Rules made by the Benwick 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 General Meeting at which the election of Chairman and Vice Chairman will be made.

   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.

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.

4. a) A formal meeting of the Board cannot be conducted unless 4 members are present at the start of and during the meeting. If departures reduce the number below 4 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.

5. The Board shall meet at a venue to be determined from time to time with such venue being confirmed in the Agenda.

6. The Board shall, as soon as they conveniently can, appoint a Chairman and Vice Chairman. 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.

7. If any vacancy occurs in the office of Chairman or Vice Chairman, the Board shall as soon as they conveniently can after the occurrence of such vacancy, choose someone of their number to fill such vacancy.

8. a) At any meeting of the Board the Chairman, if present, shall preside.

   b) If the Chairman is absent from a meeting of the Board, the Vice Chairman, if present, shall preside.

   c) If at any meeting of the Board both the Chairman and Vice Chairman are not present at the time the members present shall choose someone of their number to be Chairman of such meeting.

9. The Board shall cause Minutes to be made of all meetings and recorded in an appropriate form:-

   a) of all appointment of Officers made by the Board

   b) of the names of the members present at each meeting of the Board and Committees or Sub Committees of the Board

   c) of all orders made by the Board and Committees or Sub Committees of the Board, and

   d) of all resolutions and proceedings of meetings of the Board and of Committees or Sub Committees of the Board.

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

10. All proceedings, resolutions and reports of every Committee 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

11. 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.

12. 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.

13. 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, and shall be decided by a show of hands. In case of any equal division of votes the Chairman shall have a second or casting vote.

14. Regulations 9 and 10 shall apply to minutes of Committees and Sub Committees.

Standing Orders
Order of Debate

15. 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 written out and handed to the Chairman who shall read it out before it is further discussed or put to the meeting.

16. The Chairman will invite members to speak on the subject under discussion.

17. 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.

18. A proposal or amendment once made shall not be withdrawn without the consent of the Board.

19. Every amendment shall be relevant to the proposal to which it is applied.

20. 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.

21. If an amendment is rejected then other amendments may be proposed on the original resolution or proposal.

22. 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.

23. 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.

24. 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

25. 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 Clerk of the Board.

26. Copies of all sealed documents must be retained.

Suspension of Standing Orders

27. 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.

The Common Seal of the
Benwick Internal Drainage Board
was affixed in the presence of:-

Chairman

Clerk