



**Sow & Penk**

Internal Drainage Board

**Derrington Village Hall  
Billington Lane  
Derrington  
Stafford  
ST18 9LR**

**Meeting Papers**

***Tuesday 29 May 2018***

***Meeting at 11:30am***



**Shire**

Group of IDBs

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# Meeting Papers

## Prepared by:

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CQP

Engineer - Paul Jones ONC, HNC, BSc (Hons) MSc (Eng) GMICE

Asset Manager - Martin Spoor BSc (Hons) Engineering, Geology, and  
Geotechnics

Finance Officer - David Blake BSc (Hons) Accounting

Finance Officer - Mark Joynes BSc (Hons) Mathematics

Rating Officer - Janette Parker

## Purpose

These meeting papers have been prepared solely as a record for the Internal Drainage Board. JBA Consulting accepts no responsibility or liability for any use that is made of this document other than by the Drainage Board for the purposes for which it was originally commissioned and prepared.

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# **1. Governance**

## **1.1 Apologies**

## **1.2 Declaration of Interest**

## **1.3 Complaints and FOI**

## **1.4 Minutes of Meeting 7 February 2018**

### **Present**

Ray Sutherland (RS)  
John Hilderley (JH)  
Neil Brown (NB)  
Ralph Cooke (RC)  
Andrew Harp (AH)  
Anthony Parrott (AP)  
Alan Perkins (APk)  
Geoff Rowlands (GR)  
Jeff Sim (JS)

Also in attendance      Phil Bates      (PB)      Stafford Borough Council  
                                 Lucy Hogarth      (LH)      Environment Agency

### **In attendance on behalf of JBA Consulting, Clerk, Engineer and Environmental Adviser:**

Ian Benn (Clerk to the Board)  
Paul Jones (Engineer to the Board)  
Craig Benson (Finance Officer to the Board)

### **Apologies for Absence**

Apologies were received from Royston Wright and Frances Beatty.

### **Declaration of Interest**

**2018.01**      The Chairman declared an interest in Agenda item 6.2 and the Clerk declared an interest in Agenda item 4.1.1.

### **Complaints and Freedom of Information Requests**

**2018.02**      None had been received.

### **Minutes of the Last Meeting**

**2018.03**      Minutes of the last meeting held on 1 November 2017 copies of which had been previously circulated to members with the meeting papers were taken as read, proposed by AH, seconded by RC, approved by the Board and signed by the Chairman.

### **Matters Arising**

There were no matters arising.

### **Clerks Report**

- 2018.04** The Clerks Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### **Matters Arising**

- 2018.05** **Defra- Farming Rules for Water** – this publication would be introduced from 2 April 2018. The Clerk suggested that IDBs could act as monitoring bodies.
- 2018.06** **ADA Annual Conference** – The Clerk reiterated the feedback that was contained in the meeting papers and this was openly discussed by members.
- 2018.07** **ADA Trent Branch Meeting** – the meeting is due to take place on 22 February 2018 at the Doncaster Knights Rugby Ground, Armthorpe. The Chairman confirmed that he would be attending and invited members to accompany him.
- 2018.08** **Stafford County Show** – The Board agreed to procure a stand or “piggy back” on the EA stand. JBA are providing a flume for demonstration of structures in river channels.

### **Financial Report**

- 2018.09** The Financial Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### **Matters Arising**

- 2018.10** **Rating** – The FO informed members that a court date has been arranged with a view to recover unpaid drainage rates. The Chairman requested that an email is sent to members updating them of the outcome of the court hearing.
- 2018.11** **Schedule of Payments** – The Board approved payments totalling £58,836.37. The Board also approved payments made direct from the bank account totalling £218.75 all of which were approved by the Officers.
- 2018.12** **Audit – Risk Register** – The risk register, copies of had been circulated to members with the meeting papers, was considered, reviewed and adopted. The FO advised members that the document would be reviewed and updated to be more dynamic an specific during the next financial year.
- 2018.13** **Internal Audit Review Meeting** – Members noted the minutes of the meeting that were circulated with the meeting papers.
- 2018.14** **Rates and Special Levies for the Year Ending 31 March 2019.** – The FO presented the budget and recommendation of a 2% increase particularly as the Board had had no increase over the past 3 years
- The Board considered an Estimate of Income and Expenditure for the year ending 31st March 2019, copies of which had been previously circulated to members.
- In accordance with Section 37 of the Land Drainage Act, the Board determined that aggregate annual value of chargeable properties in the district on the aggregate value

of all other land in the district as at 31st March 2018 for the financial year beginning 1st April 2018 as follows: -

a) Aggregate annual value of chargeable properties	£1,653,716
b) Aggregate value of all other land	£ 171,625

It was agreed that for the purpose of defraying costs, charges and expenses etc. incurred by the Board under the Land Drainage Act 1991 for the period 1st April 2018 to 31st March 2019, and in pursuance of the Internal Drainage Board (Finance) Regulations 1992, that the Board make a drainage rate for their district in respect of agricultural land and agricultural buildings and a Special Levy as follows:-

The amount of the Board's expenses to be met by drainage rates was £10,915 by way of an Occupier's rate of 6.36p in the £ on the basis of the annual value of agricultural land and agricultural buildings in the district.

The amount of the Board's expenses to be met by Special Levies was:-

Stafford Borough Council	£101,472
South Staffordshire District Council	£ 3,704

The Chairman and Clerk were authorised to seal the rate and the Special Levy on the Local Authority in accordance with the Act and the Finance Regulations.

The Clerk, or their representatives, were authorised to negotiate and carry out proceedings for the recovery of any rates unpaid.

Members agreed that if additional expenditure is required above the agreed budget, it is taken from balances.

**2018.15 Five Year Budget Estimate** – the Board noted the five-year forecast.

### Engineers Report

**2018.16** The Engineer's Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### Matters Arising

**2018.17 Asset Management – Hydraulic Modelling** – The Engineer presented the asset management report in reference to the Board procuring a hydraulic model. After discussion it was agreed to progress with JBA providing a specification.

**2018.18 Watercourse Maintenance** – The Engineer advised members that the watercourse maintenance contract had completed three years and he recommended that the provision within the contract to extend for a further two years was taken. Members approved this recommendation.

**2018.19 Main River** – Lucy Hogarth from the EA was invited to give the Board an update on EA matters. She talked around modelling, surface water flood maps and funding. It was important to ensure that data links together and it looks at the whole catchment. She added that the EA are happy to share their modelling outputs. Demaining – the EA are changing the way it looks at assets. They are now taking a systematic approach and gathering individual asset data following which theses would be scored depending on number of homes protected. The EA will not be walking away from anything at present and there are no immediate plans in the future. PSCAs opportunities to discuss with the IDB to work together in areas such as incident support, for example, Health and Safety would be a great consideration Funding – this area of the EA has been allocated funds for planned works as well as a budget for incident or unplanned works. All works

in town centres will continue, asset inspectors covering all areas and happy to liaise with landowners on their issues.

**2018.20 Planning** – Members noted that there were no planning applications received that required comment between 1 November 2017 and 22 January 2018.

**2018.21 Consents** – No consents had been issued on behalf of the Board during the same period.

### **Health and Safety Report**

**2018.22** The Health and Safety Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted with no accidents or incidents to report since the last meeting. The Chairman requested assurance that the Board's contractor received and complied with all the information that was disseminated. It was confirmed that the Board's Engineer reviewed the Contractor's working practises when undertaking works to ensure compliance.

### **Environmental Adviser's Report**

**2018.23** The Environmental Advisor's Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

**2018.24** BAP 2015-2020 – Derrington Millennium Green Trust – The Clerk gave a brief introduction to the Trust and invited JS to elaborate further of their work to date in creating the Millennium Green and the future plans for the site. After discussion it was proposed by AH that the Board should donate £5,000 to the Trust. This was seconded by RC and following a vote where there were 7 in favour and 1 abstainer, the proposal was approved. Following the closure of the item, the Chairman invited all Board members to the area. The Clerk was instructed to arrange the visit on the same day as the next Board meeting.

### **Any Other Business**

**2018.25** Management Services. The Officers of the Board were asked to leave the meeting whilst this item was discussed. Upon return the Chairman confirmed that the Board wish to offer a 5 year term contract on the same terms and conditions of the existing contract. He extended the Board's thanks to the Officers and their colleagues for their work. The Clerk thanked the Board for the comments and appreciation and looked forward to the next five years.

### **Date of Next Meeting**

**2018.26** The next meeting will be held on 29 May 2018, Social Club Lounge, Derrington Village Hall, Billington Lane, Derrington, Stafford, ST18 9LR.

## **1.5 Matters arising there from not elsewhere on the Agenda**

## 2. Clerk's Report

### Recommendation:

- Members note information contained in the Report
- Adoption of GDPR Policy (Item 2.1.1)
- Adoption of Policy Statement (Item 2.1.2)

### 2.1 Legislation

#### 2.1.1 General Data Protection Regulation Policy

GDPR comes into force on 25<sup>th</sup> May. The Board is required to have a Policy covering its actions as Data Controller and Data Processor of information. See Appendix A.

#### 2.1.2 Policy Statement on Water Level and Flood Risk Management

ADA & Defra have produced a new model for the IDB Policy Statement, see Appendix B for the proposed policy for approval by the Board.

### 2.2 Staffordshire County Show

We have secured a stand (6m x 6m marquee) on behalf of the Board at the Staffordshire County Show on 30<sup>th</sup> and 31<sup>st</sup> May 2018, **Trade Stand Number 215, Area P, adjacent the Members Pavilion.**



**JBA Trust** has provided their hydraulic flume for demonstration by Officers on the days



## 2.3 Board Key Performance Indicators

Key Performance Indicators		Inadequate	Work to be done	Adequate	Good	Very Good
SOW & PENK INTERNAL DRAINAGE BOARD	Management of the Board	Compliance with Audit Requirements				
		Health & Safety				
		Partnership Working				
		Overall				
	Reduction of waterlogging & Flood risk to assets	Asset Management				
		Flood Risk management strategy				
		Flooding- Learning Outcomes				
		Overall				
	Environment	Water Framework Directive				
		Invasive Species/Designated Sites				
		Conservation & Biodiversity				
		Biodiversity Action Plan				
		Overall				
	Supporting	Financial Statements				
		Receipt of Drainage Rates				
		Governance Documentation				
		Overall				
	Overall Performance					

## 3. Financial Report

### Recommendation:

- To note the information contained in this report
- Approve the List of Payments
- Approve Annual Return Section 1 – Governance Statement
- Approve Accounts for y/e 31.3.2018
- Approve Annual Return Section 2 – Financial Statements

### 3.1 Rating Report

Details of the Rates and Special Levies issued and payments received up to and including 31 March 2018: -

	£	£
Balance Brought forward at 1 April 2017		1,193.05
<b>2017/2018 Drainage Rates and Special Levies</b>		
Drainage Rates		10,800.56
Special Levies		
Stafford Borough Council	97,699.00	
South Staffordshire District Council	3,634.00	101,333.00
<b>Total Drainage Rates Due</b>		<b><u>113,326.61</u></b>
<b>Less Paid: -</b>		
Drainage Rates		10,855.04
Special Levies		
Stafford Borough Council	97,699.00	
South Staffordshire District Council	3,634.00	101,333.00
<b>Total Drainage Rates Paid</b>		<b><u>112,188.04</u></b>
<b>Admin Adjustments (Special Levy)</b>		<b><u>91.16</u></b>
<b>Balance Outstanding as at 31 March 2018</b>		<b><u>1,047.41</u></b>
<b>Court Costs &amp; Interest</b>		<b><u>276.40</u></b>
<b>BALANCE OUTSTANDING – RATES &amp; COSTS</b>		<b><u>1,323.81</u></b>

## 3.2 Schedule of Payments

### 3.2.1 List of Cheques

DATE	CHEQUE		PAYEE	DESCRIPTION	TOTAL	
					<b>CHEQUE</b>	
<b>2018</b>					<b>£</b>	
Feb	7th	000836	32	ADA	Annual Subscription	998.40
		000837	30	JBA Consulting	Management Fees	5,594.80
		000838	33	Littlehales Plant Hire Ltd	Maintenance	4,256.83
		000839	-	Derrington Millennium Green Trust	Purchase of Doxey Brook - Agreed contribution	5,000.00
	19th	000840	37	Staffordshire Showground Ltd	Staffordshire County Show - Stand Space	858.00
Apr	26th	000841	1	Environment Agency	Flood Defence Levy	5,835.75
		000842	36	Littlehales Plant Hire Ltd	Maintenance	300.00
		000843	35	Danvm Drainage Commissioners	Cardnet Fees	15.60
		000844	2	JBA Consulting	Management Fees	6,026.15
				<b>Total Amount of all Cheques</b>		<b>28,885.53</b>
				<b>* Total Amount of Cheques sent out signed by the Clerk Only</b>		<b>858.00</b>

### 3.2.2 Other payments

DATE	REF	PAYEE	DESCRIPTION	TOTAL	
				<b>£</b>	
<b>2018</b>					
Jan	15th	-	NatWest	Bankline Fees	20.00
	19th	27	Information Commissioner	Data Protection Registration	35.00
	23rd	31	Staffordshire Showground Ltd	Meeting Expenses	180.00
	31st	-	NatWest	Bank Fees	5.00
Feb	15th	-	NatWest	Bankline Fees	20.45
	28th	-	NatWest	Bank Fees	5.00
Mar	15th	-	NatWest	Bankline Fees	20.00
	27th	34	Danvm Drainage Commissioners	Website Hosting Fee, etc.	105.96
	29th	-	NatWest	Bank Fees	5.00
			<b>Total Amount of all Payments</b>		<b>396.41</b>
			<b>* Total Amount of Cheques sent out signed by the Clerk Only</b>		<b>396.41</b>

### 3.3 Audit

#### 3.3.1 Internal Audit

The internal audit of the Board's financial statements has been completed and the auditor's report is shown at Appendix C

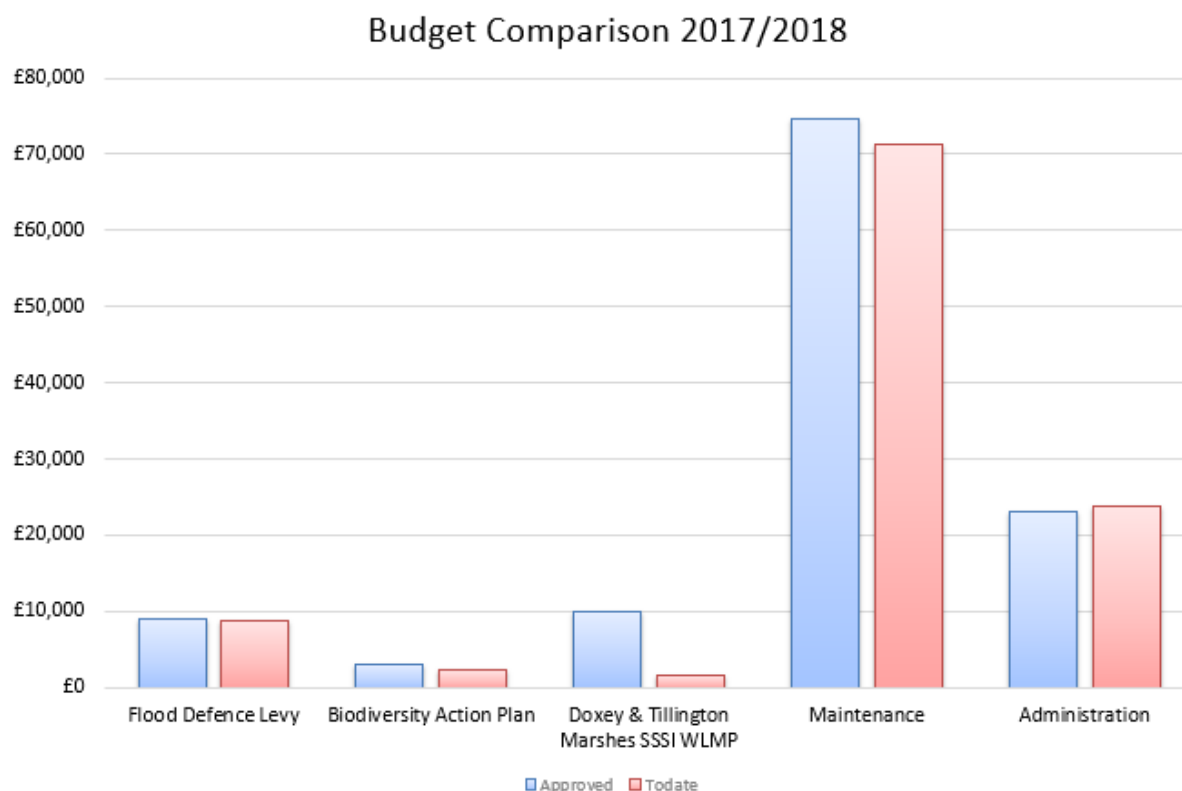
#### 3.3.2 Annual Return - Section 1 – Annual Governance Statement

The Board are required to approve Section 1 – Annual Governance Statement, of the annual return. It is available at Appendix D.

### 3.4 Accounts for the Year Ended 31 March 2018

The accounts for the year ended 31 March 2018 are included in your pack as a separate document.

### 3.5 Expenditure Budget Comparison for the year Ending 31 March 2018



### 3.6 Annual Return – Section 2 – Accounting Statements

The Board are required to approve Section 2 – Accounting Statements of the annual return. It is available at Appendix D

### 3.7 Five Year Budget Estimate

<b>Sow And Penk IDB</b>	0	0	0	1	2	3	4	5
<b>Revenue Account</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
	<b>Actual</b>	<b>App</b>	<b>Estimated Out-turn</b>					
	<b>Out-turn</b>	<b>Budget</b>						
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Income</b>								
Drainage Rates	10,709	10,915	10,915	11,156	11,413	11,671	12,014	12,443
Special Levies	101,333	105,176	105,176	107,492	109,972	112,453	115,760	119,899
Doxey & Tillington Marshes SSSI W/LMP	1,457	5,000	5,000	-	-	-	-	-
Recoverable Work	-		-	-	-	-	-	-
Bank Interest, Other Contributions	423	150	150	200	200	850	900	930
<b>Total Income</b>	<b>113,922</b>	<b>121,241</b>	<b>121,242</b>	<b>118,847</b>	<b>121,585</b>	<b>124,973</b>	<b>128,674</b>	<b>133,267</b>
<b>Expenditure</b>								
Flood Defence Levy	8,635	8,900	8,635	8,894	9,161	9,436	9,719	10,010
Administration	23,859	24,403	24,403	24,647	24,894	25,142	25,394	25,648
Maintenance of Drains	56,522	58,220	58,220	59,967	61,766	63,619	65,527	67,493
Additional Maintenance	14,675	18,000	18,000	18,540	19,096	19,669	20,259	20,867
Biodiversity Action Plan	2,250	3,000	3,000	3,090	3,183	3,278	3,377	3,478
Doxey & Tillington Marshes SSSI W/LMP	1,457	5,000	5,000	-	-	-	-	-
County Show Budget	-	5,000	5,000	1,000	1,000	1,000	1,000	1,000
Cont To Derrington	5,000							
<b>Total Expenditure</b>	<b>112,398</b>	<b>122,523</b>	<b>122,258</b>	<b>116,138</b>	<b>119,099</b>	<b>122,144</b>	<b>125,275</b>	<b>128,496</b>
Surplus/(Deficit)	1,524	(1,282)	(1,016)	2,709	2,486	2,829	3,398	4,771
Balance Brought Forward	133,128	123,911	128,652	121,635	118,345	114,831	111,660	109,059
<b>Balance</b>	<b>134,652</b>	<b>122,629</b>	<b>127,635</b>	<b>124,345</b>	<b>120,831</b>	<b>117,660</b>	<b>115,059</b>	<b>113,830</b>
Transfer to Doxey & Till Marshes Account	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
<b>Balance Carried Forward</b>	<b>128,652</b>	<b>116,629</b>	<b>121,635</b>	<b>118,345</b>	<b>114,831</b>	<b>111,660</b>	<b>109,059</b>	<b>107,830</b>
<b>Doxey &amp; Tillington Marshes Acc</b>	<b>36,093</b>	<b>39,670</b>	<b>40,893</b>	<b>45,693</b>	<b>50,493</b>	<b>55,293</b>	<b>60,093</b>	<b>64,913</b>
<b>Penny Rate in £</b>	<b>6.24p</b>	<b>6.36p</b>	<b>6.36p</b>	<b>6.50p</b>	<b>6.65p</b>	<b>6.80p</b>	<b>7.00p</b>	<b>7.25p</b>
<b>Penny Rate £18,253</b>	<b>114%</b>	<b>95%</b>	<b>99%</b>	<b>102%</b>	<b>96%</b>	<b>91%</b>	<b>87%</b>	<b>84%</b>
Rate Av £171,625	6.16p	6.43p	6.74p	6.68p	6.84p	6.97p	7.14p	7.32p
Levy Av £1,653,716								
	<b>2017/18</b>	<b>2018/19</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>Doxey &amp; Tillington Marshes Acc</b>	<b>Actual</b>	<b>App</b>	<b>Estimated Out-turn</b>					
	<b>Out-turn</b>	<b>Budget</b>						
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Income</b>								
Transfer from I&E	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Interest	23	30	30	30	30	30	30	50
Contribution to Scheme								
<b>Total Income</b>	<b>6,023</b>	<b>6,030</b>	<b>6,030</b>	<b>6,030</b>	<b>6,030</b>	<b>6,030</b>	<b>6,030</b>	<b>6,050</b>
<b>Expenditure</b>								
Capital Expenditure								

## 4. Engineer's Report

### Recommendation(s):

- To note the information contained in this report

### 4.1 Asset Management

#### 4.1.1 Hydraulic Modelling

The specification has been completed and will be sent to the Chairman to consider the next steps of procurement, which as previously discussed, could be through either the existing Environment Agency Framework, or an Open Tender which could be procured by North Lincolnshire Council's Procurement Team (who the Board used to run the procurement for watercourse maintenance).

Initial Contacts for procurement would be:

[lucy.hogarth@environment-agency.gov.uk](mailto:lucy.hogarth@environment-agency.gov.uk) or

[Debbie.Dales@nlbusinessconnect.co.uk](mailto:Debbie.Dales@nlbusinessconnect.co.uk)

#### 4.1.2 Ordinary Watercourses

We have confirmed the 2x12 month extensions of the maintenance contract with Littlehales Plant Hire Ltd. as agreed at the last meeting.

#### 4.1.3 Main River

As part of the PSCA the Environment Agency has identified the screens that they are currently committed to from an incident response perspective as follows:

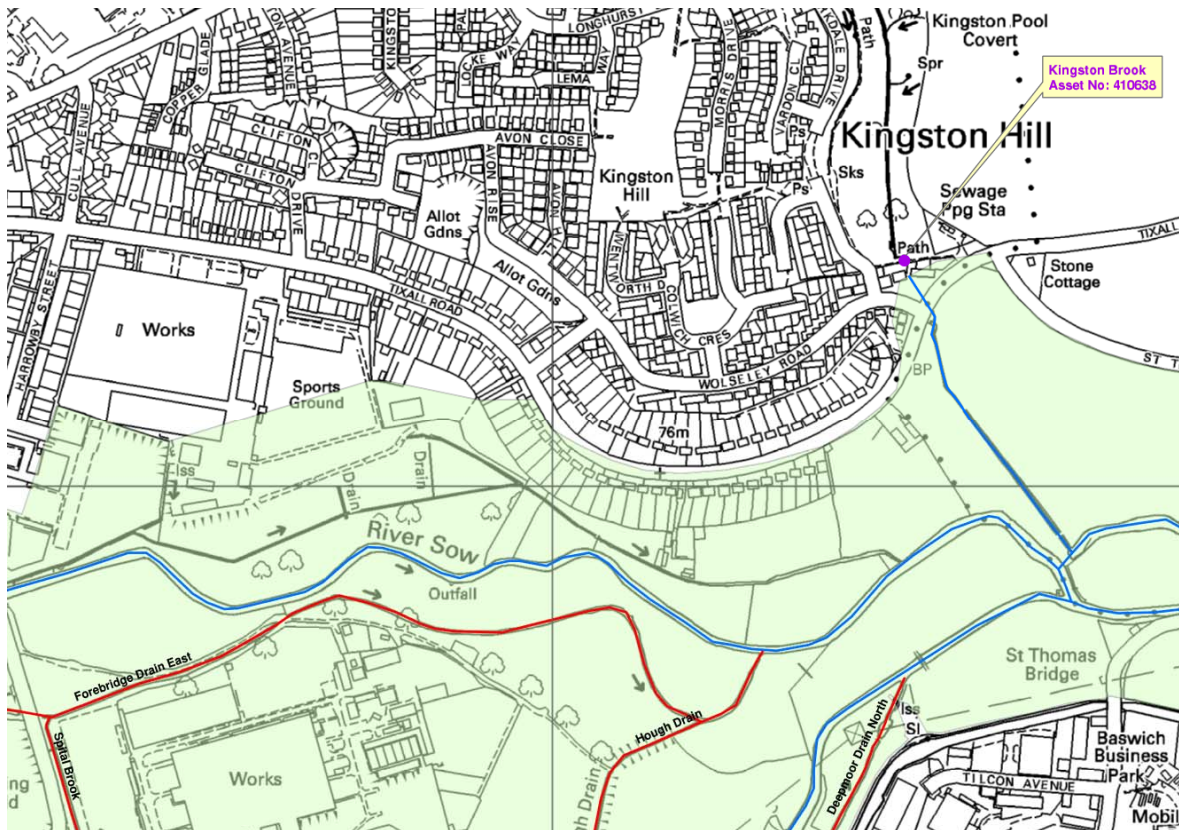
##### Stafford

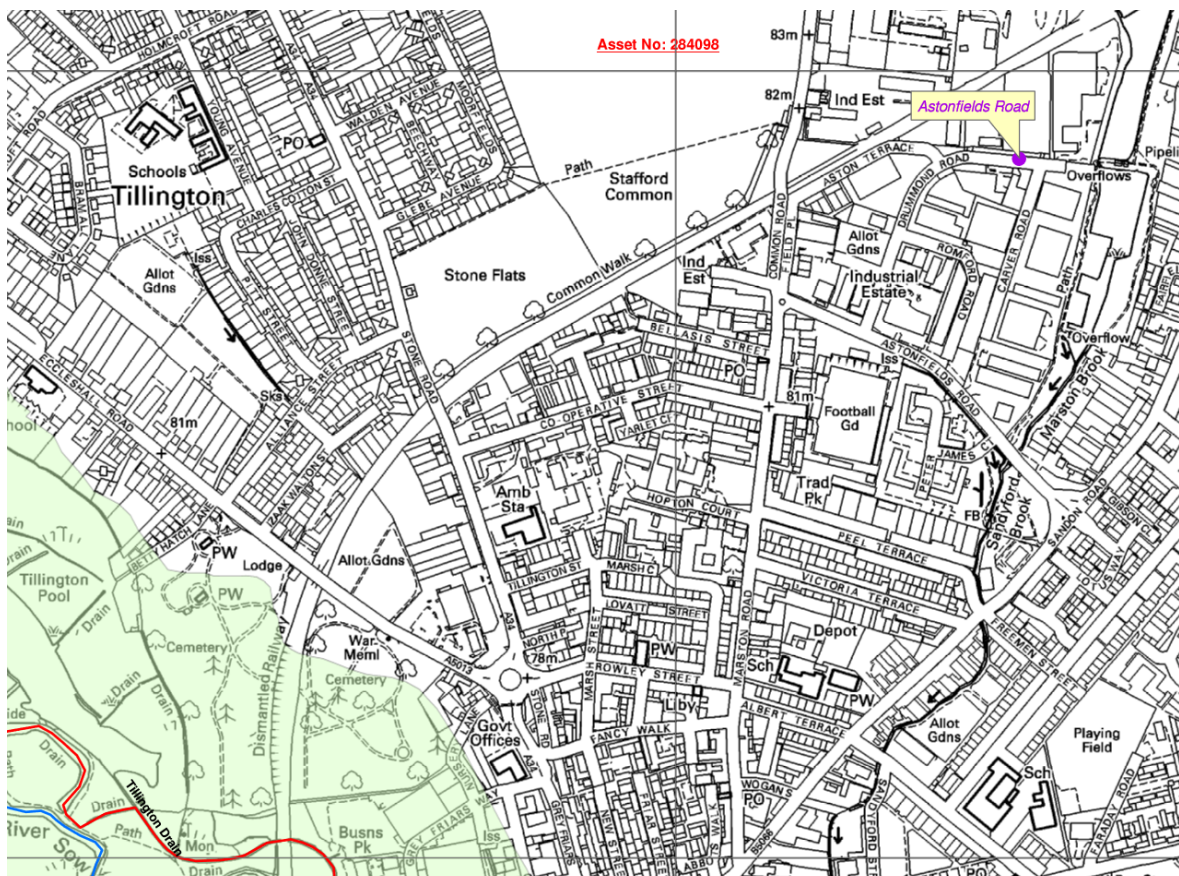
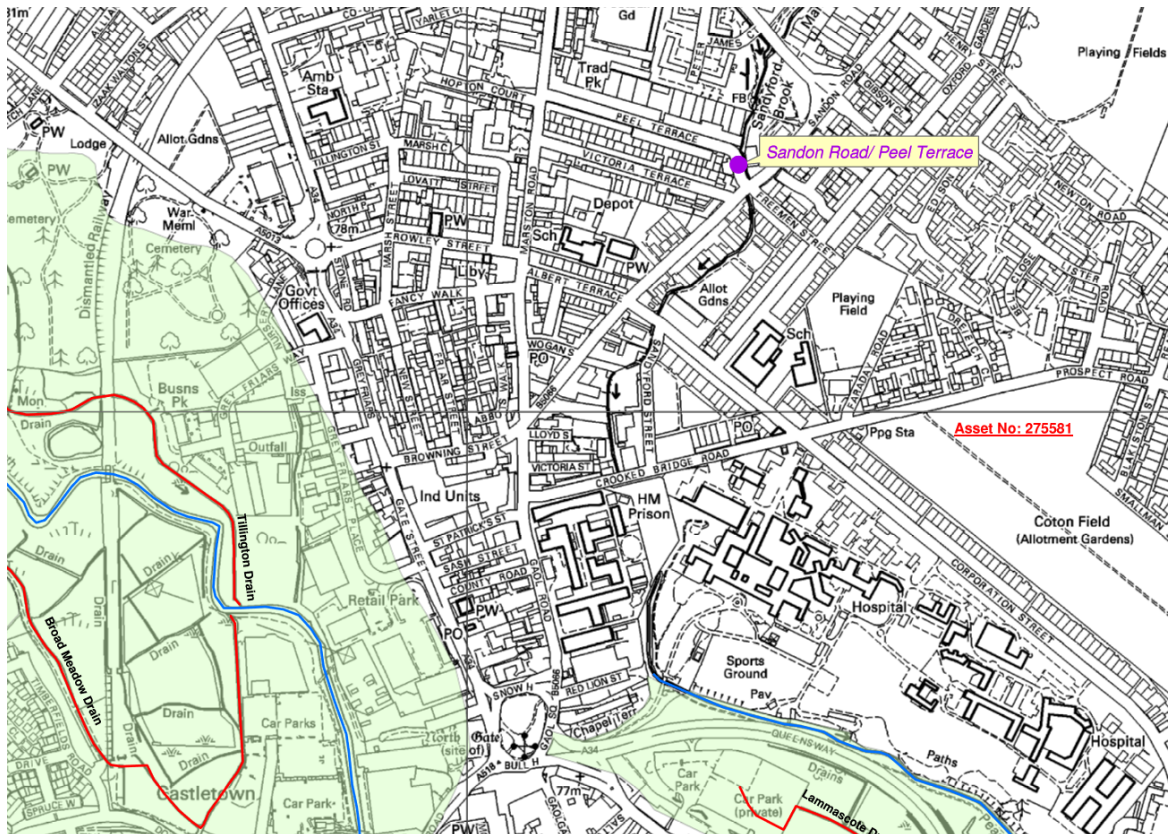
1. Kingston Bk screen SJ9439423253 – asset no. 410638
2. Lamascote Road screen SJ9287823178 – asset no.275575
3. Sandon Road/ peel terrace screen SJ9238124344 – asset no.275581
4. Astonfields Road screen SJ9243724514 – asset no.284098
5. Balancing lakes screens x2 – asset no.275939 & SJ9253024659 – asset no.275584
6. Rising Bk railway screen off kingsley Rd SJ9249521683 – asset no.309967

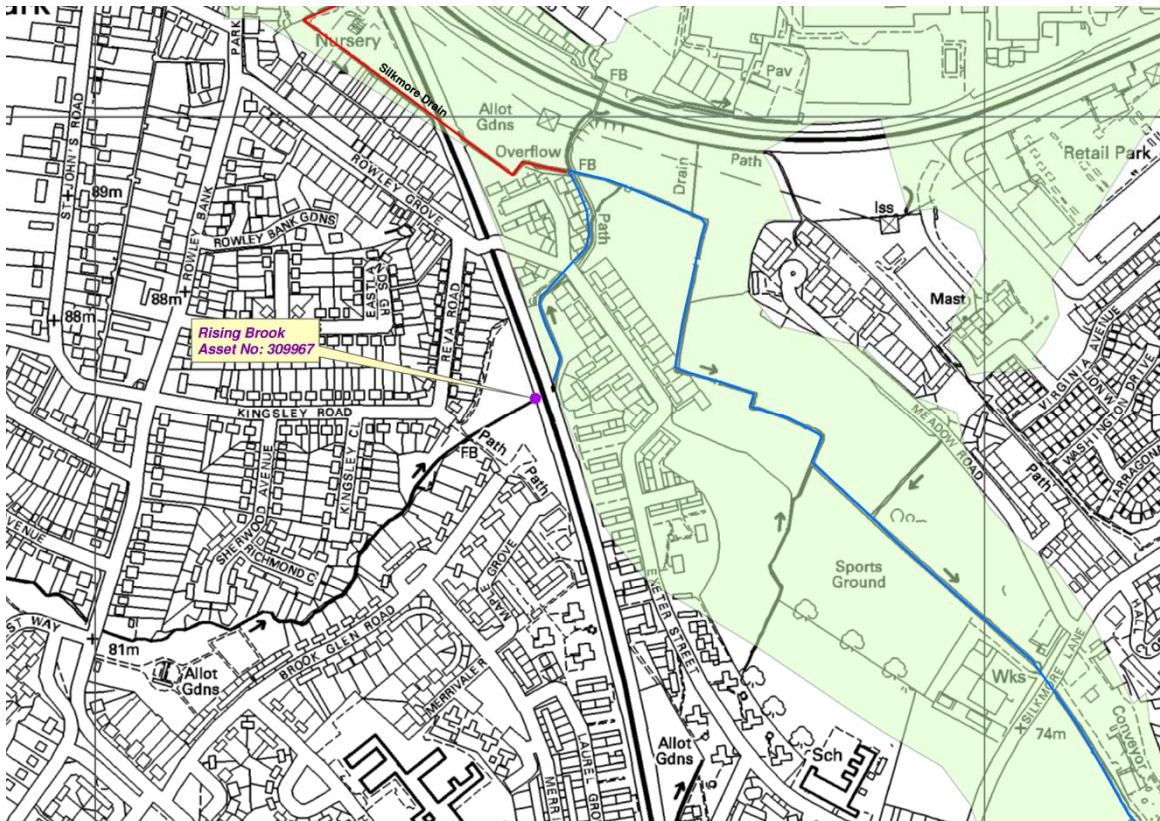
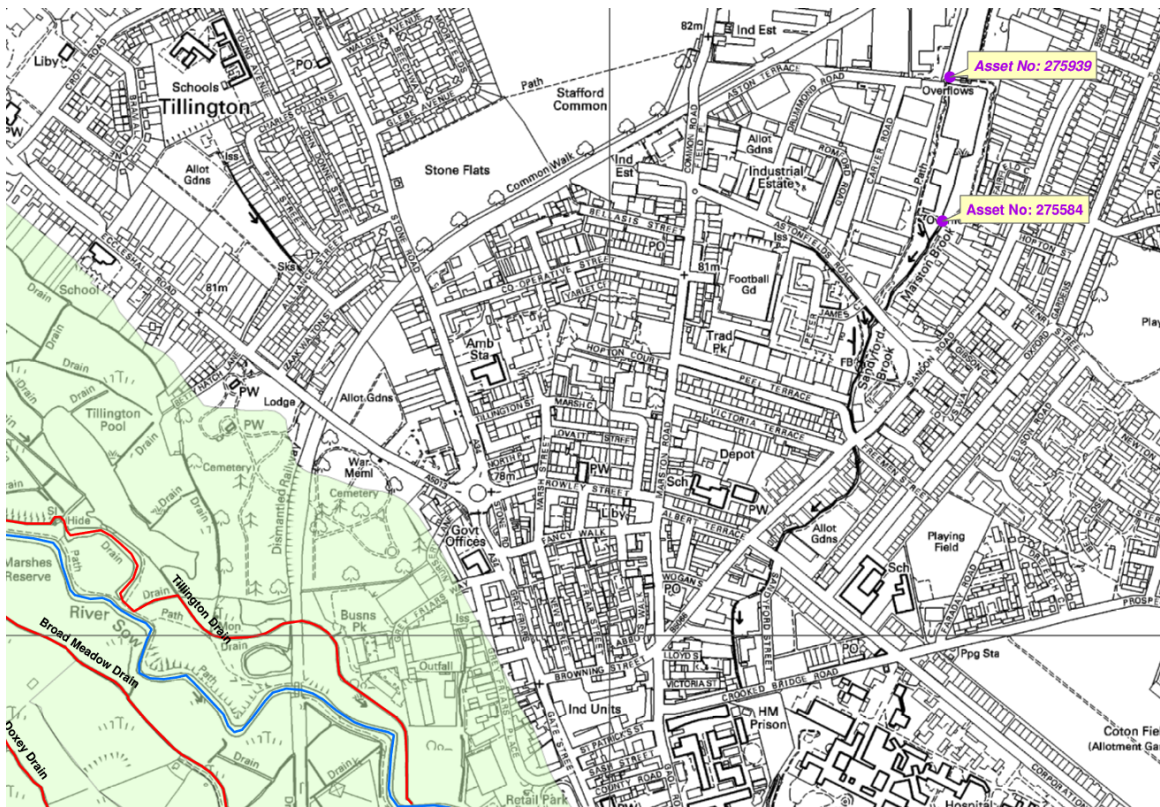
##### Penkridge

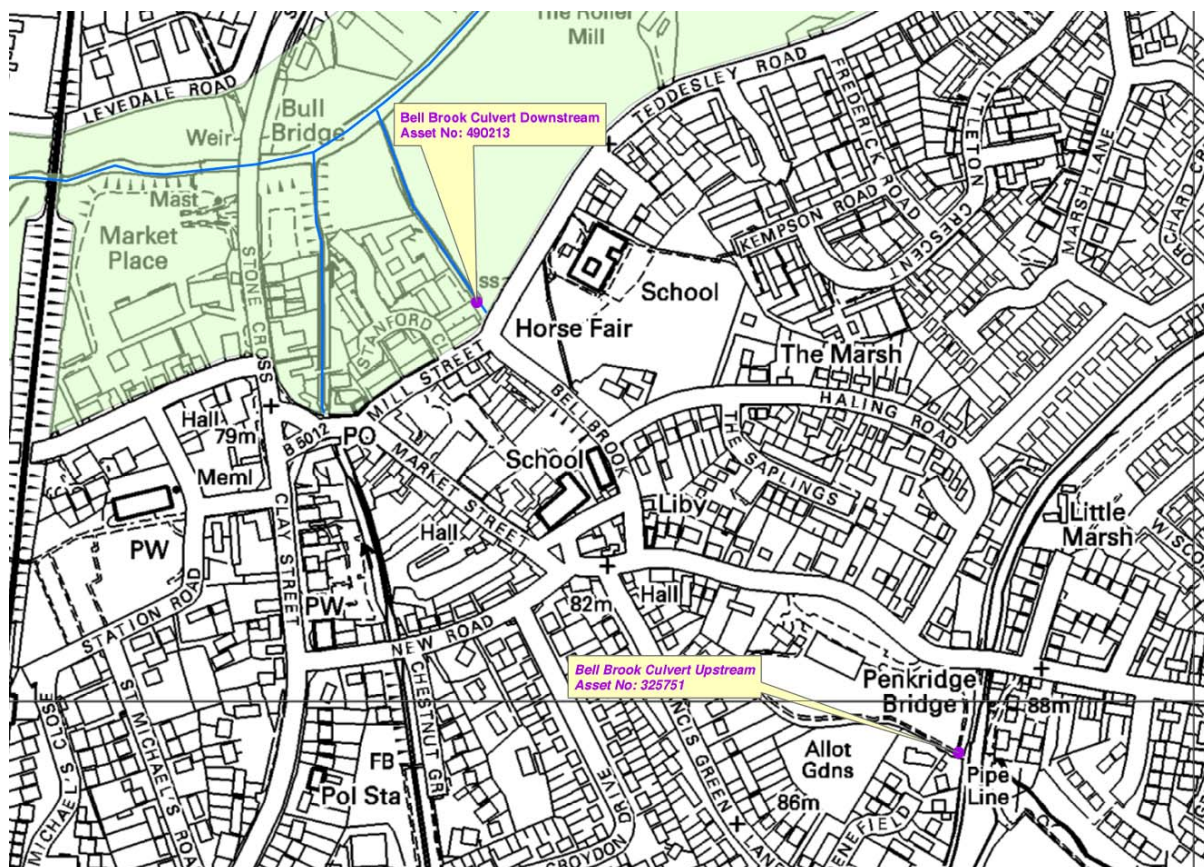
1. Bell Brook culvert upstream screen SJ9280913958 asset no. 325751
2. Bell Brook culvert downstream screen SJ9241714324 asset no. 490213

Littlehales Plant Hire Ltd. have been asked to consider the screen work on behalf of the IDB and provide a price for consideration of the EA in terms of potential partnership working moving forwards.









## 4.2 Planning, pre-application advice and consents

### 4.2.1 Planning applications

Our email address for planning enquiries is [planning@shiregroup-idbs.gov.uk](mailto:planning@shiregroup-idbs.gov.uk)

2 No Planning applications have been reviewed and no applications have required comment on behalf of the Board between 23 January 2018 and 30 April 2018

### 4.2.2 Land Drainage Act 1991 Section 23 and 66 (Byelaw) Consents

Our email address for consent applications is [consents@shiregroup-idbs.gov.uk](mailto:consents@shiregroup-idbs.gov.uk)

3 No consents have been issued on behalf of the Board between 23 January and 30 April 2018.

Applicant	Location	Proposal	Permanent / Temporary Works	Date recieved	Date Approved
Louise Wilcock (RPS Planning & Development)	Land at Stafford Rugby Club, South West of Kingsway, Stafford	To attenuate existing surface water discharge to drain and restrict to Qbar greenfield rate (reduced discharge above Qbar return period)	Permanent	20.02.2017	02.03.2017
Mark Smith (Atkins / St Modwen Developments Ltd)	Former Castleworks, Castle Street, Stafford	Install outfall headwall to Doxey Drain with Qbar runoff rate of 12.8 l/s (4.55 l/s/ha)	Permanent	23.03.2017	04.05.2017
Eamon Mulhall, Carrilion Kier Joint Venture	Doxey Construction Site, Doxey Brook	Discharge of surface water from construction site compound to Doxey Brook	Temporary	12.01.2018	23.04.18

## 5. Health and Safety Report

**Recommendation:**

- Members note information contained in the Report

### 5.1 Health and Safety Boards Contractor

#### 5.1.1 Accidents and Incidents

There have been no accidents or incidents to report. This is invariably a quieter period regarding work activity.

## 6. Environmental Adviser's Report

### Recommendation:

- Members note information contained in the Report
- Review and adopt Biosecurity Policy (Item 6.1)

### 6.1 Policy

ADA has requested all IDBs adopt a Biosecurity Policy. We have produced draft wording on behalf of the Board for consideration and adoption.

#### Biosecurity Policy

##### 1. Document purpose and scope

This document sets out the Biosecurity Policy of the Sow & Penk Internal Drainage Board hereafter referred to as the Board.

##### 2. Policy statement

The Board will comply with all legislative requirements, statutory and other obligations, following best practice guidelines, relevant to our activities within the sphere of water level management.

The Board acknowledge the significant importance of having a rigorous biosecurity policy whilst undertaking its water level management function. Effective biosecurity measures demonstrate to ratepayers, other authorities, contractors, and members of the public that the Board takes its role and responsibilities seriously and care about the environment. This policy will help prevent the spread of Invasive Non-Native Species (INNS), pests and diseases and will, therefore, benefit biodiversity and the wider environment.

##### 3. Aims

The aim of this policy is to maintain standards of biosecurity on, sites whilst undertaking field operations, thereby helping to keep water bodies, animals, crops, forests, woodlands and other habitats free from disease and to prevent the introduction and spread of disease or INNS. It is accepted that risk from pathogens and INNS is volatile and dynamic and our biosecurity policy, and hence procedures, reflect this fact.

The Board will follow the Department for Environment, Food and Rural Affairs' (Defra) 'Check, Clean, Dry' campaign, and other similar guidance produced by governments of the areas in which it operates, to help reduce and minimise the risk of spreading INNS, pests and diseases.

We will aim for each area in which we work to have in place biosecurity procedures appropriate to the prevailing hazards and consistent with differing levels of risk, for example:

- Working in waterbodies where known INNS species occur (HIGH)
- Working near waterbodies where known INNS species occur at certain times of the year (MEDIUM)
- Working 'in the dry' on sites where there are no known INNS issues (LOW)

The Board will provide instruction, training, resources and support needed to its contractors in order to effectively implement this biosecurity policy.

##### 4. Responsibilities

The Board is responsible for reviewing and approving the content and implementation of this policy.

All Board Members are required to comply with the policy requirements and share responsibility for performance in implementing the policy in regard to the health, safety and welfare of the environment.

All contractors are required to have read, acknowledge and agreed to adhere to this policy.

## **5. Implementation**

This policy is implemented through the associated biosecurity procedures as documented in the;

None Native Species Secretariat document - Biosecurity for everyone

Specific biosecurity procedures may have to be established to take account of local circumstances, differing land uses, physical constraints, and the prevalence of INNS, pests and disease.

Biosecurity is acknowledged within our risk assessments.

Our biosecurity procedures apply equally to

- Administration staff;
- Sub-consultants;
- Contractors
- Visitors.

## **6. Certification**

By Order of the Sow & Penk Internal Drainage Board

Certified by Ian M Benn, Chief Executive Officer

This document is next scheduled for review May 2021.

## **6.2 Legislation**

### **6.2.1 Protection of Badgers Act 1992**

Board Contractors must be notified they are required to be registered with Natural England to use the "Class Licence to interfere with Badger setts for watercourse and drainage purposes" specifically designed for those involved with IDB maintenance activities. Details are available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/669989/cl27-badger-interfere-drainage-licence.PDF](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669989/cl27-badger-interfere-drainage-licence.PDF).

Contractors must apply to Natural England to be registered to use the Class licence. The licence requires Natural England is provided with 48 hours' notice of interference at each sett.

## **7. Any other business**

## **8. Date of next meeting**

21 November 2018.

## 9. APPENDIX A: GDPR

### 1. Background

1.1 General Data Protection Regulation 2018 (GDPR) applies to Controllers and Processors of personal information. A Controller determines the purposes and means of processing personal data. The Processor is responsible for processing personal data on behalf of a Controller.

1.2 GDPR applies to processing undertaken by organisations operating within the European union. As a Controller of personal data even where a processor is involved, the GDPR places obligations on the Board to ensure its contracts with Processors comply with the GDPR.

1.3 Sow & Penk Internal Drainage Board (the Board) is a Controller of personal information.

1.4 The Shire Group of IDBs Management team (JBA Consulting) is responsible for Processing personal data on behalf of the Board as Controller. The Board has identified that processing is necessary for compliance with a legal obligation to which the controller is subject.

1.5 Personal data means any information relating to an identifiable person who may be directly or indirectly identified by reference to an identifier such as a drainage rate account number, or an identification number.

1.6 GDPR applies to automated personal data and to manual filing systems where personal data is accessible.

1.7 Article 5 of GDPR requires that personal data shall be:

1.7.1 Processed lawfully, fairly and in a transparent manner in relation to individuals

1.7.2 Collected for specified, explicit and legitimate purposes

1.7.3 Adequate, relevant and limited to what is necessary in relation to the purpose for which the data is processed

1.7.4 Accurate and where necessary kept up to date

1.7.5 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

1.7.6 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

### 2. Lawful basis for processing

#### 2.1 Personal Data and Drainage Rates

2.1.1 The Board has reviewed the purposes of processing activities and identified the lawful basis for processing personal data. The Board is a Public Authority delivering a public task. The Board is a public body defined in the Freedom of Information Act 2000 as a body constituted under Section 1 of the Land Drainage Act 1991. The processing of personal data is necessary to perform that task in the public interest and the Board's official function has a clear basis in law as defined by the Land Drainage Act 1991.

2.1.2 The Board has checked the processing is necessary for the relevant purpose and is satisfied there is no other reasonable way to achieve that purpose.

2.1.3 This Policy is intended to evidence documentation of the Board's decision on which the lawful basis applies to help demonstrate GDPR compliance

2.1.4 The Board has included information about the purpose of the processing and the lawful basis for the processing in its privacy notice issued with Drainage Rates.

## 2.2 Personal Data and Board Contractors

2.2.1 The Board has identified the lawful basis for processing personal data and sharing that data with its Contractors as a Public Authority delivering a public task which function has a clear basis in law as defined by the Land Drainage Act 1991.

2.2.2 The Board has checked the processing is necessary for the relevant purpose and is satisfied there is no other reasonable way to achieve that purpose.

2.2.3 This Policy is intended to evidence documentation of the Board's decision on which the lawful basis applies to help demonstrate GDPR compliance.

2.2.4 The Board has included information about the purpose of the processing and the lawful basis for the processing and sharing of personal data in its privacy notice issued with Drainage Rates.

## 3. Data subject rights under GDPR

3.1 Right to be informed - The Board complies with its obligation to provide fair processing information through its privacy notice.

3.2 Right of access – The Board must provide a copy of subject data access request, without delay and within one month of request receipt. The Board notes GDPR includes a best practice recommendation that where possible, organisations should be able to provide remote access to a secure self-service system which would provide the individual with direct access to his or her information. The Board does not consider this appropriate associated with cost to the public purse of such a system for a small public body.

3.3 Right to rectification – the Board acknowledges a data subject right to rectification of data if it is inaccurate or incomplete

3.4 Right to erasure – the Board acknowledges the right to erasure where the personal data is no longer necessary in relation to the purpose for which it was originally collected however that request for erasure will be refused if continued compliance with legal obligation for the performance of a public interest task.

## 4. Evidencing GDPR compliance

4.1 The Board has produced and issued a Privacy Notice which accompanies issue of annual Drainage Rates. A copy of the Privacy Notice is available on the Board website at: [www.shiregroup-idbs.gov.uk](http://www.shiregroup-idbs.gov.uk)

4.2 With regards to the Boards employees, we will inform our employees;

4.2.1 why data protection is important

4.2.2 what personal data is

4.2.3 The consequences of non-compliance

4.2.4 The right to have data deleted

4.3 We will report any personal data breach to the regulator (within 72 hours of discovery) if risk-such as discrimination, damage to reputation, financial loss- to employees is a likely consequence. We would consider data breaches of personal data in these instances to be specifically medical records or personal Bank Details.

4.4 We will seek to ensure that all personal data no longer required by the Board (i.e. evidence of verbal or written warnings when outside of their retention date) are expunged/deleted.

## 5. Evidencing GDPR accountability and governance

5.1 Accountability and governance complements GDPR's transparency requirements. The Board considers it has put in place comprehensive, proportionate governance measures that minimise the risk of breaches and uphold the protection of personal data.

5.1.1 The Board implements appropriate technical and organisational measures through internal audits of processing activities and reviews of internal HR policies.

5.1.2 It maintains relevant documents on processing activities

5.1.3 It has appointed a Data Protection officer

5.1.4 It has implemented measures meeting the principles of data protection by design and default through data minimisation, transparency and monitors processing.

6. Certification

By Order of the Sow & Penk IDB

Certified by Ian M Benn, Chief Executive Officer

This document is next scheduled for review May 2021.

## 12. APPENDIX B: Policy Statement

### Policy Statement on Water Level and Flood Risk Management

#### 1. Introduction

##### Purpose

1.1. This policy statement has been prepared by the XXXXX Internal Drainage Board (the Board) to provide a public statement of the Board's approach to its management of water levels and flood risk within the XXXXX Internal Drainage District (the District). The Board is constituted by order of Parliament operating under the terms of the Land Drainage Act 1991 and is designated as a flood risk and coastal erosion 'Risk Management Authority' (RMA) under the Flood & Water Management Act 2010.

1.2. The Board serves the local community by managing water levels in ordinary watercourses and other water infrastructure within the District to mitigate against the risks from flooding and drought. In delivering its functions the Board will meet its environmental obligations and commitments and seek opportunities to enhance the environment. The Board recognises its responsibility for good governance, local accountability and financial security, achieving value for money from all its activities. As an independent public body the Board is committed to the pursuit of economy, efficiency and effectiveness.

1.3. [Add as appropriate] It should be noted that although this document refers to 'flood and coastal erosion risk management' (FCERM) the District is not affected by coastal erosion or tidal flooding.

##### Background

1.4. The Department for Environment, Food and Rural Affairs (Defra) has policy responsibility for flood and coastal erosion risk management in England. The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion. Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas. Delivery is the responsibility of a number of flood risk and coastal erosion 'Risk Management Authorities' (RMA), which includes the XXXXX IDB.

1.5. This Policy Statement sets out the Board's approach to meeting the national policy aims and objectives in this area, as stated in the *National flood and coastal erosion risk management strategy for England 2011* (the National Strategy); the statement will be revised to reflect future revisions of the National Strategy. It summarises what plans the Board has in place to manage water levels and reduce flood risk, whilst protecting and enhancing the environment, and ensuring good governance and local accountability. Copies of this Policy Statement are available from the Board's office at: XXXXX. Digital copies can be downloaded from the Board's website.

#### 2. Governance and local accountability

2.1. The Board will ensure that its policies and procedures enable effective representation of and accountability to drainage rate payers and the occupiers of non-agricultural land within the District, including triennial elections in line with the requirements of the Land Drainage Act 1991, and timely engagement with charging authorities to fill vacancies in seats allocated to appointed members.

2.2. Board members must take decisions objectively in the best interests of the Board and uphold the ethical standards expected of public officeholders. Board members must adhere to the Board's Members Code of Conduct, including the seven principles of public life (Nolan Principles). The Board will make sure that there is suitable training in place for board members and staff, including on financial and environmental matters as appropriate.

2.3. Board members must declare financial and other interests relevant to their function with the Board. Board members will recuse themselves as appropriate where conflicts of interest may occur in relation to procurement, contract management and decision making.

### **3. Delivering the National Strategy's policy aim and objectives**

#### **Aim**

3.1. The overall aim of the National Strategy is to ensure the risk of flooding and coastal erosion is properly managed by using the full range of options in a co-ordinated way. The Strategy states that communities, individuals, voluntary groups and private and public sector organisations will work together to manage the risk to people and their property; facilitate decision-making and action at the appropriate level; and achieve environmental, social and economic benefits, consistent with the principles of sustainable development.

#### **Objectives**

3.2. The Strategy sets out five objectives in pursuance of the overall aim as follows:

- understand the risks of flooding and coastal erosion, working together to put in place long-term sustainable plans to manage these risks and making sure that other plans take account of them;
- avoid inappropriate development in areas of flood and coastal erosion risk and being careful to manage land elsewhere to avoid increasing risks;
- build, maintain and improve flood and coastal erosion management infrastructure and systems to reduce the likelihood of harm to people and damage to the economy, environment and society as well as achieving wider environmental benefits;
- increase public awareness of the risk that remains and engaging with people at risk to encourage them to take action to manage the risks that they face and to make their property more resilient; and
- improving the detection, forecasting and issue of warnings of flooding, co-ordinating a rapid response to flood emergencies and promoting faster recovery from flooding.

3.3. The Board supports the national aim and objectives for the management of flood risk and water levels and the Board's policy and approach will be consistent with them.

### **4. Flood risk and water level management in the Board's District**

4.1. The District has been determined to derive benefit, or avoid danger, as a result of drainage operations. As such the whole of the District is at some risk from flooding, but that risk is managed wherever it is practically, environmentally and financially viable<sup>1</sup>.

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<sup>1</sup> It should be noted that the Land Drainage Act 1991 provides the Board with statutory powers to carry out works of maintenance and improvement for land drainage and flood defence purposes, rather than imposing a duty on the Board to carry out such works.

4.2. The Board makes decisions regarding flood risk within the District taking into account the following:

- assets in place considering design standard and life;
- Environment Agency and Lead Local Flood Authority flood risk strategies, plans and maps; and
- other information such as the history of flooding and land use impacts.

4.3. The following outlines the key details of the District:

- Total area of the drainage district: xx ha
- Catchment area draining to and including the District: xx ha
- Area of agricultural land: xx ha
- Area of other (non-agricultural) land: xx ha

[List above can include summary of other land: e.g. residential and commercial property, amenity land, major road and rail infrastructure, other highways, area of designated environmental sites etc.]

4.4. Assets for which the Board has operational responsibility:

- Water level control structures: xx number
- Watercourses (maintained): xx km
- Raised embankments: xx km
- Reservoirs: xx ha
- Sustainable drainage systems (SuDS): xx number
- Pumping Stations: xx number

4.5. Assets within or adjacent to the District that are maintained by the Environment Agency:

- Main rivers: xx km
- Raised embankments/flood walls xx km
- Pumping Stations: xx number

## **5. Building, maintaining and improving flood and coastal erosion risk management systems**

5.1. Through the operation, maintenance and improvement of watercourses and other water control assets within the District, the Board seeks to achieve a general standard of water level management that enables the drainage and irrigation of agricultural land, reduces flood risk to developed areas, and sustains environmental features throughout the District.

- 5.2. The Board monitors and reviews the condition of its watercourses and other assets, particularly those designated as critical, over-spilling from which could affect people and property. Consistent with the resultant needs established, a routine maintenance programme is in place to ensure that the condition of the assets is commensurate with the standards required. The programme is reviewed periodically by the Board to ensure it is delivering the appropriate condition.
- 5.3. Where standards are not at the desired level, improvement works will be sought where they are considered to be practical and financially viable by the Board. Where improvement works meet the criteria set by Defra, financial support will be sought from the Government's Flood and Coastal Resilience Partnership Funding. Where appropriate works will be undertaken in partnership with other Risk Management Authorities and take opportunities to work with natural processes.
- 5.4. Work for and by the Board will be carried out in accordance with best practice and to deliver best value for money taking due regard of local flood risk management requirements and strategies, opportunities for partnership working, environmental obligations and guidance available from Defra, the Environment Agency and other organisations.
- 5.5. **[Delete as appropriate – MLC wording for para 5.5]** The Board's powers to carry out water level and flood risk management works are permissive (i.e. the Board is not obliged to carry out works) and their resources are limited. The Board's policy is therefore to designate what the Board considers to be the most important watercourses in the District as "District Drains" and prioritise their resources to the appropriate maintenance and, where necessary, improvement of such channels and associated structures. The watercourses and structures so designated will change over time as necessary but the current designated watercourses and structures are shown on the plan attached to this Statement.
- 5.6. **[Delete as appropriate – MLC wording for para 5.6]** Other watercourses usually are the responsibility of other bodies or the adjoining owners. The Board will only take action in respect of these latter watercourses where resources are available and where it is in all the circumstances appropriate for the Board to become involved, bearing in mind the powers available to other persons or bodies.
- 5.7. **[Delete as appropriate – Alternative wording for para 5.5]** The Board's powers to carry out water level and flood risk management works are permissive (i.e. the Board (i.e. they are not obliged to carry out works) and their resources are limited. The Board's policy is therefore to designate the watercourses in the District as either Critical, High, Medium or Low Risk and prioritise their resources to the appropriate maintenance and, where necessary, improvement of these channels and associated structures. The watercourses and structures so designated will change over time as necessary but the current designated watercourses and structures are shown on the plan attached to this Statement.
- 5.8. **[Delete as appropriate – Alternative wording for para 5.6]** Other watercourses usually are the responsibility of other bodies or the adjoining owners. The Board will only take action in respect of these latter watercourses where resources are available and where it is in all the circumstances appropriate for the Board to become involved, bearing in mind the powers available to other persons or bodies.
- 5.9. The Board has a supervisory duty, under section 1(2)(d) of the Land Drainage Act 1991 over all matters relating to the drainage of land in their District and will, under this duty where appropriate advise others regarding the undertaking of works when it is not appropriate for the Board to exercise its own powers.

5.10. The Board will also seek to ensure, where possible, that assets managed by other Risk Management Authorities, which also reduce flood risk to the District, are maintained at a satisfactory standard and may enter into a Public Sector Co-operation Agreement with another Risk Management Authority to achieve better value for money when carrying out work to reduce flood risk.

## **6. Regulation of activities - Avoiding inappropriate development and land management**

6.1. The Board will take appropriate steps to help riparian owners understand their responsibilities for maintenance, byelaw compliance and environmental regulations.

6.2. The Board will regulate as necessary, using available legislative powers and byelaws, the activity of others to ensure their actions within, alongside, and otherwise impacting its drainage system do not increase flood risk, prevent the efficient working of drainage systems, or adversely impact the environment.

6.3. The potential impact on flood risk from future development, both within the District and the wider catchment draining into the District, is fully recognised by the Board. The Board will take an active role in the assessment of local plans, major development and, individual (planning) applications, to prevent inappropriate development and land use to ensure that flood risk is not increased. This will include, where appropriate, providing pre-application advice and checking of flood risk assessments.

6.4. Where appropriate the Board will seek contributions from developers to cover the cost of both immediate and longer term works necessary to mitigate against any resultant increase in flood risk. Such contributions will be recorded in accordance with the National Planning Policy Framework and associated technical guidance.

6.5. The Board will where appropriate designate structures or features affecting flood risk using section 30 of the Flood and Water Management Act 2010.

## **7. Communication and transparency**

7.1. The Board will publicise the local risks from flooding, the reasons for managing water levels within the District and articulate the efforts being undertaken by the Board to manage water levels and flood risk as well as the steps the local community and land managers can take to assist in its management.

7.2. The Board will be open and transparent in its actions and decisions. The Board will comply with the requirements set out in the relevant Local Government transparency code.

7.3. The Board will provide an overview of the objectives and costs of its water level management operations by publishing on its website:

- A record of the watercourses it periodically maintains;
- A statement of the types of general maintenance activities it routinely undertakes and why;
- Its Annual Report to Defra (IDB1 Form); and
- Approved Board minutes and papers.

7.4. The Board will seek views and respond to enquiries from the local general public in this regard and work with local partners to build a culture within which watercourses are seen as vital to managing flood risk, and enhancing habitat and amenity. Every effort will be made to dissuade abuse of watercourses.

7.5. The Board invites any comments regarding the condition of its system, which could assist with the management of water levels.

## **8. Working together**

8.1. The Board will co-operate and share information with other relevant authorities in the exercise of their flood and coastal erosion risk management functions. The Board will contribute to strategies, plans and consultations relevant to its catchment and functions.

8.2. The Board will assist the Environment Agency wherever possible in its provision of adequate and cost effective flood warning systems, and assist Risk Management Authorities where necessary during flood emergencies. The Board will participate as necessary in exercises to develop and test emergency response procedures.

8.3. The Board has provided the Environment Agency and other local Risk Management Authorities with information on the major flood defence assets for which the Board is responsible. The information is available from the Environment Agency at ~~xxxxxx~~.

8.4. The Board will seek to work with all relevant local organisations, in carrying out its flood and coastal erosion risk management functions and environmental obligations.

## **9. Environmental measures**

9.1. The Board has nature conservation duties under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Countryside and Rights of Way Act 2000, the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003, the Eels (England and Wales) Regulations 2009, the Flood and Water Management Act 2010, the Natural Environment and Rural Communities Act 2006, Salmon and Freshwater Fisheries Act 1975, and as a competent authority under the Conservation of Habitats and Species Regulations 2010. The Board will fulfil these in a positive way.

9.2. Much of the Board's watercourse maintenance work constitutes vegetation control and de-silting and is often a vital and routine requirement. Whilst inevitably some short or long term impacts may arise, this management is often essential to maintain the distinct assemblage of aquatic habitat and species present in the District. Such work will be carried out in a way that manages the potential risks to the environment. The Board has access to environmental expertise from their ~~Conservation Officer/Advisor/Consultant [delete as necessary]~~, and have a Biodiversity Action Plan, developed according to ADA and Natural England guidelines, ~~and a Conservation Manual [delete if not appropriate]~~ which indicate the way in which their functions can be carried out in a way appropriate to the environment and how the environment can be enhanced. The Board maintain only a small proportion of the total watercourse length in the District, the significant majority being the responsibility of the adjoining land owners or of other bodies.

9.3. When carrying out work, be it maintenance or improvement, and consistent with the need to maintain satisfactory flood protection standards, the Board will aim to:-

- Avoid any unnecessary or long term damage to agricultural interests and to natural habitats and species;

- Carry out the monitoring of any gains and losses of biodiversity and report annually to the Environment Agency; and
- Take appropriate opportunities to achieve multiple environmental outcomes and work with natural processes, wherever possible, including the enhancement of habitats and water bodies within the District.

9.4. The District is situated within numerous sites of **national and international [delete as appropriate]** biological or geological interest including:

9.5. **[List key designated sites (e.g. SSSI, SAC, SPA and Ramsar sites)]**

9.6. The Board has X Water Level Management Plan(s).

9.7. The Board will play its full role in sustaining the Water Level Management Plans prepared for SSSIs to maintain, or bring sites into, favourable condition, in conjunction with Natural England and other interested parties and review the plans in accordance with guidance.

## **10. Approval and Review of this Policy Statement**

10.1. This protocol was adopted by the Board on **dd mm yyyy**.

10.2. The **XXXXX** IDB will review and update this Policy Statement as and when changes to policies are made and notwithstanding within a period not extending beyond five years.

## **10. APPENDIX C: Internal Audit Report**

A copy of the report can be found over the following pages.

## **Sow & Penk Internal Drainage Board**

### **Report of the Internal Auditor on the internal controls of the Drainage Board for the year ended 31<sup>st</sup> March 2018.**

Dear Sirs

We have audited the Internal Control System of Sow & Penk Internal Drainage Board operational for the year ended 31<sup>st</sup> March 2018.

#### **1) Scope and Responsibility**

The Board is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Board also has a duty to make arrangements to secure continuous improvements in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Board is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Boards functions and which includes arrangements for the management of risk.

#### **2) The Purpose of the System of Internal Control**

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Boards policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

#### **3) The Internal Control Environment**

The key elements of the internal control environment, which the Board have addressed, are in ensuring that they:

- ☐ Prepare its accounting statements in the way prescribed by law.
- ☐ Make proper arrangements and accept responsibility for safeguarding public money and resources in its charge.
- ☐ Have only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.
- ☐ Have given all persons interested the opportunity to inspect and ask questions about the board's accounts.
- ☐ Considered the financial and other risks it faces and has dealt with them properly
- ☐ Arranged for a competent person, independent of the board's financial controls and procedures, to give an objective view on whether these meet the needs of the board and reviewed the impact of this work.
- ☐ Responded to matters brought to its attention by internal and external audit.
- ☐ Disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

#### **4) Review of Effectiveness**

JBA Consulting are Clerks to the Board. Certain procedures are prescribed by statute. Our internal audit has covered the procedures and controls exercised by JBA over the Drainage Board. Our audit has been carried out on a test basis.

An assessment of the risks facing the organisation is being updated by JBA on an ongoing basis. This is then discussed with ourselves and reviewed on an annual basis and updated further as appropriate. The risk assessment is summarised using the following heads:

- ☐ Governance
- ☐ Operational
- ☐ Financial
- ☐ External
- ☐ Compliance with Law and Regulation

The risks identified are categorised depending on the assessment of their impact on the organisation and their likelihood of occurrence. Each area is been attributed an:

- ☐ A Denoting immediate action, or
- ☐ B Denoting consider action and have a contingency plan, or
- ☐ C/D Consider action or keep under periodic review.

The risk assessments are also currently reviewed and discussed as part of the 'Review of the Effectiveness of the System of Internal Audit' meeting, which currently takes place annually in November.

In addition further work has been carried out in establishing the administrative and accounting procedures in terms of segregation of duties and recording of financial information.

### **Specific Internal audit review work**

The following areas relevant to Sow & Penk Internal Drainage Board were reviewed in detail in line with the principal of ensuring the standards and characteristics of an effective internal control system are evident:-

The Board's governance arrangements should include and ensure

- There is clarity of purpose and strategic direction.
- They act within their legal framework.
- Roles of officers and board members are clear and documented.
- Decisions are transparent and clearly reported
- Conduct of Board members and officers is of a high standard.

The Board's decision-making framework should include and ensure

- The board has a scheme of rules, including standing orders, which have been subject to minister approval.
- The make up of the board is in accordance with the land drainage act 1991.
- Adequate minutes of all board meetings are maintained.
- Adequate financial regulations are in place and followed.
- No conflicts of interest are evident.

### **Budgets**

The budget process undertaken by the board is reviewed in detail during the course of our internal audit work. This incorporates both the process itself and details comparison between the budget set and actual income and expenditure. This culminates in the calculation of any variances and then ascertaining the reasoning and explanations for these variances.

This is underpinned by the budgetary work undertaken on an ongoing basis during the course of the year by the clerks to the board as follows:

- On a monthly basis the sage 200 software is exported through to the formal accounts produced in order to ensure all items of income and expenditure are included.

- The figures from the accounts are then pulled through to the approved budget statement and a percentage comparison from budget to actual is calculated automatically on the spreadsheet.
- This is then reviewed fully by the clerk to assess the ongoing budgetary position.
- Reporting to the board can then be undertaken promptly as necessary.
- Within the November meeting all budget reports and reviews updated at that point in time are included within the meeting papers for discussion and ultimate approval.

### **Change to Internal Control Procedures**

During the previous year reviewed the internal control system relating to purchase invoices was updated. This was mainly necessary to adapt the current system to cater for the increasing number of suppliers who submit their invoices to the board electronically.

Once received all purchase invoices (whether received electronically or posted and then scanned in) are held in a folder named awaiting authorisation. These are then moved to a folder awaiting input, then through awaiting payment until ultimately being moved to an account paid folder.

Moving forward no hard copies of purchase invoices will be kept.

Our internal control system notes were fully updated to reflect the above.

## **5) Significant Internal Control Issues**

In general, the Drainage Board is underpinned by a sound management and operational structure through the offices of JBA Consulting.

The following areas are identified as risk areas:

### **Risk areas**

#### ***Comments in relation to specific areas highlighted above***

#### **Decision-making: -**

The percentage of income contributed in respect of the special levy for the year ended 31<sup>st</sup> March 2018 represents around 88% of total income and is therefore the majority of the board's income.

At the June 2017 meeting, there were 7 appointed and 3 elected members present (70% appointed member percentage), at the November 2017 there were 5 appointed and 5 elected members present (50% appointed member percentage) and at the February 2018 meeting 5 appointed and 4 elected members present (56% appointed member percentage).

The overall makeup of the board is in accordance with the Land Drainage Act 1991 and based on the attendance data of the above meetings, decisions in general are being taken by an appropriate member proportion in line with the overall make-up of the Board.

We would recommend that meeting attendance continues to be reviewed with the aim that appointed members at meetings outnumber elected members by at least one.

## **Other risk areas**

### ***Bank mandate/Natwest bankline payment system***

During the year, an electronic payment system has been operated (BACS) in respect of making payments to certain creditors.

This system incorporates a two-tier authorisation process of the payments, which involves first stage authorisation from the chairman directly via the bankline system and second stage authorisation via the clerk.

We have assessed the control procedures in place in respect of the bankline system and with the two-tier authorisation system in place the instruction within the bank mandate are being maintained.

Whilst risk in this area cannot be totally eliminated, the system being operated is robust and keeps risk down to an acceptable level.

In addition to the current control procedures in place we have recommended to the clerk to the Board the following in respect of any change of bank account details for existing suppliers and for any new suppliers to the Board: -

1. Insist on written and signed confirmation from the supplier.
2. No electronic communication in respect of the change be accepted.
3. Request that an authorised individual known to the Board and Clerk, personally deliver the signed document to the Clerks offices.

We would recommend to the Board that the above additional procedure be approved at the earliest opportunity.

We have maintained the number of our internal audit checks regarding electronic payments and therefore undertaken extensive walk through testing of the bankline system for the year ended 31<sup>st</sup> March 2018, no issues have arisen and our sample tests suggest that the current system is working effectively.

### **System back up Procedures**

In line with the above internal control systems and the Boards major reliance on electronic data files (E.g. Sage 200) we undertake an annual review of the data recovery system of the clerks to the board.

Our conclusion is that the system is acceptable and includes an offsite data backup facility. Recognised anti-virus software is being operated to reduce risk in this area.

We have updated our internal control system notes to reflect the current above procedures.

Brodericks GBC  
Chartered Certified Accountants and  
Registered Auditors  
35 Thorne Road  
Doncaster  
DN1 2HD

Dated: 10<sup>th</sup> May 2018

## **11. APPENDIX D: Annual Return Sections 1 & 2**

The Annual Return can be found over the following pages. Members are asked to review and approve the document

## Section 1 – Annual Governance Statement 2017/18

We acknowledge as the members of:

SOW AND PENK IDB

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2018, that:

	Agreed		Yes	No	Yes means that this authority
	Yes	No			
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓				prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓				made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓				has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓				during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓				considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓				arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓				responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓				disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A		has met all of its responsibilities where it is a sole managing trustee of a local trust or trusts.

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the authority will address the weaknesses identified.

This Annual Governance Statement is approved by this authority and recorded as minute reference:

Signed by the Chairman and Clerk of the meeting where approval is given:

MINUTE REFERENCE  
dated DD/MM/YY

Chairman SIGNATURE REQUIRED  
Clerk SIGNATURE REQUIRED

Other information required by the Transparency Codes (not part of Annual Governance Statement)  
Authority web address

WWW.Shire group - idbs.gov.uk

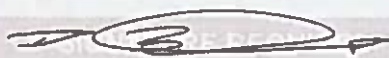
## Section 2 – Accounting Statements 2017/18 for

SOW AND PENK TDB

	Year ending		Notes and guidance
	31 March 2017 £	31 March 2018 £	
1. Balances brought forward	154,958	163,198	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	112,004	112,042	Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	6,378	1,903	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	-	-	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5. (-) Loan interest/capital repayments	-	-	Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).
6. (-) All other payments	110,141	112,398	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	163,198	164,746	Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).
8. Total value of cash and short term investments	185,568	183,983	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets			The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.
10. Total borrowings			The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	The Council acts as sole trustee for and is responsible for managing Trust funds or assets.
			N.B. The figures in the accounting statements above do not include any Trust transactions.

I certify that for the year ended 31 March 2018 the Accounting Statements in this Annual Governance and Accountability Return present fairly the financial position of this authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer



Date

01/05/2018

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where approval of the Accounting Statements is given

SIGNATURE REQUIRED

**Shire Group of IDBs  
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**JBA Consulting has offices at**

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Isle of Man  
Leeds  
Limerick  
Newcastle upon Tyne  
Newport  
Peterborough  
Saltaire  
Skipton (Belle Vue Mills)  
Skipton  
Tadcaster  
Thirsk  
Wallingford  
Warrington**