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STATUTORY INSTRUMENTS

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**2011 No. 695**

**The Regional Flood and Coastal Committees  
(England and Wales) Regulations 2011**

**PART 5**

**Holding office**

**Terms of appointment**

**15.** A member of a Regional Flood and Coastal Committee is to hold and vacate office in accordance with the terms of appointment or re-appointment.

**Date of appointment**

- 16.** The date of appointment of a member of a Regional Flood and Coastal Committee is—
- (a) if the member was a member of a transitional Committee immediately before the appointment to the Regional Flood and Coastal Committee, the date of appointment determined under the transitional provisions in Part 7;
  - (b) for any other person appointed as a member of the first Regional Flood and Coastal Committee established for a region under section 22(1) of the 2010 Act, the day on which the Committee is established in accordance with regulation 8;
  - (c) for a person appointed or re-appointed as a member of a Regional Flood and Coastal Committee after that date, the date of appointment specified in the instrument of appointment or re-appointment.

**Period of office**

- 17.—(1)** A member of a Regional Flood and Coastal Committee—
- (a) may hold office for an initial term of up to 4 years beginning with the date of appointment; and
  - (b) may be re-appointed for a second or subsequent term of up to 4 years beginning with the date of re-appointment if the person continues to meet—
    - (i) the eligibility criteria, and
    - (ii) any performance requirements set out in the terms of appointment.
- (2) Subject to paragraphs (3) and (4), a member of a Regional Flood and Coastal Committee may not hold office for a continuous period of more than 10 years beginning with the date of appointment.
- (3) An elected member of a constituent authority who is appointed as a member of a Regional Flood and Coastal Committee may hold office until the end of the period of 3 months beginning with the day on which the person ceases to be an elected member of the constituent authority.
- (4) A member of a Regional Flood and Coastal Committee who is appointed as chair of the Committee may not hold the office of chair for a continuous period of more than 10 years.

### **Resignation from office**

**18.**—(1) A member of a Regional Flood and Coastal Committee may at any time resign from office by written notice addressed and delivered to—

- (a) for a person appointed as chair, the Minister;
  - (b) for a member appointed under regulation 6(1)(b), the constituent authority that appointed the member; or
  - (c) for a member appointed under regulation 6(1)(c), the Agency.
- (2) A notice under paragraph (1) must be copied to the Committee.

### **Removal from office**

**19.**—(1) A member of a Regional Flood and Coastal Committee may be removed from office by written notice addressed and delivered to that member by—

- (a) for a person appointed as chair, the Minister;
- (b) for a member appointed under regulation 6(1)(b), the constituent authority that appointed the member; or
- (c) for a member appointed under regulation 6(1)(c), the Agency.

(2) A notice under paragraph (1) must—

- (a) state which condition for removal from office has been met; and
- (b) be copied to the Committee.

(3) The conditions for removal from office are—

- (a) the member no longer satisfies the eligibility criteria;
- (b) while in office, the member has been convicted of an offence and sentenced to imprisonment for a period of 3 months or more;
- (c) the member is unable to carry out membership duties because of illness;
- (d) the member has been absent from meetings of the Committee for a period of 6 consecutive months without the approval of the Committee;
- (e) in the opinion of the person giving the notice, the member has become unable, unfit or unsuitable to discharge membership duties.

### **Appointment of acting chair**

**20.**—(1) If the chair of a Regional Flood and Coastal Committee resigns, is removed from office or is unable to act, the Minister may appoint another person to act in place of the chair if the person—

- (a) satisfies the eligibility criteria; and
- (b) in the opinion of the Minister, is suitably qualified to hold office as chair.

(2) An appointment under paragraph (1) may be for a period of up to 6 months.

(3) For the period that a person acts as chair, the person is taken to be the chair.

### **Temporary absence of chair**

**21.**—(1) A chair who is to be absent from a meeting of a Regional Flood and Coastal Committee may appoint another member of the Committee to chair the meeting.

(2) If a chair is absent from a meeting and has not appointed another member to chair the meeting, the Committee may appoint another member to chair the meeting.

### **Appointment of replacement member**

**22.** If a member of a Regional Flood and Coastal Committee (other than the chair) resigns, is removed from office or ceases to be a member under regulation 13(3)—

- (a) for a member appointed under regulation 6(1)(b), the constituent authority that appointed the member must as soon as is practicable appoint another person as a member in accordance with regulation 13; and
- (b) for a member appointed under regulation 6(1)(c), the Agency must as soon as is practicable appoint another person as a member in accordance with regulation 14.

### **Nomination of deputies**

**23.—**(1) A constituent authority of a Regional Flood and Coastal Committee may, by written notice to the chair, nominate a person to act as a deputy for a member appointed by the constituent authority.

- (2) A person may be nominated to act as a deputy for the purpose of—
  - (a) a particular meeting of the Committee; or
  - (b) all meetings of the Committee during a period agreed by the Committee.
- (3) The Committee may not accept the nomination of a person unless the person—
  - (a) satisfies the eligibility criteria; and
  - (b) has knowledge and experience relevant to the business of the Committee.
- (4) A person nominated to act as a deputy—
  - (a) may not act as a deputy unless the Committee has accepted the nomination; and
  - (b) may only act as a deputy for one member.
- (5) The constituent authority may revoke a nomination by written notice to the Committee.