CONSTITUTION

1. Membership
1.1 Each of the Three Councils (i.e. Breckland District Council, Forest Heath District Council and East Cambridgeshire District Council) shall appoint two of its members for the time being to be members of the New Joint Committee.

1.2 Each Joint Committee Member shall remain in office until removed or replaced by his or her appointing Council or until ceasing to be a member of his or her appointing Council (or of the executive if Regulation 12(1) of the 2000 Regulations is applicable to his or her appointment).

1.3 Each of the Three Councils may remove and replace its members at any time by giving notice of such removal or replacement to the New Joint Committee by sending such notice to the Secretary within five days of effecting such removal or replacement.

1.4 The proceedings of the New Joint Committee shall not be invalidated by any vacancy or by any defect or purported defect in the appointment of any Joint Committee Member.

2. Meetings of the New Joint Committee
2.1 Meetings shall be open to the public in accordance with the requirements of the Local Government Act 1972 and Part I of Schedule 12 of the Local Government Act 1972 shall apply to meetings of the New Joint Committee.

2.2 Meetings of the New Joint Committee shall normally be held once each quarter, subject to the need exceptionally to call additional meetings.

2.3 One of the meetings of the New Joint Committee shall be held during May or June of each calendar year and shall be the annual meeting of the New Joint Committee at which the election of the Chairman and Vice-Chairman of the New Joint Committee shall take place together with such other business as may be appropriate in the opinion of the outgoing Chairman.

2.4 The Chairman shall decide the venue, date and time of all meetings of the New Joint Committee. Wherever practicable, at least ten days notice of such meetings shall be given to each Joint Committee Member, the Secretary, Treasurer, Monitoring Officer and to each of the Three Councils.

2.5 Any Joint Committee may requisition a meeting of the New Joint Committee by giving notice of such requisition to the Chairman and to the Secretary. Immediately upon receipt of such requisition, the Chairman shall call a meeting of the New Joint Committee in accordance with paragraph 2.4.

2.6 The Standing Orders applicable to council meetings of Breckland shall apply to meetings of the New Joint Committee except in so far as the New Joint Committee may agree amendments thereto or may adopt its own standing orders.

3. Quorum
3.1 No business may be transacted at a meeting of the New Joint Committee unless a quorum is present. The quorum for a meeting shall be three Joint Committee Members present in person, one of whom must be a JC Member from Breckland Council, one JC Member from Forest Heath District Council and one JC Member from East Cambridgeshire District Council.
3.2 If a quorum is not present within 15 minutes of the time set for the commencement of a meeting of the New Joint Committee (or a quorum ceases to be present during a meeting) the meeting shall be adjourned to the same date time and venue seven days later or to such other date time and venue as the Chairman (or other person who is chairing the meeting) shall determine.

4. **Chairman and Vice-Chairman**

4.1 The Chairman and Vice-Chairman shall be elected at each annual meeting and shall hold office for the next ensuing year.

4.2 The persons eligible to be elected as Chairman shall not be the appointees of a Council whose appointee held that position in either of the two previous years.

4.3 The persons eligible to be elected as Vice-Chairman shall not be the appointees of a Council whose appointee held that position in the previous year.

4.4 The Chairman and Vice-Chairman shall not be appointees of the same Council.

4.5 The Chairman or Vice-Chairman may be removed by a majority vote of all Joint Committee Members present at a meeting of the New Joint Committee subject to the Chairman or the Vice-Chairman being given the opportunity to address the meeting before the vote is taken to put his or her case why he or she should not be removed.

4.6 If the Chairman or the Vice-Chairman is removed by a vote of the New Joint Committee or resigns or is otherwise unable to continue as Chairman or Vice-Chairman he or she may be replaced by the election of a Joint Committee Member as Chairman or Vice-Chairman as the case may be who is the appointee of the same Council as the outgoing Chairman or Vice-Chairman.

4.7 The Chairman shall preside at all meetings of the New Joint Committee. If the Chairman is not present within five minutes of the time for the commencement of a meeting, or being present does not wish to preside, or is unable to do so, then the Vice-Chairman shall preside at that meeting. If (in the event of the absence or non-availability of the Chairman) the Vice-Chairman is not present within five minutes of the time for the commencement of the meeting or does not wish to preside or is unable to do so, the meeting shall appoint a Joint Committee Member to chair the meeting.

4.8 In the event of an equality of votes the person chairing a meeting of the New Joint Committee shall have a second or casting vote.

5. **Sub-Committees**

5.1 The New Joint Committee may appoint one or more sub-committees of the Committee (in accordance with Regulation 11(4) of the 2000 Regulations*) as it may consider to be required and to delegate specific functions to such sub-committees.

5.2 Any sub-committee shall comprise a majority of Joint Committee Members (one of whom shall chair the sub-committee) but may include non-Joint Committee Members or officers of the Committee or of the ARP.

5.3 The Committee shall determine terms of reference of each sub-committee, the term of office of each sub-committee member and the quorum for meetings of each sub-committee and the financial limits within which it shall operate.

6. **Officers**

6.1 **Secretary**

6.1.1 The Secretary of the New Joint Committee shall be the Democratic Services Manager of Breckland for the time being. The Secretary shall be responsible for the
recording of the minutes of all meetings of the New Joint Committee and for the
circulation of draft minutes to each Joint Committee Member within five days of each
meeting and responsible for the sending out of all notices and agendas of meetings.
Minutes and records of the meetings of the New Joint Committee shall be
maintained by the Secretary in accordance with the requirements of the Local

6.2 Treasurer
6.2.1 The Treasurer of the New Joint Committee shall be the Chief Financial Officer of
Breckland for the time being. The Treasurer shall be the Chief Financial Officer of
the New Joint Committee and shall perform the functions of the relevant officer
responsible for the administration of the financial affairs of the New Joint Committee
under Section 151 of the Local Government Act 1972, Part VIII of the Local
Government Finance Act 1988 and the Local Government (Accounts and Audit)
Regulations 2003.

6.2.2 The Treasurer shall also perform the role of the accounting officer in respect of all
funds held on account for or paid to the Three Councils or any of them by Her
Majesty’s Government or the European Union for any purposes of the New Joint
Committee Functions and to make or provide all appropriate banking and accounting
arrangements and services required for the due and proper receipt, holding and
application of such funds in accordance with the requirements of Her Majesty’s
Government and in accordance with best practice.

6.3 Monitoring Officer
6.3.1 The Monitoring Officer of Breckland for the time being appointed for the purposes of
section 5 of the Local Government and Housing Act 1989 shall act as the Monitoring
Officer in respect of all actions and decisions of the New Joint Committee in
accordance with the provisions of the said section 5.

6.4 Legal Advice
6.4.1 General legal advice and services shall be provided to the New Joint Committee and
the ARP by the Head of Legal Services of Breckland for the time being subject to the
Operational Board (where it considers it appropriate) deciding that any specific legal
advice or services should be sought from the Head of Legal Services of one of the
others of the Three Councils or deciding to instruct external legal consultants to
provide legal advice and services in respect of specific matters or where the
Operational Board considers that a conflict of interest may arise. Where the use of
legal advice and services from an external source is required, the New Joint
Committee shall approve the use of such external legal consultants.

6.5 Operational Board
6.5.1 The New Joint Committee shall establish a working group of ARP senior staff to be
known as the Operational Board.

6.5.2 The members of the Operational Board shall comprise the following officers of the
ARP: the Strategic Manager, the Benefits Manager, the Income Manager, the
Performance Manager and such other officers of the New Joint Committee or of the
ARP as the New Joint Committee may decide.

6.5.3 The responsibilities of the Operational Board shall be to:

6.5.4 Manage the performance of the services to be provided by the ARP in relation to the
New Joint Committee Functions so as to ensure, so far as is possible and
practicable, ensure the delivery of such services in accordance with the delivery plan
approved by the New Joint Committee and the progress and performance targets set
by the New Joint Committee.

6.5.5 To report to the New Joint Committee meetings on the progress and performance of
the services provided by the ARP in connection with the performance of New Joint
Committee Functions.
Committee Functions against the delivery plan and targets set by the New Joint Committee.

6.5.6 Strive to ensure that the services provided by the ARP are delivered equitably between the Three Councils, so far as may be practicable.

6.5.7 Prepare and submit to the New Joint Committee for its approval on or before 30th November in each year an annual business plan, annual budget and annual delivery plan for the next Financial Year.

6.5.8 To report to the New Joint Committee on the income and expenditure of the ARP against the approved budget.

6.5.9 To seek to ensure so far as is practicable that the New Joint Committee Functions are performed within the budget approved by the New Joint Committee and to notify the Joint Committee of any material divergence from the annual budget and the reasons therefore.

6.5.10 To recommend to the New Joint Committee the resources required to perform the New Joint Committee Functions to the requisite performance standards and any changes required in such resources to maintain such performance standards.

6.5.11 Make appropriate recommendations to the New Joint Committee on any matter of relevance to the business of the New Joint Committee and of the ARP.