BROADS (2006) INTERNAL DRAINAGE BOARD

GOVERNANCE

SCHEME OF DELEGATION

WATER MANAGEMENT ALLIANCE

Date last reviewed: 01 November 2022 (to be reviewed every 3 years)

Next review date: 31 October 2025

Reviewed by: Broads (2006) IDB

Broads (2006) IDB has 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 Committees as set out in this Scheme of Delegation, in accordance with Rules made by the Board and approved by the Secretary of State.

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1. Introduction

1.1 Broads (2006) IDB has approved a schedule of reserved matters[i] on 23 April 2007 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 Committees as set out in this Scheme of Delegation, in accordance with Rules made by the Board and approved by the Secretary of State ("the Rules").

1.2 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, the Consortium Agreement and the Board's Financial Regulations, Orders, Policies and Procedures.

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2. Committee Structure and Type

2.1 Broads (2006) IDB has joined the Water Management Alliance (WMA) to reduce administration costs, strengthen its organisation and increase influence, without significantly reducing its autonomy and increasing its liabilities, in accordance with express powers that are set out in Section 11(5) of the Land Drainage Act 1991. The Board has delegated authority to the Consortium Management Committee (CMC) to take decisions on certain matters, which are defined in this Scheme of Delegation. The CMC is a Joint Committee with plenary powers that runs the WMA and the Board are represented on this Committee.

2.2 The Board has constituted two Plenary Committees and no Advisory Committees. Plenary Committees have the ability to take decisions on behalf of the Board, as opposed to Advisory Committees that can only make recommendations on specific matters that are reserved to the Board.

2.3 The Board has delegated authority to its Plenary Committees to take decisions on certain matters, which are set out in this Scheme of Delegation.

2.4 Terms of reference for each of the Board's Plenary Committees and the CMC can be accessed by clicking on the name of the Committee, as set out in this Scheme of Delegation.

2.5 The Board is also represented on a number of Joint Advisory Committees, which make recommendations to the Board on various matters. The terms of reference for each of these Committees can be accessed in the same way from the Board's Governance page on the WMA's website.

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3. Scheme of Delegation

3.1 Consortium Management Committee (Joint Committee)

The Board has delegated the following plenary powers and authority to the CMC by statutory resolution, in accordance with the Consortium Agreement, subject always to the exceptions reserved to the Board in its schedule of reserved matters:

3.1.1 To control and direct the Shared Employees[ii], that provide administrative and technical support services to the WMA Member Boards and deal with all employment issues relating to the Shared Employees.

3.1.2 To empower the jointly appointed Chief Executive Officer to manage any Other Shared Employees and the Other Employees on behalf of the Board, as defined in the Consortium Agreement.

3.1.3 To administer and procure contracts for shared services, which the WMA Member Boards receive.

3.1.4 To manage shared assets, as defined in the Consortium Agreement (which, for the avoidance of doubt excludes the offices at Marsh Reeves, Pierpoint House, Kettlewell House and Martham).

3.1.5 To take any other decision that has been delegated to the CMC in the Consortium Agreement.

3.1.6 To duly authorise the Board's three representatives on this Joint Committee to take decisions on its behalf, as mandated from time to time by the Board.

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3.1.7 To deal with the assessment and investigation of complaints under the Members Code of Conduct in accordance with the Arrangements for Investigating complaints.

3.1.8 To deal with the assessment and investigation of complaints under the Members Code of Conduct in accordance with the Arrangements for Investigating complaints as follows:

1. To promote and maintain high standards of conduct by elected members and local authority members of the Board and to make recommendations for improving standards.
2. To monitor and assess the operation and effectiveness of the Code of Conduct and to review and manage the Arrangements for dealing with Code of Conduct complaints as necessary.
3. To arrange to advise and train the members of the Board as necessary on matters relating to the Code of Conduct and the Arrangements.
4. To arrange for the monitoring and review of the procedures for the Register of Members Interests and for declaring gifts and hospitality.
5. To receive periodic reports from the Governance Advisor[iii] on the number and nature of complaints received and the outcomes.

3.1.9 To take decisions on any related matter that the Board may reasonably determine from time to time by resolution.

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3.2 Chairman's Committee (Plenary Committee)

The Board hereby delegates the following plenary powers and authority to its Chairman's Committee, subject always to the exceptions reserved to the Board in the schedule of reserved matters:

3.2.1 To consider and determine urgent planning/byelaw applications that need a Board decision between meetings[iv].

3.2.2 To procure additional goods and services financed from earmarked balances/reserves - up to a value of £15,000 between Board meetings, or other amount as may be determined from time to time by the Board.

3.2.3 To procure and sell all 'Group B' and 'Group C' type plant, as defined in the Board's Plant Replacement Policy.

3.2.4 To take urgent decisions that could have a significant impact on the Board in the event of an emergency or period of very high rainfall/tidal inundation.

3.2.5 To hear and determine all appeals lodged by Broads (2006) IDB Employees[v] where the Chief Executive is precluded from doing so in law.

3.2.6 To take decisions which enable the Board's Chairman to fulfil their role, as set out in the Division of Responsibilities document (Chairman and Chief Executive)[vi].

3.2.7 To take decisions on any related matter that the Board may reasonably determine from time to time by resolution.

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3.3 Chief Executive's Management Committee (Plenary Committee)

The Board hereby delegates the following plenary powers and authority to its Chief Executive's Management Committee:

3.3.1 To take all other decisions that have not been expressly reserved to the Board in the schedule of reserved matters, or otherwise delegated to:

(a) the CMC (as set out in the Consortium Agreement and noted in the Joint Committee's terms of reference),

(b) the Board's other Plenary Committees (noted in their terms of reference and in the Board's Minutes), and

(c) any Sub-Committee of 2 or more members that is constituted from time to time by resolution of the Board (with the nature and extent of the delegated authority being specified in the Board's Minutes).

3.3.2 To take decisions on any related matter that the Board may reasonably determine from time to time by resolution, subject always to the exceptions reserved to the Board in the schedule of reserved matters.

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4. Implementing Policy and Decisions

4.1 The Board's Chief Executive shall be fully empowered to implement policy and all decisions that are taken by the Board, its Committees, Sub-Committees and the CMC.

4.2 The Board's Management Team and its Employees shall assist the Chief Executive in implementing Board policy and the decisions that are taken by the Board and its Plenary Committees/Sub-Committees; the nature and extent of which is set out in their Job Descriptions.

4.3 The Board's Chief Executive shall be fully empowered to administer the Financial Regulations and Scheme of Budget Delegation, which is embedded therein.

4.4 For the avoidance of doubt the Board's Chief Executive shall be fully empowered to manage the Board's employees and those of the Water Management Alliance, in accordance with the Employer's HR Policies and procedures. The reporting lines of accountability are shown in the Board's Organisation Chart.

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5. Certification

Broads (2006) IDB has reviewed and approved this Scheme of Delegation on 01 November 2022.

By Order of Broads (2006) Internal Drainage Board

Certified by Mr P J Camamile, Chief Executive

01 November 2022

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6. Scheme Notes

[i] This document is accessible from the Board's website: https://www.wlma.org.uk/uploads/BIDB_Schedule_of_Reserved_Matters.pdf

[ii] Those employees who are shared with other WMA Member Boards, as defined in the Consortium Agreement.

[iii] Wilkin Chapman LLP: Estelle Culligan and/or Jonathan Goolden.

[iv] Those types of application that have been reserved to the Board, but which need dealing with urgently between Board meetings (the nature and extent of these types of application are recorded as a footnote in the Board's Schedule of Reserved Matters).

[v] Those who are directly employed by Broads (2006) IDB and 'Other Shared Employees' as defined in the Consortium Agreement.

[vi] This document is accessible from the Board's website: https://www.wlma.org.uk/uploads/BIDB_Division_of_Responsibilities.pdf