

The Bath and North East Somerset Council, Bristol City Council, North Somerset District Council and South Gloucestershire District Council

West of England Strategic Leaders Board

Constitution

This Constitution has been approved by Bath and North East Somerset Council, Bristol City Council, North Somerset District Council and South Gloucestershire District Council ("the Authorities") as the Constitution of the West of England Strategic Leaders Board.

1 Establishment of the West of England Strategic Leaders Board

- 1.1 The West of England Strategic Leaders Board ("the Board") is established under Section 101(5) of the Local Government Act 1972, as applied by Section 20 of the Local Government Act 2000 and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2012 by the Executives of Bath and North East Somerset Council, Bristol City Council and North Somerset District Council, and by South Gloucestershire District Council.

2 Overall Objective of the West of England Strategic Leaders Board

- 2.1 The overall objective of the Board is to focus on strategic economic issues and to unlock barriers to growth in support of delivering the Strategic Economic Plan.
- 2.2 Reports to the Board report will be subject to full scrutiny by the West of England Joint Scrutiny Committee.

3 Terms of Reference - Strategic Leaders Board

- Provide strong collective leadership and strategic direction to realise the full economic potential of the West of England.
- Provide clear direction to support the development and delivery of key strategies to improve the economic conditions across the West of England area.
- Provide a means for the formulation and expression of joint views of the authorities to central government and other bodies and organisations in respect of legislation, proposed legislation and other matters of concern, interest or relevance to the West of England economy with a particular focus on removing barriers to growth and the delegation of additional powers and funding.
- Strengthen the co-ordination of joint local authority activity across the West of England, including the activities of the Local Enterprise Partnership, West of England Strategic Leaders Board and the Planning, Housing and Communities Board.
- Identify and develop any new areas of joint working between the local authorities to further joint economic objectives.

- Work with other appropriate agencies and bodies beyond the West of England in order to achieve any shared economic objectives.
- Watch over, protect and promote the interest, rights, powers, functions and duties of the Authorities.
- Ensuring that any proposals, actions whether agreed or considered will be subject to an obligation upon the Leader of each of the Authorities to report it to their own authority.
- Take any decisions required to deliver the Strategic Economic Plan, including additional funding, freedoms and flexibilities, and delivery directly resulting from the Plan and the subsequent Growth Deal. This will not include issues covered by existing Joint Committee arrangements (JTEC or any new PHCB).
- Making decisions based on recommendations from the Local Enterprise Partnership (“LEP”) Board.
- Informing LEP policies and LEP applications for funding programmes.
- Provide a formal and accountable forum for decision making relating to all relevant LEP or West of England funding streams; recommendations will come from the Investment Awards Board via the LEP.

4 Powers delegated to the West of England Strategic Leaders Board

- 4.1 The Board shall have such powers as may from time to time be delegated to the Board by the Executives of the Authorities or by any of the Authorities

5 Membership and Appointment of the West of England Strategic Leaders Board

- 5.1 The members of the Board shall comprise the Leaders of the Bath and North East Somerset, North Somerset and South Gloucestershire District Councils and the Mayor of Bristol.
- 5.2 Each member of the Board shall be appointed for the term of his or her office, or the balance of the term of his or her office, as Leader or Mayor as the case may be.
- 5.3 Each Authority may appoint at any time an Alternate Member of the Board who may attend any meeting of the Board with all the powers of the Authority’s Leader or Mayor in the event that he or she is unable to attend a particular meeting or if there shall be a vacancy in the office of an Authority’s Leader or Mayor.

6 Chair and Vice-Chair of the West of England Strategic Leaders Board

- 6.1 At the first meeting of the Board after the annual meetings of each Authority in any relevant year, the Board shall elect a Chair and a Vice-Chair of the Board for the following two years from among the members of the Board. The two year term has been agreed to provide stability and continuity.
- 6.2 By convention, if the Chair of the Board in any two year period is a Leader or

Mayor of one of the Authorities, the Chair of the Board for the next two years will normally be a Leader or Mayor of another of the Authorities.

- 6.3 The rotation order; which can be changed by a majority agreement of the Authorities is Bath and North East Somerset, South Gloucestershire, Bristol and North Somerset.
- 6.4 Where, at any meeting or part of a meeting of the Board, both the Chair and the Vice-Chair are either absent or unable to act as Chair or Vice-Chair, the Board shall elect one of the members of the Board present at the meeting to preside at that meeting, or for the balance or part of the meeting, as appropriate.

7 Secretary to the West of England Strategic Leaders Board

7.1 The Board shall be supported by the West of England Partnership office in its capacity as Secretary to the Board.

7.2 The functions of the Secretary of the Board shall be:

- To maintain a record of membership of the Board
- To notify the Proper Officer of each appointing Authority of any anticipated decisions to be taken by the Board over the year (whether or not key decisions) and updated on a monthly basis, to enable such decisions to be included in the Forward Plans of each appointing Authority
- To carry out such notification to and consultation with members of the appointing Authorities as may be necessary to enable the Board to take urgent decisions which have not been included in the Forward Plans of appointing Authorities
- To notify the Proper Officers of the Authorities of the dates, times and venues of meetings and to publish the dates times and venues
- To summon meetings of the Board in accordance with clause 8 below
- To prepare and send out the agenda for meetings of the Board in consultation with the Chair and the Vice-Chair of the Board and the Authority Lead Officers
- To keep a record of the proceedings of the Board
- To take such administrative action as may be necessary to give effect to decisions of the Board
- To undertake such other functions as may be determined by the Board
- To ensure the Board receives copies of the Board's forward plan, agenda and minutes.

8 Convening of Meetings of the West of England Strategic Leaders Board

8.1 Meetings of the Board shall be held at such times, dates and places as may be notified to the members by the Secretary to the Board, being such time, place and location as -

8.1.1 the Board shall from time to time resolve

8.1.2 the Chair, or if he/she is unable to act, the Vice-Chair of the Board, shall notify to the Secretary of the Board, or

8.1.3 The Secretary of the Board, in consultation where practicable with the

Chair and Vice Chair of the Board, shall determine in response to receipt of a request in writing addressed the Secretary of the Board:

- from and signed by two members of the Board, or
- from the Chief Executive of an appointing Authority

which request sets out an urgent item of business within the functions of the Board.

8.2 The Secretary of the Board shall settle the agenda for any meeting of the Board after consulting, where practicable the Chair of the Board and shall incorporate in the agenda any items of business and any reports submitted by -

- the Leader or Mayor as the case may be of any of the Authorities
- the Chief Executive of any of the Authorities
- the Chief Finance Officer to any of the Authorities
- the Monitoring Officer to any of the Authorities
- such other officers as the Board may determine for this purpose

9 Procedures at Meetings of the West of England Strategic Leaders Board

- 9.1 Meetings of the Board shall only be quorate and so able to conduct any business where all four members are present, unless in the case of a member being absent the Authority he represents has appointed in his place an Alternate Member who is present.
- 9.2 The Board shall seek to work on the principle of consensus, and its decisions shall require unanimity to be valid and effective.

10 Attendance at Meetings of the West of England Strategic Leaders Board

- 10.1 Notwithstanding that a meeting or part of a meeting of the Board may not be open to the press and public, the members and officers specified in clause 10.2 below of each Authority shall be entitled, in person or by another officer nominated by that officer, to attend all, and all parts, of such meetings, unless the particular member or officer has a conflict of interest as a result of a personal interest in the matter under consideration.
- 10.2 The following are the elected members and officers who shall have a right of attendance in accordance with clause 10.1 above:
- elected Members of the Authorities
 - the Chief Executive of any of the Authorities
 - the Chief Finance Officer to any of the Authorities
 - the Monitoring Officer to any of the Authorities
 - any person appointed by the Board to manage particular projects
 - any officer of the Authorities at the request of any member of the Board

11. Rights of Attendance and Audience

- 11.1 Agendas of the Board and reports, except those marked "Not for Publication", will be available for inspection on request by the public at the offices of the each of the Authorities during normal office hours and shall be published on the West of England Local Enterprise Partnership website.
- 11.2 The presumption is that all meetings of the Board shall be open to the public.
- 11.2.1 Where the Secretary is of the opinion that it is likely that the press and public will be excluded from all or part of a meeting, he/she shall so indicate on the agenda and may withhold from the press and public any report or background paper which would disclose confidential or exempt information.
- 11.2.2 The Board must exclude press and public from any part of a meeting at which confidential information is likely to be disclosed
- 11.2.3 The Board may exclude the press and public from any part of a meeting at which:
- A exempt information is likely to be disclosed; or
 - B officers will provide a briefing to members on a matter on which a decision is likely to be taken on the matter within the next 28 days;
- 11.3 All documents which are open to public inspection will normally be available at least five clear days before the relevant meeting. Where a report is not available when the agenda is published, the report shall be made available for public inspection when it is made available to elected members of the Authorities.

The rights of elected members of the Authorities shall be as set out in the protocol at annex A

- 11.4 Public participation at meetings shall be in accordance with the protocol at Annex B

12. Urgent Decisions

- 12.1 The Secretary shall notify the Chair of the relevant Scrutiny Committee of each Authority, or in the case of an Authority which does not operate executive arrangements the Chair of the relevant committee, where the Board is intending to take an urgent decision. If the relevant Chair is not available, the Secretary must notify the appropriate Chair of Council or Vice - Chair of Council. The Board shall not take an urgent decision unless agreement has been confirmed on behalf of each Authority that the decision is urgent.
- 12.2 The Secretary shall ensure that a report listing all urgent decisions is presented to the next convenient meeting of the Scrutiny Committee of each Authority, or in the case of an authority that does not operate executive arrangements, to the appropriate committee.
- 12.3 A decision is urgent if it has not been included in the Board's Forward Plan or is otherwise considered to be urgent.

13. Implementing decisions

- 13.1 Decisions shall not be implemented within 5 clear days from the publication of the statement of decision(s) of the meeting, except where the matter is urgent in accordance with clause 12.

14 Effect of Call In

- 14.1 Within 5 clear days of publication on the West of England Local Enterprise Partnership website, a decision of the Board can be called in by the West of England Joint Scrutiny Committee.
- 14.2 If a decision of the Board is called in, it shall not be implemented save where the decision on the call in
- is to support or take no further action or
 - where the initial call in does not take place within 20 working days, or
 - any referral following the initial call in does not take place within 40 working days of the initial call in
- 14.3 The Board will consider representations received as a result of a call in before taking a final decision on the matter concerned.

15 Council Constitution, Standing Orders for Contracts, Financial Regulations and Officer Employment Procedure Rules

The Board shall operate under the Standing Orders for Contracts, Financial Regulations and Officer Employment Procedure Rules of Bristol City Council

16 Amendment of this Constitution

This Constitution can only be amended by agreement of all the Authorities.

Terms of Reference – Strategic Leaders Board

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- Provide a means for the formulation and expression of joint views of the authorities to central government and other bodies and organisations in respect of legislation, proposed legislation and other matters of concern, interest or relevance to the West of England economy with a particular focus on removing barriers to growth and the delegation of additional powers and funding.
- Strengthen the co-ordination of joint local authority activity across the West of England, including the activities of the Local Enterprise Partnership, Joint Transport Executive Committee and the Planning, Housing and Communications Board.
- Identify and develop any new areas of joint working between the local authorities to further joint economic objectives.
- Work with other appropriate agencies and bodies beyond the West of England in order to achieve any shared economic objectives.
- Watch over, protect and promote the interest, rights, powers, functions and duties of the authorities.
- Ensuring that any proposals, actions whether agreed or considered will be subject to an obligation upon the Leader of each of the authorities to report it to their own authority.
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