

1. GENERAL INFORMATION

Experts panel name:	Built Heritage Experts Panel
Reporting to:	Committee of the Whole
Date of formation - expiration date:	February 22, 2016
Meeting frequency:	Monthly or as required in accordance with the agenda items
Staff lead:	Chief Municipal Planner and Planner III – Urban Design and Heritage
Other staff liaison:	Technical Advisor (Inspection Services) Chief Municipal Planner Others as required as per Section 4.2.1

2. PURPOSE

The Built Heritage Experts Panel provides expertise, opinion and perspective about built heritage, its protection and designation in the City of St. John’s.

The Built Heritage Experts Panel will consider applications, proposals, reports and related items referred to it by staff or Council.

It will make recommendations to Council, via the Committee of the Whole, on heritage matters including the development and implementation of heritage policies, by-laws, strategies and programs applicable to the City.

Specifically the panel will:

- Develop recommendations on built heritage designations.
- Provide expert opinions on built heritage applications referred to it by city staff, Committee of the Whole or Council.
- Recommend best practices on built heritage and urban design.
- Review heritage issues, including issues under the City of St. John’s Act and/or the Historic Resources Act of Newfoundland and Labrador that may be referred to it by Council.
- Identify for designation any area, building, structure or land as heritage.

Built Heritage Experts Panel recommendations to the Committee of the Whole will occur in the manner defined by these terms of reference to best support City Policy. The Built Heritage Experts Panel will prepare recommendations to the Committee of the Whole. The purpose of the Built Heritage Experts Panel is relation to specific City policies, plans, and strategies is as follows:

Built Heritage Experts Panel Relationship to Strategic Plan:

- A Sustainable City – A City that is sustainable today and for future generations; economically, environmentally and financially.

Applicable Legislation/City Bylaws:

- City of St. John’s Act, Section 355
- St. John’s Heritage By-Law
- Any applicable City of St. John’s by-laws current or future

Other City Plans, Guides or Strategies:

- St. John’s Heritage Areas, Heritage Buildings and Public Views Study, 2003
- Downtown St. John’s Strategy for Economic Development Heritage and Preservation, 2001
- Envision St. John’s Municipal Plan and the Envision St. John’s Development Regulations, 2021, as amended
- Parks and Open Spaces Master Plan, 2014
- City of St. John’s list of designated Heritage Buildings (latest version)

Other Distinct Deliverables and Considerations:

- The Panel will be consulted on any city public engagement processes where getting the perspective of heritage experts is identified in a plan.
- The Panel will support the development and ongoing review of a built heritage designation inventory.
- The Panel will identify programming to support the goals of the Built Heritage Experts Panel’s work.

3. MEMBERSHIP AND COMPOSITION

3.1 COMPOSITION

The Built Heritage Experts Panel will be comprised of no more than 7 total members from the following stakeholder groups:

3.1.1 Public Members

Committee Chair

Built Heritage Experts Panel will be chaired by a public expert. The Chair will be selected by Council upon recommendation of staff drawing from the Panel’s membership. Additional selection criteria for Chair may be applied for experts panels.

The public member chairing an experts panel will have responsibility for ensuring the experts panel carries out its work as per the terms of reference.

Public Members

The Experts Panel will be comprised of no more than 7 residents serving as public members. Public members are volunteers and will receive no compensation for participation. Preference will be given to residents of St. John’s. Public members must have certification, accreditation, affiliation and/or demonstrated expertise and experience in matters of built heritage and/or cultural landscape.

The Panel will include at least one representative from each of the following categories:

- Architect
- Contractor
- Historian/Archival Expert
- Planner, MCIP
- Other – Demonstrated Relevant Experience

Subcommittees: When deemed necessary, the experts panel may strike a working committee or subcommittee to deal with specific issues or deliverables. Subcommittees must have at least one panel member. Composition may also include other members of the public and organizational representatives. Subcommittees shall meet as an independent group, reporting to the panel on specified meeting dates, or as deemed necessary by the committee Chair or Lead Staff.

3.1.2 Staff and Council Members (Ex-Officio Members)

Lead Staff

A Lead Staff will be appointed to the Built Heritage Experts Panel by the appropriate City executive or senior management. Other staff support/attendance may be requested by the Lead Staff where required.

City Clerk

The City Clerk will provide legislative and governance support to the experts’ panel.

Council

The spokesperson is Councillor Maggie Burton

3.2 LENGTH OF TERM

Public Member Experts

Unless otherwise indicated, the Built Heritage Panel term of appointment is two years. Recognizing the value of experience and the need for continuity, incumbents who are willing to seek reappointment may signify their intent to serve an additional two years, for a total of four years. In some cases members may be encouraged to provide guidance, expertise and attend in a bridging capacity following the end of their term.

Cooling-off Period (Former City Staff and Council)

There will be a cooling-off period of two years for Council and Staff once they are no longer associated with the City. Setting term lengths with a cooling-off period will promote gradual turnover, ensuring a constant balance between new members and former staff or council.

Additional Considerations:

- Public members may not serve on more than one committee, working group, or experts panel at a given time.
- Midterm Appointments: When an appointment is made which does not coincide with the beginning of a term (i.e. to fill a vacancy) the partial term (i.e. less than two years) shall not count towards the maximum length of service or number of terms on the experts panel for the appointee.

Exceptions to the above terms are as follows: when an insufficient number of applications have been received; if a particular area of expertise is indispensable and there are no other suitable replacements; if the experts panel would suffer from a lack of continuity (i.e. more than half of all members are replaced at once); if directly related to the experts panels purpose as defined in its Terms of Reference.

4. ROLES, RESPONSIBILITIES AND REPORTING

4.1 ROLES AND RESPONSIBILITIES

As a municipal Experts Panel, roles include:

- Advising and making recommendations to the Committee of the Whole in a manner that will support City policy matters relevant to the panel's defined purpose.
- Providing expertise specific to the mandate of the panel.
- Working within given resources.
- Consider working with other committees and/or working groups.
- Explore opportunities to add value to parks, open spaces, etc. as heritage and design go beyond buildings.

Shared Member Responsibilities

Conduct

Members shall strive to serve the public interest by upholding Federal, Provincial and Municipal laws and policies. Experts Panel members are to be transparent in their duties to promote public confidence. Members are to respect the rights and opinions of other experts panel members.

Preparation

Meeting agenda and accompanying materials will be circulated electronically one week prior to all meetings; members are expected to review all distributed materials prior to meetings. Alternate material distribution methods to be made available upon request.

Agendas

- Agendas to require focus with clear parameters for content and alignment with terms of reference/purpose.
- Agendas will be finalized one week before meetings.
- Items and accompanying material that are received after the agenda has been prepared and distributed (but prior to the meeting) will be moved to the following meeting's agenda at the discretion of the City Clerk.
- All public members are to submit potential agenda items and related material to the Committee Chair and Lead Staff person for consideration.

Attendance and Participation

Active participation in meetings is expected of all public members. “Active participation” may refer to both meeting attendance and/or engagement. An effort should be made to attend meetings in person or remotely. If a member declines three consecutive attempts to schedule a meeting or is unable to attend three consecutive scheduled meetings without justified absence, that member may be retired from the experts panel at the discretion of the City Clerk.

Members who wish to request a leave of absence for an extended period of time (3+ months) may submit such a request to the City Clerk. Previously submitted applications may be used to fill temporary vacancies created by approved leaves of absence.

Quorum – a quorum for meetings is considered to be 50% + 1 members in attendance.

Voting

City Staff are ex-officio and therefore non-voting.

4.2 MEMBER ROLES AND RESPONSIBILITIES

4.2.1 City Staff

Lead Staff

- To act as a liaison between the Built Heritage Experts Panel and the Committee of the Whole on issues relevant to Panel’s work.
- Lead staff will attend the Committee of the Whole when reports of the Built Heritage Experts Panel are included in the agenda.
- Ensure the panel is informed about City policy, procedure and available resources in reference to specific agenda items and provide procedural and/or technical advice to assist the panel where appropriate.
- Request additional staff support/attendance at meetings as needed.
- To develop agendas in cooperation with the Chair and City Clerk’s Office for distribution.
- Incorporate input from the experts panel into ongoing City work where appropriate (e.g. projects, staff updates, publications).

Other Staff Liaison

- The work of Other Staff Liaisons intersects the purpose of the Experts Panel and therefore they may be required to participate.

City Clerk

- To be responsible for legislative functions related to experts panel’s operation, establishment, review, and term amendments. This includes leading or supporting day-to-day panel activities such as the co-ordination of meeting schedules and the external/internal distribution/posting of experts panel agendas and meeting reports
- Facilitate and support the recruitment and appointment process through assisting in the development of “Notice of Vacancy” while ensuring all relevant forms and supporting documentation are completed and received.
- In adherence with the terms of reference, the Office of City Clerk and Lead Staff oversee panel selection with input from relevant departments.

- The Office of the City Clerk will work with Lead Staff members to ensure new members receive orientation.

4.2.2 Public Members

Chair

- The presiding officer of the Built Heritage Experts Panel will be referred to as "Chair." An experts panel member shall not serve as a Chair for more than three consecutive years except in extenuating circumstances (see Term Limits).
- Uphold experts panel processes and functions in accordance with all terms presented, maintaining productivity and focus. This includes ensuring experts panel members conduct themselves in a professional manner.
- If appropriate, with support from the City Clerk and Staff Lead, the Chair will help build and coordinate a work plan for the experts panel.
- Prepare and submit agenda items and accompanying materials to the City Clerk (i.e. act as a conduit for all communications between public members and the City Clerk).
- Where appropriate, support the Lead Staff and/or City Clerk in fulfilling panel requirements related to reporting processes (annual presentations, written reports, FAQ's etc.).
- Assist in the development of content for Notice of Vacancy documents.
- Review experts panel terms of reference with City Clerk and Staff Lead at the end of each term and be prepared to propose amendments as needed.

Public Members

Public members are expected to provide advice to support City decision making; applying, knowledge and experience related to the mandate of the Panel in carrying out functions commensurate with its defined purpose. Roles to include: active participation in meetings; representing professional designation to which they belong in the community and engaging with residents and experts when appropriate.

4.2.3 Council

The Built Heritage Experts Panel reports to the Committee of the Whole.

In cases where an item on the agenda of the Built Heritage Experts Panel (as detailed in a given meeting agenda) would benefit from having the Chair or other Council representative of the Committee of the Whole in attendance, it will be the responsibility of the Panel Chair and/or Lead Staff to inform the Committee of the Whole chair.

4.3 REPORTING

The Built Heritage Experts Panel shall report through the Committee of the Whole.

Standardized Reporting Process:

- The Built Heritage Experts Panel Lead Staff, Chair and City Clerk will work to complete a report for referral to the Committee of the Whole.

- Following reporting to the Committee of the Whole, the report will be posted to the City of St. John’s website.
- Public expert representatives will be encouraged to report to (i.e. maintain open communication with) their respective affiliated professional organizations regarding the Panel’s work.

5. COMMITTEE RECRUITMENT AND SELECTION

5.1 RECRUITMENT, VACANCIES, AND APPLICATIONS

Recruitment practices will be consistent for all experts panels. When new members are required a “Notice of Vacancy” will be prepared by the City Clerk and distributed through City communication channels by the Office of Strategy and Engagement. Additional communications opportunities may be identified by relevant departments/panel members. This document will include general information regarding panel purpose, the terms of reference and a link to the Application Form.

A vacancy on a panel occurs when a member resigns, vacates a position, or when their resignation is requested by the Chair. Vacancies may occur at: the date of resignation; the date the member ceases to be qualified; the date the Chair declares the position vacant due to lack of attendance or incapacitation.

All applicants must complete an Application Form which may be downloaded from the City website, or obtained by visiting/calling Access 311. Applications will be made available in large print format upon request and may be submitted electronically, via mail, by phone, or in person to the attention of the City Clerk’s Office.

5.2 ELIGIBILITY AND SELECTION

Eligibility

Appointments to City of St. John’s Built Heritage Experts Panel will follow Section 3. Membership and Composition.

Selection Criteria

In addition to eligibility requirements, an applicant’s specific skills and experience will be important factors in panel selection. While all who meet the Eligibility Requirements outlined are encouraged to apply, applicants with demonstrated participation in groups or initiatives with goals relevant to an expert panel’s purpose will be preferred. Some other considerations pertaining to general selection criteria include: past professional and volunteer experience, ability to perform required tasks, and complementary skills, or competencies possessed. Those who are selected to serve on City experts’ panel will be notified by email. A handbook and other relevant information will also be provided to successful applicants.

6 PUBLIC ENGAGEMENT

The City of St. John’s recognizes that engagement between the City and its citizens is an essential component of an effective municipal government. The City views public engagement as a process – one that facilitates dialogue with the right people, using the right tools, at the right time, on subject areas of mutual interest.

In accordance with the City of St. John’s [Engage! Policy](#), the role of the Experts Panel in the spectrum of engagement will fall within the realm of “consultation.” As such, City of St. John’s experts panels will be based on the principles of commitment, accountability, clear and timely information, and inclusiveness.

Experts’ panels are only one of the ways to engage with the City. Where applicable the City will consider the use of other tools to gather perspectives and input. For more information on public engagement in the City of St. John’s or to find out how to get involved or learn about what’s coming up, check out the engagement page on the City’s website. You can also check out the City’s [Engage! St. John’s](#) online engagement platform and connect with us on [Twitter](#) and [Facebook](#).

7 OTHER GOVERNANCE

7.1 REVIEW OF TERMS

Taking into account recommendations from the Panel Chair, Committee of the Whole Chair, the City Clerk and Lead Staff, the Panel will, at the first meeting of each year, review Built Heritage Experts Panel Terms of Reference documents. The purpose of this review will be to ensure that the operations and function of each panel are still aligned with its defined purpose.

7.2 MEETING AND SCHEDULES

Experts Panels are to formally meet at least three times per year. The exact frequency of meetings will be determined by the Chair, Lead Staff and City Clerk.

Unless otherwise specified (generally one week prior to a meeting) Built Heritage Experts Panel meetings shall be held at City Hall and shall be closed to the public.

To meet the committee meeting quorum, 50% + 1 voting members must be present.

Meetings may be recorded.

7.3 CONFLICTS OF INTEREST AND CONFIDENTIALITY

Conflicts of Interest

A conflict of interest refers to situations in which personal, occupational or financial considerations may affect or appear to affect the objectivity or fairness of decisions related to the panel’s activities. A conflict of interest may be real, potential or perceived in nature. Conflict of Interest may occur when a panel member participates in discussion or decision-making about a matter which may financially benefit that Member or a member of his/her family, or someone with whom the panel member has a close personal relationship, directly or indirectly, regardless of the size of the benefit.

In cases where the panel agenda or discussions present a conflict of interest for a member, that member is required to declare such conflict; to abstain from discussion; and remove himself/herself from the meeting room until the agenda item has been dealt with by the Panel.

Confidentiality:

All Panel members are required to refrain from the use or transmission of any confidential or privileged information while serving with the Built Heritage Experts Panel.

Staff Liaison Name:

Signature: _____

Date: _____

Chair Name:

Signature: _____

Date: _____

City Clerk Name:

Signature: _____

Date: _____