



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COVID-19 INTERIM MEASURES GROUP
29 APRIL 2020**

GOVERNANCE ARRANGEMENTS FOR HEYBRIDGE BASIN PARISH COUNCIL

1. PURPOSE OF THE REPORT

- 1.1 To recommend action to address governance matters for Heybridge Basin Parish Council, in light of new virtual meeting legislation.

2. RECOMMENDATIONS

- (i) That three members be appointed in the absence of an election in Heybridge Basin Parish to be parish councillors;
- (ii) That support be provided for the convening of a virtual meeting as soon as possible with the purpose of choosing a Chairman, appointing a temporary Parish Clerk and delegating decision-making to that Clerk.

3. SUMMARY OF KEY ISSUES

- 3.1 A paper was considered by the COVID -19 Interim Measures Group on 27 March 2020 regarding the governance of Heybridge Basin Parish in the absence of an election taking place during social distancing. At the time, the agreed preferred option of Maldon District Council was to continue with the interim arrangements whereby the Clerk of Heybridge Parish Council would oversee day to day management.
- 3.2 Since this decision, legislation has come in for virtual meetings to take place and have a legal standing <https://www.legislation.gov.uk/ukxi/2020/392/contents/made>. Parish Councillors of Heybridge have also informed Maldon District Council officers that they are not happy for their Clerk to support the interim arrangement.
- 3.3 Under Section 91 of the Local Government Act 1972 Maldon District Council can temporarily appoint three individuals to fill three of the seven vacant seats on the Heybridge Basin Parish Council.
- 3.4 It is felt that this would sit better with those who are already elected members in the local area and have a democratic mandate, including Jenny Sjollema who was specifically referenced in the reorganisation order as her Councillor role in Heybridge Parish covered the basin area.

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- 3.5 Maldon District Council would nominate three members to create a quorum, who would appoint a Clerk and then delegate powers to the clerk in consultation with one of the members, adhering to the COVID-19 social distancing requirements.
- 3.6 The proposed nominated members are namely, District Councillor Bryan Harker , Parish Councillor Jenny Sjollema and District Councillor Michael Edwards
- 3.7 To bring this in line with the original election date, the appointment would be as from 7 May 2020.
- 3.8 The Order establishing the new Parish Council states that property assets relating to the new Parish Council will transfer on 22 May 2020.

4. CONCLUSION

- 4.1 The proposals provided aim to address an urgent governance matter in Heybridge Basin and respond to the issues surrounding, rather than a response to the virtual meeting legislation specifically.

5. IMPACT ON STRATEGIC THEMES

- 5.1 None.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** –None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – Maldon District Council officers will be required to set up the virtual meeting, ensure public notification of the meeting and offer support to co-ordinate handover between the clerks.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

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