of the adoption, as determined by the Board's Officers.

4. Wayleave fees

Where an access or works (including freespan bridges) are proposed within / across an area of land owned by a WMA member Board a one-off Wayleave payment to the Board will be due. This payment is due irrespective of who will be responsible for the future maintenance of any structures erected as part of the proposed works. The Wayleave is to be determined by the Board on a case by case basis.

5. Additional Costs

The Board passes on its costs for preparing legal agreements relating to granted consents, including any legal fees and Land Registry costs incurred. A charge may also be levied for the provision of information regarding flood risk and drainage infrastructure, at the discretion of the Board's Officers, or for work relating to hydrological models of watercourses, depending on the type and amount of information required. VAT may be chargeable on fees relating to legal agreements, flood risk/drainage data and hydrological models.

6. Refund Policy

If a formal consent is granted and a SWDC or CMF is paid, the Board will consider withdrawing consent for a new structure, and refunding the SWDC or CMF, if the proposed works are abandoned by the applicant within 3 years of the consent being issued. If subsequently the proposals are re-established a new consent application will be required. Future consent is not guaranteed.

Application Fees are non-refundable.