

FOLKESTONE AND HYTHE DISTRICT COUNCIL **CONSTITUTION**

PART 11 – OTHER BODIES, INCLUDING PANELS AND BOARDS

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PART 11 – OTHER BODIES, INCLUDING PANELS AND BOARDS

1. OTHER ADVISORY AND STRATEGIC BODIES

1.1 The Council has appointed other bodies, which are not committees, to assist in the discharge of its functions. They do not have delegated powers.

1.2 Advisory Panels

1.2.1 General

1.2.1(a) The Cabinet, or any member of it, may establish such advisory panels and/or appoint advisers to it, as s/he considers necessary, in order to advise on matters relating to a Cabinet or portfolio holder decision.

1.2.1(b) An advisory panel, or an adviser, cannot exercise any Cabinet functions and its/his/her functions shall be solely advisory. The Cabinet, or any member of the Cabinet, shall not be bound to exercise its/his/her discretion in accordance with any report of an advisory panel or an adviser.

1.2.2 Membership

An advisory panel may consist of councillors, non-councillors, or both. The councillors' Code of Conduct shall apply to any voting non-councillor on an advisory panel. Any local protocol shall apply to voting and non-voting councillors, if the protocol so states.

1.2.3 Overview and scrutiny

A councillor, who is on an advisory panel, shall not sit on the Overview and Scrutiny Committee when it is scrutinising a decision made by the Cabinet after receiving a report of the advisory panel on which the councillor sits.

1.2.4 Cabinet procedure rules

The Cabinet Procedure Rules shall apply to advisory panels, subject to the rule that the chairman of the advisory panel shall be chosen from amongst its members.

1.2.5 Dissolution

An advisory panel may be dissolved by the Cabinet at any time.

1.2.6 Publicity

The Cabinet shall publish, as soon as reasonably practical, the names of those persons serving on advisory panels.

2. GRANTS ADVISORY PANEL

2.1 Purpose

2.1.1 To consider and make recommendations, to the Leader of the Council, on the following applications:-

- a) Applications for funding from the Community Chest.
- b) Applications for funding from the ward plan funding scheme.

2.1.2 The panel must ensure, in all cases, that it meets the agreed criteria and conditions.

2.2 Composition

2.2.1 The Grants Advisory Panel is established, and its members appointed, by the Leader of the Council.

2.2.2 The panel shall comprise of:-

- a) The portfolio holder responsible for finance;
- b) The portfolio holder responsible for communities (or the equivalent);
- c) One councillor drawn from the wards of North Downs West and North Downs East;
- d) One councillor drawn from the wards of Hythe and Hythe Rural;
- e) Two councillors drawn from the wards of New Romney, Romney Marsh, and Walland and Denge Marsh
- f) Four councillors drawn from the wards of Broadmead, Cheriton, East Folkestone, Folkestone Central, Folkestone Harbour, and Sandgate and West Folkestone.

2.2.3 The advisory panel shall consist of at least one member from a political group not forming part of the administration, or an independent member, so long as he/she is not part of the administration of the Council.

2.3 Interests under the members' Code of Conduct

Where a member of the advisory panel has a Disclosable Pecuniary Interest or an Other Significant Interest, under the members' Code of Conduct, he/she shall not participate in the decision (i.e. agreeing the recommendation of the panel).

2.4 Quorum and frequency of meetings

2.4.1 The quorum shall be five members.

2.4.2 The advisory panel shall meet at least once every two months.

3. JOINT STAFF CONSULTATIVE PANEL

3.1 Purpose

To provide a forum for effective and inclusive consultation and negotiation on key workforce matters, including: pay negotiations; consultation on changes to terms and conditions; consultation on major reviews affecting a significant proportion of the workforce.

3.2 Composition

3.2.1 District Council members are appointed by the Personnel Committee.

3.2.2 There is no requirement to comply with the political balance rules in Section 15 of the Local Government and Housing Act 1989 and no requirement to meet in public.

3.2.3 Elected members:

- Leader of the Council (rotating Chair)
- 1 member from each political group

3.2.4 Staff representatives:

- 2 staff representatives nominated by the Staff Consultation Forum

3.2.5 Trade Union representatives:

- 2 Trade Union representatives nominated by recognised trade unions

3.2.6 Other officers may be invited, as appropriate, and will include the Head of Paid Service and Chief Human Resources Officer.

4. JOINT TRANSPORTATION BOARD

4.1 Purpose

The Board will consider capital and revenue funded works programmes; traffic regulation orders; street management proposals and provide advice on these matters to the relevant executive, as appropriate

4.2 Terms of Reference:

The Joint Transportation Board will:

- a) Consider:
 - i. Capital and revenue funded works programmes;
 - ii. Traffic regulation orders;

iii. Street management proposals;

and will provide advice on these matters to the relevant executive, as appropriate;

- b) Be a forum for consultation between Kent County Council and the Council on policies, plans and strategies related to highways, road traffic and public transport;
- c) Review the progress and outturn of works and business performance indicators;
- d) Recommend and advise on the prioritisation of bids for future programmes of work;
- e) Receive reports on highways and transportation needs within the District.

4.3 Composition

4.3.1 Membership:

4.3.1(a) All KCC members for divisions in the District Council's area and an equal number of members appointed by the District Council, and a representative of the parish and town councils within the District.

4.3.1(b) District Council members are appointed by the Leader of the Council.

4.4 Chairman

In alternate years, a member of KCC (who is a member of the JTB) will chair the JTB and a District Council member (who is a member of the JTB) will be Vice-Chairman of the JTB, and then a member of the District Council will chair the JTB and a KCC member will be Vice-Chairman of the JTB and so on, following on the arrangements which existed in the year before the new agreement came into force. The respective councils will appoint the Chairman and Vice-Chairman, as they may determine, within their constitutional arrangements. The Chairman and Vice-Chairman of the JTB will take office at the first meeting of the JTB, following the annual meetings of both councils each year.

5. FOLKESTONE AND HYTHE DISTRICT AND PARISH COUNCILS' JOINT COMMITTEE

5.1 Purpose

- a) To discuss and explore ways of the District and town/parish councils working together for the common good of the citizens;
- b) To be one of the ways that the District Council consults town/parish councils on proposals;

- c) To enable town/parish councils to inform the District Council about their proposals and obtain comments;
- d) To be a forum for the exchange of good practice;
- e) To enable questions to be raised about the District Councils policies, in relation to towns/parishes and community issues;
- f) The town/parish councils and the District Council may ask questions about the effect and/or outcome of the decisions taken by the other party but they may not be used by one party to scrutinise or examine the reasons for the other party's decision;
- g) Not to be used for attacks on individuals or organisations.

5.2 Agendas

The Monitoring Officer may reject an agenda item if it:

- a) Is not about a matter which is within the purposes of the joint committee;
- b) Is defamatory, frivolous or offensive; or
- c) Is substantially the same as an item which has been put at a meeting of the joint committee in the past six months and there has been no change in circumstances.

5.3 Composition

5.3.1 Membership:

5.3.1(a) Three members of the District Council (at least one of whom shall be a member of the Cabinet) and eight members of parish/town councils, in the area, nominated by the Kent Association of Local Councils.

5.3.1(b) District Council members are appointed by the Leader of the Council.

5.4 Chairman

The chairman shall be elected at each meeting for that meeting alone. The chairmanship shall alternate between the representatives of the District and parish councils.

5.5 Open meetings

5.5.1 The agenda of the meetings of the joint committee shall be made publically available, unless the Head of Paid Service considers that they disclose confidential or exempt information.

5.5.2 The meetings of the committee shall be open to the public, unless confidential or exempt information will be considered.