

**Rules made by the Manea and Welney District Drainage Commissioners 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 Commissioners, 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 Commissioners can name a resolution to exclude the public and/or press from a meeting or part thereof:-
  - a) The Commissioners will hold an Annual Public Meeting at which the election of Chairman and Vice Chairman will be made.
  - b) The Commissioners 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 15<sup>th</sup> 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 Commissioners, 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 Commissioners cannot be conducted unless 5 members are present at the start of and during the meeting. If departures reduce the number below 5 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 Commissioners shall 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 Commissioners shall, as soon as they conveniently can, appoint a Chairman and if they consider it appropriate, a Vice-Chairman. The term of office of such Chairman and Vice-Chairman shall continue until the next Annual General Meeting of the Commissioners.
6. If any vacancy occurs in the office of Chairman or Vice-Chairman, the Commissioners 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 Commissioners the Chairman, if present, shall preside.
  - b) If the Chairman is absent from a meeting of the Commissioners, the Vice-Chairman, if present, shall preside.
  - c) If at any meeting of the Commissioners 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 Commissioners shall cause Minutes to be made of all meetings and recorded in an appropriate form:-
  - a) of all appointments of Officers made by the Commissioners
  - b) of the names of the members present at each meeting of the Commissioners and Committees or Sub-Committees of the Commissioners
  - c) of all orders made by the Commissioners and Committees or Sub-Committees of the Commissioners, and
  - d) of all resolutions and proceedings of meetings of the Commissioners and of Committees or Sub-Committees of the Commissioners.

The Commissioners 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 Commissioners shall be circulated among the members of the Commissioners at least seven days before the meeting of the Commissioners at which the same are to be submitted.

### **Committees or Sub-Committees**

10. The Commissioners 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 Commissioners unless the Commissioners 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 Commissioners.
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 Commissioners, it shall not be competent for any member to propose a similar proposal within a further period of six months.
23. Order 22 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 Commissioners shall be kept in some safe place. All deeds and other documents to which the Common Seal of the Commissioners shall require to be affixed shall be sealed in pursuance of the Commissioners, and in the presence of both the Chairman and the Clerk of the Commissioners.

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 Commissioners present and voting are in agreement.

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

#### Proceedings of internal drainage Commissioners

3. (1) An internal drainage Commissioners may, with the approval of the relevant Minister, make rules—
- (a) for regulating the proceedings of the Commissioners, 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 Commissioners to constitute committees; and
  - (d) for authorising the delegation to committees of any of the powers of the Commissioners 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 Commissioners 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 Commissioners not less than fourteen days before the appointed day.
- (3) Any member of an internal drainage Commissioners who is interested in any company with which the Commissioners has, or proposes to make, any contract shall—
- (a) disclose to the Commissioners the fact and nature of his interest; and
  - (b) take no part in any deliberation or decision of the Commissioners relating to such contract;

and such disclosure shall be forthwith recorded in the minutes of the Commissioners.

- (4) A minute of the proceedings of a meeting of an internal drainage Commissioners, or of a committee of such a Commissioners, 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 Commissioners shall not be invalidated by any vacancy in the membership of the Commissioners or by any defect in the appointment or qualification of any member of the Commissioners.

The Common Seal of the  
Manea and Welney District Drainage Commissioners  
was affixed in the presence of:-

Chairman

Clerk