

## **Appendix 2**

### **GRANT ADVISORY PANEL**

#### **CONSTITUTION AND TERMS OF REFERENCE**

##### **1. Name**

The name of the Panel shall be the "Grant Advisory Panel" and it has its origins in the Charity Commission Scheme number 981/1011

##### **2. Definitions**

- a. The Foreshore is that area of land on the seafront at Hastings and St Leonards which is held on charitable trusts by the Council under Land Registry Title XXXX, as shown on the attached plan.
- b. The Foreshore Trust is the charity registered at the Charity Commission as the Hastings and St Leonards Foreshore Charitable Trust (No. 1105649) (the Charity).
- c. The Trustee is Hastings Borough Council (the Council)
- d. The Charity Committee is that Committee of the Council's Cabinet which has been appointed to perform the Council's functions as trustee of the Foreshore Trust and other charities administered by the Council

##### **3. Terms of reference**

To act as consultee, to consider and make recommendations to the Trustee in relation to the following:-

- The criteria for making grants which the Trustee adopts from time to time;
- The content and format of applications forms;
- The advertisement of availability of assistance by way of grant from the Charity;
- Individual applications for grants and proposals of the Trustee for making grants.

##### **4. Status of the Panel**

- a. The Panel has its existence by virtue of the Charity Commission Scheme dated 13 January 2011.
- b. The Trustee must appoint the members of the Panel and receive notice of vacancy from the Panel but otherwise the Panel is independent of the Trustee.

##### **5. Membership of the Panel**

- a. The Membership must be appointed on the basis of their knowledge and experience of the voluntary and charitable sector and in particular their knowledge of the voluntary and charitable sector in the Borough of Hastings.

- b. The membership shall be no fewer than 4 and no more than 8 persons.
- c. Members, officers and employees of the Council are not eligible for membership.
- d. Membership of the Panel is ~~permanent~~for a term of 4 years. A retiring member may be appointed for a further term or terms of office. The terms of office of members shall be staggered so that, of the first appointed members of the Panel, 2 shall retire after two years so that recruitment to the Panel shall be undertaken every 2 years, thereby maintaining knowledge and experience within the Panel. If a member wishes to resign he or she should give at least 28 days notice to the Secretary. Any member appointed to replace a member resigning mid-term shall be appointed for the balance of the unexpired term of office of the resigning member. This shall apply also in relation to member appointed to a member expelled under this paragraph.
- e. A member may be expelled from membership of the Panel by resolution of the Panel at a General Meeting, approved by not less than two thirds of the members present and voting, if in their opinion the member has conducted itself in such a way as to compromise or conflict with to the objectives of the Panel.
- f. Likewise a member's representative may be removed from the Panel and the member will be given the option to appoint a different representative or leave the Panel.
- g. In both cases the member will be given the opportunity to answer the allegations before a meeting of the Panel, called with no less than 10 working days' notice to the member concerned.

## 6. Quorum

Quorum for the meeting shall be 3.

## 7. Meetings of the Panel

- a. There shall be an Annual General Meeting of the Panel at a time and place to be agreed by the Panel and not less than 15 working days' notice of the meeting shall be given to members, specifying the business to be transacted.
- b. A member may give notice to the secretary of a proposal which must be seconded by another member and delivered to the secretary within 15 working days of the meeting. The secretary shall then give notice to each member of the extended agenda for the meeting within 10 working days of the meeting.
- c. The Chair of the Panel shall be elected by the Panel and the Chair shall also preside at the Annual and General meetings of the Panel. The Annual General Meeting shall appoint a vice chair and secretary for the Group. Officers of the Panel shall be elected annually.
- d. General meetings of the Panel shall be held not less than quarterly and additional meetings may be called at any time by the chair or on a written request signed by not less than 3 members of

the Panel stating the item or items for discussion. The agenda shall be agreed by the Chair and shall be sent to the members at least 5 working days before the meeting.

- e. Each agenda shall have an item for "Any other business".
- f. The Panel will always try to reach a consensus without taking a vote, though there will be occasions when this will not be possible. Each member of the Panel shall have one vote, which shall be exercised by the duly nominated representative of the member or substitute. In case of equality of voting the Chair shall have a second or casting vote.
- g. The vice chair shall take the chair when the chair is absent or unable to preside due to a conflict of interest.
- h. Minutes of meetings of the Panel will be circulated to members and such items as shall be agreed by the Panel shall be forwarded to the Charity Committee as a recommendation or for noting.

#### **8. Conflict of interest**

- a. If any member or a representative of a member present at a meeting has a private or personal financial interest, or his/her employer, partner, business associate, relative or close friend has such an interest in any matter to be considered at the meeting, he/she as soon as practicable after the start of the meeting shall disclose the fact to the meeting and withdraw during discussion and voting.
- b. Failure to abide by the rule in paragraph 8a., may result in action under paragraphs 5 e and f above.

#### **9. Notification of vacancy**

In the event of a vacancy on the Panel, the Secretary shall within 7 days of a vacancy occurring notify the Trustee that the vacancy has arisen. The Trustee shall appoint a replacement member to the Panel at the next available meeting of the Charity Committee or as soon as practicable thereafter.

#### **10. The Protector**

The Scheme provides for a Protector for the Charity and sets out certain powers of the Protector, including the right to attend and speak at meetings relating to the administration of the Charity and to receive notice of meetings and minutes and relevant papers. This applies to meetings of the Panel and so the Protector should be included as if a member when giving notice of meetings and distribution of agenda and papers and minutes.

#### **11. Changes to the Constitution**

- a. This Constitution may be amended by a two thirds resolution of those present and voting at the AGM or a meeting convened for the purpose. Notice of the proposal shall be given as in paragraph 7.b. above.
- b. The Charity Committee is under a duty to keep under review the suitability of the Panel as constituted to perform its functions under the Scheme and this Constitution may be changed as a result of such a review.