



Sussex Inshore Fisheries & Conservation Authority

STANDING ORDERS

**These Orders are established in accordance
The Sussex Inshore Fisheries & Conservation Order 2010 No. 2199**
(Relevant Articles are shown in Italics)

Membership

1. Membership of the Authority (*Art. 5*)

The Authority is to consist of 21 members of which:

- a. 7 persons appointed by constituent councils
- b. 12 persons appointed by the Marine Management Organisation ('MMO')
- c. 1 person appointed by the Environment Agency
- d. 1 person appointed by Natural England

Terms of appointment/resignation/suspension/termination

2.
 - a. The terms of appointment are determined by the appointing body of a member (*Art. 6*);
 - b. Nolan Rules
 - c. A ten year maximum tenure commencing the 1st of October 2010 following guidance from the Commissioner for Public Appointments;
 - d. Certain conditions as to resignation, suspension, and termination are set out in *Articles 9-12*.
3. Members will be expected to attend no less than 50% of meetings annually (April - March) to which they have been appointed.
4. The following rules for deputising and substitutions exist:
 - a. Council members: In line with local government best practice, local authorities shall send elected councillors who have been formally approved to sit on the Authority. They may **not deputise** with other Council Members or Officers.

- b. General members; MMO-appointed members who are **not MMO employees** must **not deputise** or send substitutes. MMO-appointed members who are **MMO employees may deputise** or send substitutes.
- c. Additional members-additional members appointed by the Environment Agency, or Natural England **may deputise**.

To maintain continuity and ensure that members can take responsibility for their decisions within the Authority, deputising by 'additional members' or general members who are MMO employees should only be used in exceptional circumstances. Before any deputisation takes place the arrangements should be approved by the chair in consultation with the Head of Service for the Authority.

It should be recognised that non-appointed members of any organisation who have specific experience and knowledge that are pertinent to discussions or decisions can be invited by the chair or the Head of Service to present and enter into discussions at meetings.

Quorum & General Procedure

- 5. All meetings of the Authority shall be held at locations decided by the Head of Service, with the approval of the chair.
- 6. The four quarterly meetings of the Authority shall be held on the fourth Thursday in the months of January, April, July and October at 2.30 p.m., except where the Authority otherwise determine. The Head of Service with the approval of the chair may also vary these arrangements.
- 7. A register of attendance will be kept by an appropriate officer; it shall be signed by all members attending quarterly meetings.
- 8. Notice of every quarterly meeting of the Authority, whether general or special, shall be sent to each member at least five clear days before the date of the meeting. Every notice of the meeting shall state the place, day and time of the meeting and the agenda.
- 9. The Head of Service shall, upon the request of the chair, or upon a requisition in writing signed by any three members of the Authority, summon a special meeting of the Authority and if they, for five days, fail to comply with such a request or requisition such chair or three members, as the case may be, may summon such a meeting.
- 10. No business shall be done at any meetings of the Authority unless six Members are present and at least one of these members is a council member and one is a general member (*Art. 13(1)*).
- 11. The minutes of the proceedings of each meeting shall be recorded by the appropriate officer; copies of these records shall be made available on request to members and Officers of the Authority by an appointed officer.
- 12. At every meeting of the Authority providing copies have been circulated to members prior to the meeting, the minutes shall be taken as read, subject to correction as to any mistake, omission or inaccuracy and the signature of the chair affixed as confirming the same.
- 13. Unless specifically requested by a member, the agendas, minutes, papers and supporting documentation for meetings will be circulated in electronic form.

Order of Business

14. On its inaugural meeting the Authority will appoint a chair and vice chair to the Authority. Either appointee will be eligible for re-election for a period of 4 years as described in the following paragraph.
15. The Authority shall, at the first meeting after the 1st April each year, elect two of its number to be respectively chair and vice-chair of the Authority for the ensuing year. The previous chair and vice-chair shall be eligible for re-election for a period of 4 years.
16. The chair to the Authority may be selected from any member of the Authority, being either a local government representative, or an MMO appointee providing that:

They are able to demonstrate to the Members satisfaction, that they do not have a prejudicial interest within the commercial or recreational fishing sector. In the absence of the chair, the vice chair will chair the meeting regardless of any interest they hold (subject to an appropriate dispensation to speak and vote on matters in which they have a prejudicial interest).
17. Subject to para. 16 The chair and vice chair of sub-committees may be any member of the Authority.
18. Should the chair and vice-chair of the Authority both be absent from a meeting, the Authority shall elect one of their number as acting chair of such meeting (*Art. 14(2)*).

Note: Art. 14(2) does not specify that the acting chair of the meeting in the absence of the chair be a council member.
19. The chair of any meeting shall have, in the case of equality of votes, a second or casting vote.
20. After confirmation of the minutes of the previous meeting, the business to be conducted at any meeting will be dealt with in the order set out on the agenda, but the chair shall have the discretion to vary the order of business.
21. Normally agenda items will be accompanied by a verbal or written report from an officer of the Authority or constituent councils.
22. The officers may provide a recommendation which considers the statutory function of the authority, existing legislation, appropriate guidance and the best available evidence. The members should exercise significant care when approving alternative recommendations to those provided.
23. The members may refer appropriate matters to the Authority's sub-Committees for closer scrutiny and/or development.
24. Members may introduce agenda items and reports for any meeting of the Authority providing that:
 - a. The item is approved by the chair (in consultation with Head of Service).
 - b. Details of the item is received in writing by the Authority's officers not less than 15 working days before the meeting at which it is intended to be tabled.

25. No resolution agreed to by the Authority within the past 12 months shall be altered or rescinded unless due notice of the same, stating the precise nature of the proposed alterations or cause for its rescission has been given in the notice calling the meeting, except under very special circumstances when for urgent and unforeseen reasons the meeting deems it desirable to vary or rescind the same with the agreement of two thirds of the members present.
26. All motions and amendments shall, if required by the chair, be placed in writing, signed by the mover and delivered to the Clerk immediately upon it being seconded.
27. Every amendment which has been moved and seconded must be disposed of before any further amendment is moved.
28. If an amendment is carried it shall displace the original motion and become the question upon which any further amendment may be moved.
29. If an amendment is lost, a further amendment may be moved to the original motion under consideration.
30. The mover of every original motion shall be entitled to reply at the close of the debate thereon and immediately after his reply the motion in question shall be put from the chair. The mover of an amendment shall not be entitled to reply, except where the amendment has been carried and becomes the question under consideration. No other member shall speak more than once on either the original motion or any amendment unless the chair gives his permission to explain, or the attention of the chair is called to a point of order.
31. The Authority and sub-committees will not seek comments nor take questions from the general public present at the meeting. Any items that the general public wish to raise at a meeting should be submitted to the Head of Service in writing if requested, prior to the meeting. The Head of Service will consider with the Chair whether or not to raise the matter at the meeting. The general public are able to make written or verbal submissions to Members prior to the meeting if they so wish.
32. Additional members and the general member employed by the MMO, may, following consent from the Head of Service, attend a meeting with a colleague or colleagues who can speak on behalf of that organisation to provide additional information that the members may find beneficial.

Voting

33. Unless otherwise stated motions will be carried by the majority of members votes. Voting shall be ascertained by a show of hands unless the chair otherwise directs, the Head of Service ascertaining the numbers voting for and against any motion or amendment and declaring the result accordingly. A division (or recorded vote) shall be taken on any question, if requested by any two members prior to the vote.
34. A proxy voting by members is approved providing that:
 - a. The matter under consideration is a report recommendation within an agenda item.
 - b. The member has provided to the chair or Head of Service in writing the details of the vote.

35. The Head of Service shall take the division (or recorded vote) by calling the names of the members and recording their answers and, in all cases when a division is taken, division lists shall be recorded in the minutes.
36. The mover and seconder of any motion of which notice has been given, may with the consent of two thirds of the Members present at the meetings at which it has to be considered, withdraw the same.
37. Standing Orders may be suspended at any time by a vote of two thirds of the Authority present at any meeting.
38. Only council members may vote on the setting of the Authority's annual budget (refer to functions of Finance Sub-Committee).

NB: Art. 16(3) provides council members a veto on total expenses incurred by the Authority.

Confidential Matters & Personal Interests

39. The use of audio/visual recording devices by any member at a meeting of the Authority is not permitted without the approval of the majority of the Authority present at the meeting. Unauthorised recording of any meetings by members will be regarded as a serious breach of the Authority's standing orders.
40. Officers may make an audio recording of any Authority meeting to ensure they have an accurate record of proceedings for the production of minutes, decisions and reports.
41. Meetings may be recorded and broadcast (Web/TV) for the purpose of public interest and accountability if approved by; the majority of the Authority present at the meeting..
42. Members are required to operate within the Authority's Standing Orders, and Code of Conduct, except that Council Members must abide by their council's code of conduct.
43. Papers for, and the proceedings of the Authority or any sub-committee held in private session shall be treated as confidential or exempt in accordance with the requirements of the Local Government (Access to Information) Act 1985. Members will be provided with the minutes of the meetings (which will include a summary of exempt or confidential matters in accordance with the above Act) as soon as the minutes are available.
44. Members shall not disclose without the permission of the Authority or any sub-committee the contents of any document marked:
 - Members Only, Private, Confidential or Exempt.
 - Any item dealt with as a confidential matter, unless already made public by the Authority.
45. If a member has a personal interest in any item under discussion during any of the Authority's business including all Authority, sub-committee or other meetings, he/she should immediately declare this to the chair in the presence all other members. If she/he fails to do this, it may be immediately brought to the attention of the chair by members or Officers. Any declaration shall be noted in the minutes.

46. Subject to an appropriate dispensation, if any member of the Authority or sub-committee has any personal and prejudicial interest they shall declare it and withdraw from the meeting whilst the relevant matter is under discussion.
47. Dispensations to speak and vote on matters in which members have a prejudicial interest may be issued to members in accordance with the Authority's Code of Conduct. Any neglect by members to declare personal and prejudicial interests may be referred to the standards committee of the Authority by the chair or Head of Service.
48. Dispensations maybe suspended or withdrawn by the relevant officer of the Authority or the standards committee of the relevant constituent councils .
49. At any meeting of the Authority or appropriate sub-committee, the agenda will include an item titled 'Members Declaration of Interests'; this will precede the agenda item relating to minutes of the previous meeting. At this point members should declare if they have a personal and prejudicial interest in any agenda items.
50. Members will provide to the Authority details of their personal interests on a prescribed form. The information shall be retained by the relevant officer managing a register of interests. The register may be referred to by officers as appropriate to establish that members have complied with internal regulations and codes of conduct. The Authority's register of interests will be a publicly accessible register (except for sensitive information).
51. At any time members can request a copy of their details included on the registry. It is the responsibility of members to update information as required.
52. Unless specified in these standing orders, agreed or provided by the employee or member, all documentation concerning the employees and members of the Authority is deemed strictly confidential and unless otherwise stated. This shall include but not be limited to; personal details such as addresses, telephone numbers, contracts of employment and salaries.

Sub-Committees

53. The Authority may as it deems appropriate establish sub-committees to support the Authority's function.
54. The chair and vice-chair shall be ex-officio members of every sub-committee.
55. Each sub-committee shall appoint its own chair and vice chair and hold its meetings at a place and on a date convenient to Members having regard to the requirements of the Local Government (Access to Information) Act 1985.
56. In the absence of both the chair and vice-chair of a sub-committee, the chair or vice-chair of the Authority shall act as chair.
57. Every sub-committee shall report to the Authority at the first suitable opportunity.
58. Further to the standing order provisions concerning the establishment and function of a finance sub-committee. The ability of any sub-committee to make either resolutions or recommendations is to be clearly stated in any paper considered and approved by the Authority that recommends the establishment of a sub-committee.
59. The quorum of any sub-committee shall be three.

60. At its inaugural meeting the Authority will establish a finance sub-committee. The finance sub-committee will meet at least once between every quarterly meeting of the Authority.
61. The membership of the finance sub-committee will be restricted to members of the constituent councils only, with the exception of the chair and/or vice Chair of the Authority and any one MMO appointee who holds professional qualifications in accountancy/financial management.
62. The finance sub-committee is delegated (*Art. 17*) with the authority (not requiring referral to the Authority) to approve the following:
 - The annual levy the Authority places upon constituent councils.
 - The implementation of any employee reviews concerning pay and terms and conditions.
 - Recommendations concerning the recruitment of employees.
 - Matters concerning employee pension provision.
63. The finance sub-committee may not be delegated with the authority to approve rates for members' allowances and expenses. Council appointees do however have the power of veto on this matter.
64. Membership of sub-committees can only be derived from the Authority's membership. Membership of sub-committees should reflect the individual needs of the sub-committee and experience/knowledge that members offer.
65. Any appeals sub-committee may not be derived from any members who sit on the staffing sub-committee, and must be clearly independent of the staffing sub-committee.
66. The chair of such meetings shall have, in the case of equality of votes, a second or casting vote.
67. The minutes of any sub-committee meetings shall be submitted to the Authority for information.
68. The Head of Service of the Authority in consultation with the chair or in their absence, the vice chair is delegated to deal with issues of urgency requiring decisions outside the normal cycle of Authority meetings in circumstances where it is impracticable to call a special meeting.
69. All Appointments to sub-committees will be held on a biannual basis at an annual Authority meeting, commencing 2011.

Discharge of Functions

70. All orders for the payment of money which the Authority from time to time may issue to constituent councils shall be defrayed according to current regulations (*Art. 16*). They shall subsequently be signed by the Head of Service and chair of the Authority.
71. The Authority will put in place financial regulations to achieve appropriate management of its financial affairs. Subject to the limitations in the financial regulations and elsewhere the Head of Service is authorised to incur expenditure for which provision has been made in the approved revenue budget.

72. The Head of Service appointed by the Authority shall be authorised to manage the Authority's employment matters including power to recruitment and dismiss staff, and to conduct and authorise internal salary reviews. Any activities must be within the financial and budgetary constraints of the Authority. The Authority or relevant Sub-Committee should receive reports on any relevant issues.
73. The Authority's Head of Service or delegated officer be authorised to instigate and take legal proceedings for both criminal and/or civil actions. All such legal action shall be reported to the next quarterly or meeting of the Authority.
74. The Head of Service to the Authority is authorised to issue warrants to the Authority's Officers, so they are able to exercise their duties under the appropriate legislation. All Officers warrants shall be endorsed with the Head of Service's signature.
75. The Head of Service in consultation with the chair is authorised to acquire any legal support they deem necessary, and initiate or defend legal proceedings.
76. To enable the Authority to undertake its statutory functions it shall employ appropriate staff to fulfil its statutory functions. These will include a Head of Service and a deputy to the position. Should the 'Head of Service' or 'Deputy Head of Service' employment cease then the Authority shall appoint a replacement as soon as is practically possible.
77. To enable the Authority to administer its functions both efficiently and timely manner. Officers are authorised to respond on behalf of the Authority and report back as deemed appropriate.

Affirmed by the Authority at the Annual Meeting on 27th April 2017

Signed by:



**Stewart Harper MBA FCMI
Chairman,
Sussex Inshore Fisheries & Conservation Authority**

Signed by:



**Chief Fisheries & Conservation Officer (Head of Service),
Mr Tim Dapling B.Sc. M.Sc. MIFM**