

## ARTICLE 8 – COMMITTEES AND BOARDS

### 8.1 Committees/Boards

- (a) The Council has established the following Committees and Boards. Information relating to arrangements for dealing with certain functions by way of joint arrangements with other organisations can be found in Other Arrangements – Article 11 Part 1 of this Constitution.
- (b) In addition to its formal Committees and Boards, the Council has also created and/or assists in the operation of various statutory decision-making bodies and other non-statutory panels, partnerships, forums and boards. Information relating to such statutory decision-making bodies is retained by the Proper Officer.
- (c) The Terms of Reference of the Committees and Boards shall be read in conjunction with the functions of those bodies identified in Functions of the Council – Part 3(1) of this Constitution.

### 8.2 Sub-committees

- (a) Unless this Article expressly provides otherwise, any Committee or Board may arrange for the discharge of any of its functions powers by a Sub-Committee appointed by it.
- (b) A Sub-Committee created by a Committee or Board specified in this Article may not discharge any functions other than those conferred on it by that Committee or Board (as the case may be).
- (c) Unless this Article expressly provides otherwise, the Chairman and Vice-Chairman of a Sub-Committee created by a Committee or Board shall be appointed by the Sub-Committee unless the appointing Committee or Board expressly determines otherwise.
- (d) Unless this Article expressly provides otherwise, the appointing Committee shall normally determine the:
  - (i) terms of reference;
  - (ii) arrangements for the holding and frequency of meetings;
  - (iii) size of membership; and
  - (iv) quorum,

of each of its Sub-Committees but in the absence of such determination such matters may be determined by the Sub-Committee itself provided that in no circumstance shall a quorum be less than three (3) Members.

- (e) The Proper Officer shall maintain a list of all Sub-Committees, including:
  - (i) membership;
  - (ii) terms of reference;

- (iii) any function; and
- (iv) any rule governing a Sub-Committee's conduct and proceedings not otherwise provided for elsewhere in this Constitution,

created pursuant to this Article. That list shall form part of the Constitution.

### 8.3 **Substitutes**

- (a) Unless there is express provision to the contrary and subject to any limitation that may be identified, every Committee, Board and Sub-Committee detailed below in this Article shall have the right to have substitutes appointed to it for the purposes of any meeting.
- (b) In relation to Members, arrangements for any substitute shall normally be made:
  - (i) by the group leader of the Member for whom the substitution is being sought; or
  - (ii) if the group leader is unavailable / absent or it is not practical for the group leader to do so then by any person appointed as a deputy for that group leader,by giving notice to the Democratic Services Manager as soon as practicable before the meeting to which the substitution relates. In the event of advance notification not being provided/received from the Leader or Deputy Group Leader concerned then the substitute shall not be treated as a member of the Committee/Sub-Committee for the purposes of being able to speak or vote.
- (c) A substitute for a Member may only be from the same political group as the Member for whom the substitution is being made.
- (d) In the case of any appointment of a person to a Committee or Board who is not a Member then there shall be no power to appoint a substitute unless expressly provided for below or the law otherwise requires. A substitute for a non-Member shall be notified to the Democratic Services Manager as soon as practicable in advance of the sitting of the Committee or Board (as the case may be) and no later than 4pm on the working day before the meeting to which the substitution relates.

#### 8.4 Co-optees

To the extent that any Committee, Sub-Committee or Board identified below has persons who are not Members forming part of it, then unless the provisions identify otherwise, or the law otherwise requires, a Committee may appoint its non-Members.

### APPEALS COMMITTEE

#### 8.5 Role/Terms of Reference and Membership

- (a) The Appeals Committee shall be primarily responsible for the determination of:
    - (i) any review and/or appeal that the Council is required to undertake (excluding any relating to an employee of the Council) including, for the avoidance of doubt, any appeal arising in connection with any educational or discretionary grant / relief function of the Council to the extent that such an appeal can be determined by a body including Members; and
    - (ii) various other matters requiring a determination of the Council, including
      - (A) an application for discharge from mental health guardianship;
      - (B) an application / potential revocation of any parking concession relating to a disabled person whether there is any suggestion of misuse;
      - (C) certain financial assessment disputes relating to residential or nursing home accommodation being provided to a person; and
      - (D) the review of certain personal data issues,
- that is not determined through the use of any other mechanism.
- (b) The Appeals Committee will consist of 15 Members appointed by Full Council but it is expected that no more than 5 members will sit at any one time to hear an appeal.
  - (c) The quorum of the Appeals Committee shall be 3 Members.
  - (d) There shall be no power to appoint substitutes to the Appeals Committee.

**8.6 Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Appeals Committee shall be appointed by Full Council unless Full Council otherwise determines.

**8.7 Meetings**

- (a) The number of ordinary meetings of the Appeals Committee each year will normally be determined by Full Council.
- (b) Additional meetings may be called by the Chairman to meet appeals business needs.
- (c) The Chairman of the Appeals Committee may determine that a meeting should be cancelled for insufficient business.

**8.8 Sub-Committees for the consideration of Appeals Committee**

- (a) At its first meeting after each Annual Council the Appeals Committee shall review and appoint such Sub-Committees as it considers appropriate for the effective consideration of matters for which the Appeals Committee has responsibility.
- (b) Where more than one Appeals Sub-Committee has been appointed which has the same delegated powers as another Appeals Sub-Committee then those Appeals Sub-Committees with the same powers shall sit in rotation.
- (c) Each Appeals Sub-Committee shall consist of only 3 members and the quorum of each Sub-Committee shall be 3.
- (d) Substitutes may only be appointed to an Appeals Sub-Committee from the membership of the Appeals Committee.
- (e) No Member shall sit as a member of an Appeals Sub-Committee unless s/he has received training provided to that Member for the purposes of the matter to be determined by that Appeals Sub-Committee.
- (f) For the avoidance of doubt, all Appeals Sub-Committees may exercise any powers given to them concurrently and independently of each other.

**8.9 Delegated powers and powers of recommendation of the Appeals Committee**

- (a) The Appeals Committee shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt the Appeals Committee and any of its Sub-Committees can delegate any of their powers to any Officer.

## **AUDIT AND GOVERNANCE COMMITTEE**

### **8.10 Role/Terms of Reference and Membership**

- (a) The Audit and Governance Committee shall be primarily responsible for:
  - (i) independent assurance on the adequacy of the Council's risk management framework including the internal control environment, integrity of financial reporting and governance arrangements;
  - (ii) promoting and helping maintain high standards of conduct of Members (including co-optees), Parish and Town Councillors and any other relevant appointed representatives including advising the Council on issues relating to the Members' Code of Conduct;
  - (iii) recommending training in respect of conduct standards and ensuring appropriate arrangements to consider and determine allegations of any breach concerning the Members' Code of Conduct and any other code / protocol concerning Member Conduct;
  - (iv) supporting the Monitoring Officer in the discharge of his/her duties;
  - (v) ensuring arrangements for any necessary consideration of complaints / compliments relating to the Council including to the Local Government Ombudsman, including making any recommendations in relation to compensation payments.
- (b) The Audit and Governance Committee will consist of 10 Members and 2 co-opted members all appointed by Full Council.
- (c) No Member appointed to the Audit and Governance Committee shall also be appointed to the Executive.
- (d) The quorum of the Audit and Governance Committee shall be 3 Members.
- (e) There shall be no power to appoint substitutes to the Audit and Governance Committee.

### **8.11 Appointment of Chairman and Vice-Chairman**

- (a) The Chairman and Vice-Chairman of the Audit and Governance Committee shall be appointed by Full Council unless Full Council otherwise determines.
- (b) The Chairman of the Audit and Governance Committee shall be from the largest political group that is different to that of the Leader.

#### **8.12 Appointment of Co-opted Members**

The arrangements for the appointment of co-opted members, their length of office and matters specific to co-optees are set out in the Annex (part 2) to Article 8.

#### **8.13 Meetings**

- (a) The number of ordinary meetings of the Audit and Governance Committee each year will normally be determined by Full Council.
- (b) The Chairman of the Audit and Governance Committee shall have the power to call one or more special meeting(s) of the Audit and Governance Committee.
- (c) The Chairman of the Audit and Governance Committee may determine that a meeting should be cancelled for insufficient business.

#### **8.14 Sub-Committees for the consideration of Code of Conduct issues**

- (a) The Audit and Governance Committee shall arrange that, to the extent it is called upon to determine any allegation relating to a Member Code of Code (including that of a Town Council or a Parish Council), the determination shall be made by a Sub-Committee of the Audit and Governance Committee. An Audit and Governance Sub-Committee with such responsibility may include non-Members. An Audit and Governance Sub-Committee that has non-Members forming part of it shall not have any power relating to the regulation and/or control of the finances of the Council.
- (b) Substitutes may only be appointed to an Audit and Governance Sub-Committee from the membership of the Audit and Governance Committee. There shall be no power to appoint non Member substitutes.

#### **8.15 Delegated powers and powers of recommendation of the Audit and Governance Committee**

- (a) The Audit and Governance Committee shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt the Audit and Governance Committee and any of its Sub-Committees can delegate any of their powers to any Officer.

### **HARBOURS ADVISORY COMMITTEE**

#### **8.16 Role/Terms of Reference and Membership**

- (a) The Harbours Advisory Committee shall be primarily responsible for advising the Portfolio Holder, Highways, Travel and Environment in exercising functions of the Council as a harbour authority as defined in the Harbours Act 1964 and any other functions arising under any local Act and/or byelaw in respect of the operational issues in relation to harbour land of any harbours within the area of the Council not dealt with through any other mechanism.

- (b) The Harbours Advisory Committee shall have the power to advise the executive in determining income and expenditure matters relating to the harbours for which it is responsible.
- (c) The Harbours Advisory Committee will consist of 10 persons comprising 6 Members and 4 other persons who are not Members all appointed by Full Council.
- (d) The quorum of the Harbours Advisory Committee shall be no less than 3 persons appointed to the Harbours Advisory Committee but must in all cases be made up of a majority consisting of Members.
- (e) There shall be no power to appoint substitutes to the Harbours Advisory Committee.

#### **8.17 Duty Holder in relation to Harbours**

The Portfolio Holder, Highways Travel and Environment will be the duty holder for the purposes of the Council's responsibilities under the Port Marine Safety Code for all Harbours in the area of the Council for which the Council is the statutory harbour authority.

#### **8.18 Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Harbours Advisory Committee shall be appointed by Full Council unless Full Council otherwise determines. No co-optee shall be appointed either Chairman or Vice-Chairman.

#### **8.19 Appointment of Co-opted Members**

The arrangements for the appointment of co-opted members, their length of office and matters specific to co-optees are set out in the Annex to Article 8.

#### **8.20 Meetings**

- (a) The number of ordinary meetings of the Harbours Advisory Committee each year will normally be determined by Full Council.
- (b) The Chairman of the Harbours Advisory Committee shall have the power to call one or more special meeting(s) of the Harbours Advisory Committee.
- (c) The Chairman of the Harbours Advisory Committee may determine that a meeting should be cancelled for insufficient business.
- (d) There shall be no power to appoint substitutes to the Harbours Advisory Committee or to any Harbours Advisory Sub-Committee.

### **HEALTH AND WELLBEING BOARD**

#### **8.21 Role/Terms of Reference and Membership**

- (a) The Health and Wellbeing Board shall be primarily responsible for:

- (i) the development and updating of a Joint Strategic Needs Assessment, any Pharmaceutical Needs Assessment and the Better Care Fund;
  - (ii) assisting in the development and overseeing of various other plans and strategies with relevance to health;
  - (iii) providing a link to and encouraging integration and collaboration with and other key health stakeholders including NHS England and any other health and wellbeing board; and
  - (iv) ensuring that a patient/service user voice is effectively heard in connection with relevant decisions.
  - (v) statutory responsibility as Local Outbreak Management Board for Dorset.
  - (vi) Being the strategic board for the place-based partnership.
- (b) The Health and Wellbeing Board will consist of 17 persons made up of:
- (i) 3 Members (all of whom shall be nominated by the Leader, of which 1 shall be the Leader or the Leader's nominee);
  - (ii) 4 Officers made up of the Director responsible for adult social services; the Director responsible for children's services, the Director responsible for public health and 1 other Officer with a responsibility for the economy;
  - (iii) 6 NHS representatives made up of 3 from Locality Executive Teams (GPs), 1 from the Dorset Integrated Care Board, 1 from NHS England and 1 from the Local NHS Provider Trust; and
  - (iv) 4 others made up of 1 from the Local Healthwatch organisation, 1 from the voluntary sector, a representative of the Police and a representative of Dorset and Wiltshire Fire Authority.
- (c) The quorum of the Health and Wellbeing Board shall be 5 persons at least 3 of whom are Members of the Council and/or Officers of the Council.
- (d) There shall be power to appoint substitutes for both Members and non-Members to the Health and Wellbeing Board. A non-Member substitute must be from the same organisation as the non-Member.

## 8.22 **Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Health and Wellbeing Board shall be appointed by the Board unless Full Council otherwise determines.

## 8.23 **Meetings**

- (a) The number of ordinary meetings of the Health and Wellbeing Board each year will normally be four unless otherwise determined by Full Council.



- (b) The Chairman of the Health and Wellbeing Board shall have the power to call one or more special meeting(s) of the Health and Wellbeing Board.
- (c) The Chairman of the Health and Wellbeing Board may determine that a meeting should be cancelled for insufficient business.
- (d) There shall be power to appoint substitutes to the Health and Wellbeing Board.

**8.24 Delegated powers and powers of recommendation of the Health and Wellbeing Board**

- (a) The Health and Wellbeing Board shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt the Health and Wellbeing Board and any of its Sub-Committees can delegate any of their powers to any Officer.

**LICENSING COMMITTEE**

**8.25 Role/Terms of Reference and Membership**

- (a) The Licensing Committee shall have primary responsibility for:
  - (i) the discharge of the Council's licensing, certification and registration functions; and
  - (ii) the determination of any application relating to the manufacture and/or storage of explosives;that is not dealt with through the use of any other mechanism.
- (b) The Licensing Committee shall be the licensing committee of the Council for the purposes of exercising any functions expressly referred to a licensing committee by any legislation (e.g. the Licensing Act 2003 and the Gambling Act 2005).
- (c) The Licensing Committee may also deal with certain other matters which are referred to it having regard to provisions in the Licensing Act 2003 by a person or body possessing the power to make that determination.
- (d) The Licensing Committee will consist of 15 Members appointed by Full Council.
- (e) The quorum of the Licensing Committee shall be 3.

**8.26 Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Licensing Committee shall be appointed by Full Council unless Full Council otherwise determines.

**8.27 Meetings**

- (a) The number of ordinary meetings of the Licensing Committee each year will normally be determined by Full Council.
- (b) The Chairman of Licensing Committee shall have the power to call one or more special meeting(s) of the Licensing Committee.
- (c) The Chairman of Licensing Committee may determine that a meeting should be cancelled for insufficient business.
- (d) No Member shall sit as a member of the Licensing Committee unless s/he has received licensing training provided to that Member for this purpose.
- (e) There shall be no power to appoint substitutes to the Licensing Committee.

#### **8.28 Licensing Sub-Committees**

- (a) At its first meeting after each Annual Council the Licensing Committee shall review and appoint such Sub-Committees as it considers appropriate for the effective operation of the Council's licensing duties.
- (b) Where more than one Licensing Sub-Committee has been appointed they shall sit in rotation. Each Licensing Sub-Committee shall consist of only 3 members and the quorum of each Sub-Committee shall be 3.
- (c) Substitutes may only be appointed to a Licensing Sub-Committee from the membership of the Licensing Committee.
- (d) For the avoidance of doubt, all Licensing Sub-Committees may exercise any powers given to them concurrently and independently of each other.

#### **8.29 Delegated powers and powers to recommend of the Licensing Committee**

- (a) The Licensing Committee shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt the Licensing Committee and any of its Sub-Committees can delegate any of its powers to any Officer (subject in particular in the case of the Licensing Act 2003 and the Gambling Act 2005 to any limitations prescribed in that legislation).

### **PENSION FUND COMMITTEE**

#### **8.30 Role/Terms of Reference and Membership**

- (a) The Pension Fund Committee shall be primarily responsible for exercising all functions of the Council as administering authority of the Dorset Pension Fund.
- (b) The Pensions Fund Committee will consist of 9 Members comprising 5 Members appointed by Full Council (not more than 2 being also appointed to the Executive); 3 persons nominated by the Bournemouth Christchurch and Poole Council and 1 person nominated by the unions who have membership that includes Officers.

- (c) The quorum of the Pension Fund Committee shall be 3 persons at least 2 of whom must be Members of the Council.
- (d) There shall be no power to appoint substitutes to the Pension Fund Committee.

**8.31 Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Pension Fund Committee shall be appointed by Full Council unless Full Council otherwise determines.

**8.32 Meetings**

- (a) The number of ordinary meetings of the Pension Fund Committee each year will normally be determined by Full Council.
- (b) The Chairman of the Pension Fund Committee shall have the power to call one or more special meeting(s) of the Pension Fund Committee.
- (c) The Chairman of the Pension Fund Committee may determine that a meeting should be cancelled for insufficient business.
- (d) There shall be no power to appoint substitutes to the Pension Fund Committee or to any Pension Fund Sub-Committee.

**8.33 Delegated powers and powers of recommendation of the Pension Fund Committee**

- (a) The Pension Fund Committee shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt the Pension Fund Committee and any of its Sub-Committees can delegate any of their powers to any Officer.

**STAFFING COMMITTEE**

**8.34 Role/Terms of Reference and Membership**

- (a) The Staffing Committee shall be primarily responsible for:
  - (i) Undertaking the selection process for the appointment, and formulating recommendations to the Full Council in relation to the appointment and dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer in accordance with Officer Employment and Disciplinary Procedure Rules (membership 5 Councillors)
  - (ii) Undertaking the selection process for the appointment and making the appointment and dismissal of:
    - (a) An Executive Director (membership 5 Councillors)
    - b) A Corporate Director (membership 3 Councillors)
  - (iii) Hearing and determining any appeals or grievances by:

- (a) The Head of Paid Service, Chief Finance Officer,  
Monitoring Officer and Executive Directors (5 Councillors)
- (b) Corporate Directors (3 Councillors)
- (iv) Hearing and dealing with disputes registered by recognised Trade Unions (5 Councillors).
- (b) The membership of the Staffing Committee shall be appointed from amongst the whole membership of the Council. The size of the Committee shall vary and its members shall be nominated by the Group Leaders on a politically proportionate basis as and when a meeting is to be convened. The size of the Committee for each type of business within its terms of reference is set out in brackets in paragraph 8.34 (a), above.

## **STRATEGIC AND TECHNICAL PLANNING COMMITTEE AND AREA PLANNING COMMITTEES**

### **8.35 Role/Terms of Reference and Membership**

- (a) The Council has 1 Strategic and Technical Planning Committee which is responsible for dealing with matters including any application and/or any enforcement issue in relation to:
  - (i) certain strategic town and country planning issues including any planning application whose red line crosses the boundaries of more than 1 Area Planning Committee;
  - (ii) various minerals and waste applications; and
  - (iii) rights of way including the definitive map
  - (iv) highways and traffic regulation
  - (v) relating to the exercise of the functions of the Council as registration authority for commons and town and village greens,that are not dealt with through the use of any other mechanism.
- (b) The Council has 3 Area Planning Committees which are collectively responsible for dealing with all matters in relation to town and country planning including any application and/or any enforcement issue that is not dealt with through any other mechanism.
- (c) An Area Planning Committee shall deal with only those matters (and in the case of an application whose red line) which fall wholly within their area. The current boundaries of each of the Area Planning Committees can be found as an appendix to this article.
- (d) In the event of any uncertainty/dispute as to whether an application falls to be determined by the Strategic and Technical Planning Committee or an Area Planning Committee the determination of the Proper Officer (or if absent or unavailable the Monitoring Officer) in consultation with the Chairman of the Strategic Planning Committee shall be final.

- (e) The Strategic and Technical Planning Committee will consist of 12 Members appointed by Full Council. Unless political balance requirements necessitate otherwise, those appointments shall be made up of 4 Members from each of the 3 Planning Area Committees.
- (f) Each Area Planning Committee will consist of 12 Members appointed by Full Council. Members appointed to each Area Planning Committee shall be selected from wards wholly or partly falling within the area of responsibility of that Area Planning Committee unless an appointment from outside such an area is necessary for the purposes of political balance requirements.
- (g) The quorum of the Strategic and Technical Planning Committee and each Area Planning Committee shall be 6 Members.

#### **8.36 Appointment of Chairman and Vice-Chairman**

The Chairman and Vice-Chairman of the Strategic and Technical Planning Committee and each Area Planning Committee shall be appointed by Full Council unless Full Council otherwise determines.

#### **8.37 Meetings**

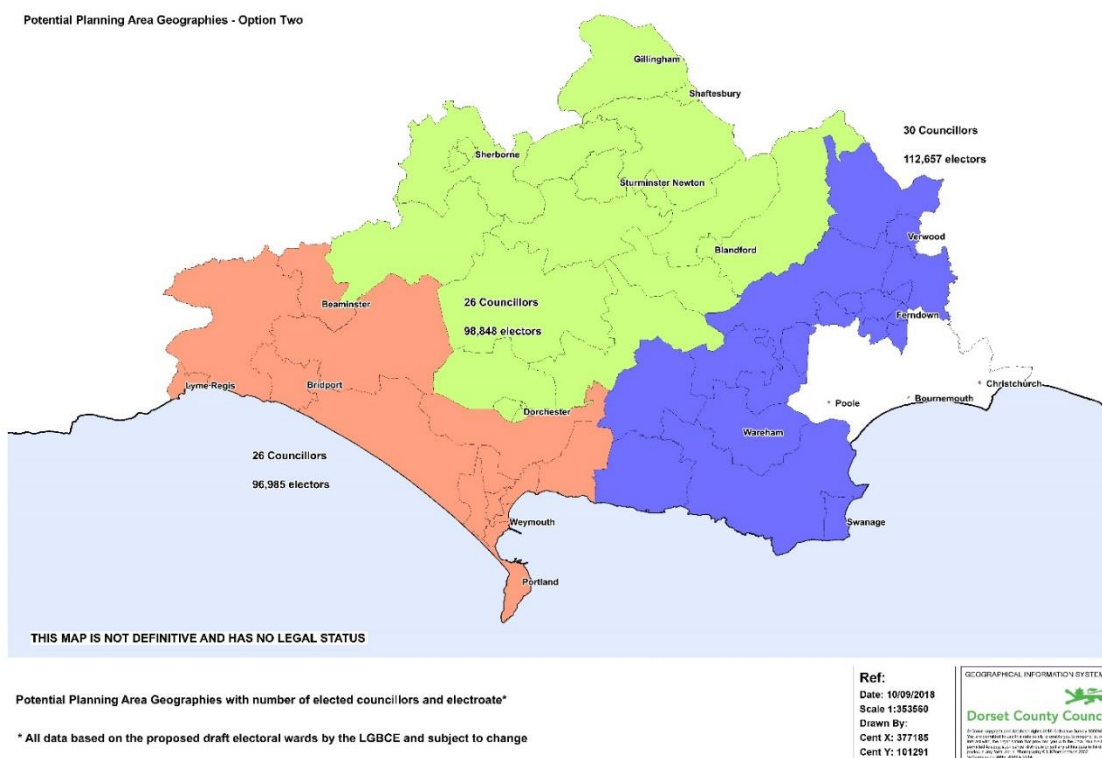
- (a) The number of ordinary meetings each year of the Strategic and Technical Planning Committee and every Area Planning Committee will normally be determined by Full Council.
- (b) The Chairman of the Strategic and Technical Planning Committee and each Area Planning Committee shall have the power to call one or more special meeting(s) of the Committee of which s/he is the Chairman.
- (c) The Chairman of the Strategic and Technical Planning Committee and each Area Planning Committee shall have the power to determine that a meeting of the Committee for which s/he is the Chairman should be cancelled for insufficient business.
- (d) No Member shall sit as a member of an Area Planning Committee unless s/he has received planning training provided to that Member for this purpose.
- (e) Substitutes to the Strategic and Technical Planning Committee and any Area Planning Committee may only be appointed from any of the Area Planning Committees.

#### **8.38 Delegated powers and powers to recommend of the Strategic and Technical Planning Committee and each Area Planning Committee**

- (a) The Strategic and Technical Planning Committee and each Area Planning Committee shall have the powers as set out in Functions of the Council - Part 3(1) of the Constitution.
- (b) For the avoidance of doubt and in so far as the law allows,
  - (i) the Strategic and Technical Planning Committee and each of Area Planning Committees; and

- (ii) unless limited by the creating Strategic and Technical Planning Committee or the Area Planning Committee (as the case may be), any Sub-Committee of the Strategic and Technical Planning Committee or any Area Planning Committee, may delegate or refer any of its powers to any Officer(s).

## APPENDIX – MAP SHOWING BOUNDARIES OF AREA PLANNING COMMITTEES



## **Annex to Article 8**

### **Part 1**

#### **Appointment and role of Co-opted Members of the Audit & Governance Committee**

##### **1. Code of Conduct and Declaration of Office**

Co-opted members will be required to sign a Declaration of Acceptance of Office and are under the same obligations as Councillors to observe the Council's Constitution and Code of Conduct for Members. Training in all audit and governance related skills are provided for all members of the Committee.

##### **2. Voting Rights**

All ten Councillors shall have full voting rights. The two co-opted members shall have full voting rights whilst the committee is operating as an advisory committee (i.e. making recommendations rather than setting policy). There will be no voting rights where the Council has delegated decisions to the committee such as, for instance, Code of Conduct matters. Co-opted members will be treated equally to elected members in terms of access to support and information.

##### **3. Missed Attendance at Meetings**

In the event that a co-opted member misses two consecutive meetings or is absent from meetings of the Committee for more than 6 months (whichever period is greater) that member will cease to be a Committee Member, unless within the period of absence the Council gives approval for this absence.

##### **4. Appointment of Co-opted Members**

- (a) Each co-opted member, as far as it is achievable, will be appointed, following advertisement of the vacancy, on a 'fit for purpose basis' through assessment of each nominee's skills. The skills that candidates should be able to demonstrate would include analytical skills, effective communication, scrutiny and challenge, open minded-ness and capable of developing good teamwork and effective relationships with other members of the committee.
- (b) It is critical for the success of appointment to ensure that a diverse range of candidates apply for the role, ensuring that exemplary members are recruited providing a diversity of skills and experience.
- (c) The Appointments Panel will consist of 3 councillors, 1 should be the Chairman of Audit & Governance Committee. The Panel will receive the appropriate human resources and administrative support. Recommendations for appointment should be made on merit and ability judged against a competency-based framework of criteria.

- (d) The appointment of co-opted members recommended by the Appointments Panel will require approval by the Full Council.

## **5. Length of Office**

- a) A co-opted member's term of appointment shall be four years from the date of confirmation of appointment unless the member shall die, resign or be disqualified.
- b) The term of co-opted members should not exceed two-terms, to ensure that fresh ideas, perspectives, and experience are injected into the committee on a semi-regular basis.

## **6. Resignations**

A co-opted member may resign his or her office at any time by notice in writing given to the Council's Democratic Services Manager.

## **7. Payments to Co-opted members**

The Committee may pay to co-opted members expenses for travelling and subsistence allowances in accordance with the recommendations of the Independent Remuneration Panel (approved by Full Council)



## **Part 2**

### **Appointment and role of Co-opted Members of the Harbours Advisory Committee**

#### **1. Code of Conduct and Declaration of Office**

Co-opted members will be required to sign a Declaration of Acceptance of Office and are under the same obligations as Councillors to observe the Council's Constitution and Code of Conduct for Members. Training in the Code of Conduct, Port Marine Safety Code and other harbour related skills are mandatory for all members of the Committee.

#### **2. Voting Rights**

All six councillors shall have full voting rights on all matters before the Committee. The four co-opted members shall have voting rights on all matters except for financial issues which in their case are confined within the budget delegated to the Committee. The chair of the Harbour Consultative Group will have no voting rights.

#### **3. Missed Attendance at Meetings**

In the event that a co-opted member misses two consecutive meetings or is absent from meetings of the Committee for more than 6 months (whichever period is greater) that member will cease to be a Committee Member, unless within the period of absence the Council gives approval for this absence.

- a) Each co-opted member, as far as it is achievable, will be appointed, following advertisement of the vacancy, on a 'fit for purpose basis' through assessment of each nominee's skills, knowledge, experience and commitment on these matters:
  - Management of harbours, shipping and other forms of transport;
  - Local industrial, commercial, business, financial or legal (especially maritime law) matters;
  - Management of marine leisure activities
  - Safety management;
  - Community issues;
  - Environmental matters;
  - Nautical experience including local area marine knowledge;
  - Any other skills and abilities considered from time to time by the Appointments Panel to be relevant to the discharge by the Board of its functions.
- b) The Appointments Panel will consist of 3 councillors, 2 of whom are other members of the Committee and the relevant Cabinet portfolio holder. The Panel will be supported by an appropriate technical advisor(s), normally the Harbour Master, having a thorough understanding of harbour/port governance issues.
- c) The Appointments Panel shall ensure, so far as is reasonably practicable, that the co-opted members appointed by them will, between them, have special

knowledge, experience and ability in a broad and complementary range of matters relevant to the efficient, effective and economic discharge by the Committee of its functions. There may also be a need for co-opted members to fill any skills gap identified.

- d) The appointment of co-opted members recommended by the Appointments Panel will require approval by the Full Council.
- e) Councillors shall be appointed to the Committee by the Council at its Annual Meeting. Subsequent changes will be ratified by the Council and a Council member's term shall expire on the day prior to the Council's Annual Meeting. Council Members' appointments will be governed by the Council's Constitution.

#### **4. Length of Office**

- a) A co-opted member's term of appointment shall be three years from the date of confirmation of appointment unless the member shall die, resign or be disqualified. Appointments should ideally be staggered in order to maintain some continuity.
- b) A co-opted member may be appointed to a second but no further three year term without recourse to open competition, subject to the agreement of both the Chairman and the member and the Portfolio Holder for Highways, travel and Environment assessment that the member has performed satisfactorily during the first term. All membership of the Committee will be subject to the ratification by the Council.
- c) Co-opted members appointed by one of the predecessor councils remaining as members of the Harbours Committee shall be entitled to serve for their remaining term, including any second three-year term to which they might be appointed.

#### **5. Resignations**

A co-opted member may resign his or her office at any time by notice in writing given to the Council's Democratic Services Manager.

#### **6. Payments to Co-opted members**

The Committee may pay to co-opted members expenses for travelling and subsistence allowances on the same basis as councillors.