



# Heybridge Parish Council

## Appeals Committee Terms of Reference

---

### **1. Delegation of Function**

The Council hereby establishes an Appeal Committee to deal with appeals concerned with decisions determined by the Council Complaints Committee. This Committee shall be constituted when required following written notice to the Council Chairman or otherwise by independent written notification to one-third of the Council Members.

### **2. Clerking**

This committee shall normally be clerked by the Clerk to the Council or other independent qualified person but in any case not by any Member or other person concerned with the original complaint or a member of the Council Complaints Committee which dealt with the original complaint.

### **3. Membership**

The Appeal Committee shall consist of three named Members of the Council, none of whom shall have been previously concerned with the matters under consideration and all of whom shall be nominated by the Council Chairman or in the case of an appeal relating to a complaint against the Council Chairman or Council Clerk by a Chairman *pro tem* chosen by two-thirds simple majority at a full Council meeting. In exceptional cases the Council Chairman or Chairman *pro tem* may nominate up to two further independent members to serve in addition to or by substitution of any of the named members. The number of members of this Committee shall be equal to or greater than the number of members of the Complaints Committee responsible for the initial determination.

### **4. Quorum and voting**

Three serving Members shall constitute a quorum and only members of the Committee who are serving Members shall be given voting privileges.

### **5. Meetings**

Meetings will be held as required following consultation and agreement with the Council Chairman or Chairman *pro tem*.

### **6. Chairman**

The Chairman of this committee shall be appointed *ad hoc* by and from the members of the Committee who are serving Members.

### **7. Scope of consideration**

The committee shall hear and determine any given appeal making reference to all relevant legislation and Council policies and taking into account all other relevant matters.

The determination of an appeal by the Committee shall be final.

### **8. Annual review.**

These terms of reference are to be reviewed annually.

January 2015

Adopted 22 January 2015

Reviewed May 2016.