

Minutes of the 113th Annual General Meeting of the the Association of Port Health Authorities

Date: Tuesday 11th September 2012 (10.30am)

Venue: Sefton Hotel, Harris Promenade, Douglas, Isle of Man

List of attendees:

Dr John Curnow, Chairman	CHR
John Robinson, Manchester PHA	JR
Linda Dirir, Manchester PHA	LDI
Alastair Watson, Glasgow City Council	AW
Victor Chamberlain, Manchester PHA	VCH
Eric Burgoyne, Manchester PHA	EB
Hugh Barrett, Manchester PHA	HB
Keith Morley, Manchester PHA	KM
Phil Gore, Suffolk Coastal PHA	PG
James Lumley, Suffolk Coastal PHA	JLU
Laurie Dettman, Hull & Goole PHA	LD
Richard Jacobs, Suffolk Coastal PHA	RJ
Tony Sherlock, Manchester PHA	TS
Chris Melville, North East Lincolnshire Council	CM
Gary Cooper, Cornwall PHA	GC
Gary Gould, Royal Air Force	GG
David Robertson, Cornwall PHA	DR
Bryn Aldridge, London PHA	BA
Jon Averbs, London PHA	JA
Dr Peter Hardwick, London PHA	PH
Jeremy Wolfson, Mersey PHA	JW
Ron Abbey, Mersey PHA	RA
John Salter, Mersey PHA	JS
Martin McGowan, Mersey PHA	MMc
Chris Rankin, Mersey PHA	CR
Sandra Westacott, Southampton PHA	SW
Valerie Cameron, States of Guernsey	VC
Andrew McClenaghan, Belfast City Council	AMc
Patrick McCarthy, Belfast City Council	PMc
John Lee, Highland Council	JL
Bill Arnold, Swansea Bay PHA	BAR
John Warman, Swansea Bay PHA	JWA
Paul Kimber, Weymouth PHA	PK
Tony Morris	TM
Mrs. Morris	MM
Ivan Bratty, Department of Environment, Food & Agriculture	IB
Kristian Cowin, Department of Environment, Food & Agriculture	KC
Steven Callister, Department of Environment, Food & Agriculture	SMC

1.	Apologies for absence & welcome
	There were no apologies received. CHR welcomed all and proceeded with general housekeeping points.
2.	Minutes from 112th Annual General Meeting , held on 6 th September 2011 at Les Cotils Conference Centre in Guernsey
	In terms of accuracy, PG wished to amend Item 2 as Sherrie Green was no longer a member of the Suffolk PHA team. Following this, the Minutes were accepted as a true and accurate record, proposed by PH and seconded by JS.
3.	Matters arising
	PG noted that TM had carried out thorough investigation into credit card misuse, but no misuse had been found. This was confirmed by CHR; accounts were still overdue, but there was no suggestion of misuse.
4.	Letter from London and Suffolk Coastal PHAs
	Each point was discussed chronologically (except for 3. and 4.) – please refer to letter.
	<ol style="list-style-type: none"> 1. CHR underlined that the website was a good tool, but was let down by the lack of information published; this included Board meeting Reports, the Minutes from June 2011 Board meeting and the Minutes of most technical meetings. JA suggested that a timescale should be agreed to avoid this happening in future and CHR agreed to resolve with Annalie Hempstead (AH), the website administrator.
	<ol style="list-style-type: none"> 2. CHR confirmed that APHA had a basic Business Plan but acknowledged it could be better. Of more use was the Work Plan, developed at the start of 2011 in conjunction with the Futures Group (FG) and Chief Executive. Information from the rolling plan went to the Board and Overview and Scrutiny (O&S) Committee. CHR then invited VC to expand on the Futures Group.
	<ol style="list-style-type: none"> 3. JA advised that the Operating Arrangement document was approved four years ago. VC was unaware of this, and was sure other Members were too. Induction packages were suggested for future new Board Members.
	<ol style="list-style-type: none"> 4. VC gave a brief outline of where FG has come from, and this contained many issues and recommendations: <ul style="list-style-type: none"> • Most simply, it's remit was to consider the future of APHA. VC agreed to send table of issues displayed at the meeting to any interested parties and will publish to website. • She acknowledged that the question raised was indicative of a serious issue with communication in APHA.

	<ul style="list-style-type: none"> • RA reported factual errors regarding the Mersey PHA on the website; CHR encouraged errors to be reported to AH. Nevertheless, VC confirmed that the FG reported to the O&S Committee and the Board and highlighted that the Board made decisions as the FG had no executive powers. • TM interjected to say that he'd been appointed as a Chief Executive, not a Business Manager. CHR suggested that this was irrelevant and should be dealt with in TM's Report (Item 7). • FG had looked at the management structures and agreed that a Business Manager, instead of technical experts, was required to look after the various business/market interests of APHA. • Lists of technical expertise in APHA should be made available to all, to provide advice re third party enquiries. • The Articles of the Association should be changed to allow the award of Fellowships to still-active Members. • VC and PG insisted it was important to engage with Members to establish the most important issues within APHA, and acknowledged it was difficult as all Members had to juggle these concerns with their daily workload. Once this had been done, the O&S Committee were happy to receive a subsequent report. <p>PG and JA thanked VC for her efforts in dealing with what they saw as matters of transparency.</p>
	<p>5. CHR suggested that nominated leads were conduits for information, and if they weren't being given information, they couldn't represent APHA adequately at FSA meetings.</p>
	<p>6. JA was aggrieved that the former Chief Executive had allegedly been selective in his forwarding of consultative documents. CHR acknowledged this as a regretful state of affairs and apologised on behalf of the Board, emphasising that all Members should receive such documents, electronically where possible.</p>
	<p>7. CHR confirmed that the Board had decided to act quickly and accepted Cornwall's offer to help with financial/administrative matters, with Runcorn doing the same for technical matters. Initially, CHR advised that both moves were seen as interim measures but invited GC from Cornwall to expand on this. GC confirmed that Cornwall could continue to administer APHA's accounts longer-term if required. Longer-term administrative services could not be provided, however office accommodation could be. CHR believed this to be essential, as all routine aspects of admin work were key. There was also no harm in returning APHA to the local authority environment.</p>
	<p>LD asked for an update on APHA's accounts – had they been received from the former office? TM and GC confirmed that TM would transfer accounts after the Conference. CHR disputed whether TM intended to hand over accounts, and added that APHA had been legally advised not to communicate further on this matter.</p>

	<p>CHR advised that annual audit had been completed, but the suggested five-signatory sign-off request would not be done until current disagreements over the transfer of records had been resolved. In the interim, a new account based on two signatories had been opened, as per local authority level standard.</p>
	<p>8. CHR confirmed that TM's CEO position had been terminated. In answer to BA, HB's investigation had found that certain emails circulated by TM were one of the reasons why the recent ballots for Executive Board and O&S Committee had been declared null and void. Others included alleged phone canvassing, allegations that Brian Lawrie had emailed all Scottish voters and TM's allegations of interference and votes being cast by people who didn't have the powers to vote. HB advised that a fresh ballot should be cast on democratic grounds.</p>
	<p>9. This point was dealt with in 8.</p>
	<p>10. CHR was happy that the 'critical friend' role provided by the O&S Committee continued. They were an independent body with a mandate to tell APHA to take action if they were found to be underperforming. TS, Chair of the Committee, acknowledged the challenging nature of this role; not to get 'too close' to APHA and not to be too critical. Personally, JA thought that the Committee could've been more critical.</p>
5.	Chairman's Report
	<p>CHR referred to his statement, published last week, noting a turbulent and important year and made explicit reference to the Board's concern at escalating expenses for routine business. A Strategy Group had met and made recommendations, although CHR acknowledged that it was a difficult task for APHA to provide a collective opinion from its disparate interests. However, CHR stressed that it was vital that UK Central Government understood the importance of APHA nationally, and reminded all Members of Matt Dean's (Southampton City Council) Voltaire-esque quote: "If APHA did not exist, then Central Government would have to invent it."</p>
6.	Overview and Scrutiny Report
	<p>The theme of TS's Report was that issues raised last year resonated to a greater degree this year. These were honesty, integrity, transparency and accountability. He stressed that questions asked by O&S were not allegations. He understood that FG should look to the future, not dwell on past/present mistakes. TS added that O&S found it most unfortunate that matters of HR had been discussed openly via nationally-circulated emails and that the former Chief Executive had acted as if O&S were an appeals committee. All in all, APHA remained at a crossroads and TS guaranteed that O&S would work with all Members and Boards to ensure that the greater good of APHA rose above personal differences within the organisation.</p>

7.	Report from Tony Morris
	<p>TM read from his email to O&S on 23 July, underlining his legal action against individuals, not the Board. As Chief Executive of APHA for the 2011-12 financial year, his objectives were to improve the finances and membership of APHA, and to raise its profile by inclusion, communication and involvement with professional stakeholders. TM highlighted several other measures that he felt had improved APHA under his tenureship, including the introduction of video and audio conferences, his taking of technical committee Minutes so technical secretaries didn't have to, the higher profile it now had with MPs and the improved financial position it was now in.</p>
	<p>RA raised two areas of concern; firstly, that the continuous bombardment of emails resembling an unseemly family squabble was unhealthy for the organisation and secondly, that TM had exceeded the monthly expenditure limit for his position, agreed in March 2011. TM agreed with the first point, but disputed whether the second was as the result of an agreement made at a meeting he wasn't invited to. LD denied this was the case, and further advised that APHA were broadly in agreement with TM's initiatives while Chief Executive. However, serious issues of accountability remained, of which taking Minutes was one example. HB echoed this view and noted that a consultancy fee of £49,900 was paid to TM. As an overview, CHR stated that the Board has requested TM to carry out certain functions and TM had failed to comply.</p>
	<p>In reply to JS's enquiry re the whereabouts of the APHA corporate credit card, TM noted his period as Chief Executive was due to end on 25 September. However, this was disputed by CHR, who advised that TM's tenureship had been removed due to the aforementioned email issue and therefore he should return the credit card immediately. There was then a highly-charged debate between CHR and TM, but RA and LD underlined that TM was accused of a lack of accountability, such as attendance at a conference in Greece without Board permission, but not financial impropriety. Following this, CHR insisted that arguments must stop, as both sides had been heard.</p>
8.	Technical Reports
	<p>CHR advised all Members to approach the relevant technical secretary if they had any issues with the Reports.</p>
9.	Financial Report 2011-2012
	<p>CHR noted that the Report was in draft form, and he wouldn't be signing it off until all disputes had been resolved. However, he was pleased to note that, despite the parlous financial state of APHA, that the Board of Directors were "confident of the Association's future going concern," in part due to TM's efforts to increase income.</p>

10.	ShipSan Report
	SW briefly explained that APHA was involved in the EU-funded ShipSan Act and that the Board will imminently be requested to sign a legal commitment to the project. CHR recorded his thanks to SW.
11.	Any other business
	It was agreed that there shouldn't be any other business on an AGM agenda. However, IB was asked to confirm that Brenda Cannell, MHK who had been the President of APHA for the past year, would be available to meet Members at lunch, which was being served presently.
	The meeting therefore closed at 12.45pm.

Minutes compiled by Steven Callister