

**MOORS AND COAST AREA TOURISM PARTNERSHIP****CONSTITUTION****1. NAME**

The Association shall be known as Moors and Coast Area Tourism Partnership. This constitution does not create a business partnership, as defined in Partnership Act 1890.

**2. ADMINISTRATION**

Subject to the matters set out below, Moors and Coast Area Tourism Partnership ("MCATP") and its property shall be administered and managed in accordance with its constitution by the members of The Management Board constituted by clause 6 of this constitution ("The Management Board")

**3. OBJECTS**

By any means that MCATP thinks fit:

- (a) to encourage, stimulate, support and advise on and manage the development of the tourism industry, tourist facilities and amenities in order to maximise the social and economic and environmental benefits within the administrative area of Hambleton, Ryedale, Scarborough and the North York Moors National Park (also referred to as 'the partnership area');
- (b) to represent the interests of tourism throughout the partnership area and in particular to represent the partnership area to the Regional Development Agency, Government and other appropriate agencies, regionally, nationally and internationally
- (c) in cooperation with sub-regional organisations, local authorities, commercial members and other bodies to formulate, develop, maintain and update regularly a coordinated strategic plan and action plan for tourism in the partnership area;

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- (d) to improve the performance of the tourism industry in the partnership area and to raise standards throughout all sectors of the industry and to provide and facilitate training services
- (e) to identify, implement, encourage and support marketing activities which provide the tourist industry with a balanced and attractive range of opportunities for promotion;
- (f) to carry out, participate in and facilitate research and data collection to support the effective provision of tourism services
- (g) to deliver and administer local, sub-regional, regional and national projects for the tourism industry
- (h) to secure participation in regional, national and international tourism promotions and initiatives
- (i) to provide, secure or assist in the provision of information services to visitors, residents, the tourism industry and the media in association where appropriate with local authorities, commercial interests and other bodies, including through provision, development or support of a Destination Management System
- (j) to undertake public relations activities with the public and with the tourism industry, local authorities and other bodies in support of the objects of the Partnership and the interests of its members, and to enhance the image of sub-region and of North Yorkshire
- (k) to provide and supply advice, guidance, goods, amenities, facilities and services to its members and any other organisations or persons
- (l) to carry on any other business of any description which may be advantageously carried on in connection with or ancillary to the objects of the partnership.

#### 4. POWERS

In the furtherance of the above objects, but not otherwise, and subject to the provisions of this constitution, MCATP shall have power to:

- a) Procure, obtain, and receive monies and funds by way of contributions, donations, subscriptions, legacies, gifts, grants, or by any other lawful means
- b) Charge as appropriate for its services, and receive contributions towards its expenses in carrying out any of its functions

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- c) Enter into a formal agreement with a Public Authority to act as agent for Moors and Coast Area Tourism Partnership in financial and contractual matters
- d) Authorise a Public Authority as its agent to enter into agreements contracts and arrangements with companies organisations or individuals to assist Moors and Coast Area Tourism Partnership in the proper pur suit of the objects
- e) Authorise a Public Authority to act as its agent and to employ such staff as are necessary for the proper pursuit of the objects (and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents)
- f) To work in conjunction with companies statutory authorities charities voluntary bodies or individuals operating in furtherance of the objects or of similar purposes and to exchange information and advice with them
- g) To establish or support any charitable MCATPs associations or institutions formed for all or any of the objects
- h) To appoint and constitute such advisory committees working groups or ad hoc working parties as The Management Board may think fit
- i) To do all such other lawful things that are necessary for the achievement of the objects
- j) to issue bills, cheques and other instruments and to operate bank accounts in the name of the MCATP, enter into contracts and execute deeds;
- k) to acquire, alter, improve and (subject to such consents as may be required by law) to change or otherwise dispose of property, and to borrow money whether upon security or otherwise and to acquire, dispose of, use, construct, maintain and alter interests in and rights of occupation of and land, buildings and structures
- l) lend money, make grants, and give or provide financial and any other form of assistance (financial or otherwise) whatsoever to any person, local authority, corporation, firm, or other unincorporated association, as may be considered desirable by the Partnership for the promotion of its objects;
- m) to invest the moneys of the MCATP not immediately required for the objects in or upon such investments, securities or property as may be thought fit
- m) to delegate the management of investments to a financial expert, but only on terms that:
  - (i) the investment policy is set down in writing for the financial expert by the Management Board;

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- (ii) every transaction is reported promptly to the Management Board;
- (iii) the performance of the investments is reviewed regularly with the MCATP;
- (iv) the MCATP are entitled to cancel the delegation arrangement at any time;
- (v) the investment policy and the delegation arrangement are reviewed at least once a year;
- (vi) all payments due to the financial expert are on a scale or at a level which is agreed in advance and are notified promptly to the MCATP on receipt; and
- (vii) the financial expert must not do anything outside the powers of the MCATP.

For the purposes of the Constitution “financial expert” means an individual, company or firm who is authorised to give investment advice under the Financial Services and Markets Act 2000 or such later enactment.

- n) to arrange for investments or other property of the MCATP to be held in the name of a nominee company acting under the control of the MCATPs or of a financial expert acting under their instructions, and to pay any reasonable fee required.
- p) to pay out of the funds of the MCATP the cost of any premium in respect of insurance or indemnities to cover the liability of the MCATP (or any of them) which by virtue of any rule of law would otherwise attach to them or any of them in respect of any negligence, default, breach of duty or breach of MCATP of which they may be guilty in relation to the MCATP, provided that any such insurance shall not provide cover for any MCATP against any claim arising from any act or omission which that MCATP knew was a breach of MCATP or duty or which was committed by that MCATP in reckless disregard of whether or not it was a breach of MCATP or duty
- q) to insure the property of and held by the MCATP against any foreseeable risk and take out other insurance policies to protect the MCATP when required
- r) to pay out of the funds of the MCATP the costs, charges and expenses of and incidental to the formation and registration of the MCATP

- s) to acquire or hold the assets of any other tourism organisation
- t) to employ, contract with, or otherwise commission or engage, such persons, whether as employees, officers, or advisers, as are thought expedient to the promotion and attainment of its objects;
- u) to do all such other lawful things as are necessary for the achievement of the objects.

5. MEMBERSHIP OF MCATP

- a) The members of MCATP ("the constituent bodies") shall be the following bodies:

North York Moors National Park Authority

Hambleton District Council

Ryedale District Council

Scarborough Borough Council

North Yorkshire County Council

Herriot Country Attractions Forum

Herriot Country Accommodation Forum

Tourism Association - North Yorkshire

Whitby Hospitality Association

Whitby and District Tourism Association

Robin Hoods Bay Tourism Association

Filey Tourism Association

Confotel Consortium

Scarborough Hospitality Association

Captain Cook Tourism Association

The Forum for Tourism (Scarborough)

Festivals and Events Coast Association

(Total 17)

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- b) MCATP may add any bodies or organisations to its Membership as it thinks fit. MCATP may co-opt any body organisation or individual as it thinks fit to assist in the achievement of its objects (Co-optees have no voting rights)
- c) MCATP shall have the right for good and sufficient reason to terminate the membership of any constituent body provided that the body or its representative shall have the right to be heard by MCATP
- d) Each constituent body shall nominate its representative(s) to MCATP
- e) Each constituent member of MCATP has the right to withdraw from MCATP providing that they submit written notice to the Chair of MCATP by the 31 December of any year, the withdrawal taking effect from the 1 April in the following year. Following receipt of any such notification MCATP would need to identify any contingent liabilities and assets relating to the constituent member and decide upon the way that these should be handled

## 6. MEETINGS AND PROCEEDINGS OF MCATP

- a) MCATP shall hold an Annual General Meeting each year. Not less than seven days notice of a meeting shall be given to all members of MCATP who will be provided with an agenda together with any appropriate papers relating to the matters to be discussed
- b) A special meeting may be called at any time by the Chair of MCATP or by any two members of MCATP upon not less than seven days notice being given to the other Members of MCATP. Any such notice must include a statement of the matters to be discussed
- c) Members of the Management Board shall serve for a period of three years but may stand for re-election. The Management Board [as specified in clause 7b] shall elect its Chair who will also serve as Chair of MCATP.

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- d) If the Chair of MCATP is absent from any meeting then the Deputy Chair will Chair the meeting. If neither are present then the members of MCATP present shall choose one of their number to be Chair of the meeting before any other business is transacted
- e) There shall be a quorum when at least one-third of the number of members of MCATP entitled to attend are present
- f) Where votes are taken decisions will be by a simple majority of the members of MCATP present at the meeting save in relation to a vote to amend the constitution.
- g) MCATP shall keep minutes of the proceedings of its meetings and these shall be circulated to all members of MCATP
- h) MCATP may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of their documents. No rule may be made which is inconsistent with this constitution
- i) MCATP shall not enter into any obligation or incur expenditure which is not included in MCATP's budget and cannot be financed from MCATP's current assets.
- j) Each constituent body may appoint a substitute to replace its appointed representative or permanently replace its appointed representative at any time subject to this being confirmed in writing to the Chair of MCATP within 5 days of the date of the change providing that that alternate is a person of Chief/Principal Officer grade and is not a person who is an officer of the MCATP or directly involved in the provision of a service by the MCATP.

## 7. THE MANAGEMENT BOARD

- a) Subject as hereinafter mentioned the general management of the affairs of MCATP shall be directed by The Management Board whose membership shall comprise:
  - (i) **The Public Sector Members:**

One representative nominated by each Member Local Authority (total 5) (“the Council Members”)

**(ii) Private Sector Members:**

One representative nominated by the Herriot Country Attractions Forum and the Herriot Country Accommodation Forum

One representative nominated by the Tourism Association - North Yorkshire

One representative elected by the organisations listed below (“the Scarborough Group”) by a simple majority of the votes cast in a manner acceptable to the majority of the Members of those organisations:

Whitby Hospitality Association

Whitby and District Tourism Association

Robin Hoods Bay Tourism Association

Filey Tourism Association

Confotel Consortium

Scarborough Hospitality Association

Captain Cook Tourism Association

The Forum for Tourism

(“the Private Sector Members”)

**(iii) Ordinary Members:**

The Private Sector Members may elect by a simple majority a maximum of two further Members from the constituent bodies (“the Ordinary Members”)

(Total 10)

- b) The Management Board will appoint from within its number The Chair and Deputy Chair of the MCATP.
- c) The person presiding as Chair at any meeting of the Management Board may exercise any power or duty of the Chair.

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- d) The Management Board shall hold at least four ordinary meetings each year. Not less than seven days notice of a meeting shall be given to all members who will be provided with an agenda together with any appropriate papers relating to the matters to be discussed
- e) A special meeting of the Management Board may be called at any time by the Chair of MCATP or by any two members of The Management Board upon not less than seven days notice being given to the other Members of MCATP. Any such notice must include a statement of the matters to be discussed
- f) Meetings will be chaired by the Chair of MCATP. If the Chair of MCATP is absent from any meeting then the Deputy Chair will Chair the meeting. If neither are present then the members of MCATP present shall choose one of their number to be Chair of the meeting before any other business is transacted
- g) The quorum for a meeting of the Management Board will be 6 Management Board Members comprising as a minimum 3 public sector Board Members and 3 private sector Board Members.
- h) Where votes are taken decisions will be by a simple majority of the representatives of constituent bodies present at the meeting. In the event of there being no overall majority the Chair will hold the casting vote.
- i) The Management Board shall keep minutes of the proceedings of its meetings and these shall be made available on request to all members of MCATP
- j) The Management Board may from time to time make and alter rules for the conduct of their business the summoning and conduct of their meetings and the custody of their documents. No rule may be made which is inconsistent with this constitution

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- l) The Management Board shall have power to vire money between expenditure headings to meet day to day contingencies. Any such action shall be reported to the next meeting of MCATP
- m) The Management Board shall not authorise any Public Authority authorized to act as its agent to enter into any obligation or incur expenditure which is not included in MCATP's budget and cannot be financed. Such matters will need to be referred to MCATP for decision.
- n) Each constituent body may at any time appoint a substitute to act as an alternate providing that that alternate is a person of Chief/Principal Officer grade and is not a person who is an officer of the MCATP or directly involved in the provision of a service by the MCATP.
- o) Staff employed on behalf of MCATP to implement its work program may attend and speak at the Management Board meetings.
- p) The Management Board may act notwithstanding a vacancy among its membership and the validity of any proceedings of the Committee shall not be affected by any defect in the appointment of a member of the Management Board.
- q) The Chief Executive of the MCATP shall report to and be accountable to the Management Board of the MCATP.
- r) The Management Board shall have power to delegate any or all of its powers to the Chief Executive or other officer of the MCATP in accordance with a scheme of delegation that it may devise and append to this Constitution.

[On 22 July 2009 the Management Board agreed the scheme of delegation appended as Annex B to this Constitution]

- s) Any decision undertaken under delegated powers by an officer of the MCATP shall be reported to the following meeting of the Management Board and recorded in the Minutes of the Management Board.

## 8 ADVISORY GROUPS

- a) The Management Board Members may appoint from time to time such persons as they shall agree to be members of an Advisory Group.
- b) The members of an Advisory Group may regulate their proceedings as they think fit, save that the Advisory Group shall not have or exercise any management, director or fiduciary responsibility in relation to the Partnership.
- c) An Advisory Group shall act as a principal and authoritative forum for facilitating the Partnership's work in relation to the understanding of the issues arising out of fulfilment of the Objects or any one of them.

## 9 URGENT BUSINESS

The Chair and Vice-Chair may, in cases of urgency, act on behalf of the MCATP in pursuance of its objectives. Such action may be authorised by telephone or correspondence and shall be the subject of consultation with such partners as may be reasonable according to the circumstances of the case. Decisions made must be reported to the next meeting of the Management Board as appropriate.

## 10. DISQUALIFICATION AND REMOVAL OF MANAGEMENT BOARD MEMBERS

- a) A Management Board Member shall not vote in respect of any payment in which the Management Board Member is in any way, whether directly or indirectly, interested, nor shall he be counted in the quorum present at the meeting for that item of business.

- b) No person who is disqualified from being an elected member of a local authority shall be appointed a Management Board Member, and any person becoming so disqualified shall cease to be a Management Board Member.
- c) A person who has been absent from three meetings of The Management Board or from meetings for a period of six consecutive months whichever is the greater without the permission of the Management Board shall cease to be a Management Board Member.
- d) A person who becomes bankrupt or is admitted to hospital in pursuance of an application under a Mental Health Act or is subject of a court order concerning mental disorder for the appointment of an attorney to exercise powers with respect to his property or affairs shall cease to be a Management Board Member.

#### 11. CORPORATE RESPONSIBILITIES

- a) The MCATP will adopt the Principles, Codes, and Guidance applying from time to time to Local Authorities relating to standards of openness and probity such as the requirements in relation to conduct set out in the Local Government Act 2000 and any modification of it, which is attached at Annex A.
- b) The MCATP shall act, wherever possible, on the basis of consensus and views expressed by the elected officers of the MCATP shall reflect this approach. Dissenting views may be recorded in the minutes.

#### 12. CO-OPTION OF THIRD PARTIES ON TO THE MANAGEMENT BOARD

- a) The Management Board may as it thinks fit co-opt any body organisation or individual to assist The Management Board achieve its objects. However, a co-optee will have no voting rights.

#### 13. APPLICATION OF MONEYS AND PROPERTY

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- a) All moneys and property howsoever received by the MCATP shall be applied solely towards the promotion of the objects of the MCATP and no portion thereof shall be paid or transferred directly to the members of the MCATP, save as provided for below:
  - a. reasonable and proper remuneration to any officer, or servant of the Partnership for services rendered
  - b. interest on money lent at an interest rate which is reasonable in the light of the general level of interest rate prevailing at the time the money was lent;
  - c. reasonable and proper rent for premises demised or let by any Signatory of the Partnership;
- b) Subject to sub clause (c) and (d) Management Board Members shall not receive any remuneration from MCATP
- c) Any Management Board Member for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual charges for business done by him or her or his or her firm when instructed by other Management Board Members to act in a professional capacity on behalf of MCATP provided that at no time shall a majority of the Management Board Members benefit under this provision and that a member of The Management Board shall withdraw from any meeting at which his or her own instruction or remuneration or that of his or her firm is under discussion
- d) Board Members other than those appointed by the Public Sector Members shall be entitled to expenses for travel and subsistence incurred in the proper execution of the duties of the post at the rates applicable or equivalent to those in force within Scarborough Borough Council from time to time.
- e) Subject to the Board of MCATP being satisfied in any financial year that there are sufficient funds available to it to pay remuneration to its Chair and Vice-Chair, the Board may authorise the payment of remuneration to the Chair and Vice-Chair of the MCATP. This power is subject to a limitation that the remuneration paid in any one financial year is no greater than the sum which the Board has been advised is appropriate by the Independent

Remuneration Panel of the local authority acting from time to time as its agent (“the Panel) PROVIDING that advice shall be sought from the Panel by the Board at least bi-annually. The Chair and Vice-Chair of The Management Board shall withdraw from any meeting at which his or her own remuneration is under discussion.

14. FUNCTIONS OF THE MANAGEMENT BOARD

- a) To exercise the powers of the MCATP on behalf of the Members
- b) To develop, monitor and progress projects
- a) When any document is necessary to give effect to any legal document on behalf of the MCATP, it will be signed by both the Chair and Deputy Chair of the MCATP.

15. ACCOUNTS

- a) MCATP shall keep proper financial records and report its accounts in an appropriate manner to its members
- b) MCATP will review its financial position at least twice each year
- c) In situations where MCATP chooses to carry on financial activity of any kind outside the purview of any financial system operated by a Public Authority appointed to act as the MCATP’s agent then MCATP shall appoint independent auditors to draw up annual financial statements for reporting to the constituent bodies
- d) MCATP shall in all respects comply with United Kingdom and European Community law and shall draw up and comply with Financial Regulations to govern its financial activities

16. MCATP'S FINANCIAL YEAR

MCATP's financial year shall run from the 1<sup>st</sup> April to 31<sup>st</sup> March

17. DISSOLUTION

If The Management Board decides that it is necessary or advisable to dissolve MCATP it shall call a meeting of all members of MCATP giving at least 28 days written notice stating the terms of the resolution to be proposed. Any decisions taken on this resolution will require not less than a two-thirds majority of the members present and voting.

If, upon the winding up or dissolution of the MCATP, there remains, after the satisfaction of all the debts and liabilities of the Partnership, any property whatsoever, the same shall be given or transferred to some other institution or institutions having objects similar to the objects of the MCATP (provided that such objects are linked primarily to the sub-region); if in the opinion of the partners no such appropriate institution exists the income and property of the Partnership shall be paid to the members in proportion to their financial contributions to the general operations of the MCATP in the current and previous year.

18. ALTERATIONS TO THE CONSTITUTION

- a) Subject to sub clause (b) MCATP may alter the Constitution by a resolution passed by not less than two thirds of the members present and voting. The notice of MCATP meeting must include notice of the resolution setting out the terms of the alteration proposed
- b) No amendment may be made to clause 1, clause 2, clause 3, clause 4 sub clauses 4© and 4(d) and clause 9 and clause 6 sub clause (I) or this clause without the prior written consent of all of the Constituent Bodies

19. NOTICES

Any notice requiring to be served on any member of MCATP shall be in writing and served either:

- (i) by sending it through the post to the last known address of the member in which case it will be deemed to have been received within three days of posting or
- (ii) by electronic transmission (facsimile transmission or electronic mail) in which case it will be deemed to have been received within twenty four hours of its transmission

20. INTERPRETATION

The Interpretation Act 1979 applies to the interpretation of this constitution as it applies for the interpretation of an Act of Parliament

21. DEFINITIONS

The Management Board – the body appointed or elected by Members to undertake the general management of the MCATP on behalf of its members and to take decisions within the budget and objects established by the MCATP.

Management Board Member – a member of the Management Board

Public Authority – a body within the meaning of the Local Authorities (Goods and Services Act 1970).

Stakeholders – all tourism related businesses operating within the partnership area

Adopted on the 22 day of March 2006

Amended at the AGM of the Association on the 30 July 2008

Further Amended at the AGM of the Association on the 22 July 2009

This Constitution was adopted and amended on the dates mentioned above.

Annex A

MOORS AND COAST AREA TOURISM PARTNERSHIP

CODE OF CONDUCT FOR MANAGEMENT BOARD MEMBERS

**INTRODUCTION**

This Code of Conduct is based on the LA model code of conduct modified for MCATP.

All Management Board Members must observe the code.

**PART I**

**GENERAL PROVISIONS**

Scope

1. (1) A MCATP Management Board Member must observe the code of conduct whenever he/she:
  - (a) conducts the business of MCATP;
  - (b) conducts the business of the office to which he/she has been elected or appointed; or
  - (c) acts as a Management Board Member of the MCATP,and references to a Management Board Members official capacity shall be construed accordingly.
- (2) The MCATP code of conduct shall not, apart from paragraphs 4 and 5(a) below, have effect in relation to the activities of a Management Board Member undertaken other than in an official capacity.
- (3) Where an individual is representing MCATP on any other body, he/she must, when acting for that other body, comply with the MCATP code of conduct, except and

insofar as it conflicts with any other lawful obligations to which that other body may be subject.

### **General Obligations**

2. The Management Board Member must adhere to the following general principles:-

(a) **Selflessness**

Management Board Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

(b) **Honesty and Integrity**

Management Board 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.

(c) **Objectivity**

Management Board Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

(d) **Accountability**

Management Board 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 or role.

(e) **Openness**

Management Board Members should be as open as possible about their actions and those of MCATP, and should be prepared to give reasons for those actions.

(f) **Personal Judgement**

Management Board Members may take account of the views of others, including the partner they represent, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

(g) **Respect for Others**

Management Board Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.

(h) **Duty to Uphold the Law**

Management Board Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

(i) **Stewardship**

Management Board Members should do whatever they are able to do to ensure that MCATP uses its resources prudently and in accordance with the law.

(j) **Leadership**

Management Board Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

3. A Management Board Member must not -

- (a) disclose information given to him/her in confidence by anyone, or information acquired which he/she believes is of a confidential nature, without the consent of a person authorised to give it, or unless he/she is required by law to do so; nor
- (b) prevent another person from gaining access to information to which that person is entitled by law.

4. A Management Board Member must not in his/her official capacity, or any other circumstance, conduct himself/herself in a manner which could reasonably be regarded as bringing his/her office or MCATP into disrepute.

5. A Management Board Member -

- (a) must not in his/her official capacity, or any other circumstance, use his/her position improperly to confer on or secure for himself/herself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of MCATP
  - (i) act in accordance with MCATP's requirements; and
  - (ii) ensure that such resources are not used for the purposes of a Partner unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of MCATP or of the office to which the Management Board Member has been elected or appointed.

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6. A Management Board Member must when reaching decisions have regard to any relevant advice provided to him/her by advisors to the MCATP.

**PART 2**

**INTERESTS**

*Personal Interests*

7. (1) A Management Board Member must regard himself/herself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 12 and 13 below, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the MCATP area, the well-being or financial position of himself/herself, a relative or a friend or:
- (a) any employment or business carried on by such persons;
  - (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
  - (d) any body listed in sub-paragraphs (a) to (e) of paragraph 13. below in which such persons hold a position of general control or management.
- (2) In this paragraph -
- (a) “relative” means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and

(b) “partner” in sub-paragraph (2)(a) above means a member of a couple who live together.

***Disclosure of Personal Interests***

8. A Management Board Member with a personal interest in a matter who attends a meeting of MCATP its boards or committees at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- 9 (1) Subject to sub-paragraph (2) below, a Management Board Member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Management Board Member’s judgement of the public interest.
- (2) A Management Board Member may regard himself/herself as not having a prejudicial interest in a matter if that matter relates to -
- (a) another relevant authority of which he/she is a member;
  - (b) another public authority in which he/she holds a position of general control or management;
  - (c) a body to which he/she has been appointed or nominated by MCATP as its Management Board Member; and
  - (d) any MCATP scheme in respect of allowances or expenses.

***Participation in relation to Disclosed Interests***

10. Management Board Members with a prejudicial interest in any matter must withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting and not seek improperly to influence a decision about that matter.
  
11. For the purposes of this Part, “meeting” means any meeting of -
  - (a) MCATP
  - (b) the Management Board of MCATP
  - (c) any committee or sub-committee of MCATP or its Management Board’s; or
  - (d) Commission or sub-group of MCATP or its Management Board.

**PART 3**

**THE REGISTER OF MANAGEMENT BOARD MEMBERS’ INTERESTS**

***Registration of Financial and Other Interests***

12. Within 28 days of the provisions of the MCATP code of conduct being adopted or within 28 days of him/her becoming a Management Board Member, a Management Board Member must register his/her financial interests in the MCATP’s register by providing written notification to the MCATP’s Chairman or his nominee of -

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- (a) any employment or business carried on by him/her;
  - (b) the name of the person who employs or has appointed him/her, the name of any firm in which he/she is a partner, and the name of any company for which he/she is a remunerated director;
  - (c) the name of any person, other than who has made a payment to him/her in respect of his election or any expenses incurred by him in carrying out his/her duties;
  - (d) the name of any corporate body which has a place of business or land in the MCATP's area, and in which the Management Board Member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
  - (e) a description of any contract for goods, services or works made between MCATP and himself/herself or a firm in which he/she is a partner, a company of which he/she is a remunerated director, or a body of the description specified in sub paragraph (d) above;
  - (f) the address or other description (sufficient to identify the location) of any land in which he/she has a beneficial interest and which is in the area of the MCATP;
  - (g) the address or other description (sufficient to identify the location) of any land in MCATP's area in which he has a licence (alone or jointly with others) to occupy for 28 days or longer.
13. Within 28 days of the provisions of the MCATP's code of conduct being adopted or within 28 days of his/her becoming Management Board Member, a Management Board Member must register his/her other interests in the MCATP's register by providing written notification to the MCATP's Chairman or his nominee of his/her membership of or position of general control or management in any -
- (a) body to which he/she has been appointed or nominated by MCATP as its Management Board Member;

- (b) body exercising functions of a public nature;
  - (c) company, industrial and provident society, charity, or body directed to charitable purposes;
  - (d) body whose principal purposes include the influence of public opinion or policy; and
  - (e) trade union or professional association.
14. A Management Board Member must within 28 days of becoming aware of any change to the interests specified under paragraphs 12 and 13 above, provide written notification to the MCATP's Chairman of his nominee of that change.

***Registration of Gifts and Hospitality***

15. A Management Board Member must within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the MCATP's Chairman or his nominee of the existence and nature of that gift or hospitality.

**16. Declaration and Undertaking**

I, ..... (*please PRINT name*), as Management Board Member serving on Moors and Coast Area Tourism Partnership, declare that I will duly and faithfully fulfil the requirements of the role according to the best of my judgement and ability.

I undertake to observe this Code of Conduct, which is expected of all Management Board Members of Moors and Coast Area Tourism Partnership.

I have completed a Register of Interests Form and undertake to provide updated information within 28 days of any change of circumstances relating to my Interests.

Signed .....

Date .....

## **Annex B**

(adopted at the meeting of the Management Board dated 22 July 2009)

### **Scheme of Delegation to Officers**

#### **1. The Chief Executive**

That the Chief Executive be permitted to exercise the following powers of the Management Board in accordance within such Business Plan or Action Plans as may from time to time be approved by the Management Board:

- (a) To commit the organisation to enter contracts with a value up to £50,000 subject to the Chief Executive being satisfied that adequate provision exists within the budget of the Partnership
- (b) To sign any document necessary to give effect to any decision of the Partnership
- (c) To vire money between expenditure headings to meet day to day contingencies
- (d) To take any action with respect to the recruitment, appointment, promotion, training, grading, discipline, determination of wages and salary scales, attendance at seminars, conferences and study courses and determination and application of conditions of service (but excluding the determination of the structure of the establishment of the Partnership) subject to the Board being satisfied that adequate provision is made within the budget
- (e) To defend, withdraw or settle any claims or legal proceedings subject to regular report to the Board
- (f) To approve the payment of invoices for goods or services received by the Partnership
- (g) To authorise the exercise of the delegated functions by any Officer in the name of the Chief Executive, subject to report in writing to the Chairman.

#### **2. The Officers**

That officers of the Partnership who are authorised in writing by the Chief Executive to exercise the following powers of the Management Board (in accordance within such Business Plan or Action Plans as may from time to time be approved by the Management Board) be authorised:

- (a) To approve or countersign the payment of invoices for goods or services received by the Partnership
- (b) Such further functions that the Management Board has delegated to the Chief Executive, that the Chief Executive may from time to time approve in a report in writing to the Chairman.