

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

Additional Board Meeting

Wednesday 28 April 2021

**Virtual Meeting
2pm**

Minutes of the meeting of the Lower Severn (2005) Internal Drainage Board
Held on Wednesday 3rd February 2021 at 2.00 pm
Virtual Meeting

Present:

Cllr M Riddle Chairman
 Mr M Barnes
 Cllr B Behan
 Cllr P Burford
 Mrs F Collins
 Mr J Cornock
 Mr P Goodey
 Mr R Godwin
 Cllr R Griffin
 Cllr F Hance
 Miss R Hewlett

Mr J Hore
 Cllr P Howells
 Mr G R Littleton
 Mr J Nichols
 Mr I Ractliffe
 Mr G Simms
 Ald M Sykes
 Ald C Williams
 Mr K Withers

Staff:

Kieran Warren
 Martin Dear
 James Druett
 James Thomas
 Louise Reading

Principal Officer
 Accounts Officer
 Land Drainage Engineer
 Civil Engineer
 Minutes

PO
 AO
 LDE
 CE

3168	Apologies Apologies were received from Cllr P Abraham, Cllr J Jones, Mr T Cullimore and Cllr P Toleman.	
3169	Chairman's Announcements The Chair thanked Members and staff for their continued hard work during the third lockdown. The Chair also advised Members that he had attended the virtual ADA annual conference in November and a link for the conference was available on the ADA website. He reported his attendance at the Gloucestershire Severn Estuary Stakeholders meeting where a wide range of water matters were discussed. Several partner organisations attended. The Chair gave thanks to Rose Hewlett as clerk and to Rodger Godwin as Chair of this group. Members noted that the Internal Audit report had been received with no recommendations and the Chair thanked everyone for their efforts. He went on to highlight a recent Health and Safety check showing that the Board was fully compliant on 44 of the 45 areas checked, the only area for improvement being the fire alarm signage. The Chair suggested that Health and Safety be a topic for discussion at the Project Steering Group as it was important that Members were better informed in this area. In response to a question from Mr Simms, the Chair confirmed he would issue the Health and Safety report to all Members Finally, the Chair expressed his thanks to the LDE and Foreman who had attended a flooding incident on Christmas day.	
3170	Declaration of Members Interest There were no declarations of interest.	

3171	Minutes of Previous Meetings It was resolved that: <ul style="list-style-type: none"> • Subject to the addition of Cllr Howells apologies, the Minutes of the meeting held on 4th November 2020 be approved as a correct record. 	
3172	Matters arising from Minutes of Previous Meeting Action 1 The Chair updated Members that two letters had been sent to the EA in respect of the slow responses received by the Board. This has now been escalated and the Chair awaited a response. Action 2 The Chair had written to the EA requesting the criteria for demanding outfalls and was awaiting a response.	
3173	Committee Updates <u>Governance & Probity Committee Update – 2nd December 2020.</u> Cllr Behan gave the Members an update on the Governance and Probity meeting on 2 nd December 2020. <u>Reserves Policy</u> The Governance and Probity Committee agreed that the current Reserves Policy of 30% was prudent and the recommendation to the Board was to re-affirm its current policy. The Committee also asked the PO to confirm that at 30%, the Board would still be able to fulfil its obligations should it cease trading. It was resolved that: <ul style="list-style-type: none"> • The Board re-affirms its Reserves Policy of 30% of annual expenditure; and • The PO be requested to check that this level of reserves is sufficient to meet the Board’s contractual obligations to staff should its operations cease. <u>Quorum for Committee meetings</u> Cllr Behan advised Members that meeting attendance generally hadn’t posed a problem. Virtual meetings had indeed seen an increase in attendance. However, the Committee felt that to strengthen the validity in decision-making, the formula for quorums should be amended to half the membership + one. It was resolved that: <ul style="list-style-type: none"> • The formula for the quorum for each Board, Committee and Sub Committee meeting be raised to “one half plus one” and that standing orders 4(a) and 11 be amended accordingly as per Appendix A. <u>Out of Hours Service</u> Cllr Behan informed Members that the out of hours service proposals had been streamlined in line with the Boards limitations and Budget constraints. The Chair thanked Mr Godwin for bringing this to the attention of the Board last year. It was resolved that: <ul style="list-style-type: none"> • The out of hours service be approved and implemented as per Appendix B. <u>Review of Existing Policy Documentation</u> The Committee had reviewed five policies and subject to minor wording amendments and corrections it was recommended that the policies be retained.	

	<p>The Committee had also discussed the Members Register of Interests and asked the PO to report on these annually.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • The Principal Officers be requested to report annually on Members Register of Interests. • Subject to minor wording amendments and corrections the following policies be retained as at present. <ul style="list-style-type: none"> - Freedom of Information Publication Scheme as per Appendix C - Gifts and Hospitality Policy as per Appendix D - Media Protocol as per Appendix E - Whistle Blowing Policy as per Appendix F - Members Code of Conduct as per Appendix G <p><u>Engineering Committee Meeting Update– 16th December 2020</u></p> <p>Before handing over to Mr Barnes, Chair of the Engineering Committee, the Chair advised that the Elmore Pump Station update would be reported under the Extraordinary Board Meeting update.</p> <p>Miss Hewlett advised of a correction to Engineering Minute 3138, ie the last sentence should read that Miss Hewlett confirmed that the Council had identified possible funding opportunities.</p> <p>Mr Barnes informed Members that the Engineering Committee had resolved to purchase two new machines, a new Claas tractor and Bomford Mower and a new Hitachi Excavator.</p> <p>Mr Barnes also advised that £5,000 had been approved towards some Hydraulic modelling works at Frampton on Severn. Miss Hewlett added that it had been identified as a future flooding issue and Gloucestershire County Council and the Parish Council were actively involved.</p> <p>In response to a question from Mr Cornock, the LDE confirmed that 3 quotes would be requested for the modelling works.</p> <p>Cllr Burford asked what would happen after the study, would there be further financial impact on the Board and what value this study and potential further works held.</p> <p>The LDE advised that the main aim was to divert water to another culvert and that the study was to find out if this culvert had the capacity to take the additional water. Miss Hewlett added that Gloucestershire County Council hoped to bid in the government's new Flood and Coastal Resilience Innovation Fund for these works. The LDE further added that the Boards machinery would struggle to maintain this area in the future if groundworks and culvert upgrade was not completed.</p> <p>It was resolved that</p> <ul style="list-style-type: none"> • The Board approve £5,000 of funding for hydraulic modelling at Frampton on Severn; • Any additional funding and works should be approved by the Board. <p><u>Finance & General Purposes Committee Update – 16th December 2020</u></p> <p>Ald Williams advised Members that the Finance and General Purposes Committee had concurred with the Governance and Probity Committee on the reaffirmation of the Reserves Policy as set out in the current Financial regulations.</p> <p>The Committee had also reviewed the financial statements and there were no material changes forecast.</p> <p><u>Extraordinary Board Meeting Update – 23rd December 2020</u></p>	
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	<p>This meeting had been called due to the additional funding required to complete Elmore Back pump. This had been discussed and recommended at both the Engineering Committee and Finance and General Purposes Committee. At the meeting it had been agreed that a project review take place of Elmore Back with recommendations for future pump stations replacement. The Board resolved to approve the additional funding for Elmore back and a project review report be presented at today's Board meeting.</p> <p><u>Staff and Pensions Committee Update – 13th January 2021.</u></p> <p>Mrs Collins reported to the Board that the Committee had discussed the pay rise of 4.1% for 2021/22. This was the second year there was a large increase and this concerned some Members.</p> <p>It was suggested that this figure and the previous figure were anomalies given that the formula was based on pay and that Covid 19 had inflated pay during the pandemic. It was likely that next year's pay award would be much smaller.</p> <p>The Board were signed up to the Lincolnshire White Book agreement and the pay rise would be awarded in line with contractual obligations.</p> <p>However, the Committee agreed that alternatives to the White Book agreement would be investigated and how they might be implemented would be considered at future meetings.</p> <p>It was also resolved that the PO would seek the Board's representation on the Lincolnshire Advisory Committee who negotiate pay awards on behalf of a number of IDBs and report back.</p> <p>Members felt that an examination of alternatives to the White Book should start sooner rather than later as this could be lengthy process.</p> <p>In response to a question from Cllr Hance, Mrs Collins informed Members that until further investigations had taken place, it was not known how any change to existing arrangements would affect the current contracts of the Boards employees.</p> <p>It was reported that homeworking was going well and post Covid staff would like to have a blend of office and home working. The Committee would look at this further in preparation for exiting the current lockdown regime.</p> <p><u>Finance and General-Purpose Committee Update – 20th January 2021</u></p> <p>Ald Williams informed Members that the Committee reviewed the up-to-date Financial reports and all was in order. Concerns were raised about the requested additional expenditure for the Elmore Back pump replacement and the strain any future requests for additional expenditure might put on the Board.</p> <p>Ald Williams was pleased to announce that January's Financial reports reflected a slightly lower levy increase than anticipated in December.</p>	
3174	<p>Pump Station Review</p> <p>By way of introducing the reports presented by the PO and Mr Simms, the Chair thanked the Review Team (comprising the PO, LDE, CE and Mr Simms) for the timely work they had done to review and report back with recommendations in respect of the pump replacement programme.</p> <p>The PO addressed Member concerns about the costs and timescale of the Elmore Back scheme and the use of consultants. The report chronicled the history of the project from June 2015 to December 2020 and acknowledged the lack of clearly defined inputs and outputs, managerial responsibility and financial controls which adversely affected the smooth process of the project from the outset. Nonetheless, the Engineers had engaged proactively at the scheme's inception, calling upon expert advice and professional experience from external</p>	

	<p>agencies like the Environment Agency, Water Environment, Motion Consultants, Bedford Pumps and Severn Controls. This process highlighted a number of important lessons going forward. The PO added that the Board's Internal Auditors had confirmed that a proper procurement procedure had been followed.</p> <p>Mr Simms advised Members that he had reviewed the entire pumping station programme. He explained that the first phase for any project was 'initiation', followed by planning, execution, monitoring and evaluation. He also asked Members to note that because the Board's income stream was limited, any increase to costs would result in a delay to the project completion date.</p> <p>Mr Simms acknowledged the honesty of the Officers in undertaking this review and their continued desire to make this a good legacy project for the Board notwithstanding the fact that the Board's approval of the programme was driven by a need for compliance with the 2009 Eel Regulations.</p> <p>He stated that the initiation phase of the project had been very weak and that the Board should have been more proactive. No feasibility study had been carried out and many areas had not been fully considered such as:</p> <ul style="list-style-type: none"> • Resources • Possible training requirements • Understanding of the scope • Assignment of a project manager/project lead • Contracts in place with external resource • Insufficient monitoring in previous years • Establishing reporting routes • Agreeing deliverables to measure against • A small working group to provide support <p>Mr Simms was confident that the remaining four pumping stations could be delivered using good project management principles which would include a solid initiation phase. In a lengthy debate, Members expressed concerns in the following areas:</p> <ul style="list-style-type: none"> • The amount spent on consultation fees • No detailed breakdown of consultancy costs • The lack of contract documentation and risk assessments • The omission of competitive tendering • The lack of discussion with ADA or other IDBs undertaking similar projects • A possible breach of the procurement process <p>Some Members felt that all activities should be suspended immediately; other Members recognised the danger of a disruptive and costly outcome for the Elmore Back scheme, with the works due to start on 1 March 2021, if such a course of action were to be adopted. It was agreed that it would be better to continue with Elmore Back and suspend all other works involving external consultants temporarily.</p> <p>Mr Simms made five recommendations to the Board and these were supplemented by further recommendations from Ald C Williams [Recommendation 6] and Cllr Burford [Recommendation 7]. A recommendation proposed by Cllr Burford to the effect that the Board should issue a statement to ratepayers and levying Councils warning that there may be some delay in the completion of the pumping station replacement programme was not seconded and therefore fell.</p> <p>An amendment to Recommendation 1 by Cllr Burford to the effect that Motion Consultants be asked to take part in a competitive tendering exercise, in compliance with the Board's procurement processes, for the completion of the Elmore scheme was defeated by 9 votes to 5.</p>	
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	<p>The Chair then put each recommendation to the vote and</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • (1) on a 'value for money' basis, the Elmore Pumping Station be continued to completion, specifically stating the work required by Motion to complete this phase and asking Motion to quote for this work subject to compliance with the Board's procurement process; • (2) the remaining pump stations be delayed until the Steering Group carries out a project review, set against good project management principles, to establish our strategy for the management and organisation for the successful delivery of the remaining pump stations; • (3) the Board establishes a small 'Project Board/Project Steering group' to monitor project change and support this important legacy project, its composition, reporting route, terms of reference, to be determined; • (4) The content of the Avonmouth Development work be reviewed to establish the most effective way to execute this work and arrangements with Motion be suspended until the review is complete; • (5) the project related training requirements of the staff be reviewed to assist and give support to the successful delivery of the project; • (6) Officers be requested to investigate additional income streams to assist the funding of the pump replacement scheme; and • (7) other projects/procurements costing over £10,000 be reviewed to ensure their compliance with Financial Regulations. 	
3175	<p>Financial Reports</p> <p>The AO presented the following financial reports for the period.</p> <ul style="list-style-type: none"> ○ Forecast for year ending 31st March 2021 ○ Draft Budget for 2021/22 ○ Capital Expenditure 2020/21 & 2021/22 ○ Apportionment Between Charging Authorities 2021/22 ○ Capital Programme 2028/29 ○ Medium Term Financial Plan 2021/2026 ○ Developers Funds as at 30th November 2020. <p>Members noted the forecast for the year ending 31st March 2021 predicted a surplus of £22,158 and the draft budget was based on a levy on 9.7p in £1. The Medium-Term Financial plan, as always, gave an illustration of future years and would be refined closer to each time period.</p> <p>The AO informed Members that the rate was initially budgeted for at 9.8p in £1 however the LDE was been successfully in the procurement of machinery and thus the Levy increase could be decreased to 9.7p in the £1</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • The Following reports be approved <ul style="list-style-type: none"> - Proposed Budget 2021/22 as per Appendix H - Medium Term Financial Plan 2021/26 as per Appendix I • The Following reports be noted <ul style="list-style-type: none"> - Forecast results for the year ended 31st March 2021 - Capital expenditure 2020/21 & 2021/22 - Apportionment between Charging Authorities - Capital Programme 2028/29 - Developers Funds as at 30th November 2020 	
3176	Declaration of Rates 2021/22	

	<p>The Finance and General Purposes Committee recommended a rate increase of 0.4p in the £.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • A drainage rate and levy for 2021/22 be declared at 9.7p in the £. 	
3177	<p>Register of Members Interests</p> <p>At the Governance and Probity Meeting on 2nd December 2020 Members requested information on the Register of Members Interests, Membership Attendance and information published on the Website. The PO reminded Members that this information was recorded in the office and also published on the website, Any Member who wished to have any information on their Members Register of Interest classed as sensitive or confidential should contact the PO.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • Members confirm the publication of Register of Members Interests on the Website. • Any Member wishing to omit sensitive information contact the PO. • Members refamiliarise themselves with the Members Code of Conduct. 	
3178	<p>Land Drainage Engineers Report</p> <p>The LDE advised Members that dredging had started at the beginning of the year but the wet weather had hindered progress. However, works were still successfully being carried out in several areas, including areas that should have been tackled last year but were omitted owing to the pandemic.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • The report be noted 	
3179	<p>Elections 2021</p> <p>The PO reminded Members that 2021 was an election year and that the process would begin in April. The next steps for Board Members would be to approve the Electoral Register at the June Board Meeting.</p>	
3180	<p>Bacs Payment Limit</p> <p>A request to be paid by Bacs for all invoices had been received from a supplier whose invoices totalled more than the current £20,000 Bacs payment limit. The PO added that in the current Covid climate Bacs was both easier and safer to administer. He proposed a new temporary limit be set at £50,000.</p> <p>Cllr Griffin felt that this was a very reasonable request and should be a permanent arrangement as many shops were not accepting cash due to Covid and the contactless amount for card payments was being raised to £100.</p> <p>Members supported this.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • The limit for Bacs payments be permanently set to £50,000 and: • The Financial Regulations be amended accordingly. 	<p>Action- 20210203FB The Bacs payment limit in the Financial Regulations be amended.</p>
3181	<p>Date of next meeting</p> <p>Members noted that the next Full Board meeting was scheduled for 9th June 2021. However, in light of the project review an additional meeting was likely to be arranged for March and April.</p>	

	The meeting closed at 17:20 pm.	

Un-approved

	<p>be some delay in the completion of the pumping station replacement programme was not seconded and therefore fell.</p> <p>An amendment to Recommendation 1 by Cllr Burford to the effect that Motion Consultants be asked to take part in a competitive tendering exercise, in compliance with the Board's procurement processes, for the completion of the Elmore scheme was defeated by 9 votes to 5.</p> <p>The Chair then put each recommendation to the vote and</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • (1) on a 'value for money' basis, the Elmore Pumping Station be continued to completion, based on a full review of all costs, providing a completion cost for the Elmore scheme; • (2) the remaining pump stations be delayed until the Steering Group carries out a project review, set against good project management principles, to establish our strategy for the management and organisation for the successful delivery of the remaining pump stations; • (3) the Board establishes a small 'Project Board/Project Steering group' to monitor project change and support this important legacy project, its composition, reporting route, terms of reference, to be determined; • (4) The content of the Avonmouth Development work be reviewed to establish the most effective way to execute this work and arrangements with Motion be suspended on any new developments until the review is complete; • (5) the project related training requirements of the staff be reviewed to assist and give support to the successful delivery of the project; • (6) Officers be requested to investigate additional income streams to assist the funding of the Pump replacement Scheme; and • (7) other projects/procurements costing over £10,000 be reviewed to ensure their compliance with Financial Regulations. 	
3175	<p>Financial Reports</p> <p>The AO presented the following financial reports for the period.</p> <ul style="list-style-type: none"> ○ Forecast for year ending 31st March 2021 ○ Draft Budget for 2021/22 ○ Capital Expenditure 2020/21 & 2021/22 ○ Apportionment Between Charging Authorities 2021/22 ○ Capital Programme 2028/29 ○ Medium Term Financial Plan 2021/2026 ○ Developers Funds as at 30th November 2020. <p>Members noted the forecast for the year ending 31st March 2021 predicted a surplus of £22,158 and the draft budget was based on a levy on 9.7p in £1. The Medium-Term Financial plan, as always, gave an illustration of future years and would be refined closer to each time period.</p> <p>The AO informed Members that the rate was initially budgeted for at 9.8p in £1 however the LDE was been successfully in the procurement of machinery and thus the Levy increase could be decreased to 9.7p in the £1</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> • The Following reports be approved <ul style="list-style-type: none"> - Proposed Budget 2021/22 as per Appendix H - Medium Term Financial Plan 2021/26 as per Appendix I 	

Lower Severn (2005) Internal Drainage Board

STANDING ORDERS

Rules made by the Lower Severn (2005) Internal Drainage Board with the approval of the Secretary of State under paragraph 3(1) of the Second Schedule to the Land Drainage Act, 1991. The relevant statutory provisions governing the proceedings of an Internal Drainage Board are set out in the Annex to these Rules for reference purposes.

Regulations as to Proceedings

1. Meetings of the Board, for which five clear working days' notice will be given, will be open to the public and press who will on the invitation of the Chairman be able to speak at the meeting. The Board can pass a resolution to exclude the public and/or press from a meeting or part thereof where it is considered that the nature of the business to be transacted so requires. In that event the reasons for such exclusion shall be clearly recorded in the minutes:-
 - a) The Board will hold an Annual General Meeting in November each year together with such other meetings as it may determine.
 - b) At one such meeting the Board will determine the drainage rate and special levies to be set to enable the latter to be served on the special levy councils by no later than the 15th February in respect to the following financial year.
 - c) In addition either the Chairman and/or 10 or more members may call a Special Meeting to consider any urgent matter.
2. For each meeting, members will receive an Agenda and any accompanying papers by post or other means dispatched at least five clear working days before the meeting.
3. No business shall be transacted by the Board, other than that which appears on the Agenda, unless 75% of the members present agree to any such additional issue being discussed as a matter of urgency. The reasons for such urgent consideration shall be recorded in the minutes of the meeting.
4.
 - a) A formal meeting of the Board cannot be conducted unless at least half plus one members are present at the start of and during the meeting. If departures reduce the number below the quorum of 8 then the Chairman will terminate the meeting at that point.
 - b) All resolutions and proposals will be decided by a majority of votes of the members present. Except as provided elsewhere in these rules, voting shall be by show of hands.
 - c) In the case of an equality of votes at any meeting, the Chairman for the time being of such meeting shall have a second or casting vote.
5. The Board shall meet at a venue to be determined from time to time with such venue being specified in the agenda.
6. The Board shall, by secret ballot, at the Annual General Meeting appoint a Chairman and Vice-Chairman whose terms of office shall continue until the following Annual General Meeting. Wherever practicable, one of these positions shall be held by an elected member and the other by an appointed member.
7. If any vacancy occurs in the office of Chairman or Vice-Chairman, the Board shall as

soon as they conveniently can after the occurrence of such vacancy, choose someone of their number to fill such vacancy.

8.
 - a) At any meeting of the Board the Chairman, if present, shall preside.
 - b) If the Chairman is absent from a meeting of the Board, the Vice-Chairman, if present, shall preside.
 - c) If at any meeting of the Board both the Chairman and Vice-Chairman are not present at the time the members present shall choose someone of their number to be Chairman of such meeting.
9. The Board shall cause Minutes to be made of all meetings, posted on the Board's website marked as 'Draft' or 'Approved' as appropriate and recorded in an appropriate form:-
 - a) of all appointments of Officers made by the Board
 - b) of the names of the members present at each meeting of the Board and Committees or Sub-Committees of the Board
 - c) of all orders made by the Board and Committees or Sub-Committees of the Board, and
 - d) of all resolutions and proceedings of meetings of the Board and of Committees or Sub-Committees of the Board.

The Board will approve, with or without amendment, the minutes of the preceding meeting and these will be duly signed by the Chairman together with any financial statements presented at that meeting.

10. All proceedings, resolutions and reports of every Committee, Sub-Committee or Working Group intended to be laid before the Board shall be circulated among the members of the Board at least five clear working days before the meeting of the Board at which the same are to be submitted.

Committees and Sub-Committees or Working Groups

11. The Board may appoint such Committees or Sub-Committees as they think fit and the quorum for these meetings shall be in the same proportion as the quorum required for Board meetings. The acts of any Committee, Sub-Committees shall be subject to the approval of the Board unless the Board has delegated its powers to that Committee or Sub-Committee.
12. A Committee, Sub-Committee or Working Group may elect a Chairman of their meetings. If no such Chairman is elected, or if he/she is not present, the members present shall choose someone of their number to be Chairman of such meeting.
13. A Committee, Sub-Committee or Working Group may meet and adjourn as they think proper. Proposals at any meeting shall be determined by a majority of votes of the members present, and shall be decided by a show of hands. In case of any equal division of votes the Chairman shall have a second or casting vote.
14. Regulations 9 and 10 shall apply to minutes of Committees, Sub-Committees and Working Groups.

Notices of Motion

15. Notice of every motion shall be in writing, signed by the member or members of the Board giving the notice, and delivered at least ten clear working days before the next meeting of the Board, at the offices of Principal Officer by whom it shall be dated, numbered in the order in which it is received, and entered in a book which shall be open to the inspection of every member of the Board.
16. The Principal Officer shall set out in the report for every meeting of the Board all motions of which notice has been duly given in the order in which they have been received, unless the member giving such notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting or has since withdrawn it in writing.
17. If a motion thus set out in the report be not moved either by a member who gave notice thereof or by some other member on his/her behalf it shall, unless postponed by consent of the Board, be treated as withdrawn and shall not be moved without fresh notice.

Standing Orders Order of Debate

18. Every proposal or amendment, other than a proposal for the approval of a Committee, Sub-Committee or Working Group, shall be proposed and seconded and shall, if required, be written out and handed to the Chairman who shall read it out before it is further discussed or put to the meeting.
19. The Chairman will invite members to speak on the subject under discussion.
20. Members must declare where they have an interest in a matter to be discussed, the Chairman then deciding what if any part the member can take in any ensuing discussion and whether the member can vote.
21. A proposal or amendment once made shall not be withdrawn without the consent of the Board.
22. Every amendment shall be relevant to the proposal to which it is applied and its effect must not be to negate the wording of the motion.
23. Whenever an amendment upon an original resolution has been proposed and seconded, no second or subsequent amendment shall be moved until the first amendment shall have been dealt with, but notice of any number of amendments may be given.
24. If an amendment is rejected then other amendments may be proposed on the original resolution or proposal.
25. If an amendment is carried the proposal as amended shall take the place of the original proposal and shall become the question upon which any further amendment may be moved.
26. The mover of a motion has a right of reply at the end of the debate immediately before the motion is put to the vote.
27. If an amendment is moved, the mover of the original motion has a right of reply at the end of the debate upon the amendment but may not otherwise speak on the amendment.

28. The mover of an amendment has no right of reply to the debate on the amendment.
29. No proposal to rescind any resolution which has been passed within the preceding six months, nor any proposal to the same effect as any proposal which has been negated within the preceding six months shall be in order.

The Common Seal

30. The Common Seal of the Board shall be kept in some safe place. All deeds and other documents to which the Common Seal of the Board shall require to be affixed shall be sealed in pursuance of the Board, and in the presence of both the Chairman and the Principal Officer of the Board.
31. Copies of all sealed documents must be retained.

Suspension of Standing Orders

32. Any one or more of the standing orders, in any case of urgency or upon resolution or proposal made on a notice duly given, may be suspended at any meeting, so far as regards any business at such meeting, provided that 75% of the members of the Board present and voting are in agreement.
33. In relation to any meeting held before 7th May 2021, “presence” at a meeting includes physical attendance and being present through remote attendance. “Remote attendance” means attending or participating in a meeting by electronic means, including by one or more of the following:
 - (i) telephone conference
 - (ii) video conference
 - (iii) live webcast
 - (iv) live interactive streaming.
34. *In relation to any meeting held before 7th May 2021, regulation 5 is suspended and the Board shall instead provide members with relevant details to enable members to attend and participate in meetings, including remotely. The Board shall provide confirmation of these details in the agenda. For these purposes, “details” includes one or more of the following:*
 - (i) the venue
 - (ii) the availability of a telephone conference facility and the manner of accessing such facility
 - (iii) the availability of a video conference facility and the manner of accessing such facility
 - (iv) the availability of a live webcast facility and the manner of accessing such facility
 - (v) the availability of a live interactive streaming facility and the manner of accessing such facility.

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**STATUTORY PROVISIONS REGARDING THE PROCEEDINGS OF AN
INTERNAL DRAINAGE BOARD SET OUT IN PARAGRAPH 3 OF SCHEDULE 2
TO THE LAND DRAINAGE ACT, 1991.**

3. (1) An internal drainage board may, with the approval of the relevant Minister, make rules—

- a) for regulating the proceedings of the board, including quorum, place of meetings and notices to be given of meetings;
- b) with respect to the appointment of a chairman and a vice-chairman;
- c) for enabling the board to constitute committees; and
- d) for authorising the delegation to committees of any of the powers of the board and for regulating the proceedings of committees, including quorum, place of meetings and notices to be given of meetings.

(2) The first meeting of an internal drainage board shall be held on such day and at such time and place as may be fixed by the relevant Minister; and the relevant Minister shall cause notice of the meeting to be sent by post to each member of the board not less than fourteen days before the appointed day.

(3) Any member of an internal drainage board who is interested in any company with which the board has, or proposes to make, any contract shall—

- a) disclose to the board the fact and nature of his interest; and
- b) take no part in any deliberation or decision of the board relating to such contract;

And such disclosure shall be forthwith recorded in the minutes of the board.

(4) A minute of the proceedings of a meeting of an internal drainage board, or of a committee of such a board, purporting to be signed at that or the next ensuing meeting by a person describing himself as, or appearing to be, the chairman of the meeting to the proceedings of which the minute relates—

- a) shall be evidence of the proceedings; and
- b) shall be received in evidence without further proof.

(5) Until the contrary is proved—

- a) every meeting in respect of the proceedings of which a minute has been so signed shall be deemed to have been duly convened and held;
- b) all the proceedings had at any such meeting shall be deemed to have been duly had; and
- c) where the proceedings at any such meeting are the proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.

(6) The proceedings of an internal drainage board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment or qualification of any member of the board.

LOWER SEVERN INTERNAL DRAINAGE BOARD

OUT-OF-HOURS CONTACT LIST

NAME	DESIGNATION	PHONE	E-MAIL	PUMP
Matthew Riddle	Board Chairman	07877 413298	matthew.riddle@southglos.gov.uk	All
James Druett	Land Drainage Engineer	07815 445531	JDruett@lowersevernldb.org.uk	All
James Thomas	Civil Engineer	07963 892441	JThomas@lowersevernldb.org.uk	All
Andrew Terrett	Foreman	07831 328620	ATerrett@lowersevernldb.org.uk	All
Kieran Warren	Principal Officer	07921 940789	KWarren@lowersevernldb.org.uk	All
Graham Littleton	Elected Member Longney	07710 425256	Grahamlittleton03@gmail.com	Elmore
John Jones	Councillor, Stroud DC	01452 740839	Cllr.john.jones@stroud.gov.uk	Saul
Roger Godwin	Elected Member Longney	07774 220066	Rag.farms@outlook.com	Lapperditch Wicks Gn Marshfield
Jim Nichols	Elected Member Oldbury	07976 800435	Jwnich76@gmail.com	Oldbury
John Cornock	Elected Member Oldbury	01454 412655	mjcornock@aol.com	Oldbury
John Chamberlayne	Pump Attendant	07802 328997	Linda.chamberlayne@hillfarmlongney.co.uk	Lapperditch Wicks Gn Marshfield
Sophie Round	Pump Attendant	07899 802047	Sophieround77@hotmail.co.uk	Elmore

IF YOU RECEIVE A CALL OR E-MAIL.....

- Visit the pumping station to assess the situation and take action (eg switching the pump to manual) if you can
- If you can't make a visit or you are unsure what action to take, then contact one of the 4 Board Officers listed above
- Contact the person who rang or e-mailed you to explain what has been done and whether further action is planned

April 2020

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

FREEDOM OF INFORMATION PUBLICATION SCHEME: GUIDE TO INFORMATION

1. Introduction

- 1.1 The Freedom of Information Act 2000("the Act") gives a general right of access to recorded information held by public authorities and sets out exemptions from that right and places a number of obligations on public authorities, which includes Internal Drainage Boards.
- 1.2 Further information about the Act and its operation can be obtained from the Information Commissioner's Office (<http://www.ico.gov.uk>).
- 1.3 The Board is required to adopt and maintain a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information, and whether a charge will be made for the information. The purpose of a Publication Scheme is to ensure a significant amount of information is available, without the need for a specific request. Schemes are intended to encourage organisations to publish more information proactively and to develop a greater culture of openness.
- 1.4 The Board has adopted the model publication scheme produced by the Information Commissioner. To supplement the model scheme, we have also produced this Guide to Information which indicates in greater detail, both how information will be published and where we may charge for producing it. The Guide also specifies the type of information which is exempt from disclosure. The Schedule to the Guide, shows in greater detail than is disclosed in the generic classes contained in the model publication scheme itself, the types of information which we will routinely make available.

2. What Information is Routinely Available

- 2.1 Information on who we are and what we do:
 - Organisational information, structures, locations and contacts
- 2.2 Information on what we spend and how we spend it:
 - Financial information relating to projected and actual income and expenditure, procurement, contracts and audited accounts
- 2.3 Information on what our priorities are and how we are doing:
 - Strategies and plans, value for money indicators, audits, inspections and reviews
- 2.4 How we make decisions:
 - Decision making processes and records of decisions
- 2.5 Information on policies and procedures:

- Current written protocols, policies and procedures for delivering our services and responsibilities

2.6 Information on lists and registers:

- All statutory and non-statutory registers (with personal information redacted)

2.7 The service we offer:

- Information about the services we currently provide including leaflets, guidance and newsletters.

3. How to Access Information

3.1 The information referred to in the document may be accessed through a variety of means and in a number of formats where available. All information is available for inspection on request and by prior appointment; where appropriate copies can be made available. A charge may be applied for providing the information; each case is considered individually.

- Some information will be available on our web-site. This information is non-chargeable
- Information may be requested by e-mail to admin@lowersevernldb.org.uk with 'Freedom of Information Request' in the subject line
- Information may be requested by post to:

Principal Officer
Lower Severn Internal Drainage Board
Waterside Buildings
Oldbury Naite
South Glos
BS35 1RF
Tel: +44 (0)1454 413340 Fax: +44 (0) 1454 411830
<http://admin@lowersevernldb.org.uk>

Please note that where hard copies of information will normally be supplied upon request, multiple copies cannot normally be provided.

- Information may be requested in person at the Boards' offices by prior appointment only. Please refer to contact details above

3.2 The Board will always endeavour to respond promptly and fully within 20 working days, as set out in the Freedom of Information Act.

4. Exempt Information

4.1 Information is exempt if, and so long as in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, For example:

- Information relating to any individual
- Information that is likely to reveal the identity of an individual

- Information relating to the financial affairs or business affairs of any particular person (including the Board)
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any employee relations matter arising between the Board or a Minister of the Crown and employees of, or office holders under, the Board.
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
- Information which reveals that the Board proposes:
 - (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or;
 - (b) To make an order or decision under any enactment
- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime

4.2 In adopting this scheme the Board intends to be as open as possible but there are instances where, for legitimate reasons, certain information is not available. Where this is the case the reasons behind the decision to exclude certain information will be clearly stated. Justification for excluding information is made in consideration of the general exemptions contained in the Act, the Environmental Information Regulations, the Data Protection Act or where it may be of a confidential or commercially sensitive nature.

5. Charges

5.1 Charges may be imposed for the provision of some of the information available. Where a class contains information which may be the subject of a charge, this is made clear with a £ symbol in the Schedule to this Guide.

5.2 Any charge made will be justified, transparent and kept to a minimum.

6. Feedback

6.1 Feedback, comments or complaints about this publication scheme should be made to the Principal Officer at the address stated in section 3. If you are not satisfied that information is being published in accordance with this scheme you can refer your complaint to the Information Commissioner:

The Case Reception Unit
 Customer Services Team
 Information Commissioners Office
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF
<http://www.ico.gov.uk/complaints.aspx>

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

SCHEDULE TO GUIDE TO INFORMATION: DETAILS OF INFORMATION AVAILABLE

Introduction

We show below and in greater detail than is disclosed in the generic classes of information contained in the adopted Model Publication Scheme, the information which will routinely be made available.

Who we are and what we do:

- Constitution of the Board, including the structure and membership
- Staffing structure
- Geographical area covered
- Outline of responsibilities
- Location of offices and contact details

What we spend and how we spend it (£):

- Annual accounts and financial reports
- Audit of accounts
- Schedules of paid accounts
- Revenue and capital spending plans
- Financial regulations
- Funding: details of drainage rates, special levies, grants and other financial contributions/sources of income
- Staff and Board member allowances and expenses
- Contracts awarded and their value

What our priorities are and how we are doing (£):

- Business Plan

How we make decisions:

- Programme of meetings
- Agendas for and minutes of meetings of the Board, Committees and Working Parties
- Terms of reference of the Board, Committees and Working Parties
- Delegations to Officers
- Standing Orders
- Board reports
- Public consultations
- Reports from advisory groups/joint committees and ADA
- Assessments of flooding risk

- Other publicly available reports

Our policies and procedures:

- Policies and procedures for the conduct of the Board's business
- Policies and procedures about the provision of services
- Policies and procedures about employment matters
- Asset management plan
- Investment policy
- Risk management policy
- Whistle blowing policy
- Anti-fraud and corruption policy
- Bribery Act policy
- Data protection policy
- Freedom of Information Publication Scheme
- Member Code of Conduct
- Employees Code of Conduct
- Member/Officer protocol
- Health and safety policy

List and registers (£):

- Record of drainage infrastructure
- Asset register
- Complaints register
- Rate book
- Electoral register, (for the purpose of election of IDB members)
- Risk register
- Register of members' interests
- Register of gifts and hospitality
- Members' attendance register
- Freedom of Information

The services we offer (£)

- Byelaws
- Land drainage consents
- Formal comments on planning applications
- Notices, leaflets and guidance
- Media releases

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

MODEL PUBLICATION SCHEME

Freedom of Information Act

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits the Board to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits the Board:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Board and falls within the classifications below.
- To specify the information which is held by the Board and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the Board makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the Board that has been requested, and any updated versions it holds, unless the Board is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the Board is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

Classes of information

Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the Board.

The services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The Board will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of the Board, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the Board will indicate how information can be obtained by other means and provide it by those means. In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Board for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests

Information held by the Board that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

GIFTS AND HOSPITALITY POLICY

Policy Application

The guidance set out in this document applies both to Members of the Board and to its employees. It is also intended to apply to those who carry out works on behalf of or at the request of the Board.

So far as Board Members are concerned, this policy guidance supplements the requirements of the Member Code of Conduct and should be read in conjunction with that Code.

Policy Objective

The purpose of this policy document is to provide guidance to Members and staff on the action that can, or should, be taken in the event that they are offered gifts/hospitality. Although there are limited exceptions for small value gifts/hospitality, the general rule is that anything at or over an estimated value of £ 25.00 should be registered to protect both the individual and the Board. It is most important that this requirement is observed so as not to bring the Board into disrepute. In any case of uncertainty, the Principal Officer should be consulted.

Detailed Guidance

1. Members and employees should treat with extreme caution any offer of a gift or favour or hospitality that is made to them personally. The person or organisation making the offer may be doing or seeking to do business with the Board or may be applying to the Board for some decision to be taken in his favour or someone with whom he is connected.
2. There are no hard and fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be an appropriate way of doing business provided that they are approved by the Principal Officer and provided that no extravagance is involved. In the same way, it may be reasonable for staff to represent the Board at a social function or sporting event organised by outside persons or organisations. If the value of the hospitality is estimated to exceed £25.00 however, it should be recorded in the register.
3. Each Member or employee is personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and to avoid risk of damage to public confidence. The receipt and details of gifts and hospitality should always be reported to the Principal Officer. When hospitality has been declined, those making the offer should be courteously but firmly informed of the procedures and standards operated by the Board and told why hospitality cannot be accepted.
4. Members and employees should not accept significant personal gifts from contractors and outside suppliers, although the Board will allow Members and employees to keep insignificant items of token value such as pens, calendars and diaries. Such insignificant items do not require recording in the Gifts and Hospitality register provided that their estimated value does not exceed £25.00.
5. Acceptance by Members and employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal and where the Member or employee is satisfied that any purchasing decision will not be compromised. However, if the value of such hospitality is estimated to exceed £25.00 per person, then as a precaution the item should be disclosed in the register.
6. Members and employees should register any offer of a gift or favour or hospitality that is refused.

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

MEDIA PROTOCOL

1. Any request from the media about a matter concerning the Board's POLICY should be initially referred to the Board Chairman for a response. Prior to a response being given, the Chairman will consult the Principal Officer and any other parties whom he considers appropriate in the circumstances. If the enquiry is made to any officer other than the Principal Officer, the Principal Officer should be informed immediately.
2. In normal circumstances, in the case of a written response by the Chairman on a matter of POLICY, such response will be issued by the Principal Officer.
3. Any comments to the media in response to an enquiry about a purely OPERATIONAL matter will be dealt with by the Principal Officer (or his nominee) after consultation with the Chairman/appropriate Committee Chairman and any appropriate officer.
4. In cases where the Board decides to make a statement to the media on a pro-active basis, such matter will initially be discussed between the Chairman and Principal Officer who may seek assistance from any other appropriate Member or officer.

LOWER SEVERN INTERNAL DRAINAGE BOARD

MEMBERS' CODE OF CONDUCT

FOREWARD

This Members' Code of Conduct has been prepared by the Lower Severn Internal Drainage Board, and is compliant with the *Code of Conduct for Board Members of Public Bodies* issued by the Cabinet Office, June 2011.

The Board has adopted this Members' Code of Conduct as one of its policies and is committed to its implementation. The Board will review the Members' Code of Conduct periodically and update it as appropriate.

Signed: _____

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Name: _____

Date: _____

Chairman of the Board

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LOWER SEVERN INTERNAL DRAINAGE BOARD

MEMBERS' CODE OF CONDUCT

Part 1

GENERAL PROVISIONS

1. Introduction and interpretation

- 1) This code applies to **you** as a Member of an Internal Drainage Board.
- 2) In this code "Member" includes:
 - (a) an appointed Member;
 - (b) an elected Member; and
 - (c) a co-opted Member,
 of an Internal Drainage Board.
- 3) As a Member it is your responsibility to comply with the provisions of this Code.
- 4) In this Code "meeting" means any meeting of:
 - (a) the Internal Drainage Board;
 - (b) any of the Internal Drainage Board's Committees, Sub-Committees or Working Parties

2. Scope

- 1) You must comply with this Code whenever you:
 - (a) conduct the business of your Internal Drainage Board (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) claim to
 - (c) or act or consciously give the impression you are acting as a representative of your Internal Drainage Board, and references to your official capacity are construed accordingly.
- 2) This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 3) Where you act as a representative of your Internal Drainage Board:
 - (a) on another relevant Internal Drainage Board, you must, when acting for that other Internal Drainage Board, comply with that other Internal Drainage Board's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your Internal Drainage Board's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. Key Principles of Public Life

- 1) When acting as a member of an Internal Drainage Board you should behave in a manner consistent with the following principles to achieve good water management of the district, and maintain public confidence in the Internal Drainage Board:
 - (a) **SELFLESSNESS:** You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for themselves, their family, or their friends;
 - (b) **INTEGRITY:** You should not place yourself under any financial or other obligation to outside individuals or organisations that might, or might be perceived to, influence you in the performance of your official duties;
 - (c) **OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit
 - (d) **ACCOUNTABILITY:** You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office;
 - (e) **OPENNESS:** You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands;
 - (f) **HONESTY:** You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest;
 - (g) **PERSONAL JUDGEMENT:** You may take account of the views of others, including their political groups, but should reach your own conclusions on the issues before you and act in accordance with those conclusions;
 - (h) **RESPECT OF OTHERS:** You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Internal Drainage Board's statutory officers, and its other employees;
 - (i) **DUTY TO UPHOLD THE LAW:** You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you; and
 - (j) **LEADERSHIP:** You should promote and support these principles by leadership and example.

4. General conduct

- 1) You must treat others, including employees and Members of your Internal Drainage Board, with courtesy and respect.
- 2) You must not:
 - (a) do anything which may cause your Internal Drainage Board to breach the Equality Act 2010;
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - i) a complainant,
 - ii) a witness, or

- iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with his or her Internal Drainage Board's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your Internal Drainage Board.
 - (e) ask or encourage Members or employees of your Internal Drainage Board to act in any way which would conflict with their own Code of Conduct.
- 3) You must not:
 - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - i) you have the consent of a person authorised to give it;
 - ii) you are required by law to do so;
 - iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - iv) the disclosure is:
 - (aa) reasonable and in the public interest; and
 - (ab) made in good faith and in compliance with the reasonable requirements of the Internal Drainage Board; or
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
- 4) You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Internal Drainage Board into disrepute.
- 5) You:
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your Internal Drainage Board:
 - i) act in accordance with your Internal Drainage Board's reasonable requirements; and
 - ii) ensure that such resources are not used improperly for personal gain.

5. Use of Public Funds

- 1) You have a duty to ensure the safeguarding of public funds and the proper custody of assets which have been publicly funded.
- 2) You must carry out your fiduciary obligations responsibly – that is, take appropriate measures to ensure that the body uses resources efficiently, economically and effectively, avoiding waste and extravagance.

6. Allowances

- 1) You must comply with the rules set by the Internal Drainage Board regarding remuneration, allowances and expenses. It is your responsibility to ensure

compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

7. Gifts and hospitality

- 1) You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.
- 2) You must never canvass or seek gifts or hospitality.
- 3) You must comply with the rules set by the body on the acceptance of gifts and hospitality. You should inform the Clerk of any offer of gifts or hospitality and ensure that, where a gift or hospitality is accepted, this is recorded in a public register in line with the rules set by the body.
- 4) You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring the public body into disrepute.

8. Responsibilities as a Board Member

- 1) You should play a full and active role in the work of the Internal Drainage Board. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the Board.
- 2) You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability. You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.
- 3) You must comply with any statutory or administrative requirements relating to your post.
- 4) You should respect the principle of collective decision-making and corporate responsibility. This means that, once the Board has made a decision, you should support that decision.
- 5) You must not use, or attempt to use, the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.
- 6) You should act in the interests of the Board as a whole and not as a representative or delegate of the body by whom you are appointed. You must not use your position as a Board Member except for the benefit of the Board.
- 7) As a Board Member you have duties and responsibilities analogous to those of directors of companies, who owe a fiduciary duty to the company and must exercise independent judgement.
- 8) Subject to your obligations as a Board Member under this Code (including the disclosure and registration of interests), the requirements of the Code are not intended to restrict your rights, acting in a private capacity, to safeguard or promote your own proper interests.

Part 2

MEMBERS' INTERESTS

9. Personal interests

- 1) You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties and your personal interests – financial or otherwise.
- 2) You must remove yourself from the discussion or determination of matters in which you have a financial interest. In matters in which you have a non-financial interest, you should not participate in the discussion or determination of a matter where the interest might suggest a danger of bias.
- 3) When considering what non-financial interests should be declared, you should ask yourself whether a member of the public, acting reasonably, would consider that the interest in question might influence your words, actions or decisions.
- 4) It is your responsibility to ensure that you are familiar with the Board's rules on handling conflicts of interests, that you comply with these rules and that your entry in the Board's Register of Members' Interests is accurate and up-to-date.
- 5) You have a personal interest in any business of your Internal Drainage Board where either:
 - (a) it relates to or is likely to affect;
 - i) anybody of which you are a member or in a position of general control or management and to which you are appointed or nominated by your Internal Drainage Board;
 - ii) anybody:
 - (aa) exercising functions of a public nature;
 - (ab) directed to charitable purposes; or
 - (ac) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
of which you are a Member or in a position of general control or management;
 - iii) any employment or business carried on by you;
 - iv) any person or body who employs or has appointed you;
 - v) any person or body, other than a relevant Internal Drainage Board, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - vi) any person or body who has a place of business or land in your Internal Drainage Board's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - vii) any contract for goods, services or works made between your Internal Drainage Board and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - ix) any land in your Internal Drainage Board's area in which you have a beneficial interest;

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- x) any land where the landlord is your Internal Drainage Board and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- xi) any land in the Internal Drainage Board's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of:
 - i) other Board ratepayers
 - ii) ratepayers or inhabitants of the locality affected by the decision;
- 6) In paragraph 9.5(b), a relevant person is—
 - (a) a Member of your family or any person with whom you have a close association;
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in paragraph 9.5(a)i or 9.5(a)ii.

10. Disclosure of personal interests

- 1) Subject to paragraphs 10.2 to 10.5, where you have a personal interest in any business of your Internal Drainage Board and you attend a meeting of your Internal Drainage Board at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- 2) Where you have a personal interest in any business of your Internal Drainage Board which relates to or is likely to affect a person described in paragraph 9.5(a)i or 9.5(a)ii(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- 3) Where you have a personal interest in any business of the Internal Drainage Board of the type mentioned in paragraph 9.5(a)viii, you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- 4) Paragraph 10.1 only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- 5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your Internal Drainage Board's Register of Members' Interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

11. Prejudicial interest generally

- 1) Subject to paragraph 11.2, where you have a personal interest in any business of your Internal Drainage Board you also have a prejudicial interest in that business where the interest is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- 2) You do not have a prejudicial interest in any business of the Internal Drainage Board unless that business:
 - (a) affects your financial position or the financial position of a person or body described in paragraph 9;
 - (b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 4; or
 - (c) if that business relates to the functions of your Internal Drainage Board in respect of—
 - i) an allowance, payment or indemnity given to members;
 - ii) setting drainage rates or a special levy under the Land Drainage Act 1991.

12. Effect of prejudicial interests on participation of debate

- 1) If you have a prejudicial interest in any item of business, you must declare that interest and leave the meeting whilst the item is under consideration. Accordingly, you can take no part in the discussion or voting on the matter.

Part 3

Registration of Members' Interests

13. Registration of Members' Interests

- 1) Subject to paragraph 14, you must, within 28 days of:
 - (a) this Code being adopted by or applied to your Internal Drainage Board; or
 - (b) your election or appointment to office (where that is later),
 register in your Internal Drainage Board's Register of Members' Interests details of your personal interests where they fall within a category mentioned in paragraph 9.1(a), by providing written notification to your Internal Drainage Board's Principal Officer.
- 2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph 13.1, register details of that new personal interest or change by providing written notification to your Internal Drainage Board's Principal Officer.

14. Sensitive information

- 1) Where you consider that the information relating to any of your personal interests is sensitive information, and your Internal Drainage Board's Principal Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 14.
- 2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 14.1 is no longer sensitive information, notify your Internal Drainage Board's Clerk asking that the information be included in your Internal Drainage Board's register of members' interests.
- 3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

WHISTLE BLOWING POLICY

Overall Policy Objective

The overall objective of this policy is to maintain a working environment where people, whether they are employees of the Board, suppliers, contractors or members are able to raise concerns where they think there is misconduct or malpractice, and to know that their concerns will be taken seriously and investigated without fear of victimisation. The policy is intended to give confidence to employees to whistle blow and, as such, it incorporates statutory provision for protection under the Public Interest Disclosure Act 1998.

Our Commitment

The Board attaches high priority to ethical standards and probity and is committed to taking appropriate action where misconduct or malpractice is identified. We are committed to being open, honest and accountable. The Board will protect staff from being penalised for raising concerns about misconduct or malpractice provided that allegations are made in good faith and without mischievous or malicious intent. The following are covered by this policy:

- Employees including part time, agency and temporary staff
- Board Members (except where allegations are made directly against a Board Member)
- Suppliers and those providing services under a contract whether working for the Board on Board premises or their own premises

For the purposes of this policy, everyone referred to above is to be treated as being an “employee”.

Introduction

Employees are often the first to realise that there may be something seriously wrong within the Board. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Board. They may also fear harassment or victimisation. We encourage employees and others that we work with, who have serious concerns about any aspect of the Board’s work, to come forward and voice those concerns. It is recognised that most cases will be confidential. We wish to make clear that they can do so without fear of victimisation, subsequent discrimination or disadvantage. This ‘Whistleblowing – Confidential Reporting Code’ aims to encourage and make it possible for employees to raise serious concerns within the Board rather than overlooking a problem or ‘blowing the whistle’ outside the Board.

Aim and Scope of the Policy

This policy aims to:

- Encourage employees to feel confident in raising serious concerns and to question and act on their concerns about practice
- Provide avenues for employees to raise those concerns and receive feedback on any action taken
- Make sure that employees receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith

There are existing procedures in place which make it possible for employees to lodge a grievance relating to their own employment. This policy is intended to cover major concerns that fall outside the scope of other policies and procedures.

What Types of Conduct are Covered?

- Conduct which is against the law, a miscarriage of justice or fails to meet a legal obligation
- Health and safety risks, including risks to the public or to other employees
- Damage to the environment
- The unauthorised use of public funds
- Gross negligence
- Breaches of the Boards' governance arrangements (including Standing Orders or Financial Regulations) and policies
- Sexual, racial, physical or other abuse of service users or staff
- Other unethical conduct
- Actions which are intended to conceal any of the above
- *Unauthorised use of equipment*

This means that any serious concerns anyone has about any aspect of service provision or the conduct of officers or Members of the Board or others acting on behalf of the Board can be reported under this policy. This may be something that:

- Makes anyone feel uncomfortable in terms of known standards, their experience
- Or the standards they believe the Board subscribes to:
- Is against Financial Regulations, Board Procedure Rules or other governance arrangements
- Falls below established standards of practice

- Amounts to improper conduct

What is not Covered?

This policy cannot be used to deal with serious or sensitive matters that are covered by other procedures. Such procedures include the following:

- Staff complaints about their employment. These complaints are dealt with through our Grievance Procedure
- Customers' complaints about our services and how we operate, *including complaints of improper conduct*. These complaints are dealt with through our Complaints Procedure
- Allegations against Board Members. Those wishing to complain about Member conduct should do so directly to the Principal Officer.

Additionally, the Board will not investigate allegations which are patently of a vexatious nature.

Safeguards

The Board is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If what is being reported is true, there should be nothing to fear because the person reporting will be doing their duty to the employer and those for whom they are providing a service. The Board will not tolerate any harassment or victimisation (including informal pressures) and will take suitable action to protect anyone when a concern is raised in good faith. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect staff.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal anyone's identity if they so wish. At the appropriate time however, you may need to come forward as a witness.

Anonymous Allegations

This policy encourages anyone to put their name to an allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Board. In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

Untrue Allegations

If an allegation is made in good faith, but it is not confirmed by the investigations, no action will be taken against the person concerned. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary or other appropriate action may be taken.

How to Raise a Concern

An employee should normally initially raise their concerns with their line manager. This depends however on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if they believe that management is involved they should approach the Principal Officer, or if the Principal Officer is absent or the complaint relates to the Principal Officer, the Chairman. Concerns may be raised verbally or in writing. Anyone who wishes to make a written report is invited to use the following format:

- The background and history of the concern (giving relevant dates)
- The reason why they are particularly concerned about the situation

The earlier the concern is expressed the easier it is to take action. Although no one is expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person being contacted that there are reasonable grounds for their concern. Advice and guidance on how to pursue matters of concern may be obtained from:

- The Principal Officer

It may be appropriate to consider discussing a concern with a colleague first and it may be easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. Anyone may also invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns they have raised. Unions and professional associations may also raise matters of concern on behalf of their members employed by the Board. If anyone prefers not to raise their concern through their line manager, they may report it directly to the Principal Officer.

How the Board will Respond

The Board will respond to any concerns. Do not forget that testing out concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- Be investigated by management, internal audit or through the disciplinary process
- Be referred to the police
- Be referred to the external auditor
- Form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form should it take. The overriding principle which the Board will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for

example fraud or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is carried out. Within ten working days of a concern being raised, a line manager, Principal Officer or the Chairman depending upon who has been approached, will write:

- Advising that the concern has been received
- Advising how we propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Advising whether any initial enquiries have been made
- Supplying information on staff support mechanisms where appropriate
- Advising whether further investigations will take place and, if not, why not

The amount of contact between the officers considering the issues and the person raising them will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Board will get further information from them. The Board will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if it is necessary to give evidence in criminal or disciplinary proceedings, the Board will arrange for advice about the procedure. The Board accepts that individuals need to be confident that the matter has been properly addressed. Therefore, subject to legal constraints, we will tell them the outcome of any investigation.

Any investigations will follow the course of natural justice and will adhere to Articles 6 and 8 of the Human Rights Act 1998 (right to a fair hearing and right to private family life)

The Responsible Officer

The Principal Officer has overall responsibility for the maintenance and operation of this policy. In the absence of the Principal Officer, the Chairman will act on his behalf. The Principal Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger anyone's confidentiality) and will report as necessary to the Board.

How the Matter can be Taken Further

This policy is intended to provide the opportunity to raise concerns. If internal advice is required before starting action, you may talk to:

- An immediate line manager or the Principal Officer
- The local union branch

The Board hopes everyone will be satisfied with any action taken. If they are not, and feel it is right to take the matter outside the Board, the following are possible contact points:

- The Appointed Auditor

- UNISON Whistle blowers hotline 0845 355 0845 or GMB 029 2049 1260
- The local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- A relevant voluntary organisation
- The police
- The independent charity Public Concern at Work. Their lawyers can give free confidential advice at any stage about how to raise a concern about serious malpractice at work. The charity's contact details are: 020 7404 6604, 020 7404 6576, www.pcaw.co.uk, whistle@pcaw.co.uk (enquiries), helpline@pcaw.co.uk (helpline), Public Concern at Work, Suite 306, 16 Baldwin Gardens, London, EC1N 7RJ.

If the matter is taken outside the Board, please make sure that you do not disclose confidential information. Check with the Principal Officer.

Whistle Blowing Do's and Don'ts

Do

- Keep calm
- Think about the risks and outcomes before you act
- Remember you are a witness, not a complainant
- Phone Public Concern at Work for advice on 020 7404 6604

Don't

- Forget there may be an innocent or good explanation
- Become a private detective
- Use whistleblowing procedures to pursue a personal grievance
- Expect thanks

Review

This policy will be the subject of a formal review on a two-yearly basis

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

Proposed Budget 2021/22

column	Budget 2020/21 9.3p	Predicted Out turn 2020/21	Variance	Notes	Proposed Budget 2021/22 9.7p	Variance	Notes
	£	£	£		£	£	
	1	2	3(2-1)		4	5(4-2)	
Income							
Levies charged to authorities	1,301,042	1,301,042	0		1,357,001	55,959	5
Agricultural rate	120,427	120,427	0		125,607	5,180	5
Foreign Water Grant	167,339	167,339			170,686	3,347	10
Rechargeable works	2,000	21,321	19,321	1	17,000	-4,321	
Application fees & wayleaves	3,000	2,700	-300	1	3,000	300	
Plan checking fees	0	0	0		0	0	
Eng. Consultancy recharged	18,000	18,000	0	1	18,000	0	
Developers capital drawdown	21,836	21,836	0		22,491	655	6
Developers maintenance drawdown	21,836	21,836	0		22,491	655	6
Bank interest	6,000	1,848	-4,152	1	3,000	1,152	
Miscellaneous income	0	300	300		0	-300	
Book profit (loss) on plant sales	13,692	14,811	1,119	2	29,258	14,447	7
Total	1,675,172	1,691,460	16,288		1,768,534	77,074	
Expenditure							
Payroll	731,174	738,603	-7,429		765,822	-27,219	8
Office maintenance	20,975	17,468	3,507		20,975	-3,507	
Plant maintenance	203,500	175,000	28,500	3	180,000	-5,000	9
EA Levy	213,893	213,893	0		218,171	-4,278	10
Motor, travel & subsistence	26,246	18,728	7,518		23,746	-5,018	
Communications	5,250	5,559	-309		5,250	309	
Administration	38,583	45,476	-6,893		39,979	5,497	
Eng. Consultancy general	45,000	53,022	-8,022		60,000	-6,978	
Eng. Consultancy recharged	0	15,000	-15,000		15,000	0	
Legal & professional fees	3,000	3,298	-298		3,000	298	
Audit & accountancy fees	5,000	5,000	0		5,000	0	
Depreciation	143,634	151,395	-7,761	4	211,407	-60,012	11
Bank charges	3,000	1,860	1,140		3,000	-1,140	
Total	-1,439,255	-1,444,302	-5,047		-1,551,350	-107,048	
Estimated Proposed Budget Surplus	235,917	247,158	-11,241		217,184	-29,974	
Transfer to Capital Expenditure Reserve	-225,000	-225,000	0		-250,000	-25,000	12
Surplus (deficit) to (from) Accumulated Reserve	10,917	22,158	11,241		-32,816	-54,974	

LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**Predicted out turn 2020/21****Notes**

- 1 This reflects the activity in the year to 30 November 2020.
- 2 Net effect of the sale of the Energreen 1500.
- 3 Plant Maintenance is going to be underspent this is predominately due to lockdown earlier in the year.
- 4 The Depreciation charge higher than expected.
This is due to the purchase of a compressor, conference equipment and the revision of timings for the pumps.

Proposed Budget 2021/22**Notes**

The proposed budget indicates a deficit of £32,816 if the rate is increased to 9.7p.
An increase of 1p in the rate generates additional income of £152,000.

Each budget line has been reviewed in detail with particular emphasis on cost savings.

- 5 This figure indicates a levy increase to 9.7p. Agricultural rates based on 125 Annual Value and below are deemed uneconomic to collect. This is estimated to be £2,364 in 2021/22.
- 6 Developers drawdowns are based on a 3% increase each year.
- 7 This is the assumed profit on sale of the Class 697 and Hyundai Excavator
- 8 Payroll assumes an annual pay award of 4.1%.
- 9 Plant Maintenance has been decreased this reflects the anticipated reduction in repair costs due to having new equipment.
- 10 The EA levy and the Foreign Water Grant will increase by 2% per annum.
- 11 The Depreciation Charge increase is due to the purchase of a new machinery and the new pumps.
- 12 The transfer to the Capital Expenditure Reserve has been increased to £250,000.

MTFP (Medium Term Financial Plan)

A) Income and Expenditure

		Rate - Pence in the Pound					
		9.3	9.7	10.2	10.7	11.0	11.3
		No Increase	Increase	The future annual rates shown are for illustrative purposes only.			
	Year	Year	Year 1	Year 2	Year 3	Year 4	Total
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	all years
	Budget	Budget	Estimate	Estimate	Estimate	Estimate	2022/26
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Income (line10)	1,706	1,768	1,822	1,888	1,971	1,989	7,670
Expenditure (line 24)	1,551	1,551	1,604	1,643	1,707	1,713	1,003
Estimated +surplus -deficit (line 23)	155	217	218	245	264	276	6,667
Transfer to Capital Reserve (line 24)	250	250	275	300	325	350	1,250
Net estimated +surplus -deficit (line 25)	-95	-33	-57	-55	-61	-74	-247
Transfer from Capital Res. (line 26)	375	375	300	0	350	0	650
Accumulated Res. b/f (line27)	574	574	916	1,159	1,104	1,393	916
Accumulated Res. c/f (line28)	854	916	1,159	1,104	1,393	1,319	1,319
Accumulated Reserve as % of expenditure	55.06%	59.06%	72.29%	67.18%	81.57%	76.99%	131.51%

B) Working Capital - Cash Flow

	Year 2021/22 Budget £000's	Year 2021/22 Budget £000's	Year 1 2022/23 Estimate £000's	Year 2 2023/24 Estimate £000's	Year 3 2024/25 Estimate £000's	Year 4 2025/26 Estimate £000's	Total all years 2022/26 £000's
Balances b/f	574	574	488	313	360	280	488
Net cash movement	-148	-86	-175	46	-79	209	1
Balances c/f	426	488	313	360	280	489	489

C) Cash at Bank

	Year 2021/22 Budget £000's	Year 2021/22 Budget £000's	Year 1 2022/23 Estimate £000's	Year 2 2023/24 Estimate £000's	Year 3 2024/25 Estimate £000's	Year 4 2025/26 Estimate £000's	Total all years 2022/26 £000's
Working Capital	426	488	313	360	280	489	489
Capital Expenditure Reserve	347	347	158	70	231	43	43
Developers Reserve	31	31	-15	-63	-112	-163	-163
	804	866	456	367	399	369	369

Medium Term Financial Plan (MTFP)

			Rate - Pence in the Pound						
			9.3	9.7	10.2	10.7	11.0	11.3	
			No Increase	Increase	The future annual rates shown are for illustrative purposes only.				
Income and Expenditure basis	Line	Note	YEAR 2021/22 Budget £000's	YEAR 2021/22 Budget £000's	YEAR 1 2022/23 Estimate £000's	YEAR 2 2023/24 Estimate £000's	YEAR 3 2024/25 Estimate £000's	YEAR 4 2025/26 Estimate £000's	Total all years 2022/26 £000's
Income									
Levies and charges to Authorities	1	1	1,301	1,357	1,427	1,497	1,539	1,581	6,044
Agricultural rates	2	2	120	126	132	139	142	146	559
sub total +	3		1,421	1,483	1,559	1,635	1,681	1,727	6,603
Foreign Water Grant		3	171	171	174	178	181	185	719
Developers Fund Contribution	5	4	45	45	46	48	49	51	194
Other Income	6		37	37	23	23	23	23	92
Bank interest	7	5	3	3	3	3	3	3	12
Surplus on sale of fixed assets	8		29	29	16	1	33	0	50
sub total +	9		285	285	263	253	290	262	1,067
total income	10		1,706	1,768	1,822	1,888	1,971	1,989	7,670
Expenditure									
Payroll	11	6	766	766	785	805	825	846	3,260
Office maintenance	12		21	21	21	19	19	20	79
Maintenance plant and machinery	13	7	180	180	190	194	198	202	783
EA Levy	14	3	218	218	222	227	231	236	916
Motor travel and subsistence	15		24	24	24	17	17	18	76
Communications	16		5	5	5	5	5	5	20
Administration	17	8	40	40	41	42	42	43	168
Engineering consultancy fees	18		75	75	46	47	48	49	190
Legal and professional fees	19		3	3	3	3	3	3	12
Audit and Accountancy fees	20		5	5	5	5	6	6	22
Depreciation	21	9	211	211	258	277	310	283	1,128
Bank charges	22		3	3	3	3	3	3	12
total expenditure			1,551	1,551	1,604	1,643	1,707	1,713	6,667
Estimated +surplus -deficit	23		155	217	218	245	264	276	1,003
Transfer to Capital Reserve	24	10	250	250	275	300	325	350	1,250
Net estimated +surplus -deficit	25		-95	-33	-57	-55	-61	-74	-247
Transfer from Capital Reserve	26	11	375	375	300	0	350	0	650
Accumulated Fund	27	b/f	574	574	916	1,159	1,104	1,393	916
Contribution to Accumulated Fund	28	c/f	854	916	1,159	1,104	1,393	1,319	1,319
Adjust for non cash items									
Depreciation	29	9	211	211	258	277	310	283	1,128
Surplus on sale on fixed assets	30		-29	-29	-16	-1	-33	0	-50
Cash items not included									
Plant purchases net of sales receipts	31	12	-235	-235	-360	-175	-295	0	-830
Adjustment for cash flow purposes	32		-53	-53	-118	101	-18	283	248
Net creditors/debtors	33		0	0					
Net cash flow movement	34		-148	-86	-175	46	-79	209	1
Working Capital	35	b/f	574	574	488	313	360	280	488
Working Capital	36		426	488	313	360	280	489	489
Add Capital Expenditure Reserve	37		347	347	158	70	231	43	43
Add Developers Fund Reserve	38		31	31	-15	-63	-112	-163	-163
Bank balances	39	c/f	804	866	456	367	399	369	369

Note:

- Proposed rates and levies increase.
- Agricultural rates - there will be a write off of £2,364 due to under 125 AV not collected.
- EA have informed the Board that a net annual payment of £47,485 will increase by 2% per annum
- Assumes a 3% increase per annum.
- Bank interest assumed at current level.
- Based on current headcount. 2.5% annual pay increase 2022 to 2026.
- Assumes fewer major repairs as purchasing new machinery.
- Assumes that Business Rates and Utility bills increase by 3% per annum.
- Depreciation is a non cash item and is added back for cash flow purposes.
- The transfer to the Capital Reserve increases by £25,000 per annum. Final year is 2028/29.
- When a new pump is purchased it becomes a Fixed Asset, paid for by cash.
There is no longer a requirement to hold an amount in the Capital Reserve for this new pump.
Hence the purchase price is transferred to the Accumulated Reserve.
- Plant purchases/sales include :-
In 2021/22 Claas Mower £125k, less proceeds Claas 697 OU07 JXX £24k = 101k
New Hitachi Excavator £144k, less proceeds Hyundai WX12 CWL £18k = £126k.
Water Level Monitoring Equipment, £8k. Total for the year £235k.
In 2022/23 Energreen SPV3 £400k, less proceeds Energreen VX65 HVB £40k = £360k.
In 2023/24 New Kobelco Excavator £160k , less proceeds Kobelco Excavator WU16 T2M £15k = £145k.
New Isuzu £35k, less proceeds Isuzu WU17 NVD £5K = £25k. Total for the year £175k.
In 2024/25 Energreen SPV2 £300k, less proceeds Energreen VX65 HTA £40k = £260k
New Ford Ranger £40k, less proceeds Isuzu VO62 RPY £5K = £35k. Total for the year £295k.
In 2025/26 There are no programmed plant purchases.
In 2026/27 New Loadall/Material Handler £90k, less proceeds £1,000 Merlo Loadall WX08 OSY = £89k.

**Minutes of the Governance & Probity Committee Meeting
Of the Lower Severn (2005) Internal Drainage Board
Held Wednesday 31st March 2021 at 10.30 am
Virtual Meeting**

Present: Cllr B Behan Chairman
Mrs F Collins
Cllr M Riddle
Cllr J Jones

Staff: Kieran Warren Principal Officer PO
Louise Reading Minutes

**

3198	Apologies/Welcomes Apologies were received from Cllr P Abraham and Cllr P Burford	
3199	Chairman's Announcements There were no Chairman's Announcements	
3200	Declarations of Interest There were no declarations of interest.	
3201	Minutes of the Previous Meeting It was resolved that: <ul style="list-style-type: none"> • Subject to the amendment to the date in minute 3090 from 31st March 2022 to 31st March 2021, the minutes of the meeting held on 2nd December 2020 be approved as a correct record. 	
3202	Reserves and Board Closure At the last Governance and Probity Committee meeting, Members had requested that the PO investigate the level of reserves available to meet its obligations should the Board cease operations. The PO updated Members that he had contact local authorities and the LGPS and was able to obtain broad figures. Based on current reserves and the value of net assets, he was confident that in the very unlikely event of closure the Board had sufficient funds to meet its liabilities. He also advised Members that if the Board were to be replaced by a new drainage body, then the application of TUPE regulations would mean that its liabilities would transfer to its successor It was resolved that: <ul style="list-style-type: none"> • The report be noted 	
3203	Remote Meetings The PO updated members about legislation allowing meetings to be held virtually due to expire on 7 th May 2021. He was waiting on guidance from Defra as to how IDBs could proceed beyond that date. Members agreed that a mixture of remote and in person meetings seemed to provide flexibility. Cllr Riddle highlighted that unlike local authorities the Board's area included 8 different local authorities and remote meetings could save considerable travel time for those that live furthest away. The PO added that some Members were very happy with the current meeting arrangements It was resolved that: <ul style="list-style-type: none"> • The report be noted 	

<p>3203</p>	<p>Policies to be Reviewed</p> <p><u>Biodiversity Plan</u> The Chair felt the plan was reflected the Board's aspirations to maximise the biodiversity benefits from its activities.</p> <p>Cllr Riddle suggested that it could be sent out for consultation to an environmental body for review. For example, to check for any new protected species to be included. Members agreed with this.</p> <p>The PO suggested contacting ADA and Cllr Jones suggested local council Biodiversity officers may be able to help.</p> <p><u>Data Protection Policy</u> The PO advised Members that this policy followed statutory guidance and that it was up to date.</p> <p>Cllr Riddle asked if staff should be given training so they feel supported in such an important area. The Chair suggested that maybe the Boards Data Protection Officer could provide some internal training. The PO advised Members he would investigate options for staff data protection training and report back.</p> <p><u>Employee Handbook</u> The PO advised Members that the handbook was issued by Citation. He advised that the redundancy section needed revising after Members agreed at the last Governance and Probity Committee meeting that the Board would follow ACAS advice in this area.</p> <p>The PO also felt it important to add a section to cover home working due to the changes the Covid pandemic had brought. Members agreed that it was important that expectations were recorded and agreed between the Board and its employees.</p> <p>The Chair asked Members if putting the wrong fuel in a vehicle was classed as gross misconduct as this seemed harsh. The PO agreed, although it was included under gross misconduct in case of a malicious act.</p> <p>In response to Cllr Jones' question, the PO advised that in recent years insurance certificates showing employees had business use on their car insurance had not been checked and that he would reintroduce monitoring arrangements.</p> <p><u>Standing Orders</u> On page 80 between points 32 and 33 the PO advised there should be a heading 'Authority for Virtual Meetings'.</p> <p>On Page 77 under point 6 the wording 'by secret ballot' should be removed as this is incorrect.</p> <p>The Chair asked the PO if there needed to be an amendment as to the signing of the paper minutes as Covid had restricted this. She advised that her council post the minutes for signing and return. The PO advised that he would look into this</p> <p>It was recommended that:</p> <ul style="list-style-type: none"> • The Biodiversity Plan be issued to local councils and ADA for consultation and report back to the next Governance and Probity Committee Meeting; • The Data Protection Policy be submitted to the Board for Approval as per Appendix A; • The Employee Handbook be revised and reissued to all staff; • The Standing orders be amended and submitted to the Board for approval as per Appendix B. 	<p>20210331 G&P1 PO to consult ADA and local councils for Biodiversity plan review</p> <p>20210331 G&P2 PO to investigate data protection training for staff</p> <p>20210331 G&P3 PO to request insurance documents from employees</p> <p>20210331 G&P4 PO to investigate the signing of paper minutes</p>
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3204	Schedule of Policies It was resolved that: <ul style="list-style-type: none"> • The Schedule of Policies be noted. 	
3205	Date of Next Meeting Members noted that the next Governance and Probity meeting would be held on 1 st December 2021, with the possibility of an additional meeting in September 2021 if business warrants it.	
	The meeting closed at 11.30am	

Lower Severn (2005) Internal Drainage Board

DATA PROTECTION POLICY

Introduction

The Data Protection Act 2018 ("the Act") has replaced the Data Protection Act 1988 and came into force on 25 May 2018.

The General Data Protection Regulation ("the Regulation") came into force on 25 May 2018 and is designed to cover the collecting, storing, processing and distribution of personal data. It gives rights to individuals about whom information is recorded. This applies to all individuals whether they are employees, members, ratepayers or other customers, suppliers or members of the public.

The General Data Protection Regulation is being implemented in the UK through the Data Protection Act 2018.

Policy Statement

In order to meet its legal obligations and to operate effectively the Lower Severn (2005) Internal Drainage Board ("the Board") needs to collect, maintain and use certain personal information about current and past employees, members, ratepayers and other customers, suppliers and others with whom it has dealings. All such personal information, whether held on paper, computer or other format will be obtained, handled, processed, transported and stored lawfully and correctly in accordance with the Act.

The Board will aim to ensure that all employees and others who have access to any information held are fully aware of and abide by their duties and responsibilities under the Act.

The Board recognises that personal information is confidential and that unauthorised disclosure is a criminal offence under the Act.

Lawful Basis for Collecting and Processing Data

The Board is defined as a Public Authority under the Act. The Board has a lawful basis for collecting and using data under the Land Drainage Act 1991, in particular Section 52 Register of Drainage Hereditaments and Section 53 Power to require information. This data is categorised under the Act as a legal obligation to hold for the purpose of usage under the requirements of the Land Drainage Act 1991. The intended purposes for processing the personal data is for the Board's legal obligations of the Land Drainage Act 1991 and any other relevant Act.

An individual or organisation has no right to object to the Board holding this relevant data. The Board does not require consent to hold the relevant data and there is no right to have it erased.

Data Protection Principles

The Board is committed to the principles contained in the Act.

These principles are:

- Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any way incompatible with that purpose or those purposes;
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- Personal data shall be accurate and where necessary, kept up to date;
- Personal data processed for any purpose or purposes shall not be kept longer than is necessary for that purpose or those purposes;
- Personal data shall be processed in accordance with the right of data subjects under the Act;
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedom of data subjects in relation to the processing of personal data.

To meet the requirements of the Act the Board is committed to the following:

That personal information shall be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest; scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the Act in order to safeguard the rights and freedoms of individuals;
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Compliance with the Data Protection Principles

In order to comply with the data protection principles, the Board will:

- Observe fully all conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate personal information only to the extent that it is needed to fulfil operational needs or to comply with legal obligations;
- Ensure that the personal information used is as accurate as possible;
- Apply strict checks to determine the length of time personal information is held and ensure that personal information is not held any longer than is necessary;
- Ensure that individuals about whom information is held are able to exercise their rights under the Act, including the right to be informed that processing is taking place, the right of access to their own personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase incorrect information;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred outside the EEA without suitable safeguards.

Commitment to Data Protection

The Board adheres to its commitment to the Act by:

- Allocating specific responsibility for data protection to at least one person;
- Ensuring that employees handling personal information are supervised appropriately;
- Processing requests for access to personal information in a timely and courteous manner;
- Recording any breaches in data protecting policy and taking disciplinary action as necessary;
- Periodically reviewing the management of personal information and updating the policy and procedures accordingly.

Lawful Processing

Before any processing of personal data takes place the lawful basis for processing will be established. The Lawfulness of processing conditions include:

- Consent of the data subject;
- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract;
- Processing is necessary for compliance with a legal obligation;
- Processing is necessary to protect the vital interests of a data subject or another person;
- Processing is necessary for the performance of a task carried on the public interest or in the exercise of official authority vested in the Board.

Responsibilities

The overall responsibility of ensuring compliance to the Act remains with the Board. However:

- The day to day responsibility rests with the office based employees;
- It is the responsibility of all employees to ensure that personal information provided to the Board, for example current address, is accurate and up to date. To this end employees are required to inform the Board immediately when changes occur;
- Employees whose role involves the collection, maintenance and processing of personal information about other employees, ratepayers, customers, suppliers or any other individuals with whom the Board has dealings are responsible for following the Boards rules on good data protection practise as notified from time to time.

Individuals' Rights

Individuals have the following rights. The right:

- To be informed;
- Of access;
- To rectification;
- To erasure;
- To restrict processing;
- To data portability;
- To object;
- Not to be subject to automated decision-making including profiling.

Individuals' Rights are restricted if the information is lawfully collected.

Access to Information

Anyone who is the subject of personal information held by the Board has the right to make a subject access request. Those who wish to exercise this right should write to the Principal Officer. The Board reserves the right to charge £10 for responding to such requests. If, as a result of a subject access request, any personal information is found to be incorrect, it will be amended. The Board will deal promptly and in a courteous manner with subject access requests and will normally respond within 40 days. If there is a reason for delay, the person making the request will be informed accordingly.

Breach of the Policy

Breach of this policy by an employee will be regarded as a disciplinary offence and will be dealt with under the Board's formal discipline procedure.

Employees who consider that there has been a breach of this policy in relation to personal information about them held by the Board should raise the matter via the Board's formal grievance procedure.

Contact

If you have any questions, comments or complaints about this Data Protection Policy please contact Martin Dear using the details below:

Martin Dear
Data Protection Officer
Lower Severn (2005) Internal Drainage Board
Waterside Buildings
Oldbury Naite
Thornbury
South Gloucestershire
BS35 1RF

Email: MDear@lowersevernidb.org.uk

Updating this Data Protection Policy

The Board may update or amend this Data Protection Policy from time to time, to comply with law or to meet changing business requirements. When updates are made to this Policy, the Board will take appropriate measures to inform you, consistent with the significance of the changes made.

Lower Severn (2005) Internal Drainage Board

STANDING ORDERS

Rules made by the Lower Severn (2005) Internal Drainage Board with the approval of the Secretary of State under paragraph 3(1) of the Second Schedule to the Land Drainage Act, 1991. The relevant statutory provisions governing the proceedings of an Internal Drainage Board are set out in the Annex to these Rules for reference purposes.

Regulations as to Proceedings

1. Meetings of the Board, for which five clear working days' notice will be given, will be open to the public and press who will on the invitation of the Chairman be able to speak at the meeting. The Board can pass a resolution to exclude the public and/or press from a meeting or part thereof where it is considered that the nature of the business to be transacted so requires. In that event the reasons for such exclusion shall be clearly recorded in the minutes:-
 - a) The Board will hold an Annual General Meeting in November each year together with such other meetings as it may determine.
 - b) At one such meeting the Board will determine the drainage rate and special levies to be set to enable the latter to be served on the special levy councils by no later than the 15th February in respect to the following financial year.
 - c) In addition either the Chairman and/or 10 or more members may call a Special Meeting to consider any urgent matter.
2. For each meeting, members will receive an Agenda and any accompanying papers by post or other means dispatched at least five clear working days before the meeting.
3. No business shall be transacted by the Board, other than that which appears on the Agenda, unless 75% of the members present agree to any such additional issue being discussed as a matter of urgency. The reasons for such urgent consideration shall be recorded in the minutes of the meeting.
4.
 - a) A formal meeting of the Board cannot be conducted unless at least half plus one members are present at the start of and during the meeting. If departures reduce the number below the quorum then the Chairman will terminate the meeting at that point.
 - b) All resolutions and proposals will be decided by a majority of votes of the members present. Except as provided elsewhere in these rules, voting shall be by show of hands.
 - c) In the case of an equality of votes at any meeting, the Chairman for the time being of such meeting shall have a second or casting vote.
5. The Board shall meet at a venue to be determined from time to time with such venue being specified in the agenda.
6. The Board shall, ~~by secret ballot~~, at the Annual General Meeting appoint a Chairman and Vice-Chairman whose terms of office shall continue until the following Annual General Meeting. Wherever practicable, one of these positions shall be held by an elected member and the other by an appointed member.
7. If any vacancy occurs in the office of Chairman or Vice-Chairman, the Board shall as soon as they conveniently can after the occurrence of such vacancy, choose someone

of their number to fill such vacancy.

8.
 - a) At any meeting of the Board the Chairman, if present, shall preside.
 - b) If the Chairman is absent from a meeting of the Board, the Vice-Chairman, if present, shall preside.
 - c) If at any meeting of the Board both the Chairman and Vice-Chairman are not present at the time the members present shall choose someone of their number to be Chairman of such meeting.
9. The Board shall cause Minutes to be made of all meetings, posted on the Board's website marked as 'Draft' or 'Approved' as appropriate and recorded in an appropriate form:-
 - a) of all appointments of Officers made by the Board
 - b) of the names of the members present at each meeting of the Board and Committees or Sub-Committees of the Board
 - c) of all orders made by the Board and Committees or Sub-Committees of the Board, and
 - d) of all resolutions and proceedings of meetings of the Board and of Committees or Sub-Committees of the Board.

The Board will approve, with or without amendment, the minutes of the preceding meeting and these will be duly signed by the Chairman together with any financial statements presented at that meeting.

10. All proceedings, resolutions and reports of every Committee, Sub-Committee or Working Group intended to be laid before the Board shall be circulated among the members of the Board at least five clear working days before the meeting of the Board at which the same are to be submitted.

Committees and Sub-Committees or Working Groups

11. The Board may appoint such Committees or Sub-Committees as they think fit and the quorum for these meetings shall be in the same proportion as the quorum required for Board meetings. The acts of any Committee, Sub-Committees shall be subject to the approval of the Board unless the Board has delegated its powers to that Committee or Sub-Committee.
12. A Committee, Sub-Committee or Working Group may elect a Chairman of their meetings. If no such Chairman is elected, or if he/she is not present, the members present shall choose someone of their number to be Chairman of such meeting.
13. A Committee, Sub-Committee or Working Group may meet and adjourn as they think proper. Proposals at any meeting shall be determined by a majority of votes of the members present, and shall be decided by a show of hands. In case of any equal division of votes the Chairman shall have a second or casting vote.
14. Regulations 9 and 10 shall apply to minutes of Committees, Sub-Committees and Working Groups.

Notices of Motion

15. Notice of every motion shall be in writing, signed by the member or members of the Board giving the notice, and delivered at least ten clear working days before the next meeting of the Board, at the offices of Principal Officer by whom it shall be dated, numbered in the order in which it is received, and entered in a book which shall be open to the inspection of every member of the Board.
16. The Principal Officer shall set out in the report for every meeting of the Board all motions of which notice has been duly given in the order in which they have been received, unless the member giving such notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting or has since withdrawn it in writing.
17. If a motion thus set out in the report be not moved either by a member who gave notice thereof or by some other member on his/her behalf it shall, unless postponed by consent of the Board, be treated as withdrawn and shall not be moved without fresh notice.

Standing Orders Order of Debate

18. Every proposal or amendment, other than a proposal for the approval of a Committee, Sub-Committee or Working Group, shall be proposed and seconded and shall, if required, be written out and handed to the Chairman who shall read it out before it is further discussed or put to the meeting.
19. The Chairman will invite members to speak on the subject under discussion.
20. Members must declare where they have an interest in a matter to be discussed, the Chairman then deciding what if any part the member can take in any ensuing discussion and whether the member can vote.
21. A proposal or amendment once made shall not be withdrawn without the consent of the Board.
22. Every amendment shall be relevant to the proposal to which it is applied and its effect must not be to negate the wording of the motion.
23. Whenever an amendment upon an original resolution has been proposed and seconded, no second or subsequent amendment shall be moved until the first amendment shall have been dealt with, but notice of any number of amendments may be given.
24. If an amendment is rejected then other amendments may be proposed on the original resolution or proposal.
25. If an amendment is carried the proposal as amended shall take the place of the original proposal and shall become the question upon which any further amendment may be moved.
26. The mover of a motion has a right of reply at the end of the debate immediately before the motion is put to the vote.
27. If an amendment is moved, the mover of the original motion has a right of reply at the end of the debate upon the amendment but may not otherwise speak on the amendment.

28. The mover of an amendment has no right of reply to the debate on the amendment.
29. No proposal to rescind any resolution which has been passed within the preceding six months, nor any proposal to the same effect as any proposal which has been negated within the preceding six months shall be in order.

The Common Seal

30. The Common Seal of the Board shall be kept in some safe place. All deeds and other documents to which the Common Seal of the Board shall require to be affixed shall be sealed in pursuance of the Board, and in the presence of both the Chairman and the Principal Officer of the Board.
31. Copies of all sealed documents must be retained.

Suspension of Standing Orders

32. Any one or more of the standing orders, in any case of urgency or upon resolution or proposal made on a notice duly given, may be suspended at any meeting, so far as regards any business at such meeting, provided that 75% of the members of the Board present and voting are in agreement.

Authority for Virtual Meetings

33. In relation to any meeting held before 7th May 2021, “presence” at a meeting includes physical attendance and being present through remote attendance. “Remote attendance” means attending or participating in a meeting by electronic means, including by one or more of the following:
- (i) telephone conference
 - (ii) video conference
 - (iii) live webcast
 - (iv) live interactive streaming.
34. *In relation to any meeting held before 7th May 2021, regulation 5 is suspended and the Board shall instead provide members with relevant details to enable members to attend and participate in meetings, including remotely. The Board shall provide confirmation of these details in the agenda. For these purposes, “details” includes one or more of the following:*
- (i) the venue
 - (ii) the availability of a telephone conference facility and the manner of accessing such facility
 - (iii) the availability of a video conference facility and the manner of accessing such facility
 - (iv) the availability of a live webcast facility and the manner of accessing such facility
 - (v) the availability of a live interactive streaming facility and the manner of accessing such facility.

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**STATUTORY PROVISIONS REGARDING THE PROCEEDINGS OF AN
INTERNAL DRAINAGE BOARD SET OUT IN PARAGRAPH 3 OF SCHEDULE 2
TO THE LAND DRAINAGE ACT, 1991.**

3. (1) An internal drainage board may, with the approval of the relevant Minister, make rules—

- a) for regulating the proceedings of the board, including quorum, place of meetings and notices to be given of meetings;
- b) with respect to the appointment of a chairman and a vice-chairman;
- c) for enabling the board to constitute committees; and
- d) for authorising the delegation to committees of any of the powers of the board and for regulating the proceedings of committees, including quorum, place of meetings and notices to be given of meetings.

(2) The first meeting of an internal drainage board shall be held on such day and at such time and place as may be fixed by the relevant Minister; and the relevant Minister shall cause notice of the meeting to be sent by post to each member of the board not less than fourteen days before the appointed day.

(3) Any member of an internal drainage board who is interested in any company with which the board has, or proposes to make, any contract shall—

- a) disclose to the board the fact and nature of his interest; and
- b) take no part in any deliberation or decision of the board relating to such contract;

And such disclosure shall be forthwith recorded in the minutes of the board.

(4) A minute of the proceedings of a meeting of an internal drainage board, or of a committee of such a board, purporting to be signed at that or the next ensuing meeting by a person describing himself as, or appearing to be, the chairman of the meeting to the proceedings of which the minute relates—

- a) shall be evidence of the proceedings; and
- b) shall be received in evidence without further proof.

(5) Until the contrary is proved—

- a) every meeting in respect of the proceedings of which a minute has been so signed shall be deemed to have been duly convened and held;
- b) all the proceedings had at any such meeting shall be deemed to have been duly had; and
- c) where the proceedings at any such meeting are the proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.

(6) The proceedings of an internal drainage board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment or qualification of any member of the board.

Project Steering Group report

On 3 February 2021, Board Members resolved that a Project Steering Group (PSG) be set up (minute 3174). The Board's Chairman subsequently invited Mr G Simms, Miss R Hewlett and Ald C Williams to form the PSG. He asked them to work closely with the Board's Officers. As project management of the new Elmore Back pumping station was of pressing concern to Members, the Board's Chairman approved the following Terms of Reference to enable the PSG to start work straight away:

1. To ensure the Elmore Back pumping station project is delivered in accordance with all agreed financial, contractual and regulatory processes.
2. To develop and oversee an accountable strategy for the project management and successful delivery of the remaining pumping stations in accordance with all agreed financial, contractual and regulatory processes, subject to Board approval.
3. To review the content of the Avonmouth Severnside Enterprise Area work, and develop and oversee a strategy which delivers it in the most cost-effective and accountable way, subject to Board approval.
4. To review the accountability procedures and project management skills of current officers relating to the remaining pumping stations projects and the Avonmouth Severnside Enterprise Area work, and make recommendations to the Board should these need to be strengthened.
5. To submit regular progress reports to the Board.

Note: The 'Avonmouth Severnside Enterprise Area' (ASEA) is the correct name for 'Avonmouth Development' or 'Severnside Development' previously mentioned in Board minutes and papers.

Recommendation: That the Terms of Reference be noted.

The PSG has met on an almost weekly basis and enjoyed a close working relationship with Officers. Initial priority was given to the Elmore Back pumping station project.

Elmore Back pumping station project

Following a thorough project management review, several actions were taken by the PSG:

- The LDE (James Druett) was appointed Project Lead
- A risk register was compiled for the project
- A full review of the costs of works and materials was undertaken (see end of this report)
- Motion Consultants Limited supplied details of their costs and projected costs
- The position with regard to insurance for the overpumping was clarified
- Board operatives improved the surface of the site access (the original proposal had suggested an outside contractor) at a saving of some £30k
- Pumps and ancillary equipment for overpumping were loaned by the EA at a saving of some £40k

- Direct engagement with the EA enabled the works to be consented
- A contract was signed between Officers of the Board and Aqua Management

The 'contracted' project commencement date was 22 March 2021. Works are scheduled to take 16 weeks. An indicative programme is annexed to this report.

Accountability, governance and compliance

The PSG has also been appraising the Board's operational processes mentioned in the report presented by Mr Simms on 3 February 2021. The complexity of the Elmore Back pumping station project exposed several underlying weaknesses which need to be addressed. It is clear to the PSG that a review of the organisational structure of the Board, including its committees, is required. It is hoped that Members will adopt the same open approach as the Officers already have to this review process.

By way of a brief reminder, critically there was no 'initiation' phase for Elmore Back. Therefore, the Board did not specifically discuss the levels of expertise or resources required in project or contract management, nor how much of the planning and supervisory work could be undertaken in-house or needed to be outsourced. The Officers unsuccessfully petitioned the Board to have an initial site survey undertaken, and the Board's Risk Register was not updated to include the works. As the project grew in complexity, there was inevitably an increasing and unchallenged reliance on consultants, and no project lead was officially appointed. Committees failed to adapt their normal meeting patterns to take account of the additional workload that such a project entails, and they could have done more to work in tandem with one another and with Officers. The PSG understands from ADA that this scenario has evolved at other IDBs faced with the same situation: the LSIDB is not unique in having to address these difficulties retrospectively.

The Board's functionality can be cumbersome. The Full Board and Engineering Committee meet four times and twice a year respectively. The latter cannot make decisions outside a £30K limit. Such an arrangement is not appropriate for supporting the needs of a significant engineering project, let alone four. The Board's recent resolution to set up this Project Steering Group is the first step towards better day-to-day oversight and understanding. Nevertheless, this does not address the question of Officer rapid referral to an appropriate committee outside its prescribed meeting dates, something which can frustrate the decision-making process and cause delays. The pathways of accountability need to be reviewed for Officers, Committees and the Full Board to ensure that they meet the demands of the pumping station projects.

The PSG recognises that Members bring a variety of skills to meetings, and also that not all Members are versed in every aspect of the Board's work. Nevertheless, there is an overriding requirement for compliance with current and new public legislation, and the Board's own standing orders and financial regulations. The PSG has already initiated additional compliance training for Officers having identified possible shortcomings and uncertainties in some procurement practices. However, the PSG recommends that this is extended to Members (at the very least the chairmen and vice-chairmen of each Committee and the Board) to ensure that the decision-making processes made at Committee and Board level are properly informed and fully compliant.

Recommendation: That compliance training be given to all chairmen and vice chairmen of each Committee and the Board, and any other members wishing to receive it.

The PSG, while in discussion with Officers, has identified that the Sage Accounting system used by the Board is unable to perform many of the tasks that 'best practice' project management demands. The current system does not provide full Sage-based reporting and there is no facility for forecasting. Such analysis currently relies on a download of Sage data into spreadsheets for manual arrangement. This is time-consuming: Officers cannot obtain all the information required for a particular project such as Elmore Back pumping station by simply setting the parameters for a report on Sage.

To improve efficiency and better inform the Officers and Members on all aspects of the Board's finances, the PSG recommends that the Principal Officer and Accounts Officer explore a more suitable system. This should take into consideration any financial reports required by Committees, and also enable clear and concise reporting with regard to the capital programme. While there will be an initial cost of system upgrade and resource for setting this up, the long-term benefit is to provide full reporting direct from the Sage system and obviate the need for manual intervention.

Recommendation: That the Principal Officer and Accounts Officer explore an upgrade of the current Sage Accounting system that is capable of meeting 'best practice' project management demands, clear and concise reporting with regard to the capital programme, and any financial reports required by Officers and Committees. Their proposal should be put to the Board at its next meeting.

Future pumping station projects

The Elmore Back pumping station project is the largest of its type undertaken by the Board. While the above actions are positive outcomes, the PSG has identified several areas for further review and/or action before the remaining pumping stations projects are undertaken. These include:

- Understanding the impact of the Board's historic decisions with regard to staffing roles, levels and professional expertise and whether that has led to a greater reliance on outside professional advice.
- Considering a full range of options for the management of the remaining pumping station refurbishments. This will include a range of contractual options, in-house involvement and potential engagement with other IDBs as an experience-sharing option.
- Setting out for adoption, a 'best practice' contract management process which will assign responsibility at each stage.
- Ensuring that all contracted work is initiated through the Board's contract management process which should be reviewed and/or updated in the first instance.
- The remaining pumping station projects will be managed following 'best practice' project management methodology, including the important initiation phase and clear financial reporting.
- Reviewing the roles of Officers to ensure they fulfil the needs of the Board's business and that the appropriate levels of accountability and reporting are in place. This should also include the interface of Officers with the Board.
- To strengthen the appraisal and development of staff thus ensuring any skill gaps are identified and measures are put in place to provide appropriate support. In terms of the pumping stations, project and contract management come to mind.

- The EA's consent process is considered inadequate. The CE (James Thomas) will produce a draft process to satisfactorily consult with the EA on any future work requiring statutory consent.
- While a project risk register has been established for Elmore Back pumping station, and will need to be replicated for the remaining pumping station projects, this process needs to be incorporated alongside the Board's main risk register.
- Work with the PO to ensure that the impacts of any recommendations made by the PSG are followed through in the Board's regulatory and governance procedures.

The above list demonstrates the thoroughness of the PSG's review but may not be exhaustive. The PSG asks Members to note that it may seek input from committee chairmen on certain matters and that the review process will take time.

Avonmouth Severnside Enterprise Area

The Board is the consenting authority for land drainage within the Avonmouth Severnside Enterprise Area (ASEA). Developers seek the Board's consent on an ad hoc basis. Currently, Water Environment Limited run the Board's hydraulic modelling and analysis, and Motion Consultants Limited interpret the complex modelling reports, supply technical drawings, working methods and legal advice. Both use specialist software. Motion also provides technical support to the CE at some meetings with developers. Not every application requires outside assistance. The timescale allowed by the regulators for this process is 12 weeks.

The PSG has found that the Board enjoys a good reputation with the Environment Agency, Bristol City Council and South Gloucestershire Council on account of its timely and professional handling of applications from developers in the ASEA. The current arrangement of using specialist contractors underpins the Board's overriding objective which is to ensure an overall flood protection strategy across the ASEA in the decades to come. Such contractors provide expertise in areas that an IDB would not expect, under normal operating scenarios, to invest in its own resources.

At the Board meeting on 3 February 2021, Members agreed by majority vote to suspend the use of the outside contractor which currently assists with that process, Motion Consultants Limited, as there was no formal contract in place, merely an historic arrangement (minute 3174). Some Members were concerned that this would frustrate the regulatory process and leave Officers exposed from a technical point of view.

Once the PSG commenced its investigations, it found that this decision was indeed frustrating the regulatory work of the Board. Several applications were pending by the middle of March. The PSG therefore explored holding a Board meeting in early April at which it would recommend that the decision of 3 February 2021 be rescinded for the duration of its review. The PSG was told that the next Board meeting would be 28 April 2021. As this was close to or beyond the deadlines for some applications, the PSG then asked whether the Board's Chairman or Principal Officer could make an executive decision to enable Officers to carry out their normal regulatory work with the support of Motion Consultants Limited. The Board does not appear to have made provision for executive powers.

Clearly the Board must continue to undertake its regulatory duties. The PSG worked with Officers and the Board's Chairman to seek a practical way forward until the Board could meet. From early April, the operational and contractual obligations in respect of the regulatory work

have therefore temporarily reverted to the status quo before the Board's decision of 3 February 2021, but with the proviso that Officers discuss each new application with the PSG.

While the PSG is undertaking its review, it asks that the Board allow this position to continue. It therefore puts the following recommendation to the Board:

Recommendation: That Motion Consultants Limited continue to support the Board's regulatory work in the Avonmouth Severnside Enterprise Area during the Project Steering Group's review.

In summary

Since 3 February 2021, the PSG has undertaken a considerable amount of investigative work with regard to the Elmore Back pumping station project and provided ongoing guidance and support. It has scrutinised the actions of the Board's Officers and found them to have been made in good faith. However, there does need to be a clearer definition of Officers' roles during such projects: this would improve day-to-day accountability. Officers should receive training in project and contract management.

Recommendation: That Officers receive training in project and contract management.

The PSG recognises that Motion have supplied expertise to the Board over many years and that the LDE and CE depend on their specialist advice. However, the absence of a formal contract between the Board and Motion for Elmore Back pumping station led to a lack of clarity regarding responsibility for certain aspects of project management. Through the concerted joint efforts of the PSG, Officers, Motion and Aqua Management, the Elmore Back pumping station project has been formalised within good project management principles.

The PSG recognises that weaknesses in the current organisation have been exposed during the Elmore Back pumping station project which is the first of its kind for the Board. It looks forward to recommending a revised framework that better suits the delivery of the remaining pumping station projects. The PSG does not consider it politic to pre-empt its findings by opening up full discussions at Board level during these early stages of the review process.

The headline to take from this first report is that work on the Elmore Back pumping station project is now underway and being monitored by the PSG according to its Terms of Reference.

Financial Report - Elmore Back pumping station replacement – Cost Breakdown 25 March 2021

Hydraulic modeling

Water Environment fees, surveying catchment area, building hydraulic model and running storm scenarios, advising on pumping requirement taking into account climate change	£12,023.00
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Complete design and contract management

Motion's fees including topographical surveys, architect fees, geotechnical surveys, structural engineering surveys, concrete testing, liaison between all parties and regulators, tender process and appraisal, contract management, supervision and sign-off	£257,137.59
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Main Physical components/items

2 x Bedford 400ltrs/sec fish-friendly pumps including pipe work	£97,705.01
Elver pass/pump/automated trash screen & conveyor including install	£97,150.00
Control panel/kiosk/CCTV/external lighting/ultrasonic sensors/telemetry	£36,867.00
Western Power electricity upgrade	£13,755.32
Stone for access track	£868.34

Civil Engineering construction costs

Aqua Management - civils contractor total build	£216,685.25*
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TOTAL COST FOR ELMORE BACK PROJECT	£732,191.51
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Known additional costs included in the above total

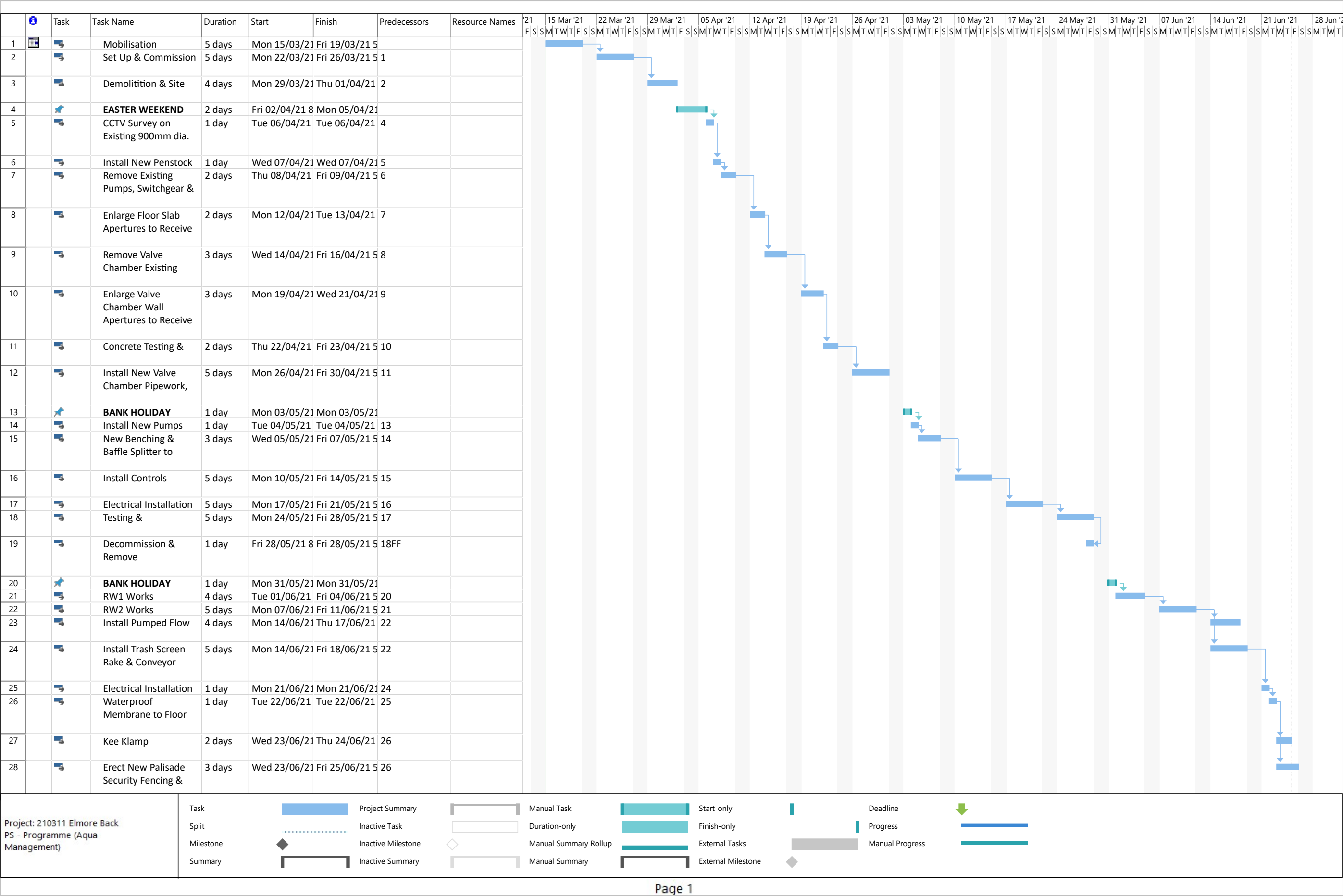
1. Bedford pumps storage Charge £320.00
2. Penstock valve re-introduction £2,500.00

*possible cost variances within construction period:

1. Elver pass pump screen stainless steel fabrication costs and installation.
2. Bedford pumps – Following a site survey it may be identified that there is a requirement for benching to be installed within in the sump. Should this be required the cost including installation is £6,471.50 per pump.

G Simms, R Hewlett, C Williams

15 April 2021



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CONTRACT REVIEWS

INTRODUCTION

At its meeting on 3 February 2021, the Board asked that

- **(7) other projects/procurements costing over £10,000 be reviewed to ensure their compliance with Financial Regulations.**

[Minute 3174 refers.]

ANALYSIS

Attached as appendices are four examples of schemes which have been scrutinised to check that the processes we followed not only meet the requirements of the Board's Financial Regulations but also ensure that there was fair competition for these substantial contracts. The information contained therein confirms that this was indeed the case for all of these schemes.

Recommendation:

That the report be noted.

Kieran Warren, Principal Officer

April 2021

LSIDB Procurement Schedule

Equipment/ Service Required.....INSURANCE (Public Liability).....

Activity	Date(s)	Staff Initials
Draw up specification	Feb 2019	MJD
Request Quotes/Tenders	8 Feb 2019 8 Feb 2019 15 Feb 2019	MJD
Quotes/ Tenders Received	14 Feb 2019 15 Feb 2019 18 Feb 2019	MJD
Quote/Tender Considered and Selection	15 Mar 2019	MJD
Report for Board Meeting for decision (if required) Approved and signed by the Chair	5 Jun 2019	MJD
Order placed	15 Mar 2019	MJD
Equipment/ Service received on site	1 Apr 2019	MJD
Asset Register updated	N/A	MJD

Value of Contract: Approx. £45,000 over 5 years.

Suppliers contacted: The Risk Factor, Fentons, and Zurich

LSIDB Procurement Schedule

Equipment/ Service Required – 1 x New Spearhead self-propelled mower.

Activity	Date(s)	Staff Initials
Draw up specification	26/10/18	J.D
Request Quotes/Tenders	26/10/18 03/10/19	J.D J.D
Quotes/ Tenders Received	08/11/18 09/10/19	J.D J.D
Quote/Tender Considered and Selection	24/10/19	J.D/Eng Com
Report for Board Meeting for decision (if required)		
Order placed	05/12/19	J.D
Equipment/ Service received on site	05/05/20	J.D
Asset Register updated	05/05/20	J.D/M.D

LSIDB Procurement Schedule

Equipment/ Service Required – Fish Friendly Pumps – Elmore back P/S.

Activity	Date(s)	Staff Initials
Draw up specification	30/07/19	Motion/JD/JT
Request Quotes/Tenders Bedford Aquatic control Engineering	10/09/19 02/10/19	Motion/JD/JT
Quotes/ Tenders Received Bedford Aquatic control Engineering	10/09/19 28/10/19	Motion/JD/JT
Quote/Tender Considered and Selection Bedford Pumps	09/04/20	Motion/JD/JT
Report for Board Meeting for decision (if required)	N/A	
Order placed	19/06/20	J.D
Equipment/ Service received on site	Currently at Bedfords depot.	
Asset Register updated		

LSIDB Procurement Schedule

Equipment/ Service Required – Trash Screen/conveyor – Elmore back P/S.

Activity	Date(s)	Staff Initials
Draw up specification	02/10/19	Motion/JD/JT
Request Quotes/Tenders H C Watercontrol Aquatic control Engineering	06/11/19 28/10/19	Motion/JD/JT
Quotes/ Tenders Received H C Watercontrol Aquatic control Engineering	06/11/19 31/10/19	Motion/JD/JT
Quote/Tender Considered and Selection H C Watercontrol	06/12/19	Motion/JD/JT
Report for Board Meeting for decision (if required)	N/A	
Order placed	12/06/20	J.D
Equipment/ Service received on site	16/12/20	J.D
Asset Register updated		