

# Paper 1

## KILMARNOCK TOWN BOARD (LONG TERM PLAN FOR TOWNS)

### TERMS OF REFERENCE

#### Role of the Town Board

The Kilmarnock Town Board brings together the community, private and public sectors to provide collective strategic leadership to improving Kilmarnock as a town. The Board is responsible for developing and delivering the Long Term Plan for Kilmarnock, investing in associated interventions. The Town Board and Long Term Plan will work from a clear understanding of Kilmarnock, focussing on its assets, opportunities and challenges.

The Board's objectives are to:

- Define the vision and set the strategy for Kilmarnock, driving priorities for investment;
- Develop and agree an evidence-based Long Term Plan for Kilmarnock (10 years);
- Develop and agree 3 year Investment Plans, containing a clear programme of interventions, that deliver the Long Term Plan; and
- Co-ordinate resources, attract investment and influence stakeholders.

#### Roles & Responsibilities of Members

The main role of all Town Board members is to play an active part in the Board and in the development and delivery of the Long Term Plan for Kilmarnock.

Members will strive to apply the following principles:

**Commitment:** to attend every meeting, where possible. To be prepared for meetings and to actively participate in discussion, decisions and agreed actions.

**High Quality Debate:** to be strategically focussed and contribute positively to discussions and to work with other members to achieve consensus and take important decisions.

**Representation:** to raise areas of strategic concern and otherwise contribute their experience and expertise to discussions and decisions to achieve good, workable solutions.

**Respect for Others:** to respect, listen to and take into account the views of other members regardless of their age, gender, race, ethnicity, disability, religion, sexual orientation or any other status.

Town Board members will adhere to the Kilmarnock Town Board Code of Conduct.

#### Membership & Quorum

The inaugural Chair is by invitation from East Ayrshire Council. Membership is by invitation by Town Board members, in conjunction with the Chair. The quorum shall be one third of the total number of members.

Members may identify substitutes able to attend in their absence, to ensure continuity of Town Board business.

<b>Member &amp; Designation</b>	<b>Category (s)</b>	<b>Substitute</b>
Alan Brown, MP	Parliamentary Representative	
Dr Fiona McKenzie, OBE, Founder; Centrestage Communities Ltc	Local charities; local cultural organisations	
Rev David Cameron, Minister, New Laigh Kirk, Kilmarnock & Convener, Assembly Trustees of the Church of Scotland	Community Partners; local faith groups	
Peter Telfer, Managing Director, Urquharts Opticians, representing the Kilmarnock Business Association.  Billy Bowie, Managing Director, Billy Bowie Special Projects Ltd  Colin Blair, Director, Buzzworks Property Group Ltd  Stuart McCallum, Managing Director, McCallum Bagpipes Lt	Local Businesses/Key Local Employers  Local Businesses/Key Local Employers; local sporting organisations  Local Businesses/Key Local Employers;  Local Businesses/Key Local Employers;	
Councillor Douglas Reid  Councillor Barry Douglas	Local Councillors	Councillor Elaine Cowan  Councillor Graham Boyd
Raymond Higgins, Divisional Commander, Chief Superintendent, Ayrshire Division	Senior Representative, Police Scotland	
Eddie Fraser, Chief Executive, East Ayrshire Council  Angela Cox, Principal & CEO, Ayrshire College	Local public agency  Local further education,	Richard Grieveson, Joe McLachlan East Ayrshire Council
<b>Advisory Attendees</b>		
Claire Kavanagh, Strategic Lead Community Led Regeneration, East Ayrshire Council		
Karen Purves, Strategic Manager, Development Planning and Regeneration, East Ayrshire Council		

The Town Board may call on professional advice and support if deemed necessary, including external consultants.

## **Chair & Vice Chair Responsibilities**

The role of the Chair is to:

- Lead the Town Board to achieve its objectives, maintain an overview of activity and champion and support partnership working in relation to the Long Term Plan;
- Ensure that the Town Board operates in line with these Terms of Reference, associated Town Board policies and conduct the business of the Town Board accordingly;
- Ensure that decisions of the Town Board are in accordance with good governance principles;
- Sign as required, any relevant documents as advised by the Secretariat to the Town Board.

The Chair is invited by East Ayrshire Council, in consultation with the MP and should be respected figure in the Kilmarnock community and have an obvious passion for the town.

The Chair, in consultation with East Ayrshire Council and the MP, may appoint a Vice Chair. In the absence of the Chair, the Vice Chair will assume the responsibilities.

## **Town Board Policies**

As a member of the Kilmarnock Town Board, whether in meetings/briefings or working on behalf of the Board, members will act in accordance with the Kilmarnock Town Board Code of Conduct, including abiding by the Nolan Principles of Public Life and in respect of arrangements as set out in relation to conflicts of interest and gifts/hospitality.

Members will actively promote and support principles and policies and be willing to challenge any behaviours not in accordance with them.

## **Attendance**

Members will endeavour to attend all Town Board meetings however if they are unable to attend, they should submit their apologies in advance to the secretariat.

## **Meeting Procedures**

- Agenda and papers shall be approved in advance by the Chair;
- The Secretariat will make papers available at least 5 working days before the before the meeting;
- Where an urgent item arises after the publication of the agenda that cannot reasonably be deferred to the next scheduled meeting, a late report may be added to the agenda with the consent of the Chair;
- Copies of paper will be placed on the Council and/or Town Board's website unless they contain exempt/confidential information. All discussions at meetings in relation to papers marked confidential shall not be disclosed outside the Board;
- Draft minutes shall usually be published within 10 working days of the Board meeting and approved by the Board at the subsequent meeting.

## **Decision Making and Voting**

Decisions are normally reached by general agreement of the members present as determined by the Chair, unless a vote is requested by any member.

Each member of the Board shall have one vote which may be cast on matters considered at the meeting by a show of hands. Votes can only be cast by members in attendance at the given meeting. Any decision of the Board is by a majority of members. In the event of a tied vote, the Chair will have the casting vote.

If an urgent decision is required which cannot be deferred until a subsequent meeting, then a special meeting can be arranged, which is not required to be 'in person,' or members may be invited to decide electronically. The decision must be reported to the next scheduled meeting of the Board.

## **Sub Groups**

The Town Board, or Chair, may establish sub-groups in order to expedite particular matters where focussed activity is required or where alternative/specialist membership is required. These will have a specific remit and period of operation to oversee or undertake a task, reporting directly to the Town Board. Members of sub-groups will be bound by the Town Board Code of Conduct and Policies.

## **Secretariat**

The secretariat function to the Kilmarnock Town Board will be provided by East Ayrshire Council. Council departments and external organisations may attend by invitation through the Chair and Chief Executive, as required.

## **Complaints Procedure**

In the event that a Board member's conduct falls short of that expected and/or upon breach of the Code of Conduct, the Board may agree a resolution to remove or sanction that member by removal of voting privileges. Such complaints are to be made via the Secretariat to the Town Board.

This may only occur when:

The Board member has been given 14 days notice in writing of the meeting of the Board at which the resolution will be proposed and the reason why and

The Board member has been given reasonable opportunity to make representations to the meeting in person and/or in writing. These representations must be considered by the other Board members and their decision confirmed in writing. There shall be no right of appeal against such a decision.

A Board member will cease to be a member of the Kilmarnock Town Board if the member gives written notice of their resignation to the Chair.

## **Review**

Terms of Reference will be reviewed within 1 year and every two years thereafter and also upon publication of any further guidance relating to the Long Term Plan for Towns (Kilmarnock)

## KILMARNOCK TOWN BOARD

### CODE OF CONDUCT

This Code applies to members of the Town Board. It is your responsibility to comply with this Code.

You must comply with this Code —

- a) whenever you conduct the business of the Town Board ; and/or
- b) act as a member or representative of the Town Board, have referred to yourself as a member or representative of the Town Board or could objectively be considered to acting as a member or representative of the Town Board.

#### **Standards of Behaviour**

When acting in a Board Member capacity, members must be committed to behaving in a manner that is consistent with the Nolan principles as set out below, to achieve the best outcomes for our residents and maintain public confidence in the actions of the Board;

- ***Selflessness***  
Members should serve only the public interest and should never act in order to gain financial or other material benefit for yourself, family, friends or any other person connected to you.
- ***Honesty and Integrity***  
Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- ***Objectivity***  
Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- ***Accountability***  
Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
- ***Openness***  
Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.
- ***Leadership***  
Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

#### **Reasonableness**

When taking part in the decision-making processes, you should:

- take into consideration everything you regard as relevant, or which you are advised is relevant;
- disregard anything which you consider is not relevant, or which you are advised is not relevant;
- follow the correct procedure.

Sometimes you may have to take decisions that you personally disagree with, even if these are the “right” decisions for the Board, taking account of the above factors.

## **Conflict of Interests**

Having regard to the nature of the likely interventions that will be explored as part of your membership of the Town Board, from time to time a conflict of interest may arise for Board Members.

A conflict of interest arises where a Board Member, a close associate, immediate family, business, organisation or employer has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

A Register of Interests will be maintained by the Secretariat to the Town Board. Members should complete and return the Declaration of Interests form provided.

At a meeting, Members must declare any interest which they have in any matter to be considered at that meeting.

If the connection in the matter being discussed is an interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to influence the discussion or Board Member's decision making, then the Board Member must declare an interest in that particular matter as early as possible in the Board meeting, and certainly no later than the start of the agenda item and must leave the meeting for that particular item and not vote on the matter.

However, where the Board Member has a connection which is not considered to amount to an interest, they may state this for transparency reasons and continue to remain in the meeting to discuss, and vote, on the particular matter.

Should any additional conflicts arise, these should be notified or declared in the meeting at which they arise. Board Members have a duty to keep their declared interests up to date.

## **Registration of Gifts and Hospitality**

Board Members understand that they may be offered gifts (including money or sponsorship), hospitality, material benefits or services ("gift or hospitality") which may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing the Board Member under an improper obligation or being capable of influencing the Board Members judgement.

Board members must never ask for or seek any gift or hospitality.

Board members must also refuse any gift or hospitality, unless it is:

- a) a minor item or token valued less than £50 which is offered on an infrequent basis;
- b) hospitality which would reasonably be associated with your duties as a Board Member; or
- c) hospitality which has been approved in advance by the Town Board.

Board Members must declare to the Secretariat to the Town Board the above gifts and hospitality within 28 days of receiving them. A Gifts & Hospitality Register will be maintained by the Secretariat to the Town Board.

## **Confidentiality**

All papers marked as confidential and all discussions at meetings in relation to confidential items shall not be disclosed outside the Board.

## **Breaches of the Code of Conduct**

1. Any suspected breaches of the Code of Conduct will be reported to the Secretariat, who will place this on the agenda of the next Town Board meeting, where relevant Board members will determine the process in line with the Terms of Reference.
2. Members are required to comply with any investigation in relation to complaints against their conduct. Failure to do so is considered a breach of the Code of Conduct.
3. Failure to uphold the Code of Conduct may lead to removal of the Board Member from the Town Board as set out in the Terms of Reference.

## **KILMARNOCK TOWN BOARD GIFTS AND HOSPITALITY RECORD**

NAME	
DESIGNATION	
NAME OF COMPANY OR ORGANISATION OFFERING HOSPITALITY OR GIFT	
NATURE OF HOSPITALITY OR GIFT	
DATE, VENUE & EVENT (if relevant)	
WHETHER OR NOT ACCEPTED	
ANY OTHER RELEVANT INFORMATION	
YOUR SIGNATURE	
SECRETARY SIGNATURE	
DATE	

**KILMARNOCK TOWN BOARD**

**CODE OF CONDUCT**

**DECLARATION AND REGISTRATION OF INTERESTS**

Having regard to the terms of the Code of Conduct, I declare an interest in Town Board business for inclusion in the Register of Interests as follows:

[Specify the nature and extent of the interest that requires to be declared.]

Signed: .....

Print Name: .....

Date: .....