



**AXE BRUE, PARRETT & NORTH SOMERSET LEVELS  
INTERNAL DRAINAGE BOARDS**

**GOVERNANCE  
SCHEME OF DELEGATION**

Version 1.2

Approved by the Boards:		
Axe Brue IDB	01 April 2019	Chairman
Parrett IDB	01 April 2019	Chairman
North Somerset Levels IDB	01 April 2019	Chairman

To be reviewed every 12-months

# AXE BRUE, PARRETT & NORTH SOMERSET LEVLES INTERNAL DRAINAGE BOARDS

## SCHEME OF DELEGATION

### SCHEDULE OF MATTERS RESERVED FOR THE BOARD

(All sections and schedule numbers refer to the Land Drainage Act 1991)

#### 1.0. Board Structure and Procedures:

1.1. Any change to the Boards' status or application to alter the boundaries, or to in any way reorganise the Internal Drainage District, in accordance with Sections 2 and 3 of the Land Drainage Act 1991.

1.2. Changes to the structure, size and composition of the Board, following the triennial comparison of aggregate values pursuant to Schedule 1 Part 2 Section 6 of the Land Drainage Act 1991.

1.3. Major changes relating to the rateable value of the drainage district, the district structure for rating and capital structure, including balances, provisions and reserves.

1.4. Approval of Board minutes and reports together with any major changes in their format.

1.5. Responsibility for the overall management of the Internal Drainage Board (IDB).

#### 2.0. Board Membership and other Appointments

2.1. Election of the Chair and Vice Chair of the Board in accordance with Standing Orders.

2.2. Membership and Chairing of Board committees together with delegated powers.

2.3. Filling casual vacancies, if for any reason whatsoever the place of an elected member becomes vacant before the end of their term of office, in accordance with Schedule 1 Part 3 section 10 of the Land Drainage Act 1991.

2.4. Appointment or removal of the Returning Officer and approval of the Electoral Register.

2.5. Appointment or removal of any Member or Officer to recover outstanding Rate payments in a Court of Law in accordance with section 54 (2) of the Land Drainage Act 1991.

2.6. Appointment or removal of the Internal Auditor and accountants.

2.7. Any application made to the **Smaller Authorities Audit Appointments Ltd (SAAA)** to remove, appoint or re-appoint the external auditor.

2.8. Appointment of members to outside bodies, the SDBC (Somerset Drainage Boards Consortium) Management Committee, joint committees and any subsidiary Board.

2.9. Ensuring adequate succession planning for senior management

### **3.0. Management Structure and Internal Controls**

- 3.1. Major changes to the Board's management and control structure.
- 3.2. Setting up, reviews and changes to the Board's Standing Orders and Financial Policy and Internal Controls.
- 3.3. Approval of any works/activities that may be requested by the Environment Agency using their supervisory powers (section 7 of the Land Drainage Act 1991) or their default powers (section 9 of the Land Drainage Act 1991).
- 3.4. Approval of any adoption/abandonment, adding to or decreasing the liability for significant land drainage infrastructure within the drainage district.
- 3.5. Approvals of consultation responses made to or from the Environment Agency or other third party to en-main, de-main or reclassify any land drainage/flood defence infrastructure within the drainage district. (*Delegated to the Chair and Vice Chair if no Board meeting within the consultation response timescale.*)
- 3.6. Approving the dates and times of Board meetings and inspections.

### **4.0. Strategies**

- 4.1. Approval and review of the IDBs long term objectives and strategy.
- 4.2. Extension of the Board's activities into new business or geographic areas.
- 4.3. Material changes in general supervision over matters relating to the drainage of land in the drainage district.
- 4.4. Changes to the Viewed Rhyne Network

### **5.0. Financial Controls and Reporting**

- 5.1. Approval and review of the financial and corporate Risk Assessment.
- 5.2. Approval of the Financial Statement for inclusion in **any** annual report.
- 5.3. Approval and reviews of the annual operating, maintenance and capital expenditure budgets and any material changes to them:

Delegated powers for in year Budget changes reported at next Board meeting		
Virement of Budgets	Over £10k and up to £100k	Chair and Vice Chair
Virement of Budgets	Up to £10k	2 x from Clerk, Dir Ops and Finance Officer
Increasing Budget	Up to £50k	Chair and Vice Chair

5.4. Approval of the annual report and accounts, including the corporate governance statement and remuneration report.

5.5. Approval of Consortium accounts.

5.6. Approval of the reserves policy and changes in the level of any provision, or reserve.

5.7. Levying of Drainage Rates and Special Levies.

5.8. Approval of any significant changes in accounting and investment policies or practices.

5.9. Approval of any write-off of rates over £20, and any material rating amendment or exemption.

5.10. Approval of any commutation of obligations and of the financial consequences over a value of £5,000.

5.11. Approval of applications for grant aid and requests for contributions over £50,000 made to DEFRA, the Environment Agency or others. Approval of contributions to outside bodies over £1000.

## 6.0. Contracts and Legal Agreements

6.1. Authorisation for awards of Contract are as follows:

6.1.1. Award of tenders for projects within approved annual budget:

Value	Authorising posts
Up to £100k	2 x from Clerk, Dir Ops and Finance Officer
£100k to £300k	Chair and Vice Chair
Over £300k	Finance & Works Sub-Committee with delegated powers

6.1.2. Approval of costs for works in addition to the approved Project Budget :

Value	Authorising posts
Up to £25k	2 x from Clerk, Dir Ops and Finance Officer
£25k to £100k	Chair and Vice Chair
Over £100k	Full Board

6.1.3. Tender award where the tender sum is in excess of the approved project budget:

Value	Authorising posts
Up to 5% or £25k whichever is greater	2 x from Clerk, Dir Ops and Finance Officer
Up to 10% or £100k whichever is greater	Chair and Vice Chair

6.1.4. Authorising payments (BACS) of invoices for works within approved project budgets:

Value	Authorising posts
Up to £150k	2 x from Clerk, Dir Ops and Finance Officer
Over £150k	Clerk, Finance Officer, Chair and Vice Chair

6.2. Contracts which are material, strategically or by reason of size, entered into by the Board in the ordinary course of its undertakings, for example any borrowings over £1,000 or any long term commitment (beyond one year), acquisitions or disposals of fixed assets above £15,000 (excluding land).

6.3. Contracts not in the ordinary course of its undertakings, for example any joint administration arrangement or extension to include others in such an arrangement, any loans and repayments; all foreign currency transactions above £5,000; and major acquisitions or disposals above £5,000 (excluding land), and any purchase/disposal of land (whether compulsorily acquired or otherwise).

(Sums between £5,000 and £25,000 will be the subject of delegated powers to the Chair and Vice Chair by the Board).

6.4. Legal agreements for commuted sums for taking over assets constructed by third parties, the value of which is over £10,000.

6.4.1. Under £10,000 the Clerk shall be empowered to sign documents on behalf of the Board.

6.4.2. Over £10,000 the Chairman and the Clerk are empowered to sign documents on behalf of the Board.

6.5. Legal agreements between the Board and other bodies for the undertaking of works or activities in conjunction with or on behalf of that body over the value of £10,000.

6.5.1. Under £10,000 the Clerk shall be empowered to sign documents on behalf of the Board.

6.5.2. Over £10,000 the Chairman and the Clerk are empowered to sign documents on behalf of the Board.

6.6. The granting of any rights over IDB land shall be delegated to the Chair and Vice Chair by the Board.

6.7. Approval of compensation payments:

Value	Authorising posts
Up to £3k	2 x from Clerk, Dir Ops and Finance Officer
£3k to 10k	Chair and Vice Chair
Over £10k	Full Board

6.8. Where any matters relating to Section 6 require urgent action then the Chair and Vice Chair are empowered to act on behalf of the Board or enter into an agreement that will be ratified at the next Board.

## **7.0. Remuneration and Employment.**

7.1. Approving the remuneration policies, remuneration and salaries for employees. Delegated to the SDBC Management Committee or the SDBC Salaries Committee.

7.2. The introduction of new employee incentive schemes or major changes to existing schemes. Delegated to the SDBC Management Committee or the SDBC Salaries Committee.

7.3. Approving any application to pay the Chairman of the Board an allowance, for the purpose of enabling him/her to meet the expenses of his/her office, in accordance with Schedule 2 section 1 of the Land Drainage Act 1991.

7.4. Determining the policy of paying allowances or reimbursing expenses incurred by Board Members, in accordance with Schedule 2 section 1 of the Land Drainage Act 1991.

7.5. Approval of any severance packages awarded to employees in excess of the statutory minimum or of any pension enhancement made.

7.6. The employment, dismissal or redundancy of the Chief Executive/Clerk, Finance Officer and the Director of Operations.

7.7. The Terms & Conditions of employment for Axe Brue, Parrett and Consortium employed Staff, as well as General Policies within the Staff Handbook, are delegated to the Somerset Drainage Boards Consortium Management Committee or SDBC Salaries Committee.

7.8. For NSLIDB employed Staff, Terms & Conditions are set out within the NSLIDB Conditions of Service documents.

## **8.0. Delegation of Authority**

8.1. The division of responsibilities between the Chairman and Chief Executive, which should be in writing.

8.2. The setting-up, Terms of Reference and delegated powers for any Board Committees or Sub-Committee.

## **9.0. Corporate Governance Matters**

9.1. Undertaking a formal and rigorous review of the Board's own performance, that of its committees/joint committees, individual members and of those appointed to outside bodies.

9.2. Determining the independence of members.

9.3. Considering the balance of interests between ratepayers, billing authorities, employees, developers and the community.

9.4. Reviewing the Board's overall corporate governance arrangements and committee structure.

## **10.0 Policies**

10.1 Approval of all Policies.

## **11.0. Other**

11.1. Changes to the Board's Byelaws, in accordance with section 66 of the Land Drainage Act 1991.

11.2. Approval of enforcement action involving costs over £1,500. Prosecution, defence or settlement of litigation involving costs above £1,500 or being otherwise material to the interests of the IDB. Settlement of other disputes or claims over £5,000 or being otherwise material to the interests of the IDB.

Enforcement Action	
Value	Authorising post
Up to £1,500	Clerk
Prosecution, defending litigation, settlement of litigation or claims	
Up to £1,500	Clerk
£1,500 to £5,000	Chair
Over £5,000	Full Board

11.3. Approval of any appeal lodged against the precept levied by the Environment Agency.

11.4. Approval of the overall levels of insurance for the authority including Directors' and Officers' liability insurance, indemnification of Board members and personal accident insurance.

11.5. Changes to the rules of the Board's pension schemes/admissions policies, changes in trustees or changes in the fund management arrangements.

11.6. Changes to those authorised to institute legal proceedings, pursuant to various powers afforded to the Board by the Land Drainage Act 1991.

11.7. Changes to 'The Schedule of Matters Reserved for the Board'.

11.8. Consents for major and controversial developments under Land Drainage Act and Byelaws.