

## WEST MIDLANDS LEADERS BOARD

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### CONSTITUTION

#### 1. Title

- (i) The West Midlands Leaders Board. ("The Board")

#### 2. Membership

- (i) All principal Councils in the Region of the West Midlands shall be eligible for membership of the Board.

#### 3. Purpose

- (i) To represent and promote the regional interests of the local authorities in the West Midlands Region and the communities they serve.

#### 4. Objectives

- (i) To secure a strong, coherent regional voice for local government and to promote the West Midlands in relation to regional, national and international issues.
- (ii) To provide a focus and mechanisms for regional collaboration in policy areas where regional working will promote economic, social and environmental prosperity and drive even more added value.
- (iii) To provide 'value added' services to support organisational development and improvement activities.

#### 5. Representation at meetings of the Board

- (i) Local Authorities in membership of the Board may be represented at its meetings by its leader or their duly nominated substitute and the meetings of the leaders shall be called the West Midlands Leaders Board (WMLB) (or such other name as the leaders shall from time to time determine).
- (ii) The leader of each authority or their duly nominated substitute shall exercise the number of votes allocated to the authority indicated in Annex 1.
- (iii) The Board may agree for other persons to attend and/or speak at its meetings, but such persons shall not be eligible to vote at any meetings of the Board.

#### 6. Voting

- (i) In the event of a vote being necessary at a meeting of the Board the voting scheme at Annex 1 will be used in conjunction with the voting protocols at Annex 2 and the Standing Orders of the Board at Annex 3.

- (ii) The person presiding at any meeting of the Board of any kind shall in the case of an equality of votes have a casting vote in addition to any vote he or she may be entitled to exercise as a member of the Board.

## **7. Meetings of the Board**

- (i) The Board shall hold an Annual General Meeting, normally in June, to conduct the following business:-
  - (a) Election of the offices of Chair and Deputy Chairs and the appointment of such other lead members as it may decide;
  - (b) Constitutions of Member Groups, their membership and Terms of Reference;
  - (c) Establishment of, and amendments to, Standing Orders and Scheme of Delegation if required;
  - (d) Annual report(s) to the Board;
  - (e) Schedule of meetings for the ensuing year;
  - (f) Outturn budget report and appointment of auditors;
- (ii) And at least one further meeting, unless otherwise agreed by the Chair and one of the Deputy Chairs, to consider the work plan, budget and subscriptions for the ensuing financial year.
- (iii) Other meetings of the Board may be held as required and may be summoned by the Chief Officer.
- (iv) An Extraordinary Meeting of the Board must be called by the Chief Officer at any time subject to receipt of a requisition from the authorities in membership of the Board holding not less than 1/3 of the votes. Such a requisition shall specify the business to be considered at the meeting.

## **8. Elected Officers of the Board**

- (i) The Board shall elect a Chair and two Deputy Chairs for a two year period, subject to annual review.
- (ii) The Chair shall preside at meetings of the Board provided that if the Chair is absent from a meeting one of the Deputy Chairs will preside. If the Chair and Deputy Chairs are all absent from a meeting the Board shall elect another member to preside at the meeting.

## **9. Member Panel**

- (i) There shall be a Member Panel which will provide a mechanism for engaging Members from the political groups, comprising of four local Authority Leaders, including the WMLB Chair and Vice Chair and one elected member nominated by each of the four regional political groups (Conservative, Labour, Liberal Democrat and Independent).

## **10. Annual meeting for all elected members**

- (i) There shall be at least one meeting per year to which all elected members should be invited.

## **11. Political Groups**

- (i) The four regional political groups (Conservative, Labour, Liberal Democrat and Independent) will be facilitated by the WMLB secretariat to meet at least twice a year and in addition at the annual meeting for all elected members.

## **12. Other Member Arrangements**

- (i) The Board will determine other member arrangements as deemed appropriate for the conduct of its business and which it may vary from time to time.
- (ii) Any elected member of any member authority may be appointed to sit on a Panel, Reference Group or Task and Finish Group of the Board provided that due regard is given to ensure as far as is possible that member groups reflect the necessary skills and expertise required for the particular role
- (iii) The Board may co-opt to the membership of Panels, Reference Groups Task and Finish Groups and other member arrangements any person with specialist skills or experience in order more effectively to pursue its purpose and objectives but such persons co-opted shall not exercise a vote.

## **13. Conduct of Business**

- (i) Notice of meetings shall be given by the Chief Officer. The period of notice for meetings of the Board shall be 28 clear days.
- (ii) Agenda specifying the business to be transacted shall be circulated by the Chief Officer not less than 7 clear days before a Board meeting. Agenda for meetings of the Board shall be determined by the Chief Officer in consultation with the Chair.
- (iii) A Quorum for the Board shall be members representing local authorities in membership of the Board holding at least 1/3 of the votes capable of being cast. The Quorum for other boards, panels and groups shall be 1/3 of the appointed membership.
- (iv) The Chief Officer in consultation with the Chair may, in cases of urgency, act on behalf of the Board in pursuance of its objectives and current policies
- (v) The Board shall determine other procedural matters by adopting such Standing Orders, Schemes of Delegation and Political Conventions as it deems necessary following a report from the Chief Officer

## **14. Corporate Responsibilities and Sub-Regional Groupings**

- (i) The Board shall act, wherever possible, on the basis of consensus and views expressed by elected officers of the Board shall reflect this approach. Where voting is necessary, it shall be in accordance with the scheme and protocols at Annexes 1 and 2. Dissenting views may be recorded in the minutes.
- (ii) The Board may make such appointments to outside bodies as it thinks fit
- (iii) The Board may establish or recognise other groupings for any other purposes it deems necessary, especially in recognition of the diversity of the region.

## **15. Staff**

- (i) The Board will employ a Chief Officer and such other staff and officers as may be determined from time to time.

## **16. Amendments to the Constitution**

- (i) The Constitution and operating protocols of the Board may be amended by a simple majority of those present and voting with the exception of items relating to Purpose, Objectives, the nature of the subscription scheme and voting allocations which must be the subject of a 2/3 majority of the votes capable of being cast by those Councils in membership of the Board at that time.

## **17. Finance and Administration**

- (i) The budget and a report on subscriptions for the ensuing financial year shall be presented to a meeting of the Board
- (ii) The Board may not invest, lend or borrow money or acquire or dispose of land and buildings without obtaining specific approval at a meeting of the Board.
- (iii) The Chief Officer shall be authorised to sign documents on behalf of the Board.
- (iv) Subscriptions paid by Authorities in membership of the Board shall be determined on the basis of a scheme approved by the Board. Such a scheme shall have regard to the differences in size and type of authorities existing in the region
- (v) The Board's financial year shall run from 1 April to 31 March.
- (vi) All contributions shall become due on 1 April in every year. The Board shall have power to terminate the membership of any member authority whose subscription is not paid by 1 September of any year after a demand in writing has been sent to that member authority, notwithstanding the subscription shall remain duly payable.
- (vii) Accounts of all funds held by or on behalf of the Board shall be prepared annually and shall be audited by auditors to be appointed annually at the Annual Meeting of the Board.
- (viii) Indemnity - Each constituent authority, by accepting membership of the Board, undertakes jointly with each of the other constituent authorities, whilst it is in membership, to underwrite any liabilities that are not ultra vires and may be incurred in the name of the Board with its authority.

## **17. Resignation**

- (i) Any member authority wishing to terminate its membership shall give not less than 12 months' notice in writing to the Chief Officer to expire on 31 March in any year.
- (ii) Any member authority shall, upon ceasing to be a member of the Board, forfeit all right to and claims upon the Board 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 Board (formerly WMLGA) on behalf of member authorities including any related contingent staff liabilities. Such share to be calculated on the last day of the authority's period of membership (31 March), based on the proportion with which the subscription paid by the authority bears to the total subscriptions of the Board.

## **18. Dissolution**

- (i) A motion for the dissolution of the Board must be approved by 3/4 of the votes capable of being cast by local authorities in membership of the Board.
- (ii) Following agreement to the dissolution of the Board, the Chief Officer shall be responsible for disposing the assets/liabilities of the Board and the apportionment of responsibility 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 of the Board.

Approved on 13 July 2009

## WEST MIDLANDS LEADERS BOARD

## Voting Structure

Authority	Vote	
Worcestershire CC	6	
Worcester DCs (6 x 1 vote each)	<u>6</u>	12
Herefordshire Unitary	4	4
Shropshire Unitary	5	5
Telford and Wrekin Unitary	3	3
Staffordshire CC	8	
Staffordshire DCs (8 x 1 vote each)	<u>8</u>	16
Stoke-on-Trent Unitary	5	5
Warwickshire CC	5	
Warwickshire DCs (5 x 1 vote each)	<u>5</u>	<u>10</u> 55
Birmingham	21	
Coventry	7	
Dudley	7	
Sandwell	7	
Solihull	5	
Walsall	7	
Wolverhampton	<u>6</u>	<u>60</u> <u>115</u>

## WEST MIDLANDS LEADERS BOARD

### Voting protocols

#### 1. Voting Principle

Voting strengths relate to the authorities and therefore mechanisms should be flexible enough to enable authorities with multiple votes to maximise their vote when required.

#### 2. Voting protocols:-

##### (a) Representation and Voting:-

(i) These protocols will apply to full meetings of the Board and to such Member Groups of the Board or representations on other bodies determined by the Board, as the Board may from time to time decide. "One member one vote" will apply to other meetings.

(ii) Each authority shall have the number of votes identified in Annex I to be exercised by the Authority leader or their duly nominated representative.

(iii) Votes are not transferable between authorities and may not be exercised by officers.

(iv) For each meeting the Chief Officer shall maintain a 'named votes list' showing the names of the members entitled to be present at that meeting and the votes attached to each.

##### (b) Voting Procedure

(i) The Chair initially to seek approval to motions by voice agreement.

(ii) If the indication by voice is not clear the Chair may, or if requested by any member, shall seek a show of hands.

(iii) If, because of the multiple vote arrangements, on a show of hands the decision remains in doubt, the Chair may, or if requested by a number of members equivalent to 10 votes must, initiate a named vote where the Chief Officer uses a voting list which indicates the voting members and the numbers of votes each has at that meeting. In these circumstances decisions will be based on a majority of the votes cast in accordance with the voting totals.

**STANDING ORDERS FOR THE REGULATION OF PROCEEDINGS AND BUSINESS  
OF THE WEST MIDLANDS LEADERS BOARD (WMLB)**

**1. Meetings of WMLB**

- 1.1 WMLB shall meet not less than twice a year, one of which shall be designated the Annual General Meeting, to be held not more than 15 months and not less than nine months after the preceding Annual General Meeting.
- 1.2 Notice of the date, time and venue shall be sent to members not less than 28 calendar days before each meeting.
- 1.3 An agenda specifying the business to be transacted shall be sent to members not less than 7 calendar days before each meeting.
- 1.4 No other business except as specified in the agenda shall be transacted except with the approval of a majority of votes present at that meeting.
- 1.5 Extraordinary meetings of WMLB may be called at the request of the Chair, or in his/her absence one of the Deputy Chairs, or by request in writing to WMLB's Chief Officer signed by members representing at least 20 votes and giving the purpose of the meeting. The Chair, or in his/her absence one of the Deputy Chairs, may agree in exceptional circumstances that the period of notice of date, time and venue for extraordinary meetings be less than 28 days

**2. Quorum**

- 2.1 No business shall be transacted at any meeting of WMLB unless members representing at least 39 votes are present at that meeting.

**3. Chair**

- 3.1 Meetings of WMLB shall be presided over by the Chair of WMLB, or in his/her absence one of the Deputy Chairs
- 3.2 In the absence of the Chair and Deputy Chairs another member of WMLB may be chosen as Chair for any particular meeting by the majority of the votes present at that meeting.
- 3.3 The decision of the Chair of any WMLB meeting on all points of procedure and order, and interpretation of Standing Orders, is final.
- 3.4 In Standing Orders, 5, 6, 8, 10, 11 and 12 reference to the Chair shall mean the Chair of the meeting in question.

**4. Attendance Record**

- 4.1 At every meeting of WMLB each member shall enter his or her name in an attendance book, or on such other form of record provided by WMLB's Chief Officer, from which attendance of members will be recorded.

## **5. Minutes**

- 5.1 The minutes of the previous meeting of WMLB sent to members with the agenda will be taken as read.
- 5.2 Any motion or discussion on the minutes can only relate to their accuracy. Subject to such motions or discussions, the Chair shall sign the minutes as a correct record.

## **6. Order of Business**

- 6.1 The order of business at WMLB meetings shall normally be as listed on the agenda but the Chair may, at his/her discretion, alter the order in which business is taken at the meeting.

## **7. Motions not requiring notice**

- 7.1 The following motions may be moved without notice:-
  - (a) Appointment of Chair and Deputy Chairs of WMLB
  - (b) Appointment of a Chair for the meeting;
  - (c) Relating to the accuracy of the minutes, closure, adjournment, order of business, or next business;
  - (d) Appointment of any Member group or Lead Member for any purpose;
  - (e) Appointment of members of WMLB to other bodies;
  - (f) Adoption of reports and recommendations of, Member Groups or Officers and any consequential resolutions;
  - (g) Amendment to recommendations of Member Groups or Officers;
  - (h) Leave be given to withdraw motions;
  - (i) Amendment to motions;
  - (j) A motion to exclude the public;
  - (k) By the Chair;
  - (l) Suspending Standing Orders.
- 7.2 All other motions will require fourteen clear days notice to the Chief Officer unless agreed by the Chair or in his/her absence one of the Deputy Chairs and will be included upon the agenda for the meeting

## **8. Rescission of Preceding Resolutions**

- 8.1 Resolutions of WMLB passed within the previous six months cannot be rescinded, nor can a notice or amendment to the same effect as one which has previously been decided against within the preceding six months be proposed. This Standing Order shall not apply to motions moved by Member Groups.

## **9. Rules of Debate**

9.1 A motion or amendment, other than motions to adopt reports and recommendations of Member Groups or Officers, shall not be discussed nor recorded in the minutes of the meeting unless it is proposed and seconded by members of WMLB.

9.2 An amendment to a recommendation or other motion must be either:-

(i) to leave out words;

(ii) to leave out words and to insert or add others, or

(iii) to insert or add words.

Any such amendment must not have the effect of introducing a new proposal into, or negating, the original motion.

9.3 Whenever an amendment has been moved and seconded, no second or subsequent amendment can be moved until the previous amendment has been disposed of, although notice of any number of amendments can be given without speaking to them.

9.4 If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended will become the substantive motion upon which any further amendment may be moved.

9.5 An amendment or other motion may be withdrawn by the proposer with the concurrence of the seconder and the consent of the WMLB meeting.

9.6 The proposer of a motion may, with the consent and of the WMLB meeting, alter a motion if the alteration is one which could have been moved as an amendment thereto.

9.7 No member shall address the meeting more than once on any question but the proposer of a motion or an amendment has the right of reply at the close of the debate, with the proposer of the original motion having the final right of reply before the amendment is put to the vote. Neither may introduce any new matter in exercising the right of reply.

9.8 When seconding a motion a member may reserve his/her speech until a later period of the debate.

9.9 When speaking, members must address the Chair. However, when the Chair rises no member may continue speaking. The debate will only continue when the Chair resumes his/her seat.

9.10 The Chair will determine the order of priority of speakers on any matters.

9.11 Without the consent of the WMLB meeting, which shall be given or refused without debate, no speech by the proposer of a motion or amendment shall exceed ten minutes in length and no other speech shall exceed five minutes in length.

9.12 No member, unless rising on a point of order or personal explanation, may interrupt the speech of another member, nor impute motives or use offensive expressions to any member or officer.

9.13 A member may rise to a point of order or on a personal explanation, but a

personal explanation must be confined to some material part of a former speech by that member at the same meeting which may have been misunderstood.

## **10. Voting**

- 10.1 If the Chair considers that the question has been sufficiently discussed he/she will put the motion to the vote.
- 10.2 Every question shall in the first instance be determined by voice "aye" or "no" but the Chair may, and if the question be challenged must, take a show of hands. If members entitled to cast 10 or more votes and representing at least two constituent authorities rise and demand a division then the names for and against shall be taken down in writing and entered in the minutes and the question shall be determined by the total votes cast having regard to the number of votes each member is entitled to cast in accordance with the voting protocols of WMLB.
- 10.3 Where, immediately after a vote is taken and it is not taken down in writing in accordance with (ii) above, and any member present at the meeting so requests, a record shall be made in the minutes of the meeting of whether the member voted for or against the motion or whether the member abstained from voting.
- 10.4 In the event of equality of voting the Chair shall have a second or casting vote in addition to any vote to which he or she may be entitled as a voting member.

## **11. Adjournment by Chair**

- 11.1 The Chair may adjourn the meeting for as long as he/she wishes and any business not conducted at that time will be considered at the next meeting.

## **12. Notices**

- 12.1 All notices and communications required by these Standing Orders to be sent or delivered may be sent by post or by agreement by electronic means, and any such notice or communication shall be deemed to be received on the day on which in the ordinary course of first class post it would be received or on the day it was transmitted electronically.

## **13. Variations and Revocation of Standing Orders**

- 13.1 Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, be referred to the Leaders Board without debate or discussion.

## **14. Suspension of Standing Orders**

- 14.1 Any of the preceding Standing Orders (other than Standing Order 13) may be suspended at any meeting of WMLB, as regards any business on the agenda for such meeting, providing the majority of the votes present at the meeting so decide.