

North Kent Marshes Internal Drainage Board

Scheme of Delegation

This Scheme of Delegation authorises the Clerk and Engineer to the Board, the Deputy Clerk and the Chairman and Vice Chairman of the Board to act with the delegated authority in the specific circumstances detailed.

1 Clerk and Engineer

1.1 The Clerk/Engineer to the Board shall be the Boards Responsible Financial Officer (RFO) and shall be responsible for the Boards accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time and with support from Medway Council's Business Support Department.

The Clerk 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. 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).
- d. Act as the Boards Returning Officer at the election of the Boards Elected Members (Land Drainage (Election of Internal Drainage Boards) Amendment Regulations 1977).

1.2 In addition, the Clerk 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 the routine inspection and control.
- b. The day to day supervision and control of the Board's Staff (where applicable).
- 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 routing recurring expenditure within the approved annual budget.

- f. Authorisation to approve emergency expenditure up to a maximum of £10,000, in consultation with the Chairman and Vice Chairman, outside the approved annual budget. Details of the emergency expenditure are the 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 and Vice Chairman under Delegated Powers (See 3.1a) below.
 - h. Authorisation to issue drainage rate demands to agricultural ratepayers.
 - i. Authorisation to issue Special Levies to the Special Levy Councils.
- 1.3 The delegated actions of the Clerk 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 the Board from time to time.
- 1.4 In the event of the Clerk's long term absence from work due to ill health etc, the Clerks duties and delegated powers will be assumed by the Board's Deputy Clerk where available.
- 1.5 The Clerk 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).
- 1.6 In addition, the Clerk to the Board has the delegated authority to undertake the following matters on behalf 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 any planning and development proposals that are within, or may have the potential to affect, the Boards, Drainage District.
 - d. Sign Notices or other documents in respect of operational matters on behalf of the Board.
 - e. To liaise directly with the Environment Agency and other Operating Authorities on all Flood and Coastal 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 matters that may affect or have the potential to affect, the Board's Drainage District.

2 Other Committees or Sub Committees

- 2.1 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 powers to that Committee or Sub Committee to deal with a specific issue (Standing Order 11).

3 Chairman and Vice Chairman

- 3.1 The following powers are delegated to the Chairman and Vice Chairman.
- a. The Chairman and Vice Chairman 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).

4 Board

- 4.1 The following matters are reserved to the Board for approval. Any subcommittee of the Board may make recommendations thereon for the Board's consideration.
- a. Election of the Chairman and Vice Chairman 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 existing loans.
- g. Approval of the Board's Annual Accounts and Annual Return.
- h. Approval of annual estimates, revised estimated 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 the Members' Annual Visit/Inspection.

- q. Approving all appointments to the Board's Staff.
- r. Approving the appointment of the Internal Auditor.

5 Urgent matters

In the event of any matter arising which required an urgent decision, the Clerk to the Board, shall consult with the Chairman and the Vice Chairman before taking any action on behalf 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.

6 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, By Laws or Orders made and with any directions given by the Board.

7 Review date

This document shall be reviewed periodically as and when required in conjunction with other relevant Board policy. At minimum a review should take place every five years.