

River Stour (Kent) Internal Drainage Board

Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer, other Members of Staff, the Finance, General Purposes & Works Committee and the Chairman, Vice Chairman and Deputy Vice Chairman of the Board to act with delegated authority in the specific circumstances detailed.

Proper Officer and Responsible Financial Officer Duties and Powers

1. Responsible Financial Officer

The Finance & Rating Officer of the Board shall be the Board's Responsible Financial Officer and shall be responsible for the Board's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1 The Clerk & Engineer to the Board shall be the Proper Officer of the Board and as such is specifically authorised to:

- a. Receive and record notices disclosing pecuniary interest.
- b. Sign Notices or other documents on behalf of the Board.
- c. Act as the Board's Agent in respect of the management of the lease of the Board's Flat at 34A Gordon Road, Canterbury CT1 3PW.
- d. Maintain, on behalf of the Board, a register containing information in respect of all drainage hereditaments in the Drainage District (Section 52 of the Land Drainage Act 1991).
- e. Act as the Board's Returning Officer at the election of the Board's Elected Members (Land Drainage (Election of Internal Drainage Boards) Amendment Regulations 1977).

2.2 In addition, the Clerk & Engineer to the Board has the delegated authority to undertake the following matters on behalf of the Board:

- a. The day-to-day administration of the Board, together with routine inspection and control.
- b. The day-to-day supervision and control of the Board's Staff.
- c. To call any extra meetings of the Board or any of its Committees or Sub-Committees as necessary, having first consulted with the Chairman and Vice Chairman.
- d. Authorisation to respond immediately to any correspondence, requiring or requesting information which relates to previous decisions of the Board, but not to correspondence requiring an opinion of the Board that is still to be made.
- e. Authorisation to approve all routine recurring expenditure within the approved annual budget.
- f. Authorisation to approve emergency expenditure up to a maximum of £10,000, in consultation with the Chairmen, outside the approved annual budget. Details of the emergency expenditure are to be reported in full to the Board at its next regular meeting (Financial Regulations 3.14).
- g. Authorisation to issue Consents for Works approved by the Chairman or Vice Chairman under Delegated Powers (See 6.1a below).
- h. Authorisation to issue Drainage Rate Demands to agricultural ratepayers.
- i. Authorisation to issue Special Levies to the Special Levy Councils.

2.3 The delegated actions of the Clerk & Engineer to the Board shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and in line with any other directions given by the Board from time to time.

2.4 The Clerk & Engineer to the Board is specifically authorised to:

- a. Enter any land in the Board's Drainage District for the purpose of exercising any functions under the Land Drainage Act (Section 64 of the Land Drainage Act 1991).
- b. Enter and survey any land in the Board's Drainage District (including the interior of any mill through which water passes or in connection with which

water is impounded) and take levels of the land and inspect the condition of any drainage work on it (Section 64 of the Land Drainage Act 1991).

2.5 In addition, the Clerk & Engineer to the Board has the delegated authority to undertake the following matters on behalf of the Board:

- a. To administer the Board's Watercourse Maintenance contracts.
- b. To make arrangements and administer other works, outside the Board's main contracts, as required.
- c. To submit comments, on behalf of the Board, in respect of planning and development proposals that are within, or may have the potential to affect, the Board's Drainage District.
- d. Sign Notices or other documents in respect of operational matters on behalf of the Board.
- e. To liaise directly with Environment Agency and other Operating Authorities on all Flood & Coastal Defence Risk Management matters that may affect, or have the potential to affect, the Board's Drainage District.
- f. To liaise directly with Natural England, the Environment Agency and all other local conservation and biodiversity bodies /organisations on all conservation and biodiversity matters that may affect, or have the potential to affect, the Board's Drainage District.

(In the event of the Clerk & Engineer to the Board's long-term absence from work due to ill health etc, the Clerk & Engineer to the Board's duties and delegated powers will be assumed by the Board's Finance & Rating Officer.)

3. Other Members of Staff

3.1 All of the Board's Staff are authorised to:

- a. Enter any land in the Board's Drainage District for the purpose of exercising any functions under the Land Drainage Act. (Section 64 of the Land Drainage Act 1991).
- b. Enter and survey any land in the Board's Drainage District (including the interior of any mill through which water passes or in connection with which

water is impounded) and take levels of the land and inspect the condition of any drainage work on it. (Section 64 of the Land Drainage Act 1991).

3.2 The Technical Assistant has the delegated authority to undertake the following matters on behalf of the Board:

a. To submit comments, on behalf of the Board, in respect of planning and development proposals that are within, or may have the potential to affect, the Board's Drainage District.

b. To liaise directly with Environment Agency and other Operating Authorities on all Flood & Coastal Defence Risk Management matters that may affect, or have the potential to affect, the Board's Drainage District.

c. To liaise directly with Natural England, the Environment Agency and all other conservation and biodiversity bodies/organisations on all conservation and biodiversity matters that may affect, or have the potential to affect, the Board's Drainage District.

d. To lead on technical matters, in consultation with all other staff.

3.3 The Engineering Assistant has the delegated authority to undertake the following matters on behalf of the Board:

a. The day-to-day supervision and control of the Board's contractors.

b. To liaise directly with Environment Agency and other Operating Authorities on routine maintenance activities.

c. To liaise directly with Natural England, the Environment Agency and all other conservation and biodiversity bodies/organisations on all conservation and biodiversity matters that may affect, or have the potential to affect, the Board's Drainage District.

d. To lead on operational Health & Safety matters, in consultation with all other staff.

4. Finance, General Purposes & Works Committee

4.1 The Finance, General Purposes & Works Committee shall be delegated to make decisions on behalf of the Board in respect of the following matters:

- a. Responsible for all matters relating to financial management of the Board's affairs, including the preparation of annual estimates and the approval of financial monitoring reports in respect of investment income and other banking arrangements, but not the setting and levying of drainage rates and Special Levies or the borrowing of money.
- b. Audit arrangements and audit reviews.
- c. Preparing, for the Board's approval, responses to legislative and other allied consultations.
- d. Any other matter which may be delegated to it by the Board.

The Finance, General Purposes and Works Committee may refer specific matters to the Board for a final decision if it so wishes.

5. Other Committees or Sub-Committees

5.1 The Board may appoint such Committees or Sub-Committees as it thinks fit but all acts of any Committee or Sub-Committee shall be subject to the approval of the Board unless the Board has delegated its powers to that Committee or Sub-Committee to deal with a specific issue (Standing Order 10).

6. Chairman, Vice Chairman and Deputy Vice Chairman

6.1 The following powers are delegated to the Chairman, Vice Chairman and Deputy Vice Chairman:

- a. The Chairmen are authorised to consider and approve, on behalf of the Board, all applications for the Board's Consent for Works that are likely to have a material effect on the flow of any IDB Designated Watercourse or Ordinary Watercourse within the Board's Drainage District (Section 23 of the Land Drainage Act 1991 and the Board's own Byelaws), following consultation with local Members.
- b. The Chairmen are authorised to jointly consider and approve all applications in respect to changes in staff remuneration packages, including recommendations made by the ADA Lincolnshire IDBs Pay and Conditions Advisory Committee.

7. Board

7.1 The following matters are reserved to the Board for approval, notwithstanding that the Finance, General Purposes and Works Committee may make recommendations thereon for the Board's consideration:

- a. Election of the Chairman, Vice Chairman, and Deputy Vice Chairman if it so wishes, of the Board in accordance with Standing Orders.
- b. Appointment of Members to the Finance, General Purposes and Works Committee.
- c. Approval of the appointments of Members to any other Board Committee or Sub-Committee.
- d. Approval of the Board's long-term objectives and strategy.
- e. The setting and levying of Agricultural Drainage Rates and Special Levies.
- f. To approve the borrowing of any money or the repayment of any existing loans.
- g. Approval of the Board's Annual Accounts and Annual Return.
- h. Approval of annual estimates, revised estimates and other budgets.
- i. Approval of any significant changes in accounting policies or practices.
- j. Approval of any changes to the Board's Byelaws, in accordance with Section 66 of the Land Drainage Act 1991.
- k. Approval of any changes to the Board's Standing Orders and Financial Regulations.
- l. Approval of Board Meeting Minutes and Reports.
- m. The making of any Orders under Statutory Powers.
- n. To ensure that the Board employs and maintains a sound system of Internal Control and Risk Management, including periodic reviews of its effectiveness.

- o. Approving the dates, times and venues of Board meetings.
- p. Approving the date and programme for Members' Visits.
- q. Approving all appointments to the Board's Staff (approval of posts – appointments can be delegated to sub-committee).
- r. Approving the appointment of the Internal Auditor.

8. Urgent Matters

In the event of any matter arising which requires an urgent decision, the Clerk & Engineer to the Board shall consult with the Chairmen before taking any action on behalf of the Board. Any actions that have been taken in respect of urgent matters are to be reported to the Board in full at its next regular meeting.

9. Delegation – Limitations

Board Members, Committees, Sub-Committees and Officers shall, at all times, act in accordance with the Board's Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other Rules, Regulations, Schemes, Statutes, Byelaws or Orders made and with any directions given by the Board.

10. Adoption and Review

The River Stour (Kent) Internal Drainage Board adopted this Scheme of Delegation on 9th June 2022 (minute ref: A2-2.1). This document will be reviewed in 5 years, sooner if necessary, and in conjunction with other relevant Board policy.