

Publication Scheme for Newark Area Internal Drainage Board

This is a Publication Scheme for Internal Drainage Boards (IDB). There are over 200 IDBs in England and Wales and their duties and powers are specifically provided for by the Land Drainage Acts 1991 and 1994. Duties include general supervision over all aspects of land drainage within the district, duties to conservation and raising income to support land drainage works. The purpose of this Publication Scheme is to be a means by which Internal Drainage Boards can make a significant amount of information routinely available.

Further information about the Freedom of Information Act 2000 can be obtained from

<p>The Information Commissioner (http://www.informationcommissioner.gov.uk) The Lord Chancellor's Department (http://www.lcd.gov.uk/foi/foipunit.htm)</p>
--

Section 1 - Introduction

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. An internal drainage board is deemed to be a public authority for the purposes of the Act. Any person who makes a request for information to a public authority must be informed whether the public authority holds the information and, subject to exemptions, be supplied with that information. The Lord Chancellor's Department set January 1st 2005 as the date this right comes into force.

A general right of access to information is provided in the form of a publication scheme. Every public authority is required to adopt and maintain a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information, and whether a charge will be made for the information. The purpose of a scheme is to ensure a significant amount of information is available without the need for a specific request. Schemes are intended to encourage organisations to publish more information proactively and to develop a greater culture of openness.

In accordance with the Freedom of Information Act 2000 this scheme sets out classes of information which Internal Drainage Boards publish or intend to publish.

An Internal Drainage Board is a statutory public body operating under primary legislation to provide a water level management service within its prescribed drainage district. Copies of legislation can be obtained from TSO (The Stationery Office), PO Box 29, Duke Street, Norwich NR3 1GN Tel No. 0870 600 5522 Web Site. www.tso.co.uk

It raises income through the direct rating of agricultural land and buildings in its drainage district and recovers through a special levy placed on constituent district

councils or unitary authorities an income in recognition of the benefit arising from its work to all non-agricultural land and property.

IDBs are responsible to the Department of Environment Food and Rural Affairs (DEFRA) from whom all legislation/regulations affecting them is issued. The work of an IDB is closely linked with that of the Environment Agency (EA) which has a range of functions providing a supervisory role over them. Information on this aspect can be obtained from DEFRA and the EA at Web Sites www.defra.gov.uk and www.environment/agency.gov.uk

IDBs vary in size from a few hundred hectares to tens of thousands of hectares, which influences the arrangements in place for their administration. Large boards engage full time administrative and technical staff, while smaller boards contract work out or are managed under a consortium arrangement. The arrangement of the management of particular IDBs will affect the kinds of information they hold so consequently the information available through the scheme may vary between boards. By adopting this publication scheme the IDB is committed to publishing information in accordance with it.

All Internal Drainage Boards copyrights are reserved.

Section 2 – Areas of Information

To achieve the aim of representing information about IDBs in a clear and coherent way the classes of information are arranged under 7 broad subject headings. These are:

1. POLICY STATEMENT

The Board have, as a requirement of DEFRA, prepared a Policy Statement which is reviewed and updated as necessary and is available in this section.

2. BOARD MEMBERSHIP

The Board comprises those members elected by the agricultural ratepayers and those nominated by the special levy District Councils.

Elections for the agricultural ratepayers representatives are held every three years and a formal election procedure prescribed under the Land Drainage Act 1991 and Regulations is followed.

3. MEETINGS

Minutes of the meetings of the IDB and any Sub-Committees are available for the preceding 12 months.

4. FINANCE

The section identifies the sources of funding available to the IDB, and provides details of income and expenditure.

5. WORKS UNDERTAKEN

The range of works carried out by the IDB is scheduled and the means by which it is undertaken with the use of directly employed/contracted services.

6. REGULATION

The IDB issues formal consents, and comments upon development proposals.

7. HEALTH AND SAFETY

The classes of information set out under these headings are contained in section 5 and are set out to explain clearly what publications are available about the different aspects of IDBs.

Section 3 – Accessing Information

The information contained in each class may be accessed through a variety of means and in a number of formats where available. All information is available for inspection on request and by prior appointment, where appropriate copies could be made available. Where an IDB has a website some of the information will be available thereon.

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

To obtain hard copies of the information contained within a class please contact:

(The Clerk of the Board)
Address, Telephone/Fax Details
(Web details – e-mail address)

If there is any difficulty in accessing the Board's office in order to inspect information please refer to the Clerk for assistance.

Where available please consult the website in the first instance.

Charges may be imposed for the provision of some of the information within this publication scheme. Where a class contains information which levies a charge this is made clear in the scheme.

In certain classes a limitation on the age of documents has been stated. This does not mean that information prior to the date is unavailable but rather this information will not be made available in the course of this scheme.

Section 4 – Exempt Information

In adopting this scheme there has been an effort to be as open as possible but there are instances where, for legitimate reasons, certain parts of information are withheld. Where this is the case the reasons behind the decision to exclude certain information is clearly stated. Justifications for excluding information are made in consideration of the general exemptions contained in Part II of the Freedom of Information Act 2000.

In places where information has been withheld there will be a short explanation of the exemption being referred to.

Such information will not be available where this would be in conflict with the conditions under the Data Protection Act, European Convention on Human Rights and where it may be of a confidential or commercially sensitive nature.

Section 5 – Classes of Information

Where indicated (£) a charge could be made for the information provided under the Class of Information.

1. POLICY STATEMENT (£)

- 1.1 The Board's policy is a document which is based on a national model and covers the following

How the Board will Deliver the Government's Policy aim and Objectives.
Flooding Risks in the Board's Areas.
Environmental Measures
Review of Policy Statement

2. BOARD MEMBERSHIP

- 2.1 Schedule of the current membership is available.
- 2.2 An electoral register as at the 1st April in an election year is available for inspection.

3. BOARD MEETINGS

- 3.1 All meetings of the Board, and sub-committees are minuted, and these can be inspected for the preceding 12 months.
- 3.2 Dates of any future planned meetings will be provided and at which the public can attend, other than when excluded due to the nature of the business under discussion.

4. FINANCE (£)

The following Class can be inspected and copied

- 4.1 Annual Return to DEFRA - Form IDB 1
- 4.2 Audited Accounts
- 4.3 Agricultural Rating Schedule

5. WORKS UNDERTAKEN (£)

The Board undertake work in its drainage district and the following Class can be inspected and where appropriate copied.

- 5.1 Details of drainage infrastructure.
- 5.2 Sealed map of the Drainage District
- 5.3 Details of Watercourses Maintained
- 5.4 Schedule of Maintenance Works undertaken

6. REGULATION (£)

The following Class can be inspected and where appropriate copied.

- 6.1 Byelaws
- 6.2 Land Drainage Consents
- 6.3 Formal comments to planning authority on planning applications

7. HEALTH AND SAFETY

- 7.1 A copy of the Board's Health and Safety Policy is available for inspection.

Section 6 – Feedback

Feedback, comments or complaints about the publication scheme should be directed to the Chairman of the Board, forwarded to the address in Section 3.

If you are not satisfied that information is being published in accordance with this scheme you are able to refer your complaint to the Information Commissioner.

Publication Scheme Complaint
Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF