

From: Joel Cook, Clerk to the Authority, KEIFCA

To: Kent and Essex Inshore Fisheries and Conservation Authority – 16
September 2020

Subject: Terms of Reference and Standing Orders

Classification: **Unrestricted**

Summary:

This report asks Members to review the existing Terms of Reference and Standing Orders for KEIFCA

Recommendation:

Members are asked to **APPROVE** the amendment to the Terms of Reference and Standing Orders

Introduction

A regular review of Terms of Reference/Standing Orders is essential to ensure good governance, the failure of which would also lead to reputational risk to the organisation.

Background

At its meeting on 23 May 2017 the Authority adopted its current Standing Orders and Code of Conduct. These documents are required to be reviewed annually.

2020 challenges and context

The COVID-19 pandemic has placed unique challenges on local government and related agencies. Members will be aware that the access to information and transparency arrangements for local government decision-making are designed to support careful and patient consideration of complex issues, requiring advance notice of significant activity to ensure relevant public scrutiny can be possible. This appears ill-suited to facilitate the swift response required in times of crises such as the current pandemic. This is being highlighted here because this was a key feature of the officer consideration of the Standing Orders as part of this review.

While regulations were made by government in April allowing remote attendance by Members at Local Authority meetings, including IFCA's, the technical and administrative challenges to delivering this in practice remained significant. Members will be aware that the Authority may only take decisions and agree resolutions when meeting formally as a properly constituted committee under the Local Government Act 1972. This limits the facility of committee activity to respond adequately to urgent situations and crisis scenarios. It is for this reason that the Standing Orders adopted in 2017 made appropriate provisions allowing the Chief Fishery Officer to take decisions normally reserved to the Authority meeting as a committee when there was a genuine need and it was not practical to delay until the next possible formal meeting.

In accordance with local government regulations, it is not possible for committees such as the IFCA to delegate authority to individual Members. Such delegated authority must always sit with the relevant Officers and this is correctly detailed in the Standing Orders, including the requirement for consultation with the Chairman and Vice-Chairman ensuring the incorporate of democratic oversight in this process.

The above has been articulated to confirm the due consideration given by Officers (KEIFCA and external Clerk) to the Standing Orders as part of conducting this review and also to highlight the positive examples of the existing governance arrangements working successfully in the face of significant pressure and challenge.

Officer review and recommendations

Officers have reviewed these documents internally and have recommended that one change be made to the Financial Regulations to update procedures on petty cash. No other changes are recommended.

The addition to the Financial Regulations will read:

7 Petty Cash

7.1 No more than £50 in petty cash will be kept on the premises at any one time and will be kept in a secure place.

7.2 Petty cash will only be used as a method of procurement as a last resort and then only for low value expenditure.

7.3 Receipts: All claims from petty cash should be made on an official voucher form and supported by proof of expenditure such as a receipt.

The current Terms of Reference and Standing Orders can be found on the IFCA's website at <https://www.kentandessex-ifca.gov.uk/wp-content/uploads/2017/07/KEIFCA-standing-orders-2017-final.pdf>

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