

Black Sluice Internal Drainage Board

Policy No: 44

Development Control Charges and Fees

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1. Document Purpose

- 1.1. This document has been prepared to detail the applicable charges and fees associated with the regulatory functions of the Black Sluice Internal Drainage Board (BSIDB). The charges and fees detailed in this document relate to the following activities;
- Consent application fees
 - Surface Water Development Contributions (“SWDCs”)
 - Commuted Maintenance fees
 - Wayleave fees
- 1.2. The charges associated with consent application fees are set out in **Table 1** of this document.

2. Surface Water Development Contribution (SWDC) Rates

- 2.1. 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. Surface Water Development Contributions are payable at the time and rate applicable when the consent application is validated by the Board.

- 2.2. 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**)
 - Establishing the charging band the proposed discharge rate (in litres/second/impermeable hectare) will fall into (**see Table 3**)

2.3. The Surface Water Development Contribution equation is therefore;

$$\text{SWDC Fee} = \text{Impermeable area band in (£/m}^2\text{) (from Table 2)} \times \text{area of impermeable surface proposed as part of development (m}^2\text{)} \times \text{discharge rate banding (\%) (from Table 3)}$$

2.4. PLEASE NOTE

- the current maximum charge applicable is £129,456 per impermeable hectare for sites with less than 5ha of impermeable area proposing to discharge at an un-attenuated rate.
- that 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 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 event¹ 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**).

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

¹ taking into account environmental variables such as wet weather conditions and ground water levels

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 £19.37/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 = £19.37 x 25000 x 0.20

SWDC = £96,850

*The current rate will increase annually in line with the Penny Rate.

3. Commuted Maintenance Fees

- 3.1. A Commuted Maintenance fee 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. In the case of a culvert or bridge, the Board will not be responsible for the wearing surface, and in the case of an outfall, only the headwall structure will be maintainable by the Board.
- 3.2. The Commuted Maintenance fee is paid by the applicant in addition to the cost of construction of the structure, although if the future maintenance of the structure will rest with another local authority or public body e.g. the relevant Highways Authority, then no such fee is payable to the Board.
- 3.3. The Commuted Maintenance fee due where a watercourse is Board-maintained is 130% of the cost of materials, as priced by the Board's Officers.

Please note: if the structure is to be located on land owned by the Board it may also be subject to a Wayleave fee as described in the section below.

- 3.4. The relevant fee will be stipulated as part of a notification of intent to consent when 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 receipt by the Board of the signed notification that confirms acceptance of the conditions of consent.
- 3.5. **Please note:** Due to the many various designs and differing complexity of Sustainable Drainage Systems ("SUDS") and other drainage infrastructure, if the Board agrees to take on the future maintenance of any of these types of assets, the Commuted Maintenance fee will be calculated on a case-by-case basis.

4. Wayleave Fees

- 4.1. Where works are proposed within an area of land owned by the 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 current Wayleave fee is set at 100% of the cost of materials used to construct the structure that is to be erected on Board owned land (as priced by the Board's Officers).

Please note: the structure, if to be adopted by the Board may also be subject to a Commuted Maintenance fee as described in the section above.

Table 1: Listing of consent application fees

Table 1: Listing of consent application fees Description	Reason for charge being levied	Fee due ² (No VAT)
Application to alter a watercourse	Application under Section 23 of the Land Drainage Act 1991 (and the Board's Byelaws where a watercourse is Board-maintained)	£50.00
Application for a relaxation of one of the Board's Byelaws (not Byelaw No.3)	Application for a relaxation of the Board's Byelaws (usually Byelaw No.10)	£50.00
Application to install land drain outfalls into a Board-maintained watercourse	Application for a relaxation of the Board's Byelaws (per watercourse)	£50.00
Application to discharge surface water into any watercourse	Application for a relaxation of Board Byelaw No.3 (and possibly other Byelaws)	£100.00
Application to discharge treated foul water into any watercourse ²	Application for a relaxation of Board Byelaw No.3 (and possibly other Byelaws)	£100.00

Please note: 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.

The Board also 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.

Table 2: Impermeable area bandings

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	19.37
2	5	10	16.44
3	10	15	14.20
4	15	20	12.27
5	20	25	10.17
6	25	n/a	6.57

*The contribution rates will increase annually in line with the Penny Rate.

Table 3: Discharge rate bandings

Banding	Equivalent run-off rate (litres/second/hectare)		SWDC rate (as % of full contribution rate)
	Is greater than (>)	and is less than or equal to (≤)	
1	0	1.4	3
	Is greater than (>)	and is less than (<)	
2	1.4	5	10
	Is greater than or equal to (≥)	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