

## **NEWPORT HARBOUR BOARD: TERMS OF REFERENCE, version 1.0**

### **1. Role**

#### **General function**

- 1.1 To act as the Duty Holder in accordance with the Port Marine Safety Code.
- 1.2 To improve, maintain and manage Newport Harbour for the benefit of users who include residents, visitors and businesses to balance the commercial outlook by conserving and protecting the estuarine environment.
- 1.3 In accordance with the respective responsibilities of the Council and Harbour Board, to develop and maintain Newport Harbour (as defined in the Newport Harbour Revision Order 1988) whilst protecting the interests of the community of Newport and the environment.

### **2. Terms of Reference**

#### **Respective Positions and Responsibilities**

- 2.1 The Council determines the policy and budget framework for all Council bodies.
- 2.2 The Board, as a Committee of the Council, is established to advise the Council, Cabinet, and Senior Harbour Master about issues relating to the Harbour in accordance with the requirements of the Port Marine Safety Code (the Code) and Health & Safety at Work legislation.

#### 2.3 Key Objectives:

The objectives of the Board are summarised as follows:

- a) To manage the Harbour in accordance with the PMSC.
- b) Financial self-sufficiency as far as reasonably practicable
- c) Maintenance and development of the harbour infrastructure
- d) Support for the local economy
- e) Contribution to the character and attraction of the area
- f) Compliance with legal and regulatory requirements
- g) Achievement of environmental considerations
- h) Open and transparent governance
- i) Development of staff; and
- j) Considering issues of risk management.

#### **Extent of Powers**

- 2.4 The Council's Constitution states that the Harbour Board will conduct operations in accordance with the powers granted to the Council as a Harbour Authority. Inter alia it must:
  - develop strategic business plans for the Harbour for approval by Council;
  - make operational decisions based on advice from the Senior Harbour Master, the Designated Person, Newport Harbour User Group and other officers with specialist knowledge of the Harbour;
  - monitor and analyse performance against the budget and other performance indicators
  - maintain separate accounts to demonstrate the Harbour's commercial viability. This includes recommending charges and subsidies for approval by the Council on a yearly basis;
  - monitor and review all matters relating to the Harbour land and property in accordance with policies laid down by the Council. This includes overseeing contracts for harbour related services

## **Reserved competencies**

2.5 The following functions are outside of the Harbour Boards powers and are reserved to full Council. The Harbour Board may however make recommendations to Council concerning these matters:

- amendments to governance arrangements (e.g. changes to the Harbour Board's constitution, terms of reference and membership);
- approving and adopting budgets;
- appointing the Chair of the Harbour Board;
- adopting or amending policies, plans and strategies (e.g. the Harbour Revision Order, General Directions or the Harbours strategic business plan);
- to borrow money;
- to make, amend, revoke or adopt byelaws

## **3. Membership**

3.1 The Harbour Board shall comprise of up to five elected members and is to include:

- Cabinet member for Resources
- Cabinet member for Infrastructure and Transport
- Cabinet member for Environment and Heritage

3.2 Two further elected members may be co-opted as and when required.

3.3 Officers will be requested to attend as required; typically:

- Head of Commercial Services
- Commercial Services Manager
- Senior Harbour Master

3.4 In addition to officers the Designated Person may be invited to attend and advise on marine related issues.

3.5 Meetings will be chaired by the Cabinet member for Infrastructure and Transport and they will be assisted by the Head of Commercial Services or in their absence the Commercial Services Manager.

## **4. Proceedings**

4.1 The procedure rules for the regulation of proceedings shall apply to meetings of the Newport Harbour Board.

## **5. Quorum**

5.1 The quorum of the Newport Harbour Board will be 3 members.

## **6. Meeting Frequency and Length**

3.1 The Harbour Board will, as a minimum, meet every three months.

## **7. Access to information**

7.1 All meetings of the Newport Harbour Board shall be held in public unless there are grounds for excluding the press and public, as set out in the access to information procedure rules or in accordance with legislation.

## **8. Agenda**

8.1 The agenda will include as a minimum:

- Review of actions from previous meeting
- Update on operational issues
- Update on health and safety works
- Senior Harbour Master's report on activities
- Update on progress towards full compliance with the PMSC (Get-well programme)
- Finance report
- Feedback from the Newport Harbour User Group

8.2 The agenda will be issued a minimum of three working days before the meeting.

## **9. Voting**

9.1 Any vote shall be by a show of hands. A simple majority prevails and in the event of a tied vote the chairman has a casting vote.

## **10. Officer contact**

10.1 Democratic Services – 01983 821000 email: [Democratic.Services@iow.gov.uk](mailto:Democratic.Services@iow.gov.uk)