

## **EAST OF ENGLAND LOCAL GOVERNMENT ASSOCIATION**

### **CONSTITUTION**

#### **1. TITLE**

- 1.1 The name of the Association shall be the East of England Local Government Association (“the Association”).

#### **2. MEMBERSHIP**

- 2.1 The Association shall consist of such principal councils in the six historic counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk (“the Region”) as have desired to be and remain in membership.
- 2.2 Other public sector organisations operating within the Region may become affiliate members of the Association, on such terms as the Assembly may determine.

#### **3. PURPOSE**

- 3.1 The purpose of the Association is to provide for consultation as to the common interests of its members and for the discussion of matters relating to local government in the Region.

#### **4. OBJECTIVES AND POWERS**

- 4.1 To protect, promote and support democratic local government in the Region.
- 4.2 To represent, whenever possible by consensus, the interests of member authorities in the Region to national government, to Parliament, political parties, European and other international institutions and other bodies whether national, regional or local including the Local Government Association of England and Wales (“the LGA”) and to negotiate on behalf of local government in the Region.
- 4.3 To formulate sound policies for the development of local government, effective management within local authorities and the enhancement of local democratic processes in the Region and elsewhere.
- 4.4 To provide fora for the discussion of matters of common concern to member authorities as a means by which joint views may be formulated and expressed.
- 4.5 To assist specific interest groupings of member authorities to express their particular views.

- 4.6 The regulation of relations between member authorities as employers and workers or trade unions and to represent the interests of member authorities as employers and carry out other regional responsibilities on behalf of local government.
- 4.7 To provide cost-effective services to member authorities in accordance with their wishes, including the dissemination of accurate and timely information on all local government and other relevant issues.
- 4.8 To promote the policies of the Association and to provide information on local government issues to the public and outside organisations.
- 4.9 To use its best endeavours to enable members of different political groups to have the opportunity to contribute to the Association's work and to the development of policies which represent, as far as possible, consensus among the political groups and among groups of member authorities.
- 4.10 To do anything which is calculated to facilitate, or is conducive or incidental to the discharge of the aims of the Association.

## **5. GOVERNANCE**

- 5.1 There shall be an Assembly of the Association ("the Assembly").
- 5.2 The Assembly shall consist of the Leaders or Elected Mayors of the members of the Association. The nominated leader of a political group of councillors in the Region which is not recognised under paragraph 6.10 of this Constitution may participate in meetings of the Assembly in a non-voting capacity.
- 5.3 A member of the Assembly may nominate another elected member of their authority to act on their behalf at any meeting, provided written notice of the nomination is given to the Association no later than the start of the meeting.
- 5.4 The Assembly may nominate Honorary President and Vice- President(s) on such terms as the Assembly may determine.

## **6. MEETINGS OF THE ASSEMBLY**

- 6.1 The Assembly shall hold an Annual General Meeting each year to conduct the following business:
  - a) Appointment of Chairman of the Association who shall be the nominee of the largest political group in the Assembly
  - b) Appointment of a Vice Chairman of the Association who
    - (i) should at least one-half of the members of the Assembly be members of its largest political group, shall be the nominee of that Group

- (ii) should less than one-half of the members of the Assembly be members of its largest political group, shall be the nominee of the second largest political group in the Assembly
  - c) receipt of annual report and accounts
  - d) to set subscriptions and adopt a work programme and calendar of meetings for the forthcoming year
  - e) Such ordinary business as may be submitted to it.
- 6.2 The Assembly shall hold such other meetings during the year to deal with such business as it thinks fit.
- 6.3 A special meeting shall be convened
- (a) as determined by and to deal with such business as may be determined by the Management Committee referred to in 7.1 below or
  - (b) following receipt of a written request from the Chairman or from not less than 13 members of the Association, specifying the business to be transacted.
- 6.4 The Chairman shall, if present, preside at a meeting of the Assembly. If the Chairman is not present, the Vice Chairman shall preside. If neither the Chairman nor Vice Chairman is present, another member of the Assembly chosen by the members of the Assembly present shall preside.
- 6.5 The quorum for meetings of the Assembly shall be one third of its membership.
- 6.6 The Assembly shall endeavour to reach a consensus on issues wherever possible. Should a vote be required, it shall be by show of hands with each member of the Assembly present at the meeting having one vote. In the event of a tied vote the Chairman shall have a second and casting vote.
- 6.7 All meetings of the Assembly shall be open to the press and public unless there are grounds for exclusion of the press and public under the access to information provisions of the Local Government Act 1972, and the Assembly resolves to exclude them.
- 6.8 The Managing Director shall give notice of all meetings and shall circulate an agenda for the meeting no less than 7 clear days beforehand. Subject to 6.1 and 6.3 above, the Agenda shall be determined by the Managing Director in consultation with the Management Committee.
- 6.9 Subject to the above provisions, the Assembly may adopt such Standing Orders as it thinks fit to govern its proceedings and the proceedings of any of its Member Bodies.
- 6.10 A political group will be recognised if it consists of at least two members of the Assembly. Each political group shall appoint a Leader and shall notify the Managing Director of such appointment and of any change.

## **7. MEMBER BODIES**

- 7.1 There shall be a Management Committee of the Association whose purpose shall be to conduct the day to day business of the Association and oversee the work programme agreed by the Assembly. The members of the Management Committee shall be the Chairman and Vice Chairman of the Association; one nominee from each recognised political group within the Assembly; and [on a non-voting basis] the Chairs of the Panels for each of Employers, Europe and Improvement. In the event that the Chair for the time being of the forum for the Leaders of Counties and Unitaries is not otherwise appointed to the Management Committee, that member will be added [on a non-voting basis] to the membership of the Committee. The nominated leader of any political group of councillors in the Region which is not recognised under paragraph 6.10 of this Constitution may participate in the business of the Management Committee and the other member Panels mentioned in this paragraph, in a non-voting capacity.
- 7.2 The Management Committee may appoint such other Committees, Special Interest Groups, Panels, working groups or other Member Bodies as it considers expedient to enable the Association to carry out its functions. Membership of such bodies will be drawn from the councillors of members of the Association and shall be appointed by the Management Committee on the nomination of political group leaders.
- 7.3 The political composition of Member Bodies shall be calculated by reference to the 'Proportions by Party within each Region' published by the LGA each year as part of its calculation of political balance (or a similar calculation) unless the Management Committee decides in any particular case that specified councils shall have direct nomination rights which will prevent the achievement of that political balance.
- 7.4 The political balance of Member Bodies may be maintained by the attendance of substitutes.
- 7.5 The Management Committee shall decide the Terms of Reference of Member Bodies and may designate them as "Standing" or "Task and Finish"; and shall specify arrangements for periodic reporting of each member body's activities to the Assembly.
- 7.6 The Assembly or the Management Committee may appoint councillors of members of the Association to such outside bodies as it thinks fit. Such appointments shall specify their duration and the arrangements for briefing by the Association and reporting back to the Association.

## **8. LEAD CHIEF EXECUTIVE AND STAFF**

- 8.1 The Assembly shall appoint a Lead Chief Executive from amongst local authority Chief Executives in the Region. The Lead Chief Executive shall be available to advise the Assembly and the Management Committee as and when required, particularly in periods of transition between Managing Directors and in supporting the Chair of the Management Committee in the performance management, including appraisal, of the Managing Director.
- 8.2 The Management Committee shall appoint a Managing Director and such other staff or procure such advice as it considers necessary to deliver the Association's objectives.

8.3 The Managing Director may, in consultation with the Management Committee take action on behalf of the Association in a case of urgency in pursuance of the Association's objectives and in line with its current policies.

## **9. AMENDMENTS TO THE CONSTITUTION**

9.1 The Assembly shall have power to alter this Constitution, provided that a motion in favour of each such alteration shall secure at least two-thirds of the votes cast thereon at the meeting. An Assembly member or designated substitute may exercise votes for up to three absent members at the Assembly meeting.

## **10. FINANCE AND ADMINISTRATION**

10.1 The budget and a report on subscriptions for the ensuing financial year shall be presented to and agreed at a meeting of the Annual Meeting of the Assembly.

10.2 The Association may not invest, lend or borrow money or acquire or dispose of land and buildings without obtaining specific approval of the Assembly.

10.3 The Managing Director shall be authorised to sign legally binding documents on behalf of the Assembly.

10.4 Subscriptions paid by members of the Association shall be determined on the basis of a scheme approved by the Assembly. Such a scheme shall have regard to the differences in size and type of authorities existing in the Region.

10.5 The Association's financial year shall run from 1<sup>st</sup> April to 31<sup>st</sup> March.

10.6 All contributions shall become due on 1<sup>st</sup> April in every year. Any member of the Assembly whose Authority has not paid its subscription by the date of the Annual General Meeting of the Assembly shall not be entitled to vote on any matter at that meeting.

10.7 Accounts of all funds held by or on behalf of the Association shall be prepared annually and shall be audited by auditors to be appointed annually at the Annual Meeting of the Assembly.

10.8 Each member of the Association, by accepting membership thereof undertakes jointly with each of the other members, whilst it is in membership, to underwrite any liabilities that are not ultra vires and may be incurred in the name of the Association with its authority.

## **11. RESIGNATION**

11.1 Any member of the Association wishing to terminate its membership shall give not less than 12 months' notice in writing to the Managing Director to expire on 31<sup>st</sup> March in any year.

11.2 Any member of the Association shall, upon ceasing to be a member of the Association, forfeit all right to and claims upon the Association and its property and funds. The resigning member authority shall pay such amount representing the authority's share of responsibility towards liabilities incurred by the Association on behalf of member authorities including any related contingent staff liabilities as the Association may direct; and in making such a direction, the

Association shall take account of any contribution the resigning member has made to the assets of any predecessor body of the Association.

## **12. DISSOLUTION**

- 12.1 A motion for the dissolution of the Association must be approved by three-quarters of the members of the Association.
- 12.2 Following agreement to the dissolution of the Association, the Lead Chief Executive shall be responsible for disposing of the assets/liabilities of the Association and the apportionment of responsibilities for receiving proceeds and/or meeting liabilities shall be based on the proportion with which the subscription paid by the authority bears to the total subscriptions but shall take account of any contributions made by member authorities to the assets of any predecessor body of the Association.