

## **Cabinet – 27 September 2006**

### **Walsall Borough Strategic Partnership Constitution Document**

<b>Portfolio:</b>	Councillor Ansell, Leader of the Council
<b>Service:</b>	All
<b>Wards:</b>	All
<b>Key decisions:</b>	No
<b>Forward plan:</b>	No

#### **Summary of report**

The constitution is the key document detailing arrangements for the governance, structure, membership and operation of the WBSP. Strong WBSP is a key requirement to deliver LAA and position Walsall in sub and regional forums.

Key changes from the previous constitution include

- Changes in structure of WBSP to include
  - Executive Committee
  - Economic Group (PoWER)
  - Equalities Group
  - LNP's
- Terms of reference for new groups in the structure

#### **Recommendations**

Cabinet are asked to endorse the WBSP constitution document already approved by the WBSP Partnership Board and thereby also endorse its adoption as the governing document of the WBSP.

#### **Resource and legal considerations**

The document has been drafted by Walsall Councils Audit Team, in consultation with the WBSP team and partners. The document satisfies outstanding requirements from audit to update the WBSP constitution.

The document identifies Walsall Council as the Accountable Body for the partnership, overseeing the expenditure and audit arrangements for NRF (Neighbourhood Renewal Funds) and other pooled or aligned resources. These arrangements are being controlled under a separate 'Accountable Body' document currently being drafted

## **Citizen impact**

The document requires the WBSP to lead on producing the Sustainable Communities Plan (Previously known as the Community Plan).

## **Community safety**

The document describes the structure, governance and membership arrangements for its Safer and Stronger Communities Pillar, which has responsibility for delivering community safety targets in the Local Area Agreement.

## **Environmental impact**

The Stronger and Safer Communities Pillar is leading on the delivery of environmental targets in the LAA.

## **Performance and risk management issues**

The document requires the WBSP Board to manage performance and risk in the delivery of the LAA.

## **Equality implications**

The Equalities Group of the WBSP reports into the WBSP Board and leads on promoting and delivering strategic equalities issues within the partnership in the Borough.

## **Consultation**

The constitution has been produced in consultation with the partners of the WBSP and has been approved by the WBSP Partnership Board and the WBSP executive Committee.

## **Vision 2008**

The Accountable Body Agreement describes the basis upon which Walsall Council will lead on accounting for the expenditure of partnership funding through the Walsall Borough Strategic Partnership. By being the Accountable Body, Walsall Council will be enabling the 'Vision for Walsall in 2008' to be achieved and particularly will encourage improved economic performance, increased performance in education, improved housing, a healthier population and a cleaner and safer Borough.

## Background papers

Walsall Borough Strategic Partnership Constitution

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Tim Johnson  
Executive Director  
18 September 2006



Councillor T. Ansell  
Leader of the Council  
18 September 2006



# Constitution for the Walsall Borough Strategic Partnership

[This is a confidential draft of a possible constitution and is not for publication or general circulation.]

More information is available from Steve Osborne on 01922 652920 or [OsborneS@Walsall.gov.uk](mailto:OsborneS@Walsall.gov.uk)

The document has been based upon the previous constitution of Walsall Borough Strategic Partnership and terms of reference of the Local Neighbourhood Partnerships. The views expressed in this document do not necessarily represent those of the author, who has acted only to assist the WBSP.

This document should not be read as conferring approval of Walsall Council's Internal Audit Service or of its Legal Services officers.]

This document currently has no authority and should not be construed at this time as being the policy of Walsall MBC, the Walsall Borough Strategic Partnership, or any other organisation.

References to Local Neighbourhood Partnerships are included.

22 September 2006

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## **1. Name**

1. The local strategic partnership for the Walsall Borough shall be known as “The Walsall Borough Strategic Partnership” (the Partnership).

## **2. Constitution**

### **2.1. Approval**

1. This constitution shall come into effect when it has been;
  - a) Agreed by the Partnership’s Annual General Meeting, and
  - b) Ratified by a resolution of the cabinet of Walsall Council.
2. The constitution shall remain in force until it is amended by the Partnership, suspended, or revoked by law or under written ministerial advice.

### **2.2. Amendments**

1. This constitution may be amended by a resolution passed by a two-thirds majority of members of the Partnership or their nominated substitutes present and voting at either;
  - a) The Partnership's Annual General Meeting, or
  - b) A Special General Meeting called for the purpose.
2. Any proposed amendments must appear as a separate item on the agenda setting out the changes proposed.
3. All members of the Partnership Board shall be consulted before any proposed amendment to the constitution is discussed or any decision made.
4. Amendments to the constitution shall only take effect following approval by:
  - a) The Annual General Meeting or Special General Meeting of the Partnership Board, and
  - b) Ratification by the council’s chief executive on behalf of the Accountable Body.



### 3. Objectives

1. The Partnership Board shall act in accordance with this constitution to further its aims, which shall include but not be limited to;
  - a) Contribute to the achievement of national targets set by central government for the removal of deprivation,
  - b) Improve the quality, economy, efficiency and effectiveness of services delivered by and through local agencies to all the people living and working within the borough of Walsall,
  - c) Improve the social, economic and environmental sustainability, health and well-being of the borough of Walsall and its inhabitants,
  - d) Contribute to the achievement of sustainable development within the borough of Walsall and throughout the United Kingdom,
  - e) Secure a high level of sustainable employment, better education, improved health, reduced crime, better housing and improved liveability,
  - f) Close the gap between the deprived and prosperous neighbourhoods within the borough of Walsall,
  - g) Improve the use of existing resources from mainstream and all other available budgets, and
  - h) Focus the provision of services and activities provided by public and private bodies operating within the borough of Walsall on the needs of areas which are traditionally excluded or receive less favourable treatment,
  
2. The Partnership Board will seek, in accordance with the requirements of this constitution, to fulfil these aims by undertaking a number of actions, including but not limited to;
  - a) Preparing, implementing and refreshing a Community Plan for the borough of Walsall,
  - b) Supporting the work of Local Neighbourhood Partnerships,
  - c) Providing a forum through which mainstream public service providers may work effectively along with the community and voluntary and business, sectors in order to meet local needs and priorities,
  - d) Prioritising and rationalising mainstream public service providers' local plans, and initiatives around the Partnership's key themes,
  - e) Negotiate with central government a Local Area Agreement which represents the priorities of Walsall Council and other key Partners,
  - f) Promoting and supporting the values and principles of the Walsall Compact throughout the whole range of the Partnership's activities, reviewing these on an annual basis,
  - g) Developing a variety of means by which to consult and to work with local people including, but not limited to;
    - (i) Faith based groups,
    - (ii) Minority ethnic groups,
    - (iii) People with disabilities and impairments,

- (iv) People of all ages and sexual orientation,
  - (v) Groups representing people with special interests, and
  - (vi) Groups representing particular neighbourhoods,
- h) Building a common purpose and shared commitment so as to co-ordinate Partners' activities,
  - i) Developing and publicising common aims and priorities to promote a positive image of Walsall,
  - j) Sharing local information and good practice,
  - k) Identifying, encouraging and supporting effective local initiatives,
  - l) Developing a performance management framework, linking the Local Area Agreement Targets, Floor Targets and Performance Indicators,
  - m) Developing a performance management framework under which to review the community plan objectives, Local Area Agreement outcomes, floor targets and other performance indicators, and
  - n) Promoting the work of the partners and the Partnership within the Black Country sub region, the West Midlands and beyond.

#### **4. Structure of Partnership and Directorate**

##### **4.1. The Partnership**

- 1. The partnership shall be made up of;
  - a) The Partnership Board,
  - b) The Executive Committee,
  - c) Pillar Executive Groups,
  - d) Pillar Stakeholder Groups incorporating the eight Theme Groups,
  - e) Such other groups as may be constituted by the Partnership Board, and
  - f) The nine Local Neighbourhood Partnerships.

##### **4.2. The Partnership Director**

- 1. Walsall Council, in agreement with the Partnership Board, shall appoint a Partnership Director who shall act as the Partnership's chief executive officer and shall;
  - a) Be employed by Walsall Council unless agreed otherwise by Walsall Council,
  - b) Undertake the duties agreed by the Partnership Board,
  - c) Provide day-to-day supervision of the Directorate,
  - d) Report to the Partnership Board and the Executive Committee, and
  - e) Attend meetings of the Partnership Board, Executive Committee and other sub-groups of the partnership including Pillar Groups.

##### **4.3. The Directorate**

- 1. The Partnership shall be served by a Directorate provided and employed by Walsall Council. The Directorate's duties shall include;

- a) Providing administrative and secretarial support to the Partnership,
- b) Making payments and receiving income on the Partnership's behalf and in accordance with the requirements of the Accountable Body,
- c) Providing advice and guidance to the Partnership, and to all those who use its services,
- d) Communicating the objectives, policies and decisions of the Partnership to the people of Walsall,
- e) Arranging for audit of the Partnership's funds and oversight of its work,
- f) Servicing meetings of the Partnership Board and Executive Committee,
- g) Liaison with the nine Local Neighbourhood Partnerships and with Walsall Council officers who support those groups, and
- h) Servicing and providing assistance to groups identified at section 4.1 on page 10 of this constitution or as required by the Partnership Director.

## **5. Legal Framework**

### **5.1. General**

1. The Partnership is established pursuant to Government guidance on Local Strategic Partnerships.
2. The Partnership will respond as necessary to any new or amended legislation, further government guidance, or new initiatives impacting upon its areas of responsibility or functions.
3. The Partnership's members and officers shall at all times conduct its business in accordance with requirements of:
  - a) European and United Kingdom law,
  - b) Specific ministerial guidance,
  - c) The council's constitution, and
  - d) Resolutions of the Partnership Board and Executive Committee.

### **5.2. Status**

1. The Walsall Borough Strategic Partnership is an unincorporated association.
2. Neither the Partnership Board, the Executive Committee nor any other group within the Partnership shall be described as or hold itself out to be a committee of Walsall Council, nor shall it purport to represent the views of Walsall Council.
3. The Partnership shall not contract in its own right. All contracts and agreements between the Partnership and other organisations shall be entered into by the Accountable Body unless it is agreed by the Partnership Board that the contract is made in the name of some other member.
4. Other members of the Partnership may act in their individual capacities on the Partnership's behalf providing that such action has been agreed by the Partnership Board and that it does not;
  - a) Break the terms of that member's constitutional or legal right to act, or

- b) Contravene requirements made upon Walsall Council as Accountable Body for the Partnership, or
- c) Break the conditions of a grantor or grantors.

## **6. Membership**

### **6.1. Membership of the Partnership Board**

1. Membership of the Partnership Board shall be made up of two types:
  - a) Nominated members from each of the organisations listed in Section 2 on page 28 of this constitution, and
  - b) Co-opted members appointed by the board
2. The Partnership Board's membership shall include the leaders of the political parties represented on Walsall Council along with representatives of;
  - a) Public sector organisations serving the borough of Walsall or the surrounding area,
  - b) Community organizations, local people and Local Neighbourhood Partnerships,
  - c) Voluntary organisations,
  - d) Private sector organisations, and
  - e) Local industry, commerce and other businesses.
3. The Partnership Board shall approve its own membership. Only the Partnership Board shall hold authority to nominate or co-opt new or additional members or organisations. The total of both nominated and co-opted members of the Partnership Board shall not exceed twenty-one.
4. Upon appointment, each member of the Partnership Board shall designate a named deputy to attend meetings in their absence. Named deputies shall;
  - a) Hold similar status and authority to that of the Partnership Board member they will represent,
  - b) Be able to speak and make decisions on behalf of the organisation they represent,
  - c) Be familiar with the business of the Partnership, and
  - d) Have been properly briefed prior to attending the Partnership Board's meetings.
5. The name of each person who is to sit on the Partnership Board and that of the designated deputy shall be made known in writing to the Partnership Director, who shall be informed of all changes.

### **6.2. Membership of the Executive Committee**

1. Membership of the Executive Committee shall be open to;
  - a) All those organisations named in Section 1.1.1 on page 28 of this constitution, and

- b) Any other persons who the Partnership Board resolves shall join the Executive Committee for such time as it may prescribe.
- 2. A member of the Executive Committee who is unable to attend any of its meetings shall provide written apologies to the chairperson in advance of the meeting.
- 3. Members who fail on two consecutive occasions either to attend a properly called meeting or provide written apologies shall be considered to have resigned.

### **6.3. Membership of, Pillar Executive, Pillar Stakeholder and Theme Groups**

- 1. Each of the four Pillars of the Partnership's work shall be represented by both a Pillar Executive Group and a Pillar Stakeholder group.
- 2. A Theme Group shall represent each of the eight Themes of the Partnership's work.
- 3. Membership of each Pillar Executive, Pillar Stakeholder and Theme Group shall include;
  - a) Representatives of those organisations named in Sections 2.3 on page 29 of this constitution who have any interest in the work of the particular Pillar, and
  - b) Any other persons who the Executive Committee resolves shall join one or more Pillar Group.

### **6.4. Specialist Assistance**

- 1. Specialist advisors may be asked to attend meetings of the Partnership Board, the Executive Committee or any of the Pillar Groups. They shall;
  - a) Inform debate, and
  - b) Assist members in the making of decisions.
- 2. Specialist advisors shall attend meetings only in an advisory capacity and shall not have a vote or any right other than to be heard.
- 3. Where the Partnership Board wishes to appoint a specialist advisor on whose professional judgement it intends to rely, the appointment will be made by the Accountable Body following agreement with the Executive Committee.

## **7. Roles and Responsibilities**

### **7.1. Partnership Board**

- 1. The Partnership Board shall;
  - a) Hold meetings on a quarterly basis, which shall be controlled by the Chairperson or Vice-chairperson of the Partnership,
  - b) Provide leadership and direction to the Partnership as a whole,
  - c) Approve and review the Partnership's policy and strategic framework,
  - d) Ratify, annually, the Partnership's framework for commissioning,
  - e) Approve the partnership's annual budget, including that for the maintenance of the Directorate, for each financial year,
  - f) Approve the Partnership's claims for existing grants and any applications for further or additional funding,

- g) Monitor performance management at the level of overall outcomes of activity, and take appropriate action,
- h) Agree the Community Plan, which shall be the key policy driver for all members of the Partnership,
- i) Set overall priorities for the Partnership's annual work programme and delivery structure,
- j) Appoint, and where appropriate alter, membership of the Executive Committee,
- k) Provide terms of reference to the Executive Committee, Pillar Executive Groups and Pillar Groups, and direct their work,
- l) Set the date for the Partnership's Annual General Meeting,
- m) Recommend, where appropriate, changes to the Partnership's constitution to be discussed at its Annual General Meeting,
- n) Inform the Annual General Meeting of the Partnership's activities, impact and financial position,
- o) Promote the work of the Partnership in Walsall, the Black Country, the West Midlands and beyond,
- p) Approve the Local Area Agreement including any 'refreshers' or changes, and
- q) Seek, receive, and resolve whether to take action upon progress and other reports from each Local Neighbourhood Partnership.

## **7.2. Executive Committee**

1. The Executive Committee shall;
  - a) Undertake its work within the terms of this constitution and the terms of reference approved by the Partnership Board,
  - b) Hold meetings on a monthly basis, ensuring that there shall be one meeting within any period of six weeks,
  - c) Appoint a Chairperson and Vice Chairperson to take charge at these meetings and to act as the Executive Committee's representatives,
  - d) Appoint, and where appropriate alter, membership of the Pillar Executive Groups and Pillar Stakeholder Groups, which will incorporate the eight Theme Groups,
  - e) Oversee development and approval of detailed work programmes and Commissions forming the delivery structure, ensuring that;
    - (i) Priorities are identified,
    - (ii) Available resources identified and allocated, and
    - (iii) Achievable targets are set,
  - f) Receive performance information from Pillar Groups and take appropriate action.
  - g) Ensure that 'cross cutting' issues and the input of communities throughout all sectors is achieved through the commissioning process,

- h) Approve the establishment of the Directorate,
- i) Approve the Directorate budget in accordance with grantors' regulations and Walsall Council's budget setting process prior to commencement of each financial year, and at such time so as to allow for ratification by the Partnership board and the Accountable Body,
- j) Approve, monitor and control the annual budget for the Local Area Agreement,
- k) Seek, receive, and resolve whether to take action upon progress and other reports from each Local Neighbourhood Partnership,
- l) Allocate budgets to Pillar Executives, from which they shall identify potential commissions,
- m) Receive, and where considered appropriate, ratify Pillar Executives' recommendations for the making of commissions,
- n) Make appointments to the Directorate in conjunction with Walsall Council,
- o) Report to the Annual General Meeting of the Partnership upon the Directorate's activities, costs and effectiveness, and
- p) Report to the Partnership Board on the Executive Committee's activities.

### **7.3. Pillar Groups, Pillar Executive Group and Theme Groups**

1. The Pillar Executive Group will:
  - a) Undertake its work within the terms of this constitution and the terms of reference approved by the Partnership Board,
  - b) Ensure that programmes of work are developed and prioritised within available resources to achieve the objectives of:
    - (i) The Community Plan,
    - (ii) The Local Area Agreement, and
    - (iii) Partners' strategic objectives.
  - c) Review existing services to reduce duplication and increase efficiency,
  - d) Ensure criteria for the award of commissions are met,
  - e) Appoint a Chairperson and Vice Chairperson to take charge at its meetings and to act as each group's representatives,
  - f) Oversee work programmes agreed for the Pillar, ensuring these are prioritised towards achieving agreed targets,
  - g) Identify potential commissions and put these forward to the Executive Committee for its ratification,
  - h) Ensure commissioned work conforms to the Accountable Body's requirements,
  - i) Oversee the performance management of their respective Pillar, and
  - j) Report their activities to the Executive Committee and the Partnership Board.
2. Each Pillar Stakeholder Group will:
  - a) Undertake its work within the terms of this constitution and the terms of reference approved by the Partnership Board,

- b) Appoint a Chairperson and Vice Chairperson to take charge at its meetings and to act as each group's representatives,
- c) Develop and prioritise programmes of work within their Pillar to ensure that each is in line with;
  - (i) The Community Plan,
  - (ii) The Local Area Agreement, and
  - (iii) Partners' strategic objectives.
- d) Report to the Pillar Executive Group upon development and delivery of all commissions, plans and programmes under their control,
- e) Provide support to work programmes within their Pillar and ensure that these are reaching their agreed milestones,
- f) Suggest and develop, in conjunction with the relevant Pillar Executive Group, cross-cutting activities to further the Partnership's work, and
- g) Ensure compliance with the Partnership's performance management framework.

3. Each Theme Group will:

- a) Undertake its work within the terms of this constitution and any terms of reference approved by the Partnership Board,
- b) Appoint a Chairperson and Vice Chairperson to take charge at its meetings and to act as each group's representatives,
- c) Examine programmes of work undertaken by Pillar Executive Group wherever these relate to their theme,
- d) Report to the Pillar Executive Group upon the development and delivery of all commissions, plans and programmes with which they are involved,
- e) Suggest and develop, in conjunction with the relevant Pillar Executive Group, cross-cutting activities to help further the Partnership's work within the Theme Group's area, and
- f) Ensure compliance with the performance management framework of the Walsall Borough Strategic Partnership.



#### **7.4. Walsall Council's Role and Responsibility**

1. The Walsall Metropolitan Borough Council (Walsall Council) shall be a member of the Partnership.
2. Walsall Council shall act as the Accountable Body for the Partnership in accordance with the requirements of the Accountable Body Agreement.
3. The Council shall;
  - a) Provide an administrative, accounting and internal audit service
  - b) Have custody of the Partnership's funds,
  - c) Enter into all contracts and agreements between the Partnership and other organisations, except where agreed otherwise by the Partnership Board,
  - d) Offer legal advice, and
  - e) Act as Clerk to the Partnership Board.
4. Except where Walsall Council acts in its role as the Partnership's Accountable Body, it shall have no greater authority or right within the Partnership than any of the other organisation represented.
5. Walsall Council shall put into effect the resolutions of the Partnership Board and Executive Committee. It shall refrain from effecting such decisions where its officers have reasonable belief that to do so would be;
  - a) In breach of EU law, UK law or a grantor's conditions,
  - b) Contrary to Council policy, or
  - c) Against the public interest.

#### **7.5. Duties of all Members of the Partnership**

1. Each member of the Partnership shall:
  - a) Contribute positively to discussions and work with other members to take important decisions leading to decisive action regarding the strategic development of Walsall,
  - b) Work with other partners to achieve consensus on key issues to address and prioritise action,
  - c) Act to promote the common good of the people of Walsall, the Partnership's four Pillars and its eight Themes,
  - d) Contribute experience and expertise to all discussions in order to achieve good, workable solutions. This will include raising areas of concern in a constructive and supportive manner,
  - e) Attend, wherever possible, all Partnership Board meetings,
  - f) Challenge other members, and in turn be challenged in a constructive manner to develop services to benefit the citizens of Walsall, and
  - g) Be committed to equal opportunities.

## **8. Meetings**

### **8.1. The Annual General Meeting**

1. The Partnership Board shall hold an Annual General Meeting, which shall take place no later than the July following the end of each financial year, on a date to be fixed by the Partnership Board.
2. The Partnership Board shall call the meeting and notify all of its members in writing at least twenty-one days before the date set.
3. The business of the Annual General Meeting shall be restricted to:
  - a) Receiving apologies from Members who are unable to attend
  - b) Accepting any declarations of interest,
  - c) Electing both a chairperson and vice chairperson, in accordance with the procedure set out at Section 8.6 of this constitution, who shall serve the Annual General Meeting and preside at meetings of the Partnership Board for a period of up to two years,
  - d) Approving any items to be discussed under Any Other Business, providing this will not disadvantage any partner,
  - e) Receiving, and if considered appropriate, approving the annual Financial Report,
  - f) Receiving, and if considered appropriate, approving the Partnership Director's Report,
  - g) Approving the establishment of the Local Neighbourhood Partnerships,
  - h) Nominating to each Local Neighbourhood Partnership partners as specified in Section 3 of this constitution,
  - i) Discussing and resolving any matters which have been circulated to each of the Partners along with the summons to the Annual General Meeting, and
  - j) Discussing and resolving any matters, which the meeting has agreed shall be discussed under Any Other Business.
4. Every member of the Partnership Board or, in his or her absence a named substitute, shall have the right to voice an opinion at the Annual General Meeting and to vote upon any item.
5. Any member of the Partnership who has declared an interest in any matter shall neither express an opinion nor vote upon that matter, but may be called by the chairperson to provide information.
6. A quorum of eleven members or their substitutes must be present to enable the Annual General Meeting to reach any decision. If a quorum is not present ten minutes after the time set for the meeting to begin, the meeting shall be postponed to a date to be set by the Partnership Board.

### **8.2. Special General Meeting**

1. A Special General Meeting may be called by the Partnership Board or the Partnership Director following;
  - a) Resolution of the Partnership Board, or

- b) Receipt by the Partnership Director of a request signed by at least eleven members of the partnership.
- 2. The Partnership Board's motion or the signed request must state the reason for the calling of the meeting and only the matter stated in the Partnership Board's motion or the partners' request should be discussed at the Special General Meeting.
- 3. The Special General Meeting shall take place no sooner than three weeks and no later than five weeks after the Partnership Board's resolution or receipt of the Partners' request under which it is called.
- 4. The Partnership Director, or a deputy, shall inform every partner in writing of the date, time, venue and purpose of the Special General Meeting. Partnership Members shall normally receive at least two weeks' notice of the meeting.
- 5. A quorum of eleven members or their substitutes must be present to enable the Special General Meeting to reach any decision. If there is not a quorum present ten minutes after the time set for the Special General Meeting to begin, the meeting shall be abandoned and any motion lost.

### **8.3. Partnership Board Meetings**

- 1. At least five working days before the date set for a Partnership Board meeting, the Partnership Director or a deputy shall;
  - a) Inform all members in writing of the date, time and venue of the meeting, and
  - b) Provide all members with an agenda for the meeting.
- 2. The agenda of the partnership board shall include, among other things:
  - a) Apologies received from members,
  - b) Identification of substitutes who represent members,
  - c) Declarations of interest by members and their substitutes,
  - d) Minutes of the last meeting,
  - e) Proposals made following any previous inquarate meeting or meetings,
  - f) Report on the Partnership's financial position,
  - g) Reports from the Executive Committee, Pillar Executive Groups, Local Neighbourhood Partnerships and Theme Groups,
  - h) Any other items on the agenda which has been notified to Partnership Board members, and
  - i) Any other matters which the chairperson has agreed may be discussed under "Any other Business"
- 3. No matter shall be discussed under "Any other business", except;
  - a) The chairperson has agreed that it be brought to the meeting, and
  - b) All members who will be directly affected are in attendance.
- 4. A quorum of eleven members or their substitutes must be present at a Partnership Board meeting for it to reach any decision. If there is not a quorum present within ten minutes of the published start time then the rules of paragraph 8.8 will be enforced.

#### **8.4. Executive Committee Meetings**

1. At least five days before the date set for an Executive Committee meeting, the Partnership Director or a deputy shall;
  - a) Inform all members in writing of the date, time and venue of the meeting, and
  - b) Provide all members with an agenda for the meeting.
2. The agenda for the Executive Committee's meetings shall include, amongst other things:
  - a) Apologies received from members,
  - b) Identification of substitutes who represent members,
  - c) Declarations of interest by members and their substitutes,
  - d) Minutes of the last meeting,
  - e) Financial report,
  - f) Proposals to make Commissions or to award grants,
  - g) Proposals to make any other form of expenditure not included in the Partnership's approved budget,
  - h) Reports from Local Neighbourhood Partnerships, Pillar Executive, Pillar Group and Theme Groups,
  - i) Any other items on the agenda which has been notified to Partnership Board members, and
  - j) Any other matters which the chairperson has agreed may be discussed under "Any other Business"
3. A quorum of seven members or their substitutes must be present at an Executive Committee meeting for it to reach any decisions.

#### **8.5. Meetings of the Pillar, Pillar Executive and Theme Groups**

1. Pillar, Pillar Executive and Theme Groups shall meet regularly and normally on a monthly basis.
2. These groups shall discuss all matters brought to their attention regarding the development of policy, projects, commissions and grants affecting their Pillar.
3. All recommendations from the groups either to effect a change of policy regarding the Pillar, or to award a Commission or Grant shall normally be brought to the next meeting of the Executive Board.
4. Meetings of these groups shall be reported to the Executive Committee and Partnership Board as appropriate.

#### **8.6. Election of Chairperson and Vice Chairperson**

1. Nominations for the posts of chairperson and vice-chairperson of the Partnership Board shall be open to all current members of the Partnership whether appointed or co-opted.
2. The persons who are elected to serve as chairperson and vice-chairperson shall not represent;

- a) The same organization within the Partnership, or
  - b) The organization from which the previous post holder was drawn,
3. The Partnership may resolve to adopt a method of its own choosing for the election of chairperson and vice-chairperson, which shall comply with paragraphs 1 and 2 above.
  4. Unless the Partnership resolves to do otherwise, election of the chairperson shall be undertaken by the following method:
    - a) The Director, or in the Director's absence the clerk, shall seek nominations for the post of chairperson from all Partners present,
    - b) Each Partner may make one nomination for the post of chairperson,
    - c) No nomination shall stand except that the person nominated is present at that meeting and agrees to accept the nomination,
    - d) If only one person is nominated, the Director shall declare that nominee to be the Partnership's chairperson, upon which that person shall assume the chair at once,
    - e) If more than one nomination is received, the Director shall invite all Partners to vote, each Partner being able to cast one vote.
    - f) The Director shall then declare the person who has received more or most votes to be the Partnership's chairperson, upon which that person shall assume the chair at once,
    - g) Where there is a tie, lots shall be drawn.
  5. Except where there is an existing deputy chairperson who is to remain in office for the forthcoming year, the chairperson's first task shall be to seek nominations for a deputy chairperson. This shall be undertaken in the same way as the election of the chairperson and shall be the next item on the agenda of the Annual General Meeting.
  6. Where a Special General Meeting is called to elect a chairperson or vice chairperson, a similar arrangement shall be undertaken, except that the election of a vacant position of chairperson may be presided over by the vice chairperson.

#### **8.7. Decision Making**

1. Amendments to the Partnership Board's constitution may only be made in accordance with section 2.2 on page 8 of this constitution.
2. Wherever possible, the Partnership Board, the Executive Committee, Pillar Executive and Theme Groups shall make decisions by a consensus of those members present.
3. Where consensus cannot be reached, the meeting's chairperson may call for a vote.
4. Voting will be by a show of hands.
5. A simple majority of the members present or their nominated substitutes shall be sufficient for the chairperson to declare any item carried or defeated.
6. The chairperson may cast a vote upon any item. In the event of a tied vote, the chairperson shall declare the motion carried or defeated.

7. Any member or nominated substitute may choose to vote or to refrain from voting on any issue. Where any member or their substitute has declared a prejudicial interest in any issue, they shall not vote upon it.

#### **8.8. Minutes of Meetings**

1. Every meeting of the Partnership Board and Executive Committee shall be minuted. Minutes of each meeting shall be;
  - a) Provided to every Partnership Board or Executive Committee member, and also to each substitute who has attended the meeting to which the minutes pertain,
  - b) Discussed and amended for accuracy at the next quorate meeting of the Partnership Board or Executive Committee, and
  - c) Following correction of any errors, approved as a correct record of the business and resolutions of the meeting.
2. Once approved, minutes of meetings shall not be altered except following a resolution of the next meeting.
3. Approved minutes of the Partnership Board's and Executive Committee's meetings shall be;
  - a) Made available to representatives of the Accountable Body and to any body providing funds to the Partnership,
  - b) Published on the Walsall Borough Strategic Partnership's Internet site, and
  - c) Made available to members of the public.
4. Where the Partnership Board or Executive Committee resolves that any item on its agenda is to be considered confidential, minutes of that item shall neither be published on the Internet nor made available to members of the public. Confidential items shall be available to;
  - a) All members of the group and any substitutes who have attended the meeting,
  - b) The Accountable Body, and
  - c) All bodies which have provided funds to the organisation.

#### **8.9. Inquorate Meetings**

1. Where a meeting of the Partnership Board or Executive Committee is inquorate, the chairperson shall decide whether to;
  - a) Abandon the meeting and reschedule it at another time to be agreed,
  - b) Adjourn the meeting for a period up to thirty minutes, or
  - c) Continue with the business of the meeting.
2. Where the Partnership Board or Executive Committee chairperson has agreed to continue with the business of the meeting, it may discuss all the matters on the agenda but shall not have authority to;
  - a) Create new policy or amend existing policy,
  - b) Make any Commission or Grant, or

- c) Resolve upon any matter involving financial expenditure.
3. Any decisions made by the inquorate meeting regarding these matters shall be brought to the next meeting of the Partnership Board or Executive Committee in the form of proposals. The next quorate meeting shall discuss these proposals and determine whether to approve or reject them.

## **9. Financial Matters**

1. Walsall Council, in its role as Accountable Body, shall take ultimate responsibility for the financial activity of the Partnership.
2. The Directorate shall undertake day-to-day financial responsibility under direction of the Partnership Director.
3. The Partnership Board shall approve an annual budget forecasting the Partnership's income and expenditure. This shall be undertaken in collaboration with the Chief Finance Officer of Walsall Council. This budget shall not be exceeded except by agreement of the Partnership Board or Executive Committee.
4. Walsall Council's Chief Finance Officer shall oversee the maintenance of the Partnership's accounts and shall arrange for appropriate officers to:
  - a) Make a petty cash imprest available to the Directorate,
  - b) Effect payments and collect income on the Partnership's behalf,
  - c) Create appropriate entries in the council's ledger for all;
    - (i) Budgets approved by the Partnership Board or Executive Committee,
    - (ii) Grant and other income received,
    - (iii) Expenditure incurred, and
    - (iv) Value Added Tax paid and claimed,
  - d) Create monthly and annual reports of the Partnership's financial position,
  - e) Monitor the Partnership's financial position in collaboration with the Partnership Director and the Directorate,
  - f) Produce financial reports to meetings of the Partnership Board and Executive Committee, and
  - g) Provide financial advice,
5. Walsall Council's chief internal auditor, or an officer acting on that officer's behalf, shall;
  - a) Be given access at all reasonable times to the Partnership's accounting and other records,
  - b) Undertake regular routine audits, and
  - c) Investigate any irregularities brought to his attention.
6. The Partnership Board, Executive Committee and Directorate shall procure all items required for the running of the Partnership in accordance with Walsall Council's Financial and Contract Rules, except;
  - a) The Partnership Director shall take decisions and actions reserved in those rules to a Service Manager,

- b) Walsall Council's Chief Finance Officer shall take decisions and actions reserved to a Director, and
  - c) Approval shall not normally be refused for any item approved by the Partnership Board or Executive Committee unless it is contrary to the requirements of Section 7.4. on page 17 of this constitution.
7. The partnership shall order and pay for all goods, works, and services used for its day-to-day running. Each item of expenditure shall be;
- a) Contained in the Partnership's annual budget or a commitment made following a resolution of the Partnership Board or Executive Committee, and
  - b) Certified by the Partnership Director or an officer authorised by the Executive Committee to act on that officer's behalf, as being required for use by the Partnership.
8. All orders for goods works or services shall be raised and payments made only by the council's chief finance officer or an officer authorised to act on that officer's behalf.
9. Commissions and grants shall be created following;
- a) Receipt by the Directorate of an application,
  - b) Creation of a report by the Directorate recommending acceptance or otherwise of the application,
  - c) Approval of the application by the relevant Pillar Executive Group and its ratification by the Executive Committee,
  - d) Making of a Commission or Grant Agreement with the applicant, and
  - e) Signature of the Commission or Grant Agreement on behalf of the council by its chief finance officer or an officer specifically authorised to sign agreements on that officer's behalf.
10. The Executive Committee shall set a time by which all grants and commissions awarded shall be taken up. It may rescind any commission or grant not taken up within the time allotted.
11. The Executive Committee shall agree detailed procedures to govern;
- a) The Partnership's day-to-day financial activities,
  - b) Making of grants and commissions,
  - c) Creation and monitoring of budgets, and
  - d) Control of all assets, expenditure and income.
12. The Partnership Director shall ensure that every officer within the Directorate is provided with a copy of these procedures and has access to the Accountable Body's Financial and Contract Rules. Failure by the Directorate's officers to comply with these requirements will be considered in breach of the Partnership's constitution and be liable to disciplinary action.



## **10. Urgency Procedure**

1. If the Partnership Director believes that goods, materials, services or works are required urgently by the Partnership he or she shall have authority to dispense with requirements of this constitution to the extent necessary to resolve the urgent matter. This should only be done where;
  - a) A situation of genuine urgency is perceived to exist; or,
  - b) The Partnership Director must take immediate action in order to safeguard the Partnership's assets; or
  - c) Failure to act at once will result in the Partnership failing to utilise grants or other credits, which must be used within a given time or by a given date.
2. The Partnership Director shall take such urgent action following consultation with the council's chief finance officer or other authorised officer, who shall sign any orders or payments necessary.
3. The Partnership Director shall report all urgent actions to the next meeting of the Executive Committee.

## 1. Meaning of Terms Used

1. The terms and expressions used in this constitution shall have the meanings set out in Table 1 below.

*Table 1 - Descriptions of Terms Used in the Text*

<b>Term</b>	<b>Description</b>
Accountable Body	Walsall Council whose policies and procedures will be followed regarding finance, procurement personnel, etc
Accountable Body Agreement	The agreement setting out the responsibilities of and actions to be undertaken by the Partnership and the council.
Commissions	Programmes of work which utilise the NRF to kick start innovative pieces of work to deliver against the national floor targets and the LAA
Cross Cutting	Issues that impact across all of the targets
Executive Committee	The Executive Committee of the Partnership Board to include members of the Partnership Board and other senior staff or their representatives as necessary, to take forward strategies under the direction of the Partnership Board
Grant and Commissioning Agreement	An agreement made between the Partnership and each person organisation who is to receive a grant or undertake a commission.
Local Area Agreement	A three year agreement between Walsall council, WBSP and Government Office West Midlands to deliver against an agreed set targets across four pillars – Children and Young People, Economic Development and Enterprise, Healthier Communities and Vulnerable People and Safer Stronger Communities
Local Neighbourhood Partnership	Walsall Council's neighbourhood engagement structure whose membership is made up of Elected Members and elected representatives of partner organisations and members of the public
National Floor Targets	Set of targets set by National Government to tackle areas of deprivation across six key themes – Environment, Crime, Education, Health, Housing and Economy
Neighbourhood Renewal Fund (NRF)	Funding distributed by Government to areas with high levels of deprivation. The funding is utilised to deliver against national floor targets
Partnership Board	Representatives from nominated organisations and other co-opted individuals appointed to form the governing of the Walsall Borough Strategic Partnership.
Performance	Locally set to achieve set targets

<b>Term</b>	<b>Description</b>
Indicator	
Pillar Executive	An Executive Committee of each Pillar selected to ensure an appropriate scrutiny of proposed activity and uses of resources.
Pillar Groups	Delivery Partners and organisations.
Pillars	Delivery configuration to compliment the structure of the Local Area Agreement, consisting four pillars – Safer Stronger Communities Pillar Children and Young People Pillar Healthier Communities and Older Vulnerable People Pillar Economic Development and Enterprise Pillar
The Partnership	All of the constituent groups of the Walsall Borough Strategic Partnership or their sub groups or stakeholder groups.
Walsall Compact	An agreement between the major delivery organisations across the Borough and the community and voluntary sector to ensure the sector is fully engaged with consultation mechanisms and decision making
Walsall Council	Walsall Metropolitan Borough Council acting as a body corporate or through its duly appointed officers in accordance with its constitution.

## **2. Membership**

### **2.1. Partnership Board**

1. Membership of the Partnership Board shall be open to nominations from all bodies which make up the Partnership, including;
  - a) The leader of each registered political group which holds five or more seats on Walsall Council,
  - b) Walsall Council's chief executive,
  - c) Walsall Primary Care Trust's Chief Executive,
  - d) A chief superintendent of Walsall's police,
  - e) A chief officer of the fire service,
  - f) The chairperson or nominee or
    - (i) The Health and Social Care Partnership Board,
    - (ii) New Deal for Communities,
    - (iii) Walsall's Voluntary Action,
    - (iv) Walsall Community Empowerment Network,
    - (v) Walsall Chamber of Commerce,
    - (vi) Learning Skills Council,
    - (vii) Walsall Housing Partnership, and
    - (viii) Walsall Regeneration Company,
  - g) The principal or nominee of;
    - (ix) Walsall College of Art and Technology (WALCAT), and
    - (x) Wolverhampton University,

### **2.2. Executive Committee**

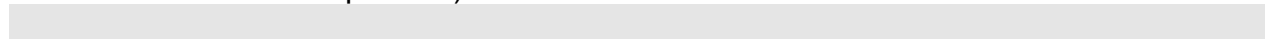
1. Membership of the Executive Committee shall be open to nominations from:
  - a) An Executive Director of Walsall Council,
  - b) The Chief Executive, of the teaching Walsall Primary Care Trust,
  - c) The Chairperson or Chief Officer of Community Engagement,
  - d) The chairperson of Children and Young People Executive Group,
  - e) An OCU Commander of West Midlands Police,
  - f) The chief officers of;
    - (i) Education Walsall, for such time as that company provides educating services to Walsall Council,
    - (ii) Walsall Voluntary Action,
    - (iii) Groundwork Black Country,
    - (iv) Walsall Learning & Skills Council,
    - (v) Walsall Chamber of Commerce,
    - (vi) Walsall Housing Partnership,

- (vii) Walsall Regeneration Company,
- (viii) New Deal for Communities, and
- (ix) Regeneration Zone,

### **2.3. Pillar Executive and Stakeholder Groups**

2. Membership of the Pillar Executive Group will be members of the Executive Committee within the area their expertise.
3. Membership of the Pillar Stakeholder Groups will be selected by Pillar Executive Chairs.

### **2.4. Theme Groups**

1. Membership of each of the Theme Groups shall be open to nominations from representatives of the Partnership's members with knowledge or interest in:
    - a) Community Engagement (and Equalities) comprising the Community Empowerment Network, neighbourhood representation and interest groups
    - b) Regenerating the Economy
    - c) Sustaining a Better Place to Live and Work (Walsall Housing Partnership and Walsall Environment Forum)
    - d) Improving Community Safety and Crime Reduction (including the Drugs and Alcohol Action Team)
    - e) Raising Education Standards through Lifelong Learning (led by the Learning Executive)
    - f) Improving Health, Well-Being and Social Care (Health and Social Care Partnership Board)
- 

### 3. Local Neighbourhood Partnerships

#### 3.1. Name

1. The names of each of the nine local neighbourhood partnerships (Local Neighbourhood Partnerships) set up by Walsall Council through the Walsall Borough Strategic Partnership (WBSP) are shown in Table 2 below, along with the area each shall serve.

*Table 2- Local Neighbourhood Partnership Names and Areas Covered*

<b>Local Neighbourhood Partnership Name</b>	<b>Council Areas Covered</b>
Brownhills Aldridge North	Brownhills and Aldridge North and Walsall Wood
Pelsall and Rushall	Pelsall and Rushall-Shelfield
Blakenall and Bloxwich	Bloxwich East, Bloxwich West and Blakenall
Willenhall	Willenhall North, Willenhall South And Short Heath
Darlaston	Darlaston South and Bentley and Darlaston North
Aldridge South and Streetly	Aldridge Central & South and Streetly
Pheasey and Paddock	Pheasey Park Farm and Paddock
St. Matthews and Birchills	St. Matthews and Birchills Leamore
Leamore	
Palfrey and Pleck	Palfrey and Pleck

#### 3.2. Remit

1. Walsall Borough Strategic Partnership and Walsall Council shall support the nine local neighbourhood partnerships. Each partnership shall:
  - a) Act in accordance with the WBSP's constitution and these terms of reference,
  - b) Report to the WBSP upon its progress,
  - c) Engage with local communities to facilitate delivery of improved services and development of vibrant communities, and
  - d) Develop a Neighbourhood Agreement for the area each serves.

2. This Neighbourhood Agreement shall:
  - a) Capture local pledges and actions to create involved, safer, healthier and prosperous communities,
  - b) Secure agreement from all those delivering local services to deliver actions that will result in improved outcomes for the local community.
  - c) Identify for the area served by the Local Neighbourhood Partnership outcomes which can be delivered within that area, and
  - d) Measure community satisfaction with what is planned and what has been achieved.

### **3.3. Objectives**

1. In undertaking and fulfilling their remit the Local Neighbourhood Partnerships have the following key objectives:
  - a) To consult and involve local residents, businesses and partner organisations in agreeing an annual neighbourhood agreement for their area.
  - b) To produce an annual neighbourhood agreement for their area that is consistent with the Borough's Community Plan and Local Area Agreement.
  - c) To manage and monitor the implementation of their neighbourhood agreement and to annually publish the achievements consistent with the Walsall Borough Strategic Partnership's performance management framework.
  - d) To increase local community involvement in the area and to involve local people in improving the environment in which they live and work.

### **3.4. Membership**

1. Each Local Neighbourhood Partnership will consist of all the Walsall councillors who represent the wards served by the partnership, WBSP nominated partners, and up to 10 locally appointed partners. WBSP nominated partners will be drawn from a representative of each of:
  - a) West Midlands Police,
  - b) West Midlands Fire Service,
  - c) Teaching Primary Care Trust,
  - d) Education Walsall,
  - e) Walsall Housing Partnership, and
  - f) Walsall Community Empowerment Partnership Board.
2. The nominated partners from WBSP will be reviewed in line with any revisions or amendments to WBSP's constitution. WBSP will confirm, at its Annual General Meeting, the partners nominated to each of the nine Local Neighbourhood Partnerships, who shall serve for that municipal year.
3. Locally appointed partners will be chosen by each Local Neighbourhood Partnership to reflect the different communities that each serves.

4. Local Neighbourhood Partnerships' years, and the term of office of all those appointed, will begin at the Annual General Meeting of the WBSP. Members' terms of office will terminate at the end of the municipal year.

### **3.5. Duties of all Members**

1. Every member of an Local Neighbourhood Partnership shall endeavour to:
  - a) Attend the Local Neighbourhood Partnership meetings,
  - b) Contribute positively to the partnership's discussions,
  - c) Work with other members to take important decisions leading to decisive action for the improvement of the neighbourhoods in which people live and work,
  - d) Work to achieve consensus on key issues and address and prioritise action.
  - e) Consider what is in the best interests of the Local Neighbourhood Partnership area by seeking and responding to local people's views,
  - f) Use their experience and expertise in order to develop good, workable solutions to their neighbourhood's problems,
  - g) Raise areas of concern in a constructive and supportive manner in order to improve the quality of life for people in their area, and
  - h) Be committed to equality of opportunity and creating inclusive communities.

### **3.6. Chairing of Meetings**

1. The first meeting of each Local Neighbourhood Partnership, following the Annual General Meeting of the WBSP, shall commence with the election of a chairperson and vice-chairpersons who shall remain in office throughout that municipal year or until they resign.
2. During the year commencing June 2006, the chairperson shall be one of the ward councillors representing the Local Neighbourhood Partnership's area. In addition there will be two vice-chairpersons, one of whom shall be drawn from the WBSP nominated partners and the other from locally appointed partners.
3. The chairperson and vice-chairpersons shall be elected each year with one each from:
  - a) Ward members,
  - b) WBSP nominated partners, and
  - c) Locally appointed partners.
4. In the absence of the chairperson, either one of the two vice-chairpersons shall chair the Local Neighbourhood Partnership meetings. They will have the same powers as the Chair at that meeting of the Local Neighbourhood Partnership.

### **3.7. Specialist Assistance**

1. 'Specialists' may be asked to attend a meeting of any Local Neighbourhood Partnership. They shall;
  - a) Inform debate, and
  - b) Assist members in the making of decisions.



2. 'Specialists' shall attend only in an advisory capacity and shall not have a vote or any right other than to be heard.

### **3.8. Meetings**

1. Each Local Neighbourhood Partnership's first meeting will take place only after the Annual General Meeting of the WBSP. A schedule of meetings for the year will be presented at the WBSP Annual General Meeting and circulated to all councillors and to those appointed as members at that meeting.
2. Local Neighbourhood Partnerships shall meet at least six times during of the year. The last of these meetings shall be before the end of the municipal year.
3. Meetings should be held within the area covered by the Local Neighbourhood Partnership and be in venues that are accessible to all.
4. At least five days before the date set for the Local Neighbourhood Partnership meeting, members shall be:
  - a) Informed in writing of the date, time and venue of the meeting, and
  - b) Provided with an agenda for the meeting.
5. The agenda should include, among other things:
  - a) Apologies received from members,
  - b) Declarations of interest by members,
  - c) Agreement of any items to be discussed under any other business,
  - d) Minutes of the last meeting,
  - e) Reports from Theme/Task Groups,
  - f) Public Forum,
  - g) Progress Report on the Neighbourhood Agreement,
  - h) Approval or amendment of any report to be made to the Partnership Board or Executive Committee of the WBSP,
  - i) Any other item on the agenda which has been notified to Partnership Board members, and
  - j) Any other business for which the meeting has given its approval.
6. Two community action groups will be established for each Local Neighbourhood Partnership area. One group will consider community safety and environmental issues and the other group will consider matters relating to health and young people.
7. Each community action group will meet bi-monthly. Their purpose is to:
  - a) Engage with service providers at the local level, including those from the voluntary and community sector.
  - b) Listen to and advise the Local Neighbourhood Partnership of issues and ideas raised by the wider community.
  - c) Listen to the issues raised by the Local Neighbourhood Partnership and connect these to the issues raised by the wider community.
  - d) Inform the content of the Local Neighbourhood Partnership's neighbourhood agreement and environmental action plan.

- e) Present potential solutions to the Local Neighbourhood Partnership for approval and endorsement of funding/resources.
  - f) Make known actions agreed and taken by the Local Neighbourhood Partnership and community action groups to the wider community.
8. The core membership of the community action groups will include as a minimum:
- a) An Local Neighbourhood Partnership Champion – who will chair the meeting
  - b) Key service deliverers (eg, Streetpride, Neighbourhood Police Team, Youth Service, Neighbourhood Wardens, GPs)
  - c) Representatives from residents groups, street champions, local interest groups (faith, disability, young people, BME), geographic networks, Neighbourhood Watch, Community Associations

### **3.9. Minutes of Meetings**

1. Every meeting of each Local Neighbourhood Partnership shall be minuted. Minutes of each meeting shall be;
  - a) Provided to every Local Neighbourhood Partnership member,
  - b) Discussed and amended for accuracy at the next quorate meeting of the Local Neighbourhood Partnership, and
  - c) Following correction of any errors, approved as a correct record of the business and resolutions of the meeting.
2. Once approved, minutes of meetings shall not be altered except following a resolution of the next meeting.
3. Approved minutes of the Partnership Board's and Executive Committee's meetings shall be;
  - a) Made available to representatives of the Accountable Body and to any body providing funds to the Partnership,
  - b) Published on the Walsall Borough Strategic Partnership's Internet site, and
  - c) Made available to members of the public.

### **3.10. Inclusion of items on the agenda**

1. Any member of the Local Neighbourhood Partnership may comment on items on the agenda and ask the Local Neighbourhood Partnership's chairperson for an item to be included on the agenda, provided that
  - a) the item falls within the remit of the Local Neighbourhood Partnership
  - b) sufficient notice of the item has been given to allow a response to be prepared
2. Notice of such items shall be given to the chairperson or to officers supporting the Local Neighbourhood Partnership, who will consult with the chairperson.

### **3.11. Decision Making**


1. Wherever possible, the Local Neighbourhood Partnership shall make decisions by a consensus of those members present.

2. Where consensus cannot be reached, the Chairperson may call for a vote.
3. Voting will be by a show of hands.
4. A simple majority of the members present shall be sufficient for the chairperson to declare any item carried or defeated.
5. The chairperson may cast a vote upon any item. In the event of a tied vote, the chairperson shall declare the motion carried or defeated.
6. Any member may choose to vote or to refrain from voting on any issue. Where any member or their substitute has declared a prejudicial interest in any issue, they shall not vote upon it.

### **3.12. Inquorate Meetings**

1. A quorum of six members must be present at the Local Neighbourhood Partnership meeting for it to reach any decision. Where a meeting of the Local Neighbourhood Partnership is inquorate, the chairperson shall decide whether to;
  - a) Abandon the meeting and reschedule it at another time to be agreed,
  - b) Adjourn the meeting for a period of up to thirty minutes, or
  - c) Continue with the business of the meeting.
2. Where the Local Neighbourhood Partnership chairperson decides to continue the meeting, it may discuss all the matters upon the agenda.
3. An inquorate meeting will have no authority to resolve upon any matter, but may choose to inform a future quorate meeting of views and opinions expressed. The next quorate meeting will discuss these matters and resolve upon them.

### **3.13. Public participation**

1. Each agenda for an Local Neighbourhood Partnership will have open session, lasting no more than 30 minutes. During this period any member of the public who resides, works or has an interest within the Local Neighbourhood Partnership area will be able to address the Local Neighbourhood Partnership on an issue that affects a significant number of citizens within the area served. The decision of the Chair is final as to whether an item affects a significant number of members of the public residing or working in the area.
  2. Members of the public will be asked to identify themselves, and state the nature of their interest within the Local Neighbourhood Partnership area prior to being invited to speak. The Local Neighbourhood Partnership may respond to the matter raised at the meeting, agree to respond in writing directly or agree to have the matter included on the agenda for their next meeting.
  3. In addition to the open session any member of the public may speak on any agenda item for no more than 5 minutes with the agreement of the Chair.
  4. Members of the public will be invited to present petitions for a maximum of 5 minutes on those things that are of great importance to them and action is not taking place.
- 

## **4. WBSP Members' Interests**

### **4.1. Personal Interests**

1. A Member of the Partnership Board, Executive Committee, Pillar Executive Groups, Pillar Stakeholders Groups and such although Groups as constituted by the Partnership Board must regard himself/herself as having a personal interest in any matter if the matter relates to an interest if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the authority's area, the well-being or financial position of himself/herself, a relative or a friend or –
  - a) Any employment or business carried on by such persons;
  - b) Any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - c) Any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
  - d) Any body listed in sub-paragraphs (a) to (e) of paragraph 15 below in
  - e) which such persons hold a position of general control or management.
2. In this paragraph:-
  - a) "Relative" means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
  - b) "Partner" in sub-paragraph (2)(a) above means a member of a couple who live together.

### **4.2. Disclosure of Personal Interests**

1. A Member with a personal interest in a matter who attends a meeting at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

### **4.3. Prejudicial Interests**

1. Subject to sub-paragraph (2) below, a Member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

### **4.4. Participation in relation to disclosed interests**

1. Subject to sub-paragraph (2) below, a Member with a prejudicial interest in any matter must:-
  - a) Withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting;
  - b) Not seek improperly to influence a decision about that matter.



## **5. WBSP Exempt Information/Private Meetings**

### **5.1. Descriptions of Exempt Information: England**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the Partnership, any partners or one it members holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Partnership, any partners or its members or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the Partnership, any partners or one of its members proposes—
  - a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b) To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### **5.2. Qualifications: England**

1. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
  - a) The Companies Act 1985;
  - b) The Friendly Societies Act 1974;
  - c) The Friendly Societies Act 1992;
  - d) The Industrial and Provident Societies Acts 1965 to 1978;
  - e) The Building Societies Act 1986]; or
  - f) The Charities Act 1993.
2. Information is not exempt information if it relates to proposed development for which the local planning Council may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
3. Information which;
  - a) Falls within any of paragraphs 1 to 7 above; and
  - b) Is not prevented from being exempt by virtue of paragraph 8 or 9 above,  
is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### 5.3. Interpretation: England

1. In Parts 1 and 2 and this Part of this Schedule—

**"employee"** means a person employed under a contract of service;

**"financial or business affairs"** includes contemplated, as well as past or current, activities;

**"labour relations matter"** means—

(i) Any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(ii) Any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the Council as they apply in relation to employees of the authority;

**"office-holder"**, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the Council or by any joint board on which the Council is represented or by any person who holds any such office or is an employee of the authority;

**"registered"** in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).

2. Any reference in Parts 1 and 2 and this Part of this Schedule to "the authority" is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—

a) In the case of a principal council, to any committee or sub-committee of the council; and

b) In the case of a committee, to—

(i) any constituent principal council;

(ii) Any other principal council by which appointments are made to the committee or whose functions the committee discharges; and

(iii) Any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and

c) In the case of a sub-committee, to—

(i) The committee, or any of the committees, of which it is a sub-committee; and

(ii) Any principal council which falls within paragraph (b) above in relation to that committee.

