



Earby & Salterforth

Internal Drainage Board

**Salterforth Village Hall
Chapel Hill
Salterforth
Barnoldswick
BB18 5TU.**

Meeting Papers

***Thursday 24 June 2021
Meeting at 2:00pm***



Shire

Group of IDBs

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Meeting Papers

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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

There have been no complaints or FOI's received since the last meeting.

1.4 Minutes of Meeting 15 February 2021

Present

Ralph Guy	(RG)
Alan Butler	(AB)
Leighton Bankcroft	(LB)
Rosemary Carrol	(RC)
Colin Carter	(CC)
Duncan Reynolds	(DR)

Also in Attendance Elizabeth Stewart

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

Craig Benson (Clerk to the Board)
Roger Smith (Engineer to the Board)

Apologies for Absence

2021.1 No apologies were received.

Appointment of JBA Consulting

2021.2 Chairman informed members that he had received an offer from JBA Consulting to become the Board's Clerk, Engineer and Environmental Advisers. The Company had been involved with the management of IDBs for many years and he was mindful to accept their offer. This proposal was seconded by CC and approved by members. The Clerk thanked the Chairman and members for the award and looked forward to working with them.

Death of Board Member

2021.3 The Chairman announced the sad news that Paddy Wrightson had recently passed away. Even though his time on the Board was short, he contributed fully to Board business and his input was always valuable. It was agreed a card on behalf of the Board would be sent to his wife, Jane.

Minutes of the Last Meeting

2021.4 Minutes of the last meeting held were considered, proposed as a true record by RC, seconded CC, All in favour.

Matters Arising

2021.5 None.

Declaration of Interest

2021.6 The Chairman declared an interest with regard to item 11 – Proposed works. His cousin is the contractor used by the Board.

CLERK'S REPORT

2021.7 Information from papers noted. Clerk advised with regard to Key Performance Indicators that the second section had now been upgraded to "Good" as it was felt members were now more knowledgeable as a result of the modelling.

FINANCIAL REPORT

2021.8 Bank Statement – It was reported that the balance to date was £15,645.26.

2021.9 Bank Mandate – The Clerk informed members that a blank mandate form had been requested and would be sent to the retiring Clerk for completion. It was confirmed that AB and RK were other signatories on the account.

2021.10 Drainage Rates 2021-22. Members discussed the amount of watercourse maintenance works that were required in the forth coming year as well as other forecasted expenditure on Management Fees, Insurance etc. It was estimated that the Board expenditure for the year would be circa £12-13k. The Board receive £7k from Pendle DC, £700 from the ratepayers and £1100 from the Environment Agency in the form of a Highland Water Payment. The expected income was therefore circa £9k. The Clerk enquired as to the amount a penny rate increase would raise. RC thought this to be around £300. Following discussions RC proposed that the rate remained at £0.04. This was seconded by CC and approved by the Board.

2021.11 Rating Report – Members were informed that the arrears on a long overdue account had now been settled. Members thanked ES for her efforts. There was an outstanding query that had still to be resolved that centred around the area of land that was being rated.

ENGINEER'S REPORT

2021.12 Works undertaken since last Board meeting - It was confirmed that the work at Swan Neck was completed at a cost to the Board of £315.

2021.13 Proposed Works – It was reported that the following works were required during the next financial year. Bashfield Drain / Haigh Drain /Upstream of Bashfield Drain Salterforth Beck (DS Section).

2021.14 Planning Applications – There has been one planning application received since the last meeting that is currently being reviewed by the Engineer.

2021.15 Policy Review – The Clerk confirmed that the Board's policy will be reviewed upon receipt of them.

ANY OTHER BUSINESS

2021.16 RC wished to record the Board's thanks to the retiring Clerk for all of her efforts over the last 5 years. This sentiment was echoed by all members who greatly appreciated her efforts. ES thanked the Board for their kind comments.



2021.17 ES confirmed that the area of the district that had at one time been removed from rating would become subject to drainage rates again. She, with assistance, had identified a number of owners of the land who would need to be contacted by the Board.

2021.18 ES confirmed that she had started the application to recover the VAT that the Board had incurred on its expenditure over the last three years.

DATE OF NEXT MEETING

2021.19 It was agreed that the next meeting will take place in June and the time and venue will be confirmed nearer the time.

1.5 Matters arising there from not elsewhere on the Agenda

2. Clerk's Report

Recommendation:

- Members note information contained in the Report
- To approve the Revised Standing Orders Item 2.1

2.1 Policy

DEFRA have released a revised set of "Standing Orders" that will allow IDBs to hold virtual meetings in the future. The Order can be found at Appendix A and the Board are requested to approve the document.

2.2 Legislation

2.2.1 Changes to the Environment Bill that are being tabled in the House of Commons

Government amendments

The events of the last twelve months have led people to appreciate the difference that nature makes to our lives more than ever before. Restoring nature will be crucial as we seek to build back greener from this pandemic, and in what is a huge year for the environment we will use our COP26 and G7 presidencies to take a leading role on driving a global green recovery on the world stage.

2030 biodiversity target

As a core part of our commitment to leave the environment in a better state than we found it, we are announcing today that we will be amending the Environment Bill to require a historic, new legally binding target on species abundance for 2030 - aiming to halt the decline of nature. We hope that this world leading measure will be the Net Zero equivalent for nature, spurring action of the scale required to address the biodiversity crisis.

We will develop this target alongside the longer term legally-binding targets we are already developing in the Environment Bill, and set the final target in secondary legislation following the agreement of global targets at the UN Nature Conference CBD COP15 in autumn 2021.

Habitat regulations

We are also announcing today that we will be adding new powers to the Environment Bill to re-focus the habitats regulations in England. We want to ensure our legislation adequately supports our ambitions for nature, including our new world leading targets, rather than remaining tied to legacy EU legislation. We have already set out some important measures in the Environment Bill to switch the focus to nature recovery. We have the requirement for environmental targets on wider areas, for example water quality; a requirement for an Environment Improvement Plan; Local Nature Recovery Strategies supported with new funding under biodiversity net gain; and Natural England are making progress with a more strategic approach to nature recovery through their support for delivering the Nature Recovery Network.

While we are seeking a power to make some changes to the Habitats Regulations, we will take a cautious approach to reform. We will also consult, including with the new Office for Environmental Protection, and work with stakeholders on any proposals we develop before any regulatory changes are made. In addition, later this year, we plan to bring forward a



Green Paper setting out how we plan to deliver this, as part of our objective of protecting 30 percent of terrestrial land by 2030.

Wider nature recovery announcements

DEFRA also announced: -

An [England Peat Action Plan](#) to restore, sustainably manage and protect our peatlands. We will restore at least 35,000 ha of peatland by 2025, investing £50 million through the Nature for Climate fund and phasing out the most damaging practices to our peatland.

An [England Trees Action Plan](#) to better protect our existing trees and expand woodland coverage aiming for 12% woodland cover by the middle of the century. Over £500 million of the £640 million Nature for Climate Fund is dedicated to trees. Tree planting rates in England will treble to benefit our local communities, nature and climate.

[Species reintroduction measures](#) to recover threatened species and continue to provide opportunities for successful reintroductions. We want to see a more nature rich Britain, with further action to bend the curve of species loss in this country.

If we are to deliver this ambitious new target and reverse the downward trend we have seen in recent decades, we need to change our approach. We must move the emphasis away from processes that simply moderated the pace of nature's decline, and instead put in place the governance regime that can deliver nature's recovery. We need to create space for the creative public policy thinking that can deliver results, rather than relying on change being set by litigation and case law.

The Environment Bill will have its final day of Report and Third Reading in the Commons on 26 May, before moving to the Lords. We are aiming for Royal Assent in the Autumn. In the year of COP26, the Environment Bill is at the core of delivering the Government's manifesto commitment to be the first generation to leave our environment in a better state.

Links:

- Press Notice: <https://www.gov.uk/government/news/environment-secretary-to-set-out-plans-to-restore-nature-and-build-back-greener-from-the-pandemic>
- Environment Secretary George Eustice's speech at Delamere Forest on restoring nature and building back greener: <https://www.gov.uk/government/speeches/environment-secretary-speech-at-delamere-forest-on-restoring-nature-and-building-back-greener>
- Policy paper: <https://www.gov.uk/government/publications/nature-for-people-climate-and-wildlife/nature-for-people-climate-and-wildlife>
- Written Ministerial Statement: <https://questions-statements.parliament.uk/written-statements/detail/2021-05-18/hcws38>

2.2.2 Finance Bill – Red Diesel Usage

ADA has held meetings with DEFRA asking that IDBs should be considered for an exemption from the new legal requirements as per the Agricultural sector. IDBs have provided ADA with details of their red diesel usage to support their case.

Clarification to the new entitlements proposed in the Summary of Responses

ADA contacted HM Treasury to clarify these with regards to IDB/RMA usage:

- In agriculture, forestry, horticulture and fish farming. This **includes agricultural vehicles used for cutting verges and hedges**, snow and **flooding clearance** and gritting roads.

ADA asked whether this could be assumed to include the management of ditches, embankments and watercourses etc by IDBs, Environment Agency etc?



HM Treasury reply: Agricultural entitlement: *The text you refer to relates to vehicles (e.g. tractors) that are mainly being used for agricultural purposes, so IDBs or EA vehicles wouldn't qualify. The reason we are allowing agricultural vehicles to do these non-agricultural activities (like cutting verges or snow/flood clearance) is to avoid a situation where they are the only vehicles available to do this in a particular area (e.g. because purpose-built snow clearance machines can't access) but cannot because they are using red diesel.*

- **Non-commercial power generation**, including households who rely on red diesel for electricity generation in areas not connected to the electricity grid.

ADA asked whether IDBs and EA as public authorities are both non-commercial in nature and utilise red-diesel for power generation in pumping stations in a number of locations.

HM Treasury reply: Non-commercial power generation: *The intention here is that this exemption will only cover the red diesel used for the heating and electricity generation in a non-commercial premise. Assuming the pumping station isn't commercial, then red diesel could be used to make electricity to power the pump, but it couldn't be used to power the pump directly.*

It is therefore unlikely that IDBs will be granted an exemption and should plan to use white diesel or bio fuels. The Board's contractor(s) will be contacted to discuss the implications

2.3 Environment Agency

Nothing to Report.

2.4 ADA

ADA are working with DEFRA to amend the model land drainage byelaws for IDBs. Once the new model byelaws are formally published, Defra and ADA will set out the process for Boards to adopt the updated byelaws. DEFRA's target date was by the end of April 21.

3. Financial Report

Recommendation:

- To note the information contained in this report
- To approve Section 1 of the AGAR
- To approve the Accounts for the Year Ended 31 March 2020
- To approve Section 2 of the AGAR
- To approve the schedule of payments

3.1 Rating Report

Details of the Rates and Special Levies issued, and payments received up to and including 31st March 2021: -

	£	£
Balance Brought forward as at: 1 April 2020		304.36
2020/2021 Drainage Rates and Special Levies		
Drainage Rates		739.76
Special Levies		
Pendle Borough Council	7,000.00	7,000.00
Total Drainage Rates Due		<u>8,044.12</u>
Less Paid: -		
Drainage Rates		1,044.12
Special Levies		
Pendle Borough Council	7,000.00	7,000.00
Total Drainage Rates Paid		<u>8,044.12</u>
Balance Outstanding as at: 31st March 2021		<u>NIL</u>

3.2 Schedule of Payments

Payments made since the new Clerks assumed responsibility:

DATE		CHEQUE	REF	PAYEE	DESCRIPTION	TOTAL	
		NO.				CHEQUE	
2021						£	
Jun	8th	000990	3	Zurich Insurance plc	Combined Insurances	1,046.65	*
		000991	2	Alan Guy & Son	Maintenance	276.00	*
				Total Amount of all payments		1,322.65	
				*Total Amount of direct debits and cheques sent out signed by the Clerks		1,322.65	

3.3 Accounts for the Year Ended 31 March 2021

The Board's accounts (partially audited) for the year ending 31 March 2021 are included as a separate item in your pack.

3.4 Audit

3.4.1 Internal Audit

The appointed Internal Auditor for the year ended 31 March 2021 is Brodericks GBC, a firm of Chartered Certified Accounts & Registered Auditors based in South Yorkshire.

The Internal Audit of the Board's financial statements for the year ended 31 March 2021 is currently underway and is expected to be completed before the meeting. A copy of the report will be available for inspection at the meeting.

3.4.2 External Audit

As neither their income nor expenditure for 2020/21 exceeded £25,000, it is the Board's intention to submit a Certificate of Exemption (AGAR Part 2) to the External Auditor. The draft Certificate of Exemption is included in the Appendix B. Members are asked to approve the Certificate for submission to the External Auditor in accordance with the predetermined timescales.

The other sections of the AGAR, which are not submitted to the External Auditor, still require the Board's approval, and will be covered in the following sections of this report.



3.5 Annual Governance and Accountability Return (AGAR) Section 1 – Annual Governance Statement 2020/21

Members are asked to review and approve Section 1 of the AGAR which can be viewed at Appendix B (page 25).

3.6 Governance & Accountability Return (AGAR) Section 2 – Financial Statements 2020/21

Members are asked to review and approve Section 2 of the AGAR which can also be viewed at Appendix B (page 25).

3.7 Five Year Budget Estimate

Earby & Salterforth IDB	0	0	1	2	3	4	5
Revenue Account	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	App Budget	Estimated Out-Turn					
Income	£	£	£	£	£	£	£
Drainage Rates	740	740	934	934	934	934	981
Special Levies	7,000	7,000	8,750	8,750	8,750	8,750	9,188
Highland Water Grant	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Other Income	-	-	-	-	-	-	-
Total Income	8,940	8,940	10,884	10,884	10,884	10,884	11,369
Expenditure							
Flood Defence Levy	210	210	210	210	216	223	229
Clerk & Engineering Fees	5,000	5,000	5,100	5,202	5,306	5,412	5,520
Drain Maintenance	3,675	3,675	3,675	3,749	3,823	3,900	3,978
Biodiversity Action Plan	500	500	510	520	531	541	552
Administration	1,700	1,700	1,734	1,769	1,804	1,840	1,877
Total Expenditure	11,085	11,085	11,229	11,449	11,680	11,916	12,157
Surplus/(Deficit)	(2,145)	(2,145)	(345)	(565)	(796)	(1,032)	(788)
Balance Brought Forward	17,005	17,005	14,860	14,515	13,950	13,154	12,123
Balance Carried Forward	14,860	14,860	14,515	13,950	13,154	12,123	11,334
Penny Rate in £	4.00p	4.00p	5.00p	5.00p	5.00p	5.00p	5.25p
% of Expenditure	134.06%	134.06%	129.27%	121.84%	112.62%	101.73%	93.23%

4. Engineer's Report

Recommendation(s):

- To note the information contained in this report

4.1 Asset Management

4.1.1 Asset Management

Nothing to report.

4.1.2 Ordinary Watercourses

The blockage within Salterforth Beck has been removed.

Following the watercourse inspections within the district earlier in the year and following the last Board meeting it was agreed to obtain estimates for this year's coming watercourse maintenance season.

Watercourse	Estimate / £
Hague Drain	£1,350.00
Upstream of Bashfield Drain	£500.00
Bashfield Drain	£900.00
Salterforth Beck (D/S Section)	£925.00
Total	£3,675.00 plus VAT.

4.2 Planning, pre-application advice, consents, enforcement

4.2.1 Planning Applications

Board Officers approached Pendle Borough Council to advise that all planning correspondence should be sent to the Boards Engineer.

The Board may only comment on surface water run-off in excess of the greenfield run-off rate, and or where a structure or asset is proposed within 7.0 metres of a watercourse.

Between 15th February 2021 and 10 June 2021 Board officers have been notified of 4 planning applications which may have implications within the Boards catchment and its Byelaws under the Land Drainage Act 1991 (amended).

The Board was invited to provide comments and feedback to Pendle Borough Council following the provision of the Local Plan Phase 2, indicating the proposed developments within the Boards district or which may increase surface water run-off from beyond the catchment.

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

No consents has been received by the Board between 15th February and 10 June 2021.



5. Health and Safety Report

Recommendation:

- Members note information contained in the Report

5.1 Maintenance Contractors

Board Officers have received RAMS and insurance certificates from the contractors on behalf of the Board.

5.2 Accidents, Incidents and near misses

No accidents, incidents or near misses to report.

5.3 COVID-19

As the country slowly comes out of the lockdown restrictions, the Board's day to day activities remain virtually unaffected.

Board operations

During this period, the Board's day to day activities have not been adversely affected.

6. Environmental Adviser's Report

Recommendation:

- Members note information contained in the Report

6.1 Legislation

6.1.1 Environmental Bill, NFM and ELMS

Within some fora, Defra's intent in promoting Natural Flood Management (NFM) or Working with Natural Processes as a method of managing flood risk has been questioned. The purpose of this information is to advise on the current situation.

Under the Flood & Water Management Act 2010, the Environment Agency is responsible for setting the National Flood & Coastal Erosion Risk Management Strategy for England. The second of these strategies was approved by Parliament in 2020. An Internal Drainage Board (IDB) must have regard to these strategies when formulating its own work programme.

The 2020 National Strategy¹ refers to Flood and Coastal Risk Management activities which could work in combination with traditional flood and coastal defences including natural flood management. The term NFM is referred to multiple times within the National Strategy. It also references the significant evidence of the benefits of working with natural processes which already exists in the Environment Agency's NFM evidence base and case studies. The Government has also published a literature review on the research findings and best practice from stakeholders involved in delivering natural flood management projects. There is a growing number of demonstration projects that improve understanding of NFM techniques and how they can work best in practice. In 2017 the government announced a £15 million pilot programme to learn more about NFM working with communities, land managers, catchment partnerships and coastal groups around England.

An IDB is defined as a Risk Management Authority in the Flood & Water Management Act, which itself amended the Land Drainage Act. As such, an IDB may undertake Flood Risk Management work as set out in the Land Drainage Act 1991 (as amended) if:

14 (A)(6) the purpose of the work is to manage a flood risk in the authority's area from an ordinary watercourse or,

14 (A)(9) (a), (b) or (f), which are:

(a) to maintain existing works (including buildings and structures) including cleansing, repairing or otherwise maintaining the efficiency of an existing watercourse or drainage work.

(b) to operate existing works (such as sluice gates or pumps).

(f) **to monitor, investigate or survey a location or a natural process.**

Clause 14(A)(9)(f) speaks to NFM in managing a flood risk by slowing the flow and reducing the speed peak flows reach urban areas.

IDBs are constituted in parts of the country requiring special drainage, associated with the original role as a Land Drainage Authority to assist with managed drainage of agricultural land.



The new Farming is Changing booklet² released by Defra recently advises the new Environmental Land Management Scheme (ELMS) informs actions that contribute to delivering public goods will include:

- protection from and mitigation of environmental hazards
- mitigation of and adaptation to climate change

Floods and flooding are an environmental hazard, therefore a landowner wishing to employ NFM processes within his land holding, will be offering protection from and mitigation of that environmental hazard.

NFM processes used in association with mitigation of and adaption to climate change could represent actions to include the flooding of grassland which may occur when NFM processes are employed.

Within an IDB District these works will require the consent of the IDB and as such, this Board could agree to work with any ratepayers interested in this ELMS option for providing public good, through that consenting process.

Local Nature Recovery agreements will also pay farmers and land managers for actions that support local nature recovery and deliver local environmental priorities.

Defra is serious about the use of NFM techniques which it sees as a sustainable and cost-effective way in which to manage flood risk, which IDBs as public bodies will be expected to support.

REFERENCES

1. "National Flood & Coastal Erosion Risk Management Strategy" available at:
<https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2>
2. "Farming is Changing" available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/939683/farming-changing.pdf

6.2 Policy

Nothing to Report.

7. Any Other Business

8. Date of Next Meeting

Thursday 27 January 2022.



9. APPENDIX A – Standing Orders

A copy of the draft standing orders along with the certificate from the Secretary of State can be found over the following pages.

Rules made by Earby and Salterforth 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 14 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 name a resolution to exclude the public and/or press from a meeting or part thereof:-
 - a) The Board will hold an Annual Public Meeting.
 - b) The Board will hold a meeting at which the drainage rate and special levies will be set to enable the latter to be served on the special levy council by no later than the 15th February in respect to the following financial year.
 - c) In the event of the need for an emergency meeting the notice will be waived.
 - d) The Board will hold a meeting following an election of members of the board at which the election of the Chairman and Vice Chairman will be made.
2. For each meeting, other than for one arranged as an emergency meeting, members will receive an Agenda and any accompanying papers by post or other means despatched at least seven 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.
 - a) A formal meeting of the Board cannot be conducted unless one third (3) members are present at the start of and during the meeting. If departures reduce the number below one third (3) 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.
 - 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.
4. The Board shall choose to meet at a place to be confirmed on the Agenda, including: in person, by remote attendance, or a combination of the two. A place where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. A member in remote attendance is present if they are able at that time——
 - (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,

(b)to hear, and where practicable see, and be so heard and, where practicable, been seen by any members of the public entitled to attend part or all, of the meeting.

5. The Board shall, as soon as they conveniently can, appoint a Chairman and Vice-Chairman for a period not exceeding three years. The term of office of such Chairman and Vice-Chairman shall continue until the first meeting of the Board after the next election following his appointment.
6. 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.
7.
 - 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.
8. The Board shall cause Minutes to be made of all meetings 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.

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

Committees or Sub-Committees

10. The Board may appoint such Committees or Sub-Committees as they think fit but all acts of any Committee or Sub-Committee shall be subject to the approval of the Board unless the

Board has delegated its powers to that Committee or Sub-Committee to deal with a specific issue.

11. A Committee or Sub-Committee may elect a Chairman of their meetings. If no such Chairman is elected, or if he is not present, the members present shall choose someone of their number to be Chairman of such meeting.
12. A Committee or Sub-Committee may meet and adjourn as they think proper. Proposals at any meeting shall be determined by a majority of votes of the members present. In case of any equal division of votes the Chairman shall have a second or casting vote.
13. Regulations 8 and 9 shall apply to minutes of Committees and Sub-Committees.

Standing Orders Order of Debate

14. Every proposal or amendment, other than a proposal for the approval of a Committee or Sub-Committee, shall be proposed and seconded and shall, if required, be submitted to the Chairman who shall read it out before it is further discussed or put to the meeting.
15. The Chairman will invite members to speak on the subject under discussion.
16. 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.
17. A proposal or amendment once made shall not be withdrawn without the consent of the Board.
18. Every amendment shall be relevant to the proposal to which it is applied.
19. 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.
20. If an amendment is rejected then other amendments may be proposed on the original resolution or proposal.
21. 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.
22. 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 negatived within the preceding six months shall be in order unless: (a) notice thereof has been given and specified in the Agenda and (b) the notice bears, in addition to the name of the member who proposed the resolution, the names of two other members; and when such resolution or

proposal has been disposed of by the Board, it shall not be competent for any member to propose a similar proposal within a further period of six months.

23. Order 23 shall not apply to proposals which are moved by the Chairman or other members of the Committee or Sub-Committee in pursuance of the report of the Committee.

Common Seal

24. 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 Chief Executive of the Board.
25. Copies of all sealed documents must be retained.

Suspension of Standing Orders

26. 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.

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

Proceedings of internal drainage board

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.

**EARBY AND SALTERFORTH, GOOLE & AIRMYN, GOOLE FIELDS
DISTRICT, SOW AND PENK, RIVER LUGG, ANCHOLME INTERNAL
DRAINAGE BOARDS AND SCUNTHORPE AND GAINSBOROUGH WATER
MANAGEMENT BOARD**

STANDING ORDERS

The Secretary of State for Environment, Food and Rural Affairs, by virtue of the power contained in paragraph 3 of Schedule 2 to the Land Drainage Act 1991, **HEREBY APPROVES** these standing orders.



C A Tidmarsh
for and on behalf of the
Secretary of State
Date: 26 May 2021



10. APPENDIX B - Sections of the AGAR

Copies of the relevant sections of the Annual Governance and Accountability Return (AGAR) can be found over the following pages

Certificate of Exemption – AGAR 2020/21 Part 2

To be completed by smaller authorities where the higher of gross income or gross expenditure did not exceed £25,000 in the year of account ended 31 March 2021, and that wish to certify themselves as exempt from a limited assurance review under Section 9 of the Local Audit (Smaller Authorities) Regulations 2015

There is no requirement to have a limited assurance review or to submit an Annual Governance and Accountability Return to the external auditor, **provided** that the authority has certified itself as exempt at a meeting of the authority after 31 March 2021 and a completed Certificate of Exemption is submitted no later than **30 June 2021** notifying the external auditor.

EARBY & SALTERFORTH IDB

certifies that during the financial year 2020/21, the higher of the authority's total gross income for the year **or** total gross annual expenditure, for the year did not exceed **£25,000**

Total annual gross income for the authority 2020/21: £9,671 PER AMOUNT £00,000

Total annual gross expenditure for the authority 2020/21: £8,588 PER AMOUNT £00,000

There are certain circumstances in which an authority will be **unable to certify itself as exempt**, so that a limited assurance review will still be required. If an authority **is unable to confirm the statements below then it cannot certify itself as exempt** and it **must** submit the completed Annual Governance and Accountability Return Part 3 to the external auditor to undertake a limited assurance review for which a fee of **£200 +VAT** will be payable.

By signing this **Certificate of Exemption** you are confirming that:

- The authority was in existence on 1st April 2017
- In relation to the preceding financial year (2019/20), the external auditor **has not**:
 - issued a public interest report in respect of the authority or any entity connected with it
 - made a statutory recommendation to the authority, relating to the authority or any entity connected with it
 - issued an advisory notice under paragraph 1(1) of Schedule 8 to the Local Audit and Accountability Act 2014 ("the Act"), and has not withdrawn the notice
 - commenced judicial review proceedings under section 31(1) of the Act
 - made an application under section 28(1) of the Act for a declaration that an item of account is unlawful, and the application has not been withdrawn nor has the court refused to make the declaration
- The court has not declared an item of account unlawful after a person made an appeal under section 28(3) of the Act.

If you are able to confirm that the above statements apply and that the authority neither received gross income, nor incurred gross expenditure, exceeding £25,000, then the Certificate of Exemption can be signed and a copy submitted to the external auditor **either** by email **or** by post (not both).

The Annual Internal Audit Report, Annual Governance Statement, Accounting Statements, an analysis of variances and the bank reconciliation plus the information required by Regulation 15 (2), Accounts and Audit Regulations 2015 including the period for the exercise of public rights still need to be fully completed and, along with a copy of this certificate, published on the authority website/webpage* before 1 July 2021.

By signing this certificate you are also confirming that you are aware of this requirement.

Signed by the Responsible Financial Officer

Date

SIGNATURE REQUIRED

DD/MM/YYYY

I confirm that this Certificate of Exemption was approved by this authority on this date:

DD/MM/YYYY

Signed by Chairman

Date

SIGNATURE REQUIRED

DD/MM/YYYY

as recorded in minute reference:

MINUTE REFERENCE

Generic email address of Authority

accounts@shiregroup-idbs.gov.uk GENERIC EMAIL ADDRESS

Telephone number

01302 337798 NUMBER

*Published web address

www.shiregroup-idbs.gov.uk PUBLICLY AVAILABLE WEBSITE/WEBPAGE ADDRESS

ONLY this Certificate of Exemption should be returned EITHER by email OR by post (not both) as soon as possible after certification to your external auditor, but no later than 30 June 2021. Reminder letters incur a charge of £40 +VAT

Section 1 – Annual Governance Statement 2020/21

We acknowledge as the members of:

EARBY & SALTERFORTH 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 2021, that:

	Agreed		
	Yes	No	'Yes' means that this authority:
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
			✓

*For any statement to which the response is 'no', an explanation must be published

This Annual Governance Statement was approved at a meeting of the authority on:

DD/MM/YYYY

and recorded as minute reference:

MINUTE REFERENCE

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

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

Other information required by the Transparency Code (not part of the Annual Governance Statement)

The authority website/webpage is up to date and the information required by the Transparency Code has been published.	Yes	No

www.shiregroup-idbs.gov.uk

ENTER PUBLICLY AVAILABLE WEBSITE/WEBPAGE ADDRESS

Section 2 – Accounting Statements 2020/21 for

EARBY & SALTERFORTH IDB

	Year ending		Notes and guidance
	31 March 2020 £	31 March 2021 £	
1. Balances brought forward	14,989	15,923	<i>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.</i>
2. (+) Precept or Rates and Levies	7,737	7,740	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	1,198	1,932	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	2,400	0	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	5,601	8,589	<i>Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	15,923	17,006	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	13,094	14,872	<i>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.</i>
9. Total fixed assets plus long term investments and assets	0	0	<i>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.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council as a body corporate acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
			<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2021 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.
Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date

DD/MM/YYYY

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

DD/MM/YYYY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED

**Shire Group of IDBs
Epsom House
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Doncaster DN6 7FE**

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Peterborough
Saltaire
Skipton (Belle Vue Mills)
Skipton
Tadcaster
Thirsk
Wallingford
Warrington**

