



Scheme of Delegation

Reserved Matters, Board Delegation, Committee Terms of Reference and Officer Responsibility

June 2026

Upper Medway Internal Drainage Board

Scheme of Delegation 2026

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1. The Board

The Upper Medway IDB has approved a schedule of reserved matters which clearly sets out those decisions that only the Board can take. All other matters which, by definition, the Board considers suitable for delegation or may otherwise need to be dealt with between Board meetings are hereby delegated to the Officers and Committees as set out in this Scheme of Delegation, in accordance with Rules made by the Board and approved by the Secretary of State.

1.1 Quorate Operation

As per the constitution document signed by the Secretary of State, the Board will consist of 19 members, 10 appointed and 9 elected. The quorum for this Board will be 6 members, meaning that any meeting held without that number present will be for information only.

1.2 Reserved Matters

The purpose of having a schedule of reserved matters for the Board is that, without such a schedule, many decisions that the Board would expect to take can fall within the delegated authority of an executive, committee, or joint committee. The existence of a schedule of matters reserved for the Board provides an internal safety net to ensure that these decisions have to be referred to the Board. It also simplifies the process of delegation and makes it easier for the Board to give executives and committees the powers they need to perform their functions. Broader powers can be delegated if they are made subject to the exceptions set out in the schedule. A schedule also allows company-wide changes to be made without having to alter the terms of delegation for each individual or committee.

No matter how effective a Board may consider itself, it is not possible for members to have hands on involvement in every area of the Internal Drainage Board's business. An effective Board controls the fiscal oversight and strategic direction but delegates day to day responsibility to the executive management. That said there are a number of matters which are required to be, or, in the interests of the organisation, should only be decided by the Board as a whole. It is therefore incumbent upon the Board to make it clear what these 'Reserved Matters' are.

The following matters are reserved to the Board for approval, notwithstanding that the Finance and Audit Committees may make recommendations thereon for the Board's consideration:

- Election of the Chairman and Vice Chairman of the Board in accordance with Standing Orders.
- Appointment of Members of the Finance, Conservation, and Works Committees.
- Approval of any casual vacancy fulfilment
- Approval of the appointments of Members to any other Board Committee or Sub- Committee.
- Approval of the Board's long-term objectives and strategy.
- The setting and levying of Agricultural Drainage Rates and Special Levies.
- To approve the borrowing of any money or the repayment of any existing loans.
- Approval of the Board's Annual Accounts and Annual Return.
- Approval of the annual estimates, revised estimates, and other budgets.
- Approval of any significant adoption or changes in accounting policies or practices.
- Approval of any changes to the Board's Byelaws, in accordance with S.66 of the Land Drainage Act 1991.
- Approval of any changes to the Board's Standing Orders and Financial Regulations.
- Approval of Board Meeting Minutes and Reports.
- The making of any Orders under Statutory Powers.
- To ensure that the Board employs and maintains a sound system of Internal Control and Risk Management, including periodic reviews of its effectiveness.
- Approving the dates, times and venues of Board meetings.
- Approving the date and programme for the Members' Annual Visit/Inspection.
- Approving all appointments to the Board's Staff, including creation of roles and titles.

- Approving the appointment of the Internal Auditor.
- Approval of Public Sector Co-operation Agreements (PSCA).
- Approval of works with other Boards and public authorities under collaboration or joint service.

2. Officers

2.1 Clerk and Proper Officer

The Upper Medway Internal Drainage Board has a Clerk who acts as the Chief Executive Officer, Proper Officer, and as the Returning Officer. As per the division of responsibilities, the Clerk will oversee the management of the Board activities and day-to-day running including, but not limited to, creation of strategic direction proposals, practical delivery, conservational works, policy creation, and financial oversight. The Clerk, in conjunction with the Finance Officer will perform the duties relating to day-to-day financial management, and for all other departments and functions utilise key department managers and heads as required.

The Clerk will represent the Board in all instances where the Chairman and Vice-Chairman, or any other Board member, cannot be present.

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

- Receive and record notices disclosing pecuniary interest.
- With permission sign notices on behalf of the Board or other documents on behalf of the Board.
- 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). {this section covers the statutory map with adopted watercourses marked}
- 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).

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

- The day-to-day administration of the Board, together with routine inspection and control.
- The day-to-day supervision and control of the Board's Staff.
- 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 of that committee.
- 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.
- Authorisation to approve all routine recurring expenditure within the approved annual budget.
- Authorisation to approve emergency expenditure up to a maximum of £10,000, in consultation with the Chairman and Vice Chairman of the relevant Board or committee, 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).
- Authorisation to issue drainage rate demands to agricultural ratepayers once the Board has set the rate for the relevant financial year.
- Authorisation to issue Special Levies to the Special Levy Councils once the rate has been set by the Board for the relevant financial year.
- Authorisation to access specific reserves (that being the finances within Plant Replacement Fund, and or Surplus Reserves) for the additional procurement of necessary tooling, contractors, and plant, up to a limit of £5,000. All instances of reserves spending to be reported at the next Finance Committee and Board meeting and within the budget reports.

- Authorisation to approve use of the Surface Water Legal reserve for matters relating to planning and development enforcement or legal defence. All instances of reserves spending to be reported at the next Finance Committee and Board meeting within the budget reports.

The delegated actions of the Clerk of 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 Boards from time to time.

In the event of the Clerk of the Board's long-term absence from work due to ill health etc, the Board's Finance Committee shall delegate powers.

2.2 Responsible Finance Officer

The act of Responsible Financial Officer is part of the Finance Officer role to ensure efficient and appropriate delegation of critical responsibility regarding financial provision and audit. The Finance Officer shall be the Responsible Financial Officer for the Board and shall be responsible for the Board's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time. The Clerk will retain overall responsibility for the financial provision and management in any instance.

The Responsible Finance Officer will ensure the suitable presentation of all statutory documents related to finance and audit. They will then request the signature of the Board Chairman and Clerk by way of authorisation at the next meeting of the Board. At no time should the Chairman or the Vice-Chairman (if Chairman of the Finance Committee), be appointed as the Clerk or RFO, as per 5.11 Auditors Practitioners Guide 2024.

2.3 Engineer to the Board

The Clerk will perform the role of the Engineer to the Board and shall be the Board's Engineering and Technical Officer. They shall be responsible for all engineering, practical, technical, conservation, and health & safety related matters, in accordance with current legislation and Board policies.

The Engineer to the Board is specifically authorised to:

- 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).
- 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).

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

- To administer the Board's Watercourse Maintenance and Water Level Control & Emergency Response contracts.
- To make arrangements and administer other works, outside the Board's main contracts, as required.
- 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.
- 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.
- 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 or associated watershed catchment.

2.4 Additional Officers

Additional officers such as the Works Manager, Conservation Officer, Sustainable Development Officer and any other officer deemed necessary by the Board will be approved in the same manner as a role designation is done. This will be accompanied by a job description and remuneration package for the officer specifically. All Officers will be under the day-to-day supervision and management of the Clerk, who will assign appropriate departmental responsibility to them in order to achieve the Board's and their own strategic objectives.

3. Committees

The Board may use committees to ensure suitable oversight, provision, scrutiny, and involvement of collective Board expertise is utilised for the benefit of the district and the public purse (outside of the regular main meetings). Each of the Committees shall fulfil its role as specified in their terms of reference. The Committees shall also exercise their delegated powers in accordance with the Rules, any Consortium/collective Agreement, and the Board's Financial Regulations, Orders, Policies and Procedures.

Committees are only created at full board meetings, where their initial use should be agreed by the Board. Any further delegations will be added or amended to this document, which will then require Board ratification prior to it being considered as accepted delegation for that committee.

The election and subsequent appointment of committee members should be conducted every 3 years and typically be carried out at the same time as the election for the main Board Chairperson and Vice-Chairperson. The election of a chairperson for each committee should also be carried out either on voluntary request or election (in the event of more than one person wishing to be chair). The Board in any case will need to ratify all appointments

In the absence of the chair, each committee will appoint a temporary chair for that meeting, and should there be a vacancy for any reason, this should attempt to be filled at the next full meeting of the Board.

Voting rights for each committee decision are only given to official members of the committee (read: those recognised in the organisational chart as approved at the committee elections or added and noted by the Board within election periods), and not to attending Board members, with the Chair of the committee having the casting vote, where required.

Each meeting should have the following:

- A formal agenda
- A sitting chairperson (can be ad hoc voted on in the absence of a Chair where required)
- A quorate membership (unless agreed to be for information only)
- Minutes or a summary
- An updated action list
- A report submitted to the main Board (can be collated if several events occur between meetings)

3.1 Finance Committee

The **Finance Committee** is a sub-committee of the Board with delegation relating to the financial arrangements and oversight of the Board's budgets, purchases and expenditure. The committee will have delegation to act on behalf of the Board relating to the following:

- Financial management of the Board's affairs in conjunction to those powers already delegated to the Clerk, including preparation of annual estimates, approval of financial monitoring reports in respect of investment income, setting up of funds or trusts (after Board approval of initiatives), and/or other banking arrangements

- Credit and debit card approvals. Credit card approvals will be limited to £10,000 per card holder and the committee must notify the Board when a new card holder is approved at the next meeting of the Board.*
- Recommendation for, but not the setting or levying of, drainage rates and Special Levies.
- Internal and external audit arrangements and audit reviews to be carried out at least annually.
- Preparing, for the Board's approval, responses to legislative and other allied consultations, including that of Public Services Cooperation Agreements.
- Approval of emergency, non-budgeted purchases and contracts where there is immediate threat to the Board or the district e.g., use of additional contractors in the event of flood or other disaster.
- Investing the Board's reserves in line with the Investment Policy agreed annually by the Board.
- Review and recommend relevant policies on an annual or otherwise stated basis
- Any other matter which may be delegated to it by the Board.

*Note: There will be no grounds for exceeding the £10,000 limit of a credit card in a single year without Board approval.

Constitution and Restrictions

The committee will consist of at least 5 members of the Board. The Clerk and the Finance Officer will attend as administrative officers. The required quorum is 3 Board members. In any other event the meeting will be documented and reported as normal. All other Board members are welcome, but not obliged, to attend. The Finance Officer or Clerk will act as secretary and lead officer for the committee, working with the Chairperson of the committee to arrange the meeting dates, agendas, and workgroups. The Chairperson may invite any other member of the Board or staff or person deemed necessary for the successful completion or provision of key information pertinent to the agenda or work of the committee. The minutes of the meetings shall be taken by the Finance Officer or the Clerk, or as otherwise delegated by the committee.

The committee will be formed to oversee the financial affairs of the Board but will have a limited ability in which to approve non-budgeted items. The committee will have the authority to approve non-budgeted purchases, relating to both capital and revenue needs, to the value of £50,000, with an annual limit to these purchases of £200,000. These purchases will require explanation and justification at the next full Board meeting.

The committee does not have the ability to authorise the sale of any Board owned property (read: buildings or land) or any assets over £50,000 in value.

The committee is not permitted to authorise the borrowing of money unless there is an immediate threat to the financial position of the Board or threat to stakeholders e.g., a need to protect against flooding

The committee has the ability to agree Public Services Cooperation Agreements where there is a pressing need, for example risk of flooding or excessive cost to the Board for failure to utilise the agreement mechanism.

The Finance Officer, in written agreement with the Clerk and a member of the finance committee, is delegated responsibility to approve investments of up to £250,000 in line with the Board approved investment policy. These investments must be reported at the next meeting of the finance committee and the full board.

The Chairman of the Board shall not hold the office of Chairman of the Finance Committee.

The Finance Committee may refer specific matters to the Board for a final decision if it so wishes.

The Finance Committee should be reconvened every 3 years by a vote held at a Board meeting. This can be sooner should the Board wish. In the event of a tie, the Board Chairman will have the casting vote.

Remuneration

The committee is authorised to consider and approve all applications in respect to changes in staff remunerations packages. The Board now arranges for the pay scales of its staff to be managed internally, ensuring proper relative arrangement and ensuring appropriate budgetary alignment. It should be noted that recommendations made by the ADA Lincolnshire IDBs Pay and Conditions Advisory Committee (Figures from which the ADA White Book is created) relating to remuneration are to be used at the discretion of the Board. Remuneration will be reviewed by the finance committee annually to assess the variation against inflation, and then again in January by the full board using the recommendations from the ADA Lincolnshire P&C Committee as a guide. The Clerk and Finance Officer will then publish the pay scales for the coming year, which will be available on request.

Expenditure Oversight

Finance committee members will receive an expenditure pack each month that includes a budget report, summary top sheet, bank statements, invoices paid, direct debits taken from the accounts, transfer of funds between accounts, petty cash expenditure, and monthly salary details. A meeting is then arranged with one member who, on a rotational basis, will approve the expenditure each month. This member will review the invoices on behalf of the Finance Committee by signing the summary top sheet. Any questions raised during this meeting are also reported to the Finance Committee.

The full Board is to be made aware of all reconciliation at each meeting of the Board. This is to be achieved through presentation of the expenditures 'top sheet' for all months since the last meeting as per the audit framework requirements.

3.2 Conservation Committee

The **Conservation Committee** is a sub-committee of the Board with delegation relating to the sustainable development, conservation, and restoration arrangements. The committee will have delegation to act on behalf of the Board relating to the following:

- Matters relating to environmental policy including its application, creation, and modification
- Responsibility to ensure the suitability, implementation, and upkeep of the Board's Biodiversity Action Plan
- Delegated responsibility regarding sustainable development consent requests
- Delegated responsibility regarding the distribution and/or recommendation of Board funding schemes related to conservation and watercourse restoration
- Reporting to the Board of changes in circumstance, attitude, or stance relating to conservational efforts, including working with the Works, Health, and Safety Committee on process and practice.
- Management and oversight of the Board's efforts to control invasive non-native species (INNS) (collaboration with the Works Committee)
- Review and recommend relevant policies on an annual or otherwise stated basis
- Any other matter which may be delegated to it by the Board.

Constitution and Restrictions

The committee will consist of at least 5 members comprising 3 members of the Board, the Clerk, and the Sustainable Development / Sustainability Officer, of which the required quorum is 3 members. Where financial decisions are to be made, or decisions that are of significance i.e. delegations within this document, there will be a need for at least 2 Board members + 1 Officer to be present. In any other event the meeting will be documented and reported as normal. All other Board members are welcome, but not obliged, to attend. The Sustainable Development / Sustainability Officer or the Clerk will act as secretary and lead officer for the committee, working with the Chairperson of the committee to arrange the meeting dates, agendas, and workgroups. The Chairperson may invite any other member of

the Board or staff or person deemed necessary for the successful completion or provision of key information pertinent to the agenda or work of the committee. The minutes of the meetings shall be taken by the secretary or as otherwise delegated by the committee.

The committee will be formed to oversee the ecological and environmental affairs of the Board but will have a limited ability in which to approve non-budgeted items. The committee will have the authority to approve budgeted purchases, relating to both capital and revenue needs, with any further spending requirements made under delegation of the Clerk or as a recommendation at the next full Board meeting.

The committee does not have the ability to authorise the sale of any Board owned property (read: buildings or land).

The committee is not permitted to authorise the borrowing of money. It does have the ability to make an emergency recommendation/request to the Board via the Clerk and Chair of the Board where there is an immediate threat to the financial position of the Board or threat to stakeholders e.g., a need to protect against flooding or ecological/environmental disaster

The committee has the ability to manage and approve applications relating to Board environmental schemes and funds. It will have a delegation of up to £5,000 per single project, and a maximum delegation of £20,000 per year (as per the budget allowance, which is assumed as £30,000 per year at the time of writing). Further exceedance of this figure will need to go to the Board as a recommendation and further delegation for the remainder of the year may then be agreed at the same meeting. Projects over £5,000 will require Board approval.

In all instances, a full report must be made to the Board at the next full meeting.

The Chairman of the Board shall not hold the office of Chairman of the Conservation Committee.

The Conservation Committee may refer specific matters to the Board for a final decision if it so wishes.

Expenditure and Budget Oversight

There is currently no official budget for conservation works. Any spending for the benefit of the ecological, conservation, or restoration of the watercourses within the district should be considered against the surplus and the surface water development contribution reserve. The Ecology Study reserve is for the contracting of professional ecologists to conduct studies on behalf of the Board. This is to be determined by the Clerk in conjunction with the Finance Officer in line with delegation and financial regulations.

Future budgets should be submitted to the Finance Committee by the Sustainable Development / Sustainability Officer.

Responsibility for the Boards conservation and restoration funds is referenced within **3.2 Constitution and Restrictions**

Additional Responsibilities

The Committee may be asked to visit sites in relation to Board schemes, biodiversity action plans, monitoring, and outcome assurance from works conducted under its remit. There will be delegation for the committee to approve final works and completion, where Board money or funding has been provided, and subsequently it will be for those members to report back to the Board on findings and outcomes.

3.3 Works Committee

The **Works Committee** is a sub-committee of the Board with delegation relating to the practical delivery of the Board's objectives surrounding maintenance, construction, conservation, and the oversight of Health, Safety, and Welfare of the Board's staff. The committee will have delegation to act on behalf of the Board relating to the following:

- Matters relating to safety policy including its application, creation, and modification
- Responsibility to ensure the suitability, implementation, and upkeep of the Board's Safety Plan, including the Emergency/Contingency Plan and ensure its review and upkeep.
- Delegated responsibility regarding new/alternative PPE purchases and recommendations, in-line with set budgets (and Clerk delegation for spending)
- Delegated responsibility regarding purchase of new/alternative small tools, in-line with set budgets (and Clerk delegation for spending)
- Responsibility to provide the assessment and recommendation for plant replacement including, but not limited to, excavators, tractors, and Board vehicles (collaboration with the Finance Committee).
- Reporting to the Board of changes in circumstance, attitude, or stance relating to practical efforts, including working with the Conservation Committee or Finance Committee on policy, process, and practice.
- Practical Management of the Board's efforts to control invasive non native species (INNS) (collaboration with the Conservation Committee)
- Review and visitation of Board facilities and working areas to ensure suitable, safe, and efficient working practice.
- Review and recommend relevant policies on an annual or otherwise stated basis
- Any other matter which may be delegated to it by the Board.

Constitution and Restrictions

The committee will consist of at least 5 members comprising 3 members of the Board, the Clerk, and the Works Manager, of which the required quorum is 3 members. Where financial decisions are to be made, or decisions that are of significance i.e. delegations within this document, there will be a need for at least 2 Board members + 1 Officer to be present. In any other event the meeting will be documented and reported as normal. Unlike other committees, this group relates to the culture of welfare and safety, therefore all staff are invited to meetings. This is not the case for workgroups which may be specific in staff requirements. Due to the nature of the meetings, whilst no decision making will be permitted without quorum numbers, the review of safety performance should still be conducted to continue the culture evolution as requested by the Board's Health and Safety Policy.

All other Board members are welcome, but not obliged, to attend. The Works Manager or the Clerk will act as secretary and lead officer for the committee, working with the Chairperson of the committee to arrange the meeting dates, agendas, and workgroups. The Chairperson may invite any other member of the Board or staff or person deemed necessary for the successful completion or provision of key information pertinent to the agenda or work of the committee. The minutes of the meetings shall be taken by the lead officer or as otherwise delegated by the committee.

The committee will be formed to oversee the works, health, safety, and welfare affairs of the Board including opportunity to review and purchase new protective items or tooling as deemed suitable by the committee and within the set delegations and budgets. The committee will have the authority to approve budgeted purchases, relating to both capital and revenue needs, with any further spending requirements made under delegation of the Clerk or as a recommendation at the next full Board meeting.

The committee does not have the ability to authorise the sale of any Board owned property (read: plant, tooling, buildings, or land).

The committee is not permitted to authorise the borrowing of money. It does have the ability to make an emergency recommendation/request to the Board via the Clerk and Chair of the Board where there is an immediate threat to the financial position of the Board or threat to stakeholders e.g., a need to protect against flooding or ecological/environmental disaster.

The Chairman of the Board shall not hold the office of Chairman of the Works Committee.

The Works Committee may refer specific matters to the Board for a final decision if it so wishes.

Expenditure and Budget Oversight

The budgets for works, health, safety, and welfare are within both the main budget and the Works Manager's own maintenance budget. Where there is a need to exceed or otherwise deviate from approved budgets, the recommendation will be made to the Clerk who will work within his own delegation, else seek approval from the Chairman. Where there is a need to exceed the Clerk delegation, a recommendation will instead need to go to the Board at the next meeting. In any instance, a full report of spending will need to be made at the finance committee or full Board.

Where there is a need to purchase tooling above that of normal daily tools or repairs to owned tooling, the Clerk will utilise delegation in regard to the reserves, specifically from the plant replacement fund. Any spending will need to be reported in full at the next finance and Board meetings via the Works Manager or Finance Officer report.

Additional Notes Regarding Committees

Generally, policy will require Board approval. Where there is a delegation regarding policy creation and approval (such safety related policy that is not the main Health and Safety Policy), it still needs to be acknowledged at the least by the Board at the next meeting or the anniversary meeting via report at the least.

3.4 Other Committees or Sub – Committees

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 Orders 11).

4. Chairman and Vice Chairman

4.1 Election of Board Chairman, Vice-Chairman and Committee Members

- The holding of elections to decide upon the Board Chairman, Vice-Chairman and Committee appointees will be done at the same meeting in which the penny rate is set by the Board. This election is to be held every 3 years. (Next is January 2026)
- The office will be held by the elected persons for the period of 3 years unless the Member resigns from the post or steps down from the Board itself.
- In the event of a resignation or removal of the Member from the Board outside of the allotted period, a vote upon a replacement will take place at the next earliest meeting.
- The Chairman, Vice-Chairman and Committee members may hold their office for an indefinite period provided they are re-elected at each subsequent election by the Board.

The Clerk may consult with the Chairman and Vice-Chairman on matters within his delegation but to which he would prefer Board approval. The Chairman and Vice-Chairman have the authority to approve requests from the Clerk for minor issues and expenditures to which they feel do not require the consultation of the Board or its committees. All these decisions should be communicated to the Board at the earliest opportunity.

The Chairman and Vice-Chairman on agreement may, within reason being that to the need of the Board at the time, make decisions relating to role creation, recruitment, and any other minor financial provision that the Clerk may request of them, and that would otherwise require Board approval. This is based upon timely need for a decision and is not to replace the need for Board awareness and/or authorisation as set out in section 7 of this document. This provision should be used to ensure business continuity and suitable timeframes. At the discretion of the Chairman and Vice-Chairman, on agreement, they will defer this responsibility to a committee or the full Board instead. This delegation cannot be used regarding official budgets, setting of the penny rate, or any other decision set out by the Land Drainage Act or other Board policy, that would incur serious financial penalty or liability. It is not to replace the financial regulation documentation and budgetary limitations at any time outside of the prescribed need.

5. Consents - Relating to Development and Relaxation of Board Byelaws

Applications for the relaxation of the Boards byelaws or application of Section 23 of the Land Drainage Act 1991, otherwise known as a Consent, will be handled in the first instance by the Sustainable Development Officer who will process the application before handling approvals as per the delegations in the document and outlined in the Planning and Byelaw Strategy document.

These delegations are as follows:

- Byelaw 3 (full details in Planning and Byelaw Strategy document P15 &16)
 - 3 or less properties – Officer Delegation + report to Board
 - 4-9 properties – Majority decision from 5 local members (or Board Chair and Vice + 3)
 - 10 properties or more – Full Board decision
- Section 23 (and Byelaw 4) (full details in Planning and Byelaw Strategy document section 5.2.1)
 - Minor alterations etc. – Officer Delegation
 - Intermediate alterations etc. – Majority decision from 5 local members (or Board Chair and Vice +3)
 - Major Alterations etc – Full Board decision
- Byelaw 10/17 – (full details in Planning and Byelaw Strategy document section 5.3.1)
 - Minor alterations etc. – Officer Delegation
 - Intermediate alterations etc. – Majority decision from 5 local members (or Board Chair and Vice +3)
 - Major Alterations etc – Full Board decision

The Board will issue a letter of consent which will be signed by the Clerk on behalf of the Board.

Any monies received from the collection of either surface water development contributions, treated effluent discharge contribution, or commuted sums are to be separated from other funds and placed in reserve for use on improvements within the district which include, but are not limited to, watercourse improvement, training, control structure maintenance or installation, and replacing tooling and plant, or any other use as deemed appropriate by the Board or its committees.

All consent applications, approvals, comments, and rejections are to be reported to the Board at each meeting via written or verbal report.

The Clerk retains the option to seek the approval of consents after consultation with only the Chairman and Vice-Chairman where they deem it appropriate. This would require a situation considered to be an emergency, where consultation with other members is likely to take longer than would be safe to delay. This type of request will be

processed by the Sustainability Officer as normal, and in any case will require reporting to the Board as separate element of the consents report, along with suitable justification.

6. Urgent Matters

In the event of any matter arising which requires an urgent decision, the Clerk shall consult with the Chairman and Vice Chairman of the Board 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.

The extent of this power will only be available in the event that failure to make a decision will result in loss of financial provision, increase flood risk within the district, result in injury to a person, or bring the Board into disrepute.

As described within the committee sections of this document, committees may make requests for the use of urgent funding under the same limitations of the above. In all instances these urgent or emergency spends should be communicated and justified at the next meeting of the Board.

7. Delegation - Limitations

Board Members, Committees, Sub-Committees and Officers shall, at all times, act in accordance with the Board's Standing Orders, Financial Regulations, 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.

The Chairman may not chair any committee (unless ad hoc) to ensure that broader responsibility is being taken for the successful function and direction of the committee and its recommendations.

8. Review Date

This document is to be reviewed periodically, as and when required, and in conjunction with other relevant Board policies.

Approved by the Board on **16th June 2026**

[Oliver Pantrey](#)

Clerk to the Board

Amendments March 2022

- Removed Lower Medway Internal Drainage Board references
- Alteration to wording regarding Clerks and joint operations (Page 1)
- Added (4) Biodiversity and Health and Safety Committee (Page 4)
- Removed Chairmen responsibility relating to consents (Page 5)
- Added section relating to Chairman and Clerk working (Page 5)
- Added (8) Consents (Page 6)

Amendments June 2022

- Altered Finance Committee delegation in entirety (Page 2 and 3)
- Added unbudgeted approval up to £50,000 (Page 2 and 3)
- Added limit to unbudgeted expenses to £200,000 (4 X £50,000) (Page 2 and 3)
- Added committee has the ability to set up trusts or funds after Board approval (Page 2 and 3)
- Added committee not able to sell property (land and buildings) (Page 2 and 3)
- Added committee not able to sell assets over £50,000 in value (Page 2 and 3)
- Added committee has ability to approve credit and debit card holders up to £10,000 (Page 2 and 3)
- Added note regarding credit card limit per year (Page 3)
- Added committee has ability to approve PSCA where there is pressing need (Page 2 and 3)
- Altered salary and remuneration delegation into the committee and Board (Page 3)
- Removed remuneration delegation of the Chair and Vice-Chair
- Removed decisions for working with other Board and Authorities from Finance Committee delegation (Page 3)
- Added decision on PSCA and working with other Boards and Authorities (Page 5)

Amendments June 2023

- Altered title of section 1 to – Officer Roles (Page 1)
- Altered role of Responsible Finance Officer to reflect change from Clerk to Finance Officer. (Page 1)
- Made general improvements to layout of Officer Role section (Pages 1 and 2)
- Removed reference to Bills Committee as per Internal Auditor request. Renamed section to Expenditure Oversight (Page 4)
- Added paragraph relating to periodic Board review of reconciliation as per the audit framework and the Internal Auditor request. (Page 4)
- Removed reference to Bills Committee as per Internal Auditor request (Page 5)

Amendments June 2024

- Added to section 6 regarding Chairman delegation relating to minor financial provision, recruitment, and role creation under time constraints – Chairman and Vice-Chairman (Page 5)

Amendments November 2024

- Added reference to the need for reconvening of finance committee via voting process held at Board meeting every 3 years (or sooner as required) (Page 3)

Amendments June 2025

- Added reference to Practitioners Guide 2024 section 5.11 regarding Chairman and Finance Committee Chairman never being appointed as Clerk or RFO.

Amendments January 2026

- Major Overhaul – summary created and issued to members.

Amendments June 2026

- Added voting rights for committee members to section 3 (P6)