

**Minutes of the Governance & Probity Committee Meeting  
Of the Lower Severn (2005) Internal Drainage Board  
Held Wednesday 5<sup>th</sup> December 2018 at 10.30 am  
At Gables Hotel Falfield**

**Present:** Cllr B Behan Chairman  
Cllr J Jones  
Cllr M Riddle  
Mr K Withers

**Staff:** Kieran Warren Principal Officer PO  
Sue Williams Minutes

<b>2781.</b>	<p><b>Appointment of Chairman</b> It was resolved that:</p> <ul style="list-style-type: none"> <li>• Cllr Behan be appointed Chairman for ensuing year.</li> </ul>	
<b>2782.</b>	<p><b>Apologies</b> Apologies were received from Ald S Milestone.</p>	
<b>2783.</b>	<p><b>Declaration of Interests</b> No declarations were received.</p>	
<b>2784.</b>	<p><b>Minutes of the Previous Meeting</b></p> <p>It was resolved that:</p> <ul style="list-style-type: none"> <li>• The minutes of the Meeting held 4<sup>th</sup> April 2018 be approved as a true and accurate record.</li> </ul>	
<b>2785.</b>	<p><b>ADA Publication ‘Good Governance for Internal Drainage Board Members’</b> The PO circulated to the Committee the booklet recently published by ADA. He considered it was a useful guide for new and existing members. The rest of the Board would be issued with the booklet in due course.</p> <p>ADA had arranged a series of roadshows to launch the publication, the closest would be held at The Gables Hotel, Falfield on the 26<sup>th</sup> March 2019. Invitations for staff and members would be sent out in due course.</p>	<p><u>Action 1</u> Circulate booklet and date of roadshow to members.</p>
<b>2786.</b>	<p><b>Mission Statement Review</b> The Committee reviewed the current statement, approved in November 2014. Members were satisfied that the Mission Statement was still fit for purpose. The Committee thought that the Statement should be incorporated into meeting documentation as a reminder to members of the Board’s role.</p> <p>It was resolved that:</p> <ul style="list-style-type: none"> <li>• The Mission Statement as follows be re-affirmed by the Board.</li> </ul> <p style="padding-left: 40px;"><b>‘The Board’s role is to provide cost effective internal land drainage, flood protection and flood risk management for both the rural and urban areas within its boundaries, taking into account the interests of local communities, wildlife and conservation, and working closely with lead Flood Authorities, the Environment Agency and other stakeholders.’</b></p>	<p><u>Action 2</u> For Board approval</p>
<b>2787.</b>	<p><b>Meeting Documentation</b> It was raised by the Committee that it would be useful to have a list of Committee Members included with the agenda.</p> <p>It was resolved that</p> <ul style="list-style-type: none"> <li>• Agendas to include the current membership relevant to the Committee, be referred to the Board for approval.</li> </ul>	<p><u>Action 3</u> For Board approval</p>

2788.	<p><b>Members Code of Conduct Review</b></p> <p>The PO explained that the current policy was based on an ADA model. The Chairman said that she was not satisfied that it made clear when a member had to declare an interest. Cllr Abraham said if the code was made more prescriptive something would be missed.</p> <p>The PO stated that the onus was on the member to make a disclosure and if they had any doubt the safest course of action was to make a declaration.</p> <p>The Chairman explained that local authority members had access to a flow chart to clarify if a member had an interest to be declared. The PO would look at this to see if it would be useful for Board members.</p> <p>Cllr Riddle was aware that there had been a change and the government brought in legislation to simplify the declaration of personal and prejudicial interests at local authority level.</p> <p>The PO would investigate this further. The policy to be reviewed again when clarification was received.</p>	<p><u>Action 4</u> PO to research government guidance in respect of declaration of interest</p>
2789.	<p><b>Member/Officer Protocol Review</b></p> <p>Members considered whether an inclusion was necessary for the use of internet communication, but they concluded that the current policy still sufficed.</p> <p><b>It was resolved that:</b></p> <ul style="list-style-type: none"> <li>• <b>That the Member/Officer Protocol adopted 15 January 2014 re-affirmed and be referred to the Board for approval.</b></li> </ul>	<p><u>Action 5</u> Appendix A for Board approval</p>
2790.	<p><b>Substitute Member Protocol Review</b></p> <p>Members reviewed the policy adopted February 2015. The intention of the policy was to ensure a quorum was possible at Committee Meetings. The Committee felt that due to the remote nature of the members it was difficult for individuals to arrange a deputy at short notice and it would be helpful if the responsibility was not entirely on the members. They suggested that the office could send an email to non-Committee members to fill the attendance, as and when this proved necessary.</p> <p><b>It was resolved that:</b></p> <ul style="list-style-type: none"> <li>• <b>Subject to the re-wording of item 5, so the office would assist finding a deputy, the policy be recommended for adoption by the Board.</b></li> </ul>	<p><u>Action 6</u> PO to re-word item 5 as Appended B. Add policy to agenda</p>
2791.	<p><b>Voting on Appointments Review</b></p> <p>The PO did not think that a vote by secret ballot was transparent and open by current standards. The Committee were fully supportive of a change of wording to require a vote by a show of hands.</p> <p><b>It was resolved that:</b></p> <ul style="list-style-type: none"> <li>• <b>Subject to the re-wording of items (a) and (c) to replace 'secret ballot' with 'show of hands' the policy be referred to the Board for approval. Appended C.</b></li> </ul>	<p><u>Action 7</u> Appendix C for Board approval</p>
2792.	<p><b>Schedule of Policies for Review</b></p> <p>Members noted the schedule of policies with review dates.</p>	
2793.	<p><b>Policy Reviews for Next G&amp;P Meeting</b></p> <p>Members noted the policies to be reviewed in April 2019:</p> <ul style="list-style-type: none"> <li>• Delegation of Powers to Officers</li> <li>• G&amp;P Committee Terms of Reference</li> <li>• S&amp;P Committee Terms of Reference</li> <li>• Chairman's Honorarium</li> </ul>	
	<p>The meeting closed at 11.30 am.</p>	

## LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD

### MEMBER/OFFICER PROTOCOL

#### 1.0 GENERALLY

The Board will not function to its full potential unless Members and Officers are able to establish and maintain a business-like and harmonious working relationship based on trust and mutual respect for each other. Both Members and officers are representatives of the Board and it is important that rate and precept payers, partners and others see them working in harmony.

The following are illustrative of the characteristics essential for a good Member/Officer relationship:

- a) Members and Officers understand and respect their respective roles.
- b) Members and Officers' value each other's contributions.
- c) Members and Officers behave appropriately to each other at all times.
- d) Good communications between Members and Officers
- e) neither party should seek to take advantage of their position or seek to exert undue influence on the other party.

If any of the above items come into question, it is essential that there is a collective will to rectify the position.

#### 2.0 REASONABLE MEMBER EXPECTATIONS

- a) that Officers will understand the context within which Members (whether elected or appointed), operate.
- b) that Officers should treat Member as colleagues who require priority attention.
- c) that Officers will treat Members with courtesy and consideration at all times.

#### 3.0 REASONABLE OFFICER EXPECTATIONS

- a) that Members will not abuse their positions of authority.
- b) that Members will treat officers with courtesy and consideration at all times.
- c) that Members will not intimidate, bully or harass officers and will endeavour not to place unreasonable demands on them.
- d) without prejudice to any informal discussions which may take place between Members and Officers, individual Members will not seek to give instructions to Officers. If an Officer considers that any matter should be referred to the Board or to a Committee for decision, then Members are expected to accept that view.

## LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD SUBSTITUTE MEMBER PROTOCOL

### Introduction

Where a member of a Committee, Sub-Committee, Working Group or Panel is unable to attend a meeting of that body and wishes to appoint another Board Member as a substitute for that meeting, the provisions of this protocol, as set out below, will apply.

### Attendance by Substitute Members.

1. A Substitute Member must be a Member of the Board and can only attend a meeting if the appointed Member is unable to do so.
2. Substitute Members will have the same rights to speak and vote as has the Member unable to attend and who has requested them to attend the meeting.
3. For a substitution to be valid and to enable appropriate documentation to be despatched, the Clerk PO should be notified by the appointing Member as soon as possible after that Member knows that he/she will be unable to attend the relevant meeting and has arranged for a substitute Member to do so.
4. At the commencement of the meeting, the Committee or other body will be advised of the substitution.
- ~~5. The choice of substitute member will be entirely that of the duly appointed Member. However, in making that choice, it is expected that wherever practical an elected Member will appoint another elected Board Member as a substitute and a local authority appointed Board Member will appoint a Member from that category of Board Member.~~
5. A duly appointed Member is entitled to appoint his/her own substitute Member. If the duly appointed Member so chooses, he/she may instead ask the officers to advise all the other Members as appropriate in order to recruit a substitute Member.
6. Any substitution will only be valid for a single meeting.

**LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD  
PROCEDURE FOR VOTING ON APPOINTMENTS**

- a) In the event of there being a contest for the appointment of Chairman or Vice- Chairman of the Board and provided that the meeting is quorate, ~~the secret ballot~~ a **show of hands** which would thereafter ensue should require the successful candidate to obtain at least 50% of the votes cast at the meeting. If there are more than 2 candidates, the person with the lowest number of votes will be eliminated and the ballot re-run until one candidate achieves more than 50% of the votes cast.
- b) Once the Chairman of the Board has been appointed, nominations will be called for the appointment of a Vice-Chairman to be selected from the different category of members than that from which the Chairman has been drawn. Only if no nominations are made from that category, will nominations be then called for from the other category of members.
- c) Apart from there being no ~~secret ballot~~ **show of hands**, the principles set out in (a) above will be applied to the appointment of Committee Chairs, which should take place at the first meeting of the relevant Committee following the Board's Annual Meeting.
- d) Where there are more applicants for places on a Committee than the number of seats available, the person(s) with the lowest number of votes will be eliminated so far as may be appropriate to ensure that the number of remaining candidates is equal to the number of Committee seats available.
- e) In the event of the Board being invited to make an appointment to an outside body, if there are more nominations than places available, voting will be in accordance with the principles set out in (a) above until one candidate obtains at least 50% of the votes cast.
- f) The practice of the ~~Clerk~~ **PO** to seek a prior indication of the names of persons intended to be nominated for appointment as Chairman or Vice-Chairman of the Board be endorsed, without prejudice to the requirement that such persons (together with any other initially undeclared candidate) should be formally proposed and seconded at the relevant meeting.
- g) The practice of the ~~Clerk~~ **PO** in seeking information in advance of the Annual Meeting concerning Board Members Committee preferences be also endorsed.