

HAMPSHIRE AND ISLE OF WIGHT LOCAL GOVERNMENT ASSOCIATION

27 January 2006

**CHANGE TO CONSTITUTION TO ENABLE NATIONAL PARK AUTHORITIES TO
JOIN THE ASSOCIATION**

Report by the Director

RECOMMENDATION

That the Association's constitution be amended as set out in this report.

1. The Association's constitution is reproduced in the annex with a proposed amendment (on the first page/paragraph 2.1) which would allow the New Forest National Park Authority and a future South Downs authority to join. The proposed amendment is shown in bold, as are two consequential amendments concerning attendance and voting (5.1 and 5.9).
2. The constitution was drawn up at local government re-organisation in 1997. The amendment would allow both for any future changes in structure and for new single purpose authorities to join. New national park authorities could join as Full Members, paying the same rate as District Councils/Fire/Police Authorities, or they could join with existing Members' agreement as Associate Members and pay half the normal rate of subscription.
3. Amendments to the constitution require a two-thirds majority.
4. At the meeting of the Association in March 2005, Members requested a discussion about the impact of a new national park. With this in mind, and with the Chairman's agreement, I have invited the Chief Executive of the New Forest National Park Authority - Lindsay Cornish - to attend the Association's meetings as an observer.

NICK GOULDER
Director

Date: 16 January 2006
Annex: 1
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**HAMPSHIRE AND ISLE OF WIGHT LOCAL GOVERNMENT
ASSOCIATION**

Constitution and Terms of Reference

1. **Title**

The Association shall be known as the Hampshire and Isle of Wight Local Government Association.

2. **Membership**

2.1 The following shall have the right of membership -

Hampshire County Council
Isle of Wight Council
Portsmouth City Council
Southampton City Council
Basingstoke and Deane Borough Council
Eastleigh Borough Council
East Hampshire District Council
Fareham Borough Council
Gosport Borough Council
Hart District Council
Havant Borough Council
New Forest District Council
Rushmoor Borough Council
Test Valley Borough Council
Winchester City Council
Hampshire and Isle of Wight Police Authority
Hampshire Fire and Rescue Authority
Such other local authorities that shall from time to time be created in the area including National Park Authorities
The Hampshire Association of Parish and Town Councils
The Isle of Wight Association of Parish and Town Councils

The two latter associations are referred to collectively in this constitution as “the associations”.

2.2 With the agreement of authorities paying the full subscription rate, the status of associate member may be granted to authorities which are not contributing at full subscription rates.

2.3 Membership of the Association is a voluntary matter for each authority or association. However, should any authority or association wish to withdraw from membership or associate membership, then at least 12 months’ notice must be

given. In the event notice of withdrawal is given in mid year (i.e. any time after the 1st October in any year), no reduction of subscriptions shall be made.

3. **Objectives**

The objectives of the Association shall be -

- 3.1 To provide a means for facilitating co-operation between the constituent authorities and with the associations;
- 3.2 To promote the interests of local government in Hampshire and the Isle of Wight;
- 3.3 To assist the member authorities and the associations in the effective performance of their duties and functions;
- 3.4 To pursue issues of common concern to member authorities and the associations and to represent their joint interests to other bodies.

4. **Terms of Reference**

- 4.1 The Association will have the ability to consider any matter facing local government, but it shall not have the power to make decisions that would bind one or all of the member authorities or associations;
- 4.2 The Association will determine appropriate nominations to any organisation, body or authority as are requested or invited;
- 4.3 The Association will have the power to authorise the Chairman, Vice Chairman, or Director to make representations to any person or organisation on its behalf.

5. **Organisation**

Attendance and Representation

- 5.1 On payment of the full subscription rate, each member authority, associate member authority and the associations will have the right to appoint up to the following number of representatives to attend meetings of the Association -

Hampshire County Council	-	4 councillors
Unitary Councils	-	3 councillors
District Councils	-	2 councillors
Police Authority	-	2 representatives
Fire and Rescue Authority	-	2 representatives
Other Authorities	-	2 representatives
An associate member authority	-	1 representative
Each of the associations	-	1 representative

- 5.2 Substitute representatives, with full powers, will be entitled to attend meetings of the Association. Other representatives can attend for specific items of direct concern, but in a non voting capacity.
- 5.3 Staff of member and associate member authorities and the associations will be entitled to attend meetings and to speak, but not to vote.

Chairmanship

- 5.4 A Chairman and a Vice Chairman shall be elected or be re-elected for a term of 12 months at the Annual Meeting of the Association, from among the representatives of member authorities paying the full subscription rate.
- 5.5 No individual can serve for more than two consecutive periods of 12 months in the same office of Chairman or Vice Chairman. The Chairman of the Association shall not be appointed from the same member authority in successive maximum periods of office.

Meetings

- 5.6 The Annual Meeting of the Association shall be held in June of each year.
- 5.7 Other meetings of the Association shall take place at least quarterly, at times and venues determined by the member authorities. Meetings will be held and hosted in turn by all member authorities.
- 5.8 A special meeting may be required by any five member authorities; not less than seven days notice shall be given to member and associate authorities and the associations of the time and place of the special meeting and of the business to be considered.

Voting

- 5.9 Decisions shall be taken on a general consensus of opinion, but where this is not possible each member authority or association shall hold voting rights in concert with the representation as set out in paragraph 5.1 as follows -

Hampshire County Council	-	4 votes
Portsmouth City Council	-	3 votes
Southampton City Council	-	3 votes
Isle of Wight Council	-	3 votes
Each District Council in Hampshire	-	2 votes
Hampshire and Isle of Wight Police Authority	-	2 votes
Hampshire Fire and Rescue Authority	-	2 votes
Other Authority	-	2 votes
Any associate member authority	-	1 vote
Each of the associations	-	1 vote

Staff and Accommodation

- 5.10 A Director and appropriate administrative assistance shall be appointed by the Association to support and promote the work of the Association, to convene meetings, to conduct business on its behalf and to act as Secretary to the Hampshire and Isle of Wight Chief Executives' Group. The Chief Executives' Group shall be responsible for making arrangements to oversee the performance of the Director, and for management of the Association's affairs in the absence of a Director
- 5.11 Any authority or authorities from time to time providing accommodation, financial systems, committee secretary or other related support to the Association should be reimbursed for the costs of providing that support.
- 5.12 The Association shall also appoint a Treasurer, who will manage the Association's financial affairs on behalf of the Director, and an Auditor, who will audit the Association's accounts once a year.

Amendments and Quorum

- 5.13 Amendments to the Constitution may only be adopted by a two thirds' majority of those entitled to vote and be present.
- 5.14 A quorum shall comprise not less than twelve representatives from at least five member authorities.

Subscriptions

- 5.15 The annual subscriptions from member and associate member authorities to cover the anticipated costs of the Association shall be fixed before the end of each January for the year starting from the following June, by a formula that correlates to the voting rights (as set out in paragraph 5.9). Special subscription rates for the associations shall also be fixed. Subscriptions shall be paid on or before 1st June each year.

Annual Report and Papers

- 5.16 An annual report on the work and costs of the Association in the preceding year, shall be prepared for consideration at each Annual Meeting.
- 5.17 Printed copies of the summons and agenda for meetings of the Association shall be despatched by the Director at least one week before each meeting to each member and associate member authority and the associations, with enough copies for each representative and one extra for the Chief Executive /Head of Paid Service.

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7th revision