

Minutes of the Parrett Board Policy, Finance & Governance Sub Committee Meeting held at Bradbury House, 33-34 Market Street, Highbridge on Thursday 13 April 2017 at 2.25 pm.

Chairman: Mr C Passmore

- 1 **Attendance and Apologies:** as per register appended.
- 2 **Items additional to the agenda:** Nick Stevens (NWS) 1. Questions regarding National Audit Office (NAO) report, 2. Members' Interest and action to take, 3. Items for the next Full Board meeting agenda.
- 3 **Declarations of Interest:** none at this time.
- 4 **Proxy voting:** (legal advice and previous correspondence appended). Members expressed concern that as there is no specific reference to proxy voting within the Board Standing Orders they were unaware proxy voting would be permitted, which meant that the opportunity to have a Deputy had not been awarded to all members prior to the meeting, therefore the votes cast in this manner should not have been accepted.
- The Assistant Clerk advised members that officers had not been informed by any members of their intention to stand for the position of Chairman other than the previous Chairman. When registering apologies for the meeting, members advised of the likelihood of a contested vote and expressed the desire to partake in the election. The Clerk advised that a contested vote for Chairman had not been held in recent memory, therefore officers took direction for voting by a deputy from the Standing Orders and Election Regulations. The Clerk explained that the Standing Orders were very limited and matters of governance often fell outside of the Standing Orders which called for the Clerk to resort to other regulations and practices for parallels for advice and procedures. This was set down in the response to the Committee Chairman on 13 March 2017.

Action

Further advice was received from Mr Gareth Pinwell of Ashfords Solicitors and contained within the documents appended. The legal advice received from Mr Pinwell states that there is no provision within Standing Orders for proxy voting, as concurred by ADA, but that the action taken by officers was neither unreasonable nor incorrect. Members expressed concern the Opinion appeared to be under the assumption it had been made clear to all members there was not going to be unanimous support for one candidate, but this was not the case.

RES 1

Proposed T Bradford, Seconded Cllr I Dyer 'that the Parrett Policy Finance and Governance committee recommends the Parrett Drainage Board at its meeting of 20 June 2017 adopt a policy of no proxy voting for the election of Chairman and Officials to the Board and that election of Chairman and Officials to the Board is by show of hands only by members in the room on the day.' Vote: unanimous RESOLUTION 1

The Clerk advised that for clarity of Standing Orders, a request could be made to the Secretary of State to amend Standing Orders to include no proxy voting.

Some members expressed concern as to the legitimacy of election of the current Chairman at the election in November 2015 if the resolution for no proxy voting was ratified at the next Full Board meeting.

Proposed Cllr Maitland-Walker, Seconded R Horsington 'that the election of Chairman 2015 is ratified by the Parrett Full Board if the recommendation to approve no proxy voting for the election of Chairman and Officer to the Board is resolved.' Vote: unanimous RESOLUTION 2

RES 2

5 **Any Other Business:**

- 5a National Audit Office (NAO) report: NWS briefed members, stating that the report was generated by complaints to the NAO about the inability of members of the public or organisations to refer matters of dissatisfaction with an IDB to a higher controlling body and in particular over the issue of 'conflicts of interest'. The report also highlights that the Axe Brue and Parrett IDB's have the largest membership nationally.

Legislation dictates how the Boards operate and can be reconstituted or amended whilst Defra has no direct control. The Public Bodies Act can provide provision to amend Boards in a number of ways subject to parliamentary agreement. Statutory Instruments approved by the Secretary of State are the process that amends and reconstitutes Boards. Boards have a history of working with Defra and ADA when matters of concern are noted by Defra and a voluntary approach has been taken rather than be subject to compulsory action.

Currently standing advice for IDBs on Board membership is 21 for larger boards. Boards with smaller membership appear to have better meeting attendance.

D Jenkins, RFCC Chair, recently acted as facilitator of a meeting of Governance review to which local authorities, Environment Agency, Axe Brue and Parrett Boards and ADA were in attendance; the consensus was that the Boards would function more efficiently with smaller membership.

16.15 hrs Cllr Dyer left the meeting

5b Member's Code of Conduct: NWS advised that declarations of interests and code of conduct are important for the transparency of the Board, however there is a difficult paradox in that IDBs value local knowledge and expertise in dealing with management of the area. Our Code of Conduct restricts the input of local elected members when dealing with a matter in their area. It is common practice within the Boards locally that members with an interest by way of land/property within the area are deferred to for their advice on a matter. It was agreed the Board should adopt a policy of providing training for all members on whether they are able to be able speak on a matter in any area or whether they should request clarification on whether they need to declare a personal or prejudicial 'conflict of interest'.

It was agreed a Register of Member's Interests Form should be correctly completed by all members and this should be published on the Board's website. It was further agreed the Clerk would seek training and advice for Board members from the Democratic Services Department of Sedgemoor District Council on dealing with matters of interest.

5c SRA: T Bradford expressed concern for the time provision to arrange deputy cover for a recent SRA Board meeting as the format of the meeting was changed within 24 hours of the scheduled meeting date.

6 **Date of Next P, F&G Meeting:** 06 June 2017, 2.15pm

There being no other business the Chairman declared the meeting closed at 16.55 hrs

.....
CHAIRMAN

.....
DATE