



**STANDING ORDERS AND TERMS OF
DELEGATION TO OFFICERS**

May 2017

LANGSTONE HARBOUR BOARD
STANDING ORDERS AND TERMS OF DELEGATION TO OFFICERS

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1. STANDING ORDERS MADE UNDER PIER AND HARBOUR ORDER (LANGSTONE HARBOUR) CONFIRMATION ACT, 1962 S.26.

(1) Appointment of Chair

- (i) The Chair of the Board shall resign and be elected at each Annual Meeting of the Board from Board Members who are also members of Portsmouth City Council or Havant Borough Council.
- (ii) The election of the Chair shall be the first business transacted at the Annual Meeting of the Board.
- (iii) The Chair shall, unless he or she resigns or ceases to be qualified or becomes disqualified, continue in office until a successor is elected as Chair.

(2) Appointment of Vice Chair

- (i) At each Annual Meeting of the Board, the Board shall appoint one of their number to be Vice-Chair of the Board for the ensuing year.
- (ii) The Vice-Chair shall be chosen from the Members who are also members of Portsmouth City Council or Havant Borough Council but not the same constituent council as the Chair.
- (iii) At all meetings of the Board, the Vice-Chair, if present, shall preside in the absence of the Chair.

(3) Absence of Chair or Vice-Chair

- (i) At all meetings of the Board the Chair, or in the absence of the Chair the Vice-Chair, or in the absence of both the Chair and Vice-Chair a Member chosen by the Board Members present shall preside.
- (ii) In the event of the death or permanent incapacity or resignation in writing of the Chair or Vice-Chair the Board shall appoint one of their Members to fill the vacancy subject to the provisions of Standing Orders 2(ii) and 2(iii).

(4) Meetings and Proceedings

- (i) The Board shall in every year hold an Annual Meeting and at least three other meetings which shall be as near as maybe at convenient intervals for the transaction of general business.
- (ii) The Annual Meeting of the Board shall be held not later than 21 days after the first day of June in each year.
- (iii) Unless the Board resolve otherwise, ordinary meetings shall be held alternately in the City of Portsmouth and the Borough of Havant.
- (iv) The Chair of the Board for the time being or any three or more Members of the Board may at any time by writing addressed and sent to the Clerk to the Board require a special meeting to be convened and the Clerk shall convene a meeting accordingly provided that notice thereof shall be given in writing to each Member of the Board and either sent by post or delivered to each Members' residence at least two clear days before the day of the meeting.

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- Absence of service of any notices shall not invalidate the proceedings of the meeting.
- (v) Every meeting shall be convened by the Clerk to the Board in writing and delivered to each Member of the Board or sent by post to their residence two clear days at least before the day of the meeting. Absence of service of any notices shall not invalidate the proceedings of the meeting.
 - (vi) No business shall be transacted at a meeting of the Board unless there be three Members elected by the Portsmouth City Council and three Members elected by the Havant Borough Council present.
 - (vii) If any question arising at a meeting of the Board shall be decided against the vote of three or more Members, elected by the Portsmouth City Council, or three or more Members elected by the Havant Borough Council that decision shall not be binding, but the question shall be adjourned for further consideration at a subsequent meeting of the Board and if at that subsequent meeting the Board shall on that question again be unable to reach a binding decision the question may be referred for determination by the Councils and in default of their agreement for the determination by an arbitrator appointed by the Secretary of State for Transport.
 - (viii) Subject to (vii) above all questions shall be decided by a majority of the votes of the Members present and voting.
 - (ix) The Chair shall not have a second or casting vote.

(5) Members Interests in Contracts etc

- (i) If a Member of the Board has any prejudicial interest, as defined in the Code of Conduct for local authority members, in any contract or proposed contract or other matter and is present at a meeting of the Board at which the contract or other matter is the subject of consideration he shall at the meeting as soon as practicable after the commencement thereof disclose the fact and shall not take part in the consideration or discussion of or vote on any question with respect to that contract or other matter.

Provided that this Standing Order shall not apply to an interest in a contract or other matter which a Member may have as a council tax payer or inhabitant of the City of Portsmouth or the Borough of Havant, or as an ordinary consumer of gas electricity or water, or to an interest in any matter relating to the terms on which the right to participate in any service, including the supply of goods, is offered to the public. Also this standing order shall not apply where the Member's only interest is either that of an ordinary member of a club in which he does not hold office or as a mooring holder in the Harbour.

- (ii) Members shall give notice in writing to the Clerk of the Board of any interests they may have that are relevant to the Board in accordance with the Code of Conduct

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- (iii) The Clerk to the Board shall record in a book to be kept for this purpose, particulars of any disclosure made under this Standing Order, and the book shall be open at all reasonable hours to the inspection of any Member of the Board, or of Portsmouth City Council Havant Borough Council or Hampshire County Council The Members of such councils shall observe and be bound by the Local Government Code of Conduct

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(6) Power to appoint Sub Committees

The Board may appoint such sub committees, as from time to time it may desire. The membership of those sub committees shall be as determined by the Board, but they shall each consist of not less than three members

(7) Officers' Interests in Contracts

- (i) If it comes to the knowledge of an Officer employed by the Board that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party) has been, or is proposed to be, entered into by the Board he shall, as soon as practicable, give notice in writing to the Clerk to the Board of the fact.

For the purposes of this Standing Order an Officer shall be treated as having an indirect pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of the law relating to Members of local authorities and interests in contracts.

- (ii) An officer of the Board shall not, exact or accept any fee or reward whatsoever other than that officer's proper remuneration

(8) Contracts

- (i) The Board may enter into contracts necessary for the discharge of its functions.
- (ii) The requirements of the Financial Commitment Authority levels, which form an appendix to these standing orders, shall be observed. The Financial Commitment Authority shall be reviewed from time to time. Competitive quotations shall be sought in appropriate circumstances but in any event quotations shall be sought for contracts above £20,000.
- (iii) Every contract must provide that in the event of a contractor or any person acting on his behalf (with or without the contractor's knowledge), undertaking a corrupt act to obtain a Board contract, the Board may -
- (a) cancel the contract, and
 - (b) recover from the contractor the amount of any loss resulting from such cancellation.

In an emergency the Harbour Manager may waive section (ii) of this Standing Order but must first consult with the Chair, or the Vice Chair in the event of the Chair's unavailability.

- (iv) A person entering into a contract with the Board shall not be bound to enquire whether the Standing Orders which apply to contracts have been complied with, and all contracts entered into by the Board if otherwise valid shall have full force and effect notwithstanding the Standing Orders applicable have not been complied with.

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(9) Adjourned Meetings

When a meeting is adjourned to a future date, or is convened but inquorate, notice of the adjourned or further meeting shall be sent to each member, specifying the business to be transacted thereat, including any Notice of Motion, but it shall not be necessary to send with any such Notice a second print of any Committee reports or recommendations referred to therein.

(10) Questions Affecting Employees

If any question arises at a meeting of the Board or at a Committee thereof as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service, or as to the conduct of any person employed by the Board, such question shall not be the subject of discussion until the Board has decided whether or not the power of exclusion of the public under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 shall be exercised.

(11) General Conduct and Demeanour of Members

Members shall address the Chair. If two or more Members commence to speak at the same moment the Chair shall decide the order in which they are to speak. Except on a point of order, no Member shall begin to address the meeting until the Chair calls on that Member. A member who speaks shall speak only on the question under discussion, or to give an explanation, or to make a point of order.

Whenever the Chair addresses the Board, no other Member shall remain speaking until the Chair so directs and the Board shall be silent so that the Chair can be heard without interruption.

(12) Misconduct of Members

If any Member fails to withdraw any improper expression when called upon by the Chair so to do, or persistently refuses to obey the call of the Chair to order any other Member may move that the Members so offending be not heard during the remainder of the meeting. On such Motion being made and seconded it shall be immediately put to the vote without discussion, or question being asked in relation thereto, and if it be carried the Member named in such Motion shall not be allowed to take any part in any discussion, or to vote on any question during the remainder of the meeting. In the event of continued irrelevance, tedious repetition, unbecoming language, or any breach of order on the part of a Member, the Chair may direct such Member, if speaking, to discontinue his speech, or in the event of persistent disregard of the authority of the Chair to retire for the remainder of the meeting, or for any less period. When the Chair so directs a Member to retire and the Member does not retire forthwith, the Chair may give directions for the removal of the Member, and such other directions as are appropriate for restoring order to the proceedings.

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(13) **Behaviour of the Public**

If a member or members of the public interrupt the proceedings at any meeting, the Chair shall issue a warning. If continued, the Chair may order the removal from the place of meeting of that person or persons or give such other directions as are appropriate for restoring order to the proceedings.

(14) **Motions and Amendments**

A Motion or amendment shall not be discussed unless it has been proposed and seconded. No Motion when moved and seconded shall be withdrawn except by leave of the Board.

(15) **Relevance of Amendments**

- (i) An amendment shall be relevant to and a modification of the proposition.
- (ii) An amendment shall be –
 - (a) To leave out words; or
 - (b) To leave out words and insert or add others; or
 - (c) To insert or add words: but such omission or insertion of words shall not have the effect of introducing a new proposal into or of negating the Motion before the Board.

(16) **One Amendment at One Time**

- (i) When an amendment to a proposition has been moved and seconded, it shall be disposed of before any further amendment to such proposition, having been moved and seconded is debated and disposed of.
- (ii) A Member who has either moved or seconded an amendment to any proposition shall thereafter neither move nor second any amendment to that proposition or to any proposition, which has displaced it.

(17) **Notice of Further Amendment**

Notice of a second or subsequent amendment to a proposition shall be given and the terms thereof disclosed before the commencement of the reply to the debate on the first amendment to the proposition.

(18) **Amendments and Further Amendments**

Whenever an amendment to a proposition is carried, the proposition shall be displaced by the amended proposition which shall itself become the substantive proposition to which further amendments may be moved, seconded and discussed. If, after the disposal of an amendment to a proposition no further amendment is moved, the question shall be put upon the substantive proposition without further debate.

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(19) Points of Order

Any Member may at any time during the debate address the Chair on any point of order arising out of such debate, but shall not interrupt any other Members speech for that purpose unless the necessity arises out of such speech, and the decision of the Chair on these matters shall be final.

(20) Chair's Ruling to be Final

The Chair's rulings on any point of order, or with regard to the admissibility of any explanation which a Member who has spoken on the question under discussion may have made, shall be final and not open to discussion. All deference shall be paid to the Chair's authority and the Chair shall decide every matter arising during the debate whether it be a matter of order or procedure not provided for by these Standing Orders or otherwise.

2. CODE OF CONDUCT

(1) Members elected to the Board shall have regard to the provision of the National Code of Local Government Conduct, and accept that their overriding duty while acting in their capacity as a Member of the Board is to serve the interests of the Langstone Harbour Board and they shall not be influenced by any private or personal interest in any question or matter before the Board.

(2) Members of the Board who are also Members of a sailing club or other organisation having an interest in the Harbour shall disregard their membership of the club or organisation and shall not be influenced by an expression of opinion of that Club or organisation when discussing or voting upon matters before the Board.

(3) Members of the Board shall disclose to the Clerk of the Board in writing their membership of a sailing club or other organisation having an interest in the Harbour and the Clerk of the Board shall keep a register of such disclosures which shall be open to public inspection.

(4) Confidential and Private Information

Information obtained by Board Members in the course of their duties as Members shall be treated as confidential until made public by the Board, and no Member of the Board shall use such confidential information for personal advantage.

(5) Gifts and Hospitality

No Member or Officer of the Board shall accept any offer of gift, favour or hospitality that is made to the individual Member or Officer personally.

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3. APPOINTMENT OF OFFICERS

- (1) In these standing orders Officers means the Harbour Manager, Treasurer to the Board, Engineer to the Board and the Clerk to the Board and notwithstanding section 4 below those officers have the authority to do those things set out in their job descriptions and in legislation.
- (2) Except as the Board may otherwise decide the appointment of Officers shall where practicable be carried out by the Chair, Vice Chair, Harbour Manager and Clerk to the Board, with power to act. Questions relating to salary and terms of remuneration of Officers or employees of the Board may be referred to the Staffing sub committee by the Harbour Manager for decision. Salary increases that are consistent with current local government changes may be applied without a decision of the Board or the Staffing Sub-Committee.

4. DELEGATION TO OFFICERS

(i) Clerk to the Board

- (a) To take the opinion of Counsel, or instruct Counsel, whenever necessary.
- (b) To settle claims, in consultation with the Harbour Manager, Treasurer to the Board and the Chair.
- (c) To appear in courts of law and at local inquiries on behalf of the Board.
- (d) To seal documents.
- (e) To prepare and conclude contracts including the sale and acquisition of interests in property of any kind.
- (f) To institute or defend any legal proceedings.
- (g) To incur revenue expenditure within estimate provision in accordance with the Board's Financial Commitment authority levels.
- (h) To report to the Board as necessary on governance issues and compliance with these standing orders

(ii) Treasurer to the Board

- (a) To raise loans as required which have been authorised by the Board.
- (b) To levy precept on the constituent councils in accordance with authority granted by the Board.
- (c) To pay all accounts, bills etc or salaries and wages and to make payments of all appropriate sums within approved estimates or by direct resolution of the Board.
- (d) Discretionary powers shall be given to the Treasurer of the Board, in consultation with the Harbour Manager, to write off unpaid debts up to a maximum of £150 or such other maximum figure as the Board may from time to time authorise.

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- (e) To carry out an audit of the Board's assets and equipment at any time.
- (f) To arrange insurance cover for the Board against specified risks either independently or upon the instructions of the Board or Officers of the Board.
- (g) To refer cases of suspected dishonesty on the part of any of the Board's employees to the Police for investigation, after consultation where necessary with the Harbour Manager and Clerk to the Board.
- (h) To sanction virements for additional expenditure or overspendings which do not impact on the overall budget position.
- (i) To make safe and efficient arrangements for the receipt and issues of moneys.
- (j) To apply revenues in accordance with statutory requirements.
- (k) To keep proper books of account.
- (l) To incur routine revenue expenditure within estimate provision in accordance with the Board's Financial Commitment authority levels.

(iii) Engineer to the Board

- (a) To be responsible for the procuring of civil engineering work and other similar works for the repair and maintenance of the pontoons, dolphins, bridge and abutments at Eastney and Hayling Island, and for the buildings, offices, workshop etc. To place orders with approved contractors or suppliers to undertake such works in accordance with Board approval.
- (b) To exercise such powers as are granted by statute to the Surveyor or Engineer of a local authority.
- (c) To act as the Board's technical adviser with regard to applications for planning permission which are submitted to the Board as consultee.
- (d) To offer advice on coastal protection issues in Langstone Harbour
- (e) To incur routine revenue expenditure within estimate provision in accordance with the Board's Financial Authority Levels.

(iv) Harbour Manager

- (a) The Harbour Manager shall exercise the statutory functions of a Harbour Master
- (b) The Harbour Manager shall be responsible for meeting the Board's obligations as a Competent Harbour Authority under the Pilotage Act, 1987.
- (c) The Harbour Manager shall provide, place, lay down, maintain and allocate moorings on land owned or leased by the Board and on other land with the consent in writing of the owner and lessee thereof in the Harbour, or on banks belonging to the Board adjoining the Harbour.
- (d) To approve of persons laying down, maintaining and using moorings, buoys and like apparatus subject to licence being granted to those persons by the Clerk to the Board, before any works are carried out.

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- (e) To take action with respect to any vessel sunk, stranded or abandoned in such a manner as to be an obstruction or danger to navigation in any part of the Harbour or in or near any approach to the Harbour in accordance with statute.
- (f) In the case of vessels belonging to the Queen's most excellent Majesty, to advise the Queen's Harbour Master in relation to any such vessels sunk, stranded or abandoned within the area of the Harbour, or the approaches thereto, and to subsequently report such action to the Board at the earliest opportunity.
- (g) To undertake the regulation of the placing, laying down, maintaining, using of existing and future moorings in the Harbour and for the prescription of patterns of moorings in the Harbour or on the banks.
- (h) The securing of good and orderly conduct of persons in charge of or using vessels or houseboats in the Harbour.
- (i) The regulation of the mooring, careening, beaching or anchoring and keeping of vessels and houseboats in the Harbour.
- (j) Prevention of nuisances and offences against decency in the Harbour.
- (k) To secure the observance of Langstone Harbour byelaws as amended from time to time.
- (l) Regulation and control in the Harbour of the navigation and speed of vessels and the prevention of obstruction to vessels in the Harbour, and in those cases where offences are committed to ascertain the name and address of the driver and master of the vessel and take such action, including enforcement action, as is deemed appropriate to the case.
- (m) To undertake functions with respect to the lighting and buoying of the Harbour and the approaches thereto.
- (n) To keep a proper record of any incidents, which may give, rise to an insurance claim and to report these incidents to the Treasurer and the Clerk to the Board.
- (o) To incur revenue expenditure in accordance with the Board's Financial Authority Levels.
- (p) To institute proceedings for the recovery of debts,

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5. EXTRACT FROM PIER & HARBOUR (LANGSTONE HARBOUR) CONFIRMATION ACT, 1962 – which has since been amended by changes in public general law and by harbour revision orders

PART II

ESTABLISHMENT CONSTITUTION AND PROCEEDINGS OF THE BOARD

8. For the purpose of carrying this Order into execution there shall be a Board of twelve members constituted and elected as by this Order provided and they and their successors from time to time elected and acting in pursuance of this Order shall be a body corporate under the name and style of “The Langstone Harbour Board” with perpetual succession and a common seal and with power to sue and be sued and to purchase take hold lease and dispose of lands an other property for the purposes of this Order
9. The constitution of the Board shall subject to adjustment as hereinafter provided be as follows:-
 - Six members to be elected by the Portsmouth Council form among the members thereof;
 - Six members to be elected by the Havant and Waterloo Council from among the members thereof.
- 10.-(1) The first election of members of the Board by each of the Councils shall take place at a meeting of each Council to be held within twelve weeks from the commencement of this Order or within such further time as the Minister shall allow and the members so elected shall subject to the provisions of this Order continue in office until the day of the annual meeting of the Board in the year nineteen hundred and sixty-three.
 - (2) Each of the Councils shall at their annual meeting in the year nineteen hundred and sixty-three and in each third successive year or failing this at a special meeting to be held with special notice of the object of such meeting elect from among themselves the number of members of the Board whom they are by this Order authorised to elect and each member so elected shall (subject to the provisions of this Order) hold office on and from the day of the annual meeting of the Board in the year in which he is so elected until the third annual meeting of the Board thereafter.
11. If either of the Councils fails to elect the first members of the Board or to fill an occasional vacancy as by this Order provided it shall be competent nevertheless for the other members of the Board to carry this Order into execution and if either of the Councils fails to elect members fo the Board at any subsequent period of election the then existing members of the Board representing such Council (unless otherwise disqualified) shall continue in office until their successors are elected.
12. No person being a member of the Board by election from either of the Councils shall so long as he continues a member by virtue of such

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election be qualified to be also a member of the Board by election from the other Council and any such subsequent election shall be void and if the same person shall be elected a member of the Board by both of the councils at the same election he shall choose under which election he will serve and the other election shall be deemed void.

13. If a member of the Board elected by either of the Councils ceases to be a member of such Council or becomes disqualified from such membership he shall also cease to be a member of the Board:
14. If a member of the Board fails to attend three consecutive meetings of the Board he shall unless the failure was due to some reason approved by the Board cease to be a member of the Board.
15. Any member of the Board may at any time resign his office as such member by notice in writing signed by him and delivered to the clerk of the Board and his resignation shall take effect upon the receipt of the notice by such clerk.
16. Every member of the Board going out of office shall if otherwise duly qualified be eligible immediately or at any future time for re-election and every person re-elected shall be deemed a new member.
17. If any member of the Board dies or resigns or is disqualified or ceases to be a member of the Board from any cause the Council whom he represented may if they think fit at any time after the occurrence of such vacancy elect a member to the Board in his place from amongst themselves and every member of the Board so elected shall continue in office subject to the provisions of this Part of this Order but only for so long as the person in whose place he is elected would have been entitled to continue in office.
18. Whenever an election of a member or members of the Board has been made the clerk of the Councils by whom the election has been made shall by writing under his hand certify the election to the Board and the clerk of each of the Councils shall forthwith on the first election by his Council transmit the certificate to the clerk of either Council and on every subsequent election to the clerk of the Board and every such certificate shall be conclusive evidence of such election.
19. The Board shall hold their first meeting at Portsmouth on the second Thursday after the last day provided by or under this Order for the first election of the members thereof (unless some other day shall be appointed for the purpose by the Minister and then on such day as shall be so appointed) and subsequent meetings (including annual meetings) shall be held at such place either within the district or within the city and on such days and at such times as the Board may from time to time appoint provided that the annual meeting of the Board shall be held not later than twenty-one days after the first day of June in each year.

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20. In addition to the meetings to be held by appointment of the Board the chairman of the Board for the time being or any three or more members of the Board may at any time by writing addressed and sent to the clerk of the Board require a special meeting to be convened and the said clerk shall convene a meeting accordingly provided that at least two clear days notice thereof shall be given to each member of the Board by letter addressed to him and either sent by post to or delivered at his residence.
21. Any act of the Board or of any of the members thereof shall not be invalidated or be illegal by reason of any irregularity in the election of any member of the Board or by reason of any person not qualified or ceasing to be qualified acting as a member of the Board or by reason of any failure or omission on any occasion on the part of either of the councils to elect a member of the Board or by reason of any other irregularity error failure or omission in or about any election or in or about any matter preliminary or incidental thereto.
22. The first meeting of the Board shall be convened by the town clerk of the city and every subsequent meeting shall be convened by the clerk of the Board. Every meeting shall be convened by circular delivered to each member of the Board or sent by post to or delivered at his residence two clear days at least before the day of meeting.
23. The number of members of the Board present to constitute a meeting of the Board shall be three members elected by the Portsmouth Council and three members elected by the Havant and Waterloo Council.
24. (1) At their first meeting and subsequently at each annual meeting of the Board the Board shall appoint one of their number to be Chairman and another to be Vice-Chairman of the Board for the ensuing year provided that the Chairman and Vice-Chairman shall at no time be chosen from the members representing the same constituent Council.
- (2) At all meetings of the Board the Chairman or in his absence the Vice-Chairman or in the absence of both the Chairman and the Vice-Chairman some member of the Board chosen by the members present shall preside.
- (3) In the event of the death or permanent incapacity or resignation in writing of the Chairman or Vice-Chairman the Board shall appoint one of their members to fill the vacancy.
25. Minutes of the proceedings of every meeting shall be drawn up and preserved and shall be signed by the chairman of the meeting or of the next ensuing meeting.
26. Subject to the provisions of this Part of this Order the Board may make Standing Orders for the regulation of their proceedings and business and vary or revoke the same.

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27.(1) Subject to subsection (3) of this section questions shall be decided by a majority of the votes of the members present and voting.

(2) The chairman shall not have a second or casting vote.

(3) If any question arising at a meeting of the Board shall be decided against the vote or more than two members elected by the Portsmouth Council or more than two members elected by the Havant and Waterloo Council that decision shall not be binding but the question shall be adjourned for further consideration at a subsequent meeting of the Board and if at that subsequent meeting the Board shall on that question again be unable to reach a binding decision the question may be referred for determination by the Councils and in default of their agreement for determination by an arbitrator to be agreed by the Councils or failing agreement appointed by the Minister.

28. The Board shall from time to time appoint and may remunerate a clerk and a treasurer and such other officers and servants as they may think fit (including officers for securing the observance of any byelaws made by the Board) and the officers and servants so appointed shall be removable by the Board at their pleasure. No member of the Board or of either of the Councils shall be an officer of the Board but a person may be and continue an officer for the Board and of either of the Councils.

6. EXTRACT FROM LANGSTONE HARBOUR REVISION ORDER 1985 (S11985/1554)

4.-(1) The constitution of the Board shall be altered by the addition of two members elected by the Advisory Committee from among the members of that Committee

(2) Accordingly the Order of 1962 shall have effect subject to the following amendments:

(a) in section 8 (Incorporation of Board), for the word "twelve" there shall be substituted the word "fourteen";

(b) in section 9 (Constitution of Board), at the end of the section]there shall be inserted-

"Two members to be elected by the Advisory Committee established under section 29 of this Order from among the members thereof."

(3) In section 10 (Election of members) of the Order of 1962 there shall be added the following subsection-

"(3)(a) The first election of members of the Board by the Advisory Committee shall be made as soon as may be after the coming into operation of the Langstone Harbour Revision Order 1985 and the members so elected shall, subject to the provisions of this Order, hold office on and from the day of their election, until the day of the next annual meeting of the Board.

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(b) The Advisory Committee shall, in 1986 and in each year thereafter at a meeting held not less than three and not more than ten days before the annual meeting of the Board in that year, elect the two members of the Board whom they are by this Order authorised to elect, and the members so elected shall, subject to the provisions of this Order, hold office on and from the day of the said annual meeting until the day of the next following annual meeting of the Board.”

(4) Without prejudice to the construction of any reference in the Order of 1962 to the members of the Board as including the members elected by the Advisory Committee the following section of the Order of 1962 shall, with the necessary modifications, apply and have effect in relation to members of the Board elected by the Advisory Committee:

Section 11 (Provisions where failure to elect members occurs);

Section 12 (No person to be a member of Board on behalf of both of the Councils);

Section 13 (Disqualification on ceasing to be a member of either of the Councils);

Section 14 (Vacation of office by failure to attend meetings);

Section 15 (Resignation of member of the Board);

Section 16 (Outgoing members eligible for re-election);

Section 17 (Occasional vacancies);

Section 18 (Election of members to be certified to Board); and

Section 21 (Error omission etc. not to invalidate any act of Board).

**7. EXTRACT FROM LANGSTONE HARBOUR REVISION ORDER 1990
(SI1990/615)**

Supplemental amendments

7. In the Order of 1962-

(a) in section 4 for the definition of “the Councils” “the district” and “the Portsmouth Council” there shall be substituted respectively the following definitions:-

“the Councils” means the Portsmouth City Council and the Havant Borough Council;

“the district” means the district of the Havant Borough Council;

“the Portsmouth Council” means the Portsmouth city Council;

(b) In sections 7(2), 9, 23, 27(3), and 48(1) for the words “and Waterloo” there shall be substituted the word “Borough”.

(c) In section 48 (Inspection and Audit) for subsections (2) and (3) there shall be substituted the following subsection-

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“(2) The provisions of sections 12 to 25D, and 30 (which relate to accounts and audits) of the Local Government Finance Act 1982¹ shall with any necessary modifications apply to the Board as if the Board were specified in section 12(2) of that Act”.

8. EXTRACT FROM LANGSTONE HARBOUR REVISION ORDER 1999 (SI1999/266)

Alteration of Constitution

3.-(1) The 1962 Order shall have effect subject to the following amendments:

(a) in section 8, for the word “fourteen” there shall be substituted the word “fifteen”;

(b) in section 9, at the end of the paragraph, there shall be inserted-
“One member to be elected by the Hampshire County Council from among the members thereof” and

(c) after section 10(3), there shall be added the following subsection-

“(4) The Hampshire County Council shall as soon as may be after coming into operation of the Langstone Harbour Revision Order 1998 and in each year thereafter, elect the member of the Board whom they are by this Order authorised to elect, and the members so elected shall, subject to the provisions of this Order, hold office on and from the day of the annual meeting of the Board in that year until the day of the next following annual meeting of the Board”

(2) In the Langstone Harbour Revision Order 1985, in paragraph (4) of article 4, after the words “Advisory Committee” in each place where they occur, there shall be added the words “or the Hampshire County Council”.

Nomination of deputies

6.-(1) The constituent councils, the Hampshire County Council and the Advisory Committee may nominate a person or persons to act as deputy or deputies for all or any of the members of the Board appointed by that council or committee.

(2) Subject to paragraph (3) below, any person nominated pursuant to paragraph (1) above may attend and vote and take part in any proceedings or business of the Board or any committee or sub-committee of the Board (being a committee or sub-committee on which a member for whom he is nominated as deputy is entitled to sit) which the member for whom he is nominated a deputy is unable to attend.

(3) Any person nominated pursuant to paragraph (1) above shall-

(a) not be entitled to represent more than one member and a member shall not be represented by more than one such person at any meeting, proceedings or business of the Board or a committee or sub-committee of the Board;

¹ 1982 c.32

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- (b) be subject to the same provisions as to appointment to, qualification for, and disqualification from, office as apply to the members of the Board for whom he is to act as deputy; and
- (c) not be entitled to act as deputy for any member of the Board until notice of his nomination so to at has been given to the Board by Hampshire County Council, the Advisory Committee or the constituent councils making the nomination, specifying the member or members for whom he has been nominated to act as deputy.

EXPENDITURE COMMITMENT AUTHORITY LEVELS

APPENDIX TO STANDING ORDERS – APRIL 2011

	Up to £1,500	Up to £5000	Over £5000	Unbudgeted under £5,000	Unbudgeted over £5,000
<u>Operating Expenses</u>					
Board Approval					X
Chairman				X	
Harbour Manager		X	X	X	
Treasurer or Engineer		OR	X		
Deputy Harbour Master		X			
Administration Officer	X				
	OR				
Environment Officer	X				

<u>Asset Write Offs</u>					
Board Approval			X		
Harbour Manager		X			
Treasurer		X			

<u>Contractual Commitments</u>	<u>Up to one Year</u>	<u>Over One Year</u>			
Engineer or HM	X	X			
Clerk		X			

Notes:

- 1 Except where qualified on the matrix, authority is required from ALL of the designated signatories where more than one signatory is indicated.
- 2 Payment must not be authorised by the signatory (joint signatories) to the Order
- 3 A report to the Board is required for capital purchases over £5,000
- 4 Contractual Commitments relate to ongoing services provided to the Board over a term specified by contract