

**ANGUS COUNCIL**

**CONSTITUTION OF THE ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE**

**1. DEFINITIONS:**

In this Constitution the following words shall have the meanings given:

- (a) "The Council" shall mean Angus Council.
- (b) "The Director" shall mean the Strategic Director- Place or his/her representative,
- (c) "Harbour Users" means organisations/businesses/individuals with an interest in the management of Arbroath Harbour,
- (d) "The Committee" means the Arbroath Harbour Joint Consultative Committee.
- (e) "The Secretary" means the Head of Legal and Democratic Services, Angus Council
- (f) "The Convener" means The Chair of the Committee, appointed by the Communities Committee.

**2. MEMBERSHIP**

2.1 The Committee shall consist of not more than twelve members. These shall comprise six members of Angus Council as follows:

a minimum of four members drawn from the two Arbroath wards, and at least two members of the Communities Committee; and six representatives of the Harbour Users.

2.2 The representatives of the Harbour Users shall comprise one representative of the Arbroath and Montrose Inshore Static Gear Association (formerly the Arbroath Fishermen's Association); one representative of the boat builders/repairers; one elected representative of the Fare-Paying Passenger Boat Owners (formerly the Owners of Small Fishing Boat / Fare-paying Passenger Boat Owners); one elected representative of the Leisure Craft owners; the Commodore of the Arbroath Sailing and Boating Club; and one representative of the RNLI.

2.3 Where a vacancy arises for a representative from (a) fare-paying passenger boat owners or (b) the leisure boat owners, the new representative shall be elected by a poll of the Harbour Users entitled to vote for that category of representative.

2.4 The Harbour Users entitled to vote for a representative shall be those individuals who pay compounded charges or weekly charges for the full period of nine months prior to the proposed election of representatives and who have less than one month's fees outstanding at the date of the election.

2.5 The category of representative shall be in accordance with the category of rates and duties leviable on vessels at Port and Harbour of Arbroath, Schedule A of Arbroath harbour charges, and shall be as follows:

- (a) craft employed carrying up to 12 fare-paying passengers; craft employed carrying over 12 fare-paying passengers.
- (b) leisure craft (for personal use) (including visiting yachts, pleasure craft, etc paying dues in accordance with 2.4).

- 2.6 Harbour Users will be entitled to vote for the representative in the category for which they pay harbour dues. Harbour users paying dues for more than one vessel will be entitled to vote for each due paid in accordance with 2.4 and in each category that these dues fall.
- 2.7 Representatives of the Harbour Users may resign by giving notice to the Secretary.
- 2.8 The Strategic Director - Place shall hold such elections as necessary when vacancies arise on the Committee.
- 2.9 Substitute members from the Council and those representing Harbour Users may be appointed as needs arise.
- 2.10 The membership of the Committee may be reviewed at any time in accordance with Section 8 of this Constitution. The Council representatives shall be reviewed following council elections.

### **3. FUNCTIONS**

- 3.1 The Arbroath Harbour Joint Consultative Committee's function will be to act in an advisory and consultative capacity on the routine management and operational considerations for the harbour and such other issues as may be remitted to it from time to time by the Communities Committee.

### **4. OFFICE BEARERS**

- 4.1 The Council members shall elect the Convener of the Arbroath Harbour Joint Consultative Committee.

### **5. MEETINGS**

- 5.1 The Committee shall meet three times a year (generally April, August and November except where otherwise agreed by the Committee).
- 5.2 The Convener may call a special meeting at any time and a special meeting shall also be called on receipt of written notice signed by four members of the Committee, stating the item(s) of business which it is proposed to discuss at the meeting.
- 5.3 Four members of the Committee, of which two shall be Council members, shall constitute a quorum.
- 5.4 The meeting shall include representatives of the Strategic Director – Place and secretarial support shall be provided by the Head of Legal & Democratic Services of the Council as required (“the Secretary”).

### **6. PROCEDURE**

- 6.1 Seven clear days at least before a meeting of the Committee, notice of the time and place of the intended meeting shall be left or sent to the usual place of residence of every member of the Committee, or such other address to which the member may have requested the Secretary to send such notice.
- 6.2 Every notice of meeting shall specify the items of business which it is intended to discuss at the meeting. Any member who wishes an item of business to be discussed at a general meeting shall give to the Secretary full particulars not less than ten days before the date of the meeting.
- 6.3 Except with the consent of the Convener, no business other than that specified in the notice of meeting shall be transacted at any meeting and then only if there is some urgent reason for additional business to be considered without prior notice.
- 6.4 At every meeting the proceedings shall be under the general control of the Convener who shall decide all matters of order, competency and relevancy. The Committee may also ascertain from the Director or his/her representative(s), his/her interpretation of the Council's policies and directives with regard to the Harbour.

- 6.5 The Secretary shall arrange to have minutes kept of all meetings of the Committee in such Forms as the Convener shall consider appropriate.
- 6.6 The minutes of the meetings shall be reported to the next meeting of the Communities Committee following the preparation of the minute for the Arbroath Harbour Joint Consultative Committee meeting.

**7. CORRESPONDENCE**

- 7.1 The Secretary shall be the official correspondent of the Committee.

**8. REVISION, SUSPENSION OR REVOCATION**

- 8.1 The Council may alter, amend, extend or revoke any of the foregoing Articles of the Constitution and the Committee shall thereafter continue to function in accordance with the Constitution as so altered, amended or extended. Except as aforesaid no alterations amendments or extensions or revocations shall be valid.
- 8.2 If, in the opinion of the Council, circumstances so warrant, the Council may at any time, revoke the Constitution in its entirety, and in such an event, the Committee shall cease to function or the Council may suspend the Constitution for such a period as it sees fit, in which case the committee shall cease to function during that period.