



# City and Tourism Council's Internal Operational Rules

## *Introduction*

1. Barcelona has a special system in place which is recognised under Article 89 of the current Statute of Autonomy of Catalonia: the Barcelona Municipal Charter, as approved by Catalan Act 22/1998, of 30 December, and Spanish Act 1/2006, of 13 March, on the special system of the municipality of Barcelona. The Municipal Charter guarantees public participation, under Article 30, especially on issues that most directly affect the quality of life of city residents and, under Article 36(2), expressly stipulates that sectoral councils must be established in accordance with regulations, exercising the municipal self-organisational powers that fall to the Municipal Council under Article 26(2).

It was under an agreement reached at the Full Barcelona Municipal Council Meeting of 22 November 2002 that approval was given to the Regulations governing public participation, which include a commitment undertaken by the Council under the European Charter for the Safeguarding of Human Rights in the City, not just to guarantee participation but to actively promote it as well. The Regulations governing public participation generally deal with sectoral councils and their establishment, regulation, composition and selection of members, bodies, functions, mergers and dissolutions, though such regulating is specifically subject to internal operational rules.

2. Barcelona has become a leading international tourist destination. Tourism has evolved over the last few decades into one of the typical features of big cities and while it may bring about notable benefits it is also the cause of a whole series of externalities that have negative effects on urban dynamics. It is because of this duality, which is inherent in tourist activities, that we need to build a regular space for participation and dialogue with the public and all the players involved, to guarantee the balance and harmonisation of urban uses with the aim of ensuring the quality of life of citizens and a good experience for visitors to the city.

Developing public participatory structures is therefore one of the most immediate challenges for planning and tourism management policies.

The Strategic Tourism Plan for 2010-2015, which was presented at the Full Municipal Council Meeting of 29 October 2010, had already considered the need to create a participatory council and formally establish a broad space for joint discussions, debates and reflection between the players involved. A proposal was then put forward to create a broad space for participation, consultation and following-up the key lines of the Strategic Plan, a council whose make-up responded to the criteria of plurality and mainstreaming and with maximum representation.

Barcelona has held a *Biosphere* certificate for responsible tourism since 2011, meeting the global tourism-sustainability criteria set by the *Global Sustainable Tourism Council*. Criterion B(4)(1) of the *Biosphere* certificate points out that destinations have to have a system that promotes public participation in the preparation and implementation of plans and in decision-making.



According to the City Council's declaration on tourism, approved on 10 November 2014, «an issue as important and significant as this has to be thoroughly addressed and debated among the players involved: union, neighbourhood and business representatives not only from the hotel sector but also from the small retail sector. All the Council's political forces are likewise under a duty to work together to find solutions here».

*Terms and Conditions for a Local Agreement for Managing and Promoting a Responsible and Sustainable Tourism*, drafted during the process carried out between January and April 2015 known as «Barcelona, City and Tourism. Dialogue for a sustainable tourism», insists once again on the need to «create participatory work frameworks between the various public, private and citizen players involved in tourism».

Finally, the extraordinary Full City Council Meeting of 24 July 2015 saw the presentation of a government measure entitled *Impetus to the participatory process on Barcelona's Tourism Model*, the approval of the creation of the City and Tourism Council as a sectoral body for citizen participation in tourism policies and strategies in the city, and the laying down of the basic composition and operational rules that need to be deployed through the approval of the Internal Operating Rules.

3. The Rules are divided into two sections, four additional provisions and a final provision.

Section 1, which contains general provisions, includes the nature of the City and Tourism Council and its functions.

Section 2, on the Council's organisation and running, establishes an organisational system based on core structures: the Chair, the Deputy Chairs, the Full Council Meeting and the Standing Committee, and optional structures, Working Groups. Article 4 also provides for the existence of the Technical Secretariat, with support structure functions.

Chapter 1 governs the Chair, which falls to the delegated mayor or councillor, and the three Deputy Chairs, assigned to people representing the local residents' movement, the tourism sector and the union movement.

Chapter 2 governs the Full City Council, the debating and decision-making body with maximum representation, as regards its make-up, duration and running. Article 11 provides for a system of relations with the City Council, by issuing an annual report and appointing a person to represent the City and Tourism Council.

Chapter 3 governs the nature, make-up, functions and running of the Standing Committee, as the body tasked with ensuring the promotion and smooth operation of the City and Tourism Council.

Chapter 4 governs the Technical Secretariat and Chapter 5 the Working Groups that can be created by the Standing Committee.

The First Additional Provision provides for the City and Tourism Council's functional attachment to the Office of First Deputy Mayor, under the Full City Council Meeting's agreement of 24 July 2015. The Second Additional Provision establishes the need to create a census of associations and institutions, which will become the electoral roll. The Third Additional Provision provides for the creation of a virtual information and communication space and the Fourth Additional Provision governs the supplementary system for running the City and Tourism Council. Lastly, the Final Provision provides for the immediate implementation of the Rules, given their organisational nature.



## Section 1

### **General provisions**

#### Article 1. *Nature of the Council*

1. The City and Tourism Council is Barcelona City Council's sectoral participatory body for policies and strategies on tourism in the city. It was created under an agreement reached at the Municipal Council Meeting of 24 July 2015 in accordance with the provisions laid down in Article 19 of the Regulations governing public participation, with the aim of guaranteeing the quality of life of citizens and ensuring a good experience for visitors to the city.

2. The City and Tourism Council was set up by Barcelona City Council with the aim of ensuring compliance with Articles 30 ff of the Barcelona Municipal Charter, which guarantees public participation, especially in issues that most directly affect the quality of life of citizens.

#### Article 2. Responsibilities

1. The City and Tourism Council's functions are as follows:

a) Advising the municipal government on municipal initiatives, policies and strategic lines of action in the area of tourism, from a cross-cutting perspective.

b) Proposing action measures for tourism and guaranteeing its sustainability.

c) Producing studies and opinions on issues relating to its sectoral area, at the request of the Mayor.

d) Producing an annual report on the situation of tourism in Barcelona that includes, among other things, an evaluation of its impact, proposals for improvements, municipal action lines and the most notable initiatives that need to be carried out in this area, and which identifies warning signs, so action can be taken to prevent disputes.

2. The City and Tourism Council exercises its functions by producing reports, opinions, proposals and suggestions as non-binding recommendations for the municipal government bodies.

## Section 2

### **Organisation and operations**

#### Article 3. *The Council's bodies*

1. The City and Tourism Council bodies are: the Chair, the Deputy Chairs, the Full Council Meeting and the Standing Committee.

2. Under Article 15, the Standing Committee has the form and scope to agree to the creation of Working Groups.

#### Article 4. *The Technical Secretariat*



1. Barcelona City Council has to provide the City and Tourism Council with a Technical Secretariat that supports, promotes and encourages its bodies and is equipped with the required human and material resources.

2. The person who carries out the responsibilities of the Technical Secretariat is appointed by Barcelona City Council.

## Chapter 1

### ***On the Chair and Deputy Chairs***

#### *Article 5. The Chair*

1. The Chair of the City and Tourism Council falls to the Mayor, who can delegate its responsibility to a councillor.

2. The Chair is responsible for:

- a) Convening and presiding over Full Council and Standing Committee Meetings.
- b) Establishing the agenda for the collegiate bodies the Chair presides over.
- c) Representing the Council.
- d) Approving the minutes and resolutions.
- E) Conveying the proposals, reports and initiatives to the government and municipal-management bodies,
- f) The other duties that fall to the Chair cover the running of a collegiate body.

#### *Article 6. The Deputy Chairs*

1. The Deputy Chairs must be taken up by members of the Council representing the institutions and associations participating in the Council as follows:

- a) The first Deputy Chair is for a member representing a local-residents' movement.
- b) The second Deputy Chair is for a member representing the tourism business sector.
- c) The third Deputy Chair is for a member representing the union movement.

2. The Deputy Chairs are chosen at the meeting setting up the Full Council at the start of the term of office and are appointed by the Mayor.

Whenever the Council is renewed, and to promote a rotation of posts, the associations that take over the Deputy Chairs must wait for a period of one term of office before they can opt to be re-elected.

3. The Deputy chairs are responsible for cooperating with and assisting the Chair.

## Chapter 2

### ***On the Full Council***

#### *Article 7. Nature and make-up*



1. The Full Council is the City and Tourism Council's debating and decision-making body with the maximum representation and it falls to the Mayor's Office to appoint or designate its members.
2. The Full Council is comprised of:
  - a) The Chair.
  - b) The Deputy Chairs.
  - c) A councillor, representing each of the City Council's municipal party groups, in an advisory but non-voting capacity.
  - d) Individuals representing the following associations and institutions:
    - 1) Six representing the public and local residents' sector.
    - 2) Six representing the tourism business sector.
    - 3) Three representing the trade sector and one the restaurant sector
    - 4) Two representing the cultural and sports sectors.
    - 5) Two representing the unions.
    - 6) Two representing environmental associations.
    - 7) Two representing social organisations and groups.
    - 8) One association per district, which is chosen by each District from those comprising the Neighbourhood Council Monitoring Committee on a rotational basis each time the Council is renewed.

To stand as a candidate and be eligible for selection, all the associations, whether territorial or from the sector area, have to be registered with the General File of Citizens' Organisations (FGEC). Elections will be held according to the procedure laid down under the election rules of the Municipal Councils for Citizen Participation.

- e) Twelve experts from professional, academic and scientific areas and renowned figures from the sector, in an individual capacity, by means of an election-based procedure, based on a list of candidates prepared by the Technical Secretariat with contributions from all the associations.
- f) Six municipal experts appointed by the Council's Chair. They take part in the Full Council's meetings in an advisory but non-voting capacity.

#### Article 8. *Duration*

All the Council's individual members serve for a term of four years.



*Article 9. The Secretariat*

The responsibilities of the Secretariat of the Full Council and the Standing Committee fall to the Secretary General of Barcelona City Council or the person they delegate, who takes part in the meetings in an advisory but non-voting capacity and takes the corresponding minutes.

*Article 10. How the Full Council works*

1. The Full City Council holds a minimum of two ordinary meetings a year. It can hold extraordinary meetings when convened by the Chair, on their own initiative or at the request of a quarter of the legal number of its members.

2. The Full Council is validly constituted in a single convened meeting attended by a third of its legal number of members with voting rights. This quorum has to be maintained throughout the meeting. These meetings also have to be attended by the individuals carrying out the duties of the Chair and Vice Chair or the people standing in for them.

3. Council meetings may be attended by members of the municipal government and officials from the municipal authority, where required for said purpose by the Chair and to provide information on their own sector's issues, and by the Ombudsman, on their own initiative, as established under its rules.

4. Full Council Meetings are held in public. They have to be convened together with an agenda for the corresponding day, with at least five working days' notice, except in the case of extraordinary meetings which require at least two working days' notice.

5. Full Council resolutions are adopted by a majority of the people attending, with the casting vote exercised by the Chair in the event of a hung vote.

*Article 11. Relations with the City Council.*

1. The City and Tourism Council sends the City Council a yearly report on its activity. This report has to be passed on to all the sector's organisations.

2. The City and Tourism Council has to choose one of the individuals representing associations and institutions to represent it before the City Council.

**Chapter 3**

***On the Standing Committee***

*Article 12. Nature, composition and responsibilities*

1. The Standing Committee is the body tasked with ensuring the momentum and smooth running of the City and Tourism Council and its duties include providing information on, studying and deliberating the issues that have to be discussed and debated at Full Council Meetings.

2. The Standing Committee is comprised of the Chair, the Deputy Chairs, up to a maximum of eight representatives of associations and institutions, and three experts. It also consists of an individual representing each municipal party group and two municipal professionals, in an advisory but non-voting capacity.



Its meetings are attended by the person carrying out the responsibilities of the Technical Secretariat, in an advisory but non-voting capacity.

3. The Standing Committee's members are chosen on the same day that the Full Council is constituted.

4. The Standing Committee is the body responsible for coordinating the mechanisms that enable it to fulfil the duties that the Council commissions it with. It also has the following responsibilities:

a) Drafting the projects, resolution proposals and reports that come under the Full Council's jurisdiction.

b) Approving the proposals made by the Technical Secretariat and which are not under the Full Council's jurisdiction.

#### Article 13. *How the Standing Committee works*

1. The Standing Committee holds an ordinary meeting at least once every quarter and can hold any extraordinary meetings it deems necessary where proposed by the Chair or a third of the Committee's members.

2. Sessions have to be convened along with their corresponding agenda, which has to be distributed among members with at least five working days' notice. Extraordinary meetings have to be convened with at least two working days' notice.

3. The Full Council's operational system also supplements the Standing Committee's.

4. The Chair of the Standing Committee may invite the people in charge of the Working Groups to its meetings as well as any other people they deem appropriate.

#### Chapter 4

#### ***On the Technical Secretariat***

#### Article 14. *Responsibilities*

1. In general, all tasks that are aimed at boosting the Council fall to its Technical Secretariat, who also carries out the executive decisions issued by the Standing Committee and Full Council and attends to the instructions suggested by the Working Groups.

2. The Technical Secretariat's responsibilities, more specifically, are as follows:

a) Providing the necessary technical and logistical support for the smooth running of the Council and its Working Groups.

b) Ensuring the involvement of the Council's members and its consolidation.

c) Advising and providing technical support to all members of the Council on any issues relating to the Council's purpose and authority.

d) Bolstering and boosting the work of the various Working Groups, following it up, especially with regard to preparing, coordinating and relating to other municipal departments.





- e) Enabling the implementation of decisions issued by the Standing Committee and Full Council.
- f) Attending to the instructions suggested by the Working Groups
- g) Channelling the participation of the member associations of the Council and its Working Groups into the initiatives and actions launched by other municipal departments.

## Chapter 5 ***On the Working Groups***

### Article 15. *Creation and make-up*

1. The Standing Committee can create permanent or one-off Working Groups in accordance with the functions and priorities for action of the Council.
2. The Working Groups report back to the Standing Committee through an individual representative.
3. The Working Groups may be open and not restricted to the Council's members. They may be comprised of:
  - a) Members of the Council.
  - b) Members of associations and institutions.
  - c) People put forward as specialists in the various issues under examination.

### First Additional Provision. *Functional attachment*

1. The City and Tourism Council is functionally attached to the First Deputy Mayor's Office, which provides it with technical and administrative support through the Tourism Department of the Manager's Office for Employment, Enterprise and Tourism.
2. The issues that the Council has to advise on are submitted to the Chair through the First Deputy Mayor.

### Second Additional Provision. *Census of associations and institutions*

A census has to be prepared listing all the tourism-related associations and institutions within the General File of Citizens' Organisations. This census will become the electoral body.

### Third Additional Provision. *Virtual information and communication space*

A virtual information and communication space has to be created for the City and Tourism Council so as to promote participation, speed up its members' work and ensure information is properly circulated.





Fourth Additional Provision. *Supplementary system*

Anything that is not covered by the City and Tourism Council's Rules shall be governed by the Barcelona Municipal Charter, the Regulations governing public participation, the Municipal Framework Rules and all other municipal regulations, in addition to the relevant Catalan regional and Spanish State legislation in force.

Final Provision *Entry into force*

These Rules come into force the day after their publication in the *Butlletí Oficial de la Província de Barcelona* [*Official Barcelona Provincial Gazette*].