

# Rules for other Bodies of the Council

## 1. AUDIT COMMITTEE

### 1.1 Membership

The Audit Committee shall have five Councillors. Members of the Executive will not be permitted to be Members of the Audit Committee and that there will be no more than one Member on the Committee who is also a Member of Scrutiny.

### 1.2 Quorum

The Quorum shall be three Councillors.

### 1.3 Meetings

The Committee shall normally meet four times per year.

## 2. PERSONNEL PANEL

### 1.12.1 Membership

The Personnel Group shall have five Councillors including that member of the Executive specialising in Personnel matters, who shall normally be the Chairman.

### 1.22.2 Quorum

The Quorum shall be three Councillors including the Chairman or Vice Chairman.

### 1.32.3 Meetings

The Personnel Panel shall meet at least once per year and in addition when necessary to deal with issues within its remit when they arise.

### 1.42.4 Agenda Papers

Agenda papers, where they contain information personal to an individual employee, will only be circulated to members of the Personnel Panel, notwithstanding any provision in the Access to Information Procedure Rules.

## 3. DEVELOPMENT CONTROL COMMITTEE

### 3.1 Membership

The membership of the Committee shall be set annually by the Council. Continued membership of the Committee is dependent upon a Member achieving a minimum threshold of attendance of 80% at training events held specifically for members of the Development Control Committee during the municipal year. The same training provision will apply to any Member wishing to participate in decisions taken under the delegated authority of the Head of Planning and Building Control.

### **3.2 Quorum**

The Quorum shall, for the time being, be thirteen councillors adjusted annually if necessary.

### **3.3 Voting**

In view of the quasi – judicial nature of much of the business of the Committee there is a general obligation for Councillors to remain for the whole of the debate or to have participated in any previous consideration on any particular application and certainly to refrain from voting if either of these essential requirements have not been achieved.

In very exceptional circumstances, however, such as the length of time which has elapsed from the presentation of the original application to the Committee or for the purpose of ensuring that the meeting remains quorate, it may be prudent to allow Members to participate in consideration of an application on its return to the Committee regardless of earlier attendance. In any event, the final decision resides with the Chairman, following consultation with the Council's Legal Officer and Member Support Officer. At the meeting the Chairman will advise Members of the Committee if it is decided that the general obligation is not to be applied with reasons for his/her decision.

### **3.4 Meetings**

The Development Control Committee shall normally meet every four weeks.

## **4. LICENSING COMMITTEE**

### **4.1 Membership**

The Licensing Committee shall have twelve councillors. Continued membership of the Committee is dependent upon a Member achieving a minimum threshold of attendance of 80% at training events held specifically for members of the Licensing Committee during the municipal year.

### **4.2 Quorum**

The Quorum shall be seven including the Chairman and Vice Chairman.

### **4.3 Meetings**

The Licensing Committee shall meet at least annually and on further occasions if required.

## **5. LICENSING SUB-COMMITTEES**

Licensing Sub-Committees shall be established to hear applications under the Licensing Act 2003.

### **5.1 Membership**

Each Licensing Sub-Committee shall have three councillors, drawn from the Licensing Committee.

## 5.2 **Quorum**

The Quorum shall be three councillors.

## 5.3 **Meetings**

The Licensing Sub-Committees meet as required.

## 6 **COUNCIL TAX SETTING PANEL**

### 6.1 **Membership**

The Council Tax Setting Panel shall consist of four Members, including the Chairman of Council, the Leader of the Council, the Chairman of Scrutiny and a Member from the minority group.

### 6.2 **Meetings**

The Council Tax Setting Panel shall meet annually, following the Council's agreement of the budget for the forthcoming municipal year and notification from Devon County Council, the Devon and Cornwall Police Authority, Devon Fire and Rescue Service, the Dartmoor National Park Authority and each Parish/Town Council of their individual precepting requirements.

## 7 **STANDARDS COMMITTEE**

### 7.1 **Membership**

The Standards Committee is made up of six members:-

- 2 independent Members (one of whom is to be Chairman)
- 2 Members of South Hams District Council  
(1 from the majority group and 1 from the minorities' group) and
- 2 Parish representatives

### 7.2 **Quorum**

The quorum for the Standards Committee shall be three including at least one independent member and a parish representative (whenever parish business is being discussed).

## 8. **SALCOMBE HARBOUR BOARD**

**Constitution of the Salcombe Harbour Board (as adopted by Council on 20 July 2006)**

### **Establishment of the Board**

1. The functions of the Council conferred under the Pier and Harbour Order (Salcombe) Confirmation Act 1954 shall be reserved to the Council under section 13 of the Local Government Act 2000 and Regulation 3 of the Local

Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)

2. That the discharge of these functions within any policy and budget approved by Council be delegated as set out in the scheme of delegations.

### **Membership of the Board**

1. The Board shall consist of up to 10 members, 4 Members of South Hams District Council and the remainder co-opted Members. Each Member, as far as it is achievable, will be appointed on a 'fit for purpose basis' through assessment of each nominee's skills, knowledge, experience and commitment on matters such as the following:-
  - Knowledge of port/maritime or other nautical experience;
  - General finance/business knowledge;
  - Understanding of Harbour Users;
  - Awareness of environmental issues;
  - Aspects relating to tourism, leisure and marketing;
  - Knowledge or interest in the local and/or the wider community.
2. All co-opted Members will be bound by the Council's Member Code of Conduct and sign the declaration of acceptance of office as required by law in any event;
3. The Chairman of the Board shall be a Council Member;
4. All Members shall have full voting rights on all matters before the Board;
5. In the event that a Board Member does not attend any meetings of the Board for a period of six months from the date of his or her last attendance, that Member ceases to be a Board Member, unless within the period of absence the authority gives approval for this absence. If proved to be mitigating circumstances, and a Board Member is unable to fulfil their duties for a prolonged period of time, the Council may appoint a person qualified within the criteria set out in paragraph 1 above to sit on the Harbour Board during that period of absence only.

### **Appointments Process**

1. Members of the Council shall be appointed to the Board at the Council's annual general meeting;
2. A co-opted Member's term of appointment shall be three years from the date of appointment to expire on the date of annual Council of the relevant year;
3. In order to stagger the appointments process to maintain some continuity of Board membership, the first term shall be divided so that two co-opted Members sit for two years only and the remainder of co-opted Members sit for the standard three year term. Following this initial staggering, terms will remain at three years from appointment;
4. A co-opted Member may be appointed to a second three-year term without recourse to open competition, subject to the agreement of both the Chairman and the Member, and the Board's assessment that the Member has performed satisfactorily during the first term;

5. Re-appointment for a third term shall be regarded as the exception and involve competition with other candidates;
6. The appointment of co-opted Members shall follow the Nolan model;
7. The Appointments Panel will consist of a nominated District Councillor from the majority party, a nominated District Councillor from the minority parties collectively and an independent external technical advisor with a thorough understanding of harbour/port governance issues. After the first round of appointments to the new Board and during their term, the Appointments Panel will also include either the Chairman of the Harbour Board or another Board Member;

## **Meetings**

1. The Board shall meet at least six times a year;
2. The quorum for meetings of the Board shall be four provided that two members of the Council and two other Board Members are present;
3. Meetings will commence late afternoon to allow for public involvement;
4. Meetings are to be structured to enable a 15 minute public question time at the commencement of the meeting;
5. The Board shall consider the following business:-
  - i. Consideration of the minutes of the previous meeting;
  - ii. Declaration of interest, if any;
  - iii. Public questions and comments;
  - iv. Feedback from recognised Harbour Community Forums;
  - v. The business otherwise set out on the agenda for the meeting;
  - vi. Matters for future consideration.
6. An Annual General Meeting of the Board will take place during the year. In addition to those items of the ordinary Board meetings and those items set out in the Council's constitution, the annual meeting will receive the annual statement of accounts and the annual statement of service delivery.

## **Recognised Community Forums**

1. To ensure that the Harbour Board has strong and direct links with both harbour users, local communities and other external organisations with an interest in the Salcombe-Kingsbridge Estuary, a formal consultation mechanism has been set up. Three not-for-profit community groups have registered their interest to work with the Council in relation to its future Harbour activities:
  - The Salcombe Kingsbridge Estuary Association;
  - The Salcombe Kingsbridge Estuary Conservation Forum;
  - The Kingsbridge Estuary Boat Club;
2. The three groups are recognised as 'Harbour Community Forums' and form part of a formal consultation mechanism for the Harbour Board;

3. That the list of three groups is not exhaustive and it is anticipated that further community groups be recognised and added as time progresses.

## 9. **DEVON BUILDING CONTROL PARTNERSHIP**

### **Standing Orders for the Partnership**

Unless the Partnership otherwise agrees:

1. The Standing Orders of the Host Council shall apply to the meetings of the Partnership except as hereinafter provided.
2. The Annual Meeting of the Partnership shall be held in July every year and at such meeting the Partnership shall from among their members elect a Chairman and Vice-Chairman provided that if there by an equality of votes in the election of the Chairman it shall be decided by lot which of the members having an equal number of votes shall be appointed.
3. The Partnership shall meet annually and at such other times as the Partnership considers necessary.
4. The Councils may make substitutions in accordance with their own procedures where one of their members is unable to attend any meeting of the Partnership.
5. The Chairman or Vice-Chairman may call a meeting of the Partnership at any time and shall do so upon the written requisition of two members.
6. The Host Council shall send to every member at least seven days before a meeting of the Partnership a summons to attend the meeting specifying the business proposed to be transacted thereat.
7. Every matter arising at a meeting of the Partnership shall be decided by a majority of the votes of the members present and voting on the question and in the case of an equality of votes the Chairman of the meeting shall have a casting vote.
8. Any two voting members of the Partnership shall form a quorum provided that the said two members shall include one member appointed from each of the Councils.
9. Minutes of the proceedings of the Partnership shall be sent to all members of the Partnership and the Councils within 30 days of the meeting.
10. Senior Managers from the respective Councils will be able to attend board meetings in an advisory capacity.
11. The Partnership shall have the ability to invite representatives from the community it serves to become members of the Partnership board. The total number of these representatives shall not exceed one third of the total membership of the Partnership board.