

# LGA General Assembly

## Agenda

**Tuesday, 8 July 2014**

Bournemouth International Centre  
Exeter Road, Bournemouth, BH2 5BH

**To:** General Assembly representatives, substitutes and observers attending the meeting

[www.local.gov.uk](http://www.local.gov.uk)

## **Information for Members**

### **Location Map**

A location map is attached (**back cover**) showing the venues for the various meetings - all are situated either within, or a short distance from, Bournemouth International Centre.

**All sessions are being held within Bournemouth International Centre or within close proximity, so no transport will be provided during the conference.**

### **Registration**

Registration and exhibition will be open from 9.00am on Tuesday 8 July. The registration desks will be situated in the main entrance. All registration for the conference will take place in this area for delegates, exhibitors, press and speakers. Everyone must register here on their first day.

All representatives should register their attendance **before** going to their Group Meetings.

### **General Assembly 2014 - Voting**

The LGA's Standing Orders state that questions shall, wherever possible, be determined by a show of hands. A ballot may be held if: the Chairman considers it desirable, or immediately after the Chairman has declared the result of voting, representatives from not less than one-third of the authorities represented at the meeting rising in their seats demand a ballot. If a recorded vote is required, **representatives with the right to vote** should complete, sign and detach the voting card at the back of their General Assembly agendas and hand it to the hall staff. The actual votes cast will be determined retrospectively and the LGA will notify the Chief Executives of all member authorities of the result of the ballot as soon as possible.

### **Security**

Please note that there will be strict security at Bournemouth International Centre.

**It is essential that all representatives and observers wear their badges for the General Assembly Meeting.**

All delegates (those who are attending the General Assembly Annual Meeting and the Annual Conference and those who are attending the General Assembly only) will be sent their badges during week beginning Monday, 23 June.

If you lose your badge at any time during the event, please collect a replacement from the badging desks in the main entrance foyer of Bournemouth International Centre. Please note that proof of identity will be requested before replacement badges are issued.

### **Emergency Procedures - Evacuation of Bournemouth International Centre**

If the BIC Duty Operations Manager decides the building should be evacuated a tannoy announcement will be made asking you to evacuate the building and go to the nearest assembly point. A siren will sound after the announcement.

The BIC blue coat staff will assist at this time and BIC staff with yellow fluorescent jackets will be responsible for the total evacuation.

Please leave the building immediately

Please do not return to any rooms to collect personal belongings.

**Assembly point A:** the cliff path outside the Purbeck Foyer entrance – a large red sign stating Assembly point A is located on a lamp post on the cliff path.

**Assembly point B:** Outside the Hot Rocks Ocean Restaurant near the Pier

### **Car parking**

The car park at the BIC (650 spaces) is Pay and Display and is open to the general public. There are also many other car parks within walking distance including the Bournemouth Pavilion car park.

### **Meeting of the General Assembly**

#### **Seating**

The General Assembly will be held in the Windsor Hall in the Bournemouth International Centre starting at 11.45am.

Space will be allocated for wheelchair users within the Hall.

### **Questions**

For delegates wishing to speak/ask questions, there will be roving microphones during all plenary sessions and speakers will be called by the session chair. Delegates are asked to announce their name and authority clearly before addressing the meeting.

### **Dietary Requirements**

Please remember to advise the LGA events team of any special requirements as soon as possible. It may not be possible to meet special dietary needs if these are not notified before the day of the meeting. LGA events team email: [events@local.gov.uk](mailto:events@local.gov.uk).

### **Hearing**

There are induction loops in rooms within Bournemouth International Centre where sound amplification is provided. No additional equipment is required to access this facility.

### **Cloakroom**

The delegates' cloakroom will be open from 8.30am on Tuesday 8 July, situated to the right of the registration desks in the main entrance foyer. Delegates can collect any luggage after the General Assembly Meeting.

### **Delegate messages and information point**

The conference office is located behind the registration desk and will be open throughout the conference.

The conference office can take telephone messages for delegates which will be available to collect from the registration area. Tel: 01202 586089.

### **Toilets**

Toilets are clearly marked at all the venues, including adapted facilities for those with mobility difficulties.

### **Contact Officers**

The contact officers for the General Assembly are –

#### **Fatima de Abreu**

Direct line: 020 7664 3136

Email: [fatima.deabreu@local.gov.uk](mailto:fatima.deabreu@local.gov.uk)

#### **Cathy Boyle**

Direct line 020 7664 3205

Email: [cathy.boyle@local.gov.uk](mailto:cathy.boyle@local.gov.uk)

## **Programme**

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The Annual Meeting of the General Assembly will take place in Bournemouth International Centre, Exeter Road, Bournemouth, Dorset BH2 5BH

<b>TIME</b>		<b>VENUE</b>
8.30-10.00	<b>Registration and Refreshments</b>	
	Refreshments	<b>Purbeck and Tregonwell Halls</b>
10.00-11.30	<b>Political Group meetings:</b>	
	<b>Conservative Group</b>	<b>Windsor Hall</b>
	<b>Labour Group</b>	<b>Solent Hall</b>
	<b>Liberal Democrat Group</b>	<b>Tregonwell Hall - Seminar Suite 1</b>
	<b>Independent Group</b>	<b>Bayview Suite</b>
11.45-12.30	<b>General Assembly meeting</b>	<b>Windsor Hall</b>
12.30	<b>Close of General Assembly</b>	
12.30-2.00	<b>LUNCH AND EXHIBITION VIEWING</b>	<b>Purbeck and Tregonwell Halls</b>
2.00pm	<b>OPENING OF ANNUAL CONFERENCE</b>	<b>Windsor Hall</b>



## **Agenda**

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### **General Assembly**

Tuesday 8 July 2014

12.45 pm

Bournemouth International Centre, Exeter Road, Bournemouth, BH2 5BH

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**Date of Next Meeting: Thursday, 30 June 2015, Harrogate**





**LGA General Assembly**  
8 July 2014

## **Election of President**

### **Purpose of the report**

1. To invite the General Assembly to elect a President for 2014/15, under Article 7.1 of the LGA Constitution.

### **Recommendation**

That Lord Best be elected President of the Association for 2014/2015.

**Contact officer:** Cathy Boyle  
**Position:** Manager, Member Services  
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**LGA General Assembly**  
8 July 2014

## **Election of Chair**

### **Purpose of the report**

1. To invite the General Assembly to elect the LGA Chair for 2014/2015.

### **Background**

2. The LGA's Constitution (Article 7.5a) provides for the General Assembly at its Annual Meeting each year to elect from amongst the members representing full member authorities, the Chair of the Local Government Association. Under Article 7.7 the largest political group will take the Chair of the Association. Under Article 7.9 the Chair of the Association also holds the equivalent office on the LGA Executive and the LGA Leadership Board.

### **Recommendation**

That the General Assembly elects the Chair of the Association on the nomination of the Labour Group, which is the largest political group in the Association.

**Contact officer:** Cathy Boyle  
**Position:** Manager, Member Services  
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## **Election of Vice-Chairs and Deputy Chairs**

### **Purpose of the report**

Under the LGA Constitution the General Assembly is invited to elect four Vice-Chairs and eight Deputy-Chairs for 2014/2015.

### **Recommendation**

That the General Assembly elects four Vice-Chairs of the Association and eight Deputy Chairs for 2014/2015, on the nomination of the four political groups.

**Contact officer:** Cathy Boyle  
**Position:** Manager, Member Services  
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## **Election of Vice-Chairs and Deputy Chairs**

### **Background**

1. The LGA Constitution (Article 7.5) provides for the General Assembly at its Annual meeting each year to elect Vice-Chairs and Deputy Chairs, on the nomination of the relevant political groups.
2. Under Article 7.6 of the LGA Constitution each group whose share of the weighted electorate exceeds 5% of the total is entitled to one Vice-Chair. The larger groups are also entitled to Deputy Chairs according to proportionality. Under the 2014/2015 political breakdown, four groups – Conservative, Labour, Liberal Democrat and Independent – meet the criteria and are entitled to:-

	<b>Labour</b>	<b>Conservative</b>	<b>Lib Dem</b>	<b>Independent</b>
<b>Vice-Chair</b>	1	1	1	1
<b>Deputy-Chair</b>	3	4	1	0

3. Under the Constitution (Article 7.7), the Chair of the Association is nominated by the largest group. The Vice-Chair nominated by the second largest group shall be the senior Vice-Chair of the Association (Article 7.9)
4. In the event of any of the above positions being the subject of a vote at the General Assembly, full members may exercise their vote in accordance with Articles 6.1.1 & 6.1.2 of the Constitution. Authorities in voting associate membership may exercise their right to vote in accordance with Articles 6.2.1 & 6.2.2 of the Constitution.
5. Welsh authorities in corporate membership of the Association may exercise their vote in accordance with Articles 6.3.1 & 6.3.2 of the Constitution.

## **LGA Vice-Presidents 2014/15**

### **Purpose of the report**

1. To invite the General Assembly to note the appointments of Vice Presidents for 2014/15, under Article 7.2 of the LGA Constitution.

### **Recommendation**

That the General Assembly notes the appointment of the MPs, Peers, and MEPs listed below as Vice Presidents for 2014/2015.

**Contact officer:** Cathy Boyle

**Position:** Manager, Member Services

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## Vice Presidents

(Bold indicates new for 2014/15)

### 1. Labour

1. Clive Betts MP (Sheffield South East)
2. Louise Ellman MP (Liverpool Riverside)
3. Ian Mearns MP (Gateshead)
4. Andy Sawford MP (Corby)
5. Steve Reed MP (Croydon North)
6. Lord Beecham
7. Baroness Smith of Basildon
8. Lord Smith of Leigh
9. **Lord Whitty**
10. Richard Howitt MEP (East of England)
11. Derek Vaughan MEP (Wales)

### 2. Conservative

1. Stewart Jackson MP (Peterborough)
2. Henry Smith MP (Crawley)
3. Charles Walker MP (Broxbourne)
4. Heather Wheeler MP (South Derbyshire)
5. Margot James MP (Stourbridge)
6. Baroness Eaton
7. Lord Jenkin Of Roding
8. **Lord Whitby of Harborne**
9. **Lord True**
10. **Andrew Lewer MEP (East Midlands)**
11. Philip Bradbourn MEP (West Midlands)
12. Julie Girling MEP (South West England and Gibraltar)

### 3. Liberal Democrats

1. Gordon Birtwistle MP (Burnley)
2. Annette Brooke MP (Mid Dorset and Poole North)
3. Julian Huppert MP (Cambridge)
4. **John Pugh MP (Southport)**
5. **Tim Farron MP (Westmorland and Lonsdale)**
6. Baroness Barker
7. Lord Greaves
8. Baroness Maddock
9. Lord Shipley
10. Lord Tope
11. **Baroness Bakewell**
12. Catherine Bearder MEP (South East England)

### 4. Independents

1. Lord Alton
2. Lord Bichard
3. Baroness Greengross
4. Baroness Howarth
5. Lord Ouseley
6. Lord Adebawale CBE
7. Lord Laming
8. Earl of Lytton
- 9. Baroness Jones (Green)**
- 10. Lord Pearson of Rannoch (UKIP)**
11. Keith Taylor MEP (Green, South East England)

### **Financial Implications**

There are no unbudgeted financial implications.





**LGA General Assembly**  
8 July 2014

## **LGA consolidated financial statements for the year to 31 March 2014**

### **Purpose of the Report**

To invite the General Assembly to receive the LGA consolidated financial statements for 2013/14.

The LGA's consolidated financial statements for the year ended 31 March 2014 are included in the LGA Annual Report, enclosed with this agenda. They were reviewed by the Audit Committee on 3 June and approved by the LGA Leadership Board on 11 June. They are expected to receive an unqualified audit opinion from the external auditors PKF Littlejohn LLP. The auditors will sign the consolidated accounts once the financial statements for the individual companies feeding into the consolidated accounts have been adopted at their respective board meetings in June 2014.

This is the third year for which the LGA has prepared consolidated financial statements reflecting the changes made in 2011 to integrate the operations of the Association and its related bodies.

The financial statements show a consolidated surplus of £5.479 million before financing incoming costs, contributions from joint ventures, proceeds from the sale of shares and adjustments relating to additional pension contributions. The overall pension deficit increased by £16.367 million to £91.937 million. This valuation has been carried out in line with FRS17 accounting standards and is therefore subject to market performance on a specific date. The LGA is making additional pension contributions in order to eliminate the deficit over a period of between 15 and 22 years.

### **Recommendation**

That the General Assembly receives the financial statements for the year to 31 March 2014.

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**LGA General Assembly**

8 July 2014

## **LGA Constitution**

### **Purpose**

For decision.

### **Summary**

The LGA Executive commends to the General Assembly a series of amendments to the LGA Constitution and political conventions highlighted on pages 4, 5, 6, 10, 12, 13, 27 and 28 of the attached annotated copy (**Appendix A**).

The proposed amendments are intended to

- provide greater flexibility for the Association to adopt a more commercial approach in the future, in particular in relation to the creation of the Municipal Bonds Agency;
- reflect changes and potential changes to the LGA's membership base;
- allow groups with only one representative on the Leadership Board to appoint a substitute to attend in their absence;
- provide clarification.

### **Recommendation**

That the General Assembly approves the amended Constitution (**Appendix A**).

### **Action**

Subject to the decision of the General Assembly, the revised Constitution will be published on the LGA website and come into immediate effect.

**Contact officer:**

Claire Holloway

**Position:**

Head of Corporate Governance

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# **Local Government Association**

## **Constitution**

## **Standing Orders**

## **Political Conventions**

Adopted by the LGA's Shadow General Assembly on 17 December 1996, and amended by the LGA General Assembly on 18 December 1997, 6 July 1999, 27 June 2000, 29 July 2004 by the LGA Executive (under delegated authority of the General Assembly on 6 July 2004), 12 December 2005, 14 December 2006, 12 December 2007, 1 July 2008, 6 July 2010, 26 June 2012, 2 July 2013 and 23 January 2014.



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## Constitution of the Local Government Association

### 1.0 Constitution and Title

- 1.1 The name of the Association shall be the Local Government Association.
- 1.2 The Association shall consist of principal councils in England and Wales, the Common Council of the City of London, statutory combined fire and rescue authorities, national parks authorities, eligible town and parish councils **and other public bodies** as have desired to be and remain in membership.

#### Full membership

- 1.3 The following bodies shall be eligible for full membership of the Association (referred to as "full member authorities"):-
- 1.3.1 Principal councils in England and Wales.

#### Corporate membership

- 1.4 The following bodies in Wales shall be eligible for corporate membership of the Association through the Welsh Local Government Association:
- 1.4.1 Principal councils;
- 1.4.2 Combined fire & rescue authorities;
- 1.4.3 **Police & Crime Commissioners**; and
- 1.4.4 Welsh national parks authorities.

- 1.5 English National Park Authorities shall be eligible for corporate membership of the Association through the English National Parks Authorities Association.

#### Associate membership

- 1.6 The following bodies shall be eligible for associate membership of the Association:

#### Voting

- 1.6.1 Combined fire & rescue authorities;
- 1.6.2 **Police & Crime Commissioners**;
- 1.6.3 National parks authorities; and
- 1.6.4 **Integrated transport authorities**.

#### Non-voting

- 1.6.5 Town & parish councils that meet specified criteria.

- 1.7 The Association may invite into membership other local, regional and national public government bodies, **including the Greater London Authority**, on such terms as shall be determined by the LGA Executive.

**Comment [CH1]:** Add "other public bodies" to give flexibility to broaden membership base

**Comment [CH2]:** Delete PCCs as none in membership

**Comment [CH3]:** Delete PCCs as none in membership

**Comment [CH4]:** Delete ITAs as none in membership

**Comment [CH5]:** Delete specific reference to GLA as covered by regional public bodies



## 2.0 Purpose, Objects and Power of the Association

### Purpose

- 2.1 The purpose of the Association is to support, promote and improve local government in England & Wales.

### Objects and powers

- 2.2 The objects and powers of the Association are:

- (a) To represent, wherever possible by consensus, the interests of member authorities in England and Wales to national governments, to Parliament, to political parties, to European and other international institutions and to other bodies, and to negotiate on behalf of local government.
- (b) To formulate sound policies to support the improvement and development of local governance, effective management in local authorities and the enhancement of local democracy in England, Wales and elsewhere.
- (c) To provide forums for discussion of matters of common concern to member authorities, and a means by which joint views may be formulated and expressed.
- (d) To assist specific interest groupings of member authorities to express their particular views.
- (e) To provide a full range of cost-effective services to member authorities in accordance with their wishes, including the dissemination of accurate, timely and relevant information.
- (f) To promote the policies of the Association and to provide information on local government issues to the public and outside organisations.
- (g) To endeavour to give councillors from different political groups the opportunity to contribute to the Association's work and to the development of policies which represent, as far as possible, consensus between the political groups and between groups of member authorities.
- (h) To appoint councillors to the boards of the IDeA, Leadership Centre and Local Partnerships to ensure that those organisations' work and priorities reflect those of the membership of the Association.
- (i) To support councillors in their role as democratically elected local representatives.
- (j) To subscribe to, take, purchase or otherwise acquire, hold, sell, deal with and dispose of, place and underwrite shares, stock, bonds, debentures, debenture stocks, obligations or securities, and to establish and participate in corporate vehicles constituted or carrying on business in England and Wales.
- (k) To provide an indemnity in respect of potential personal liability incurred by any Officer or Member of the Association arising out of any action by them which is authorised by the Association.

**Comment [CH6]:** New power to support Municipal Bonds Agency and other commercial-type activity

**Comment [CH7]:** New power to give greater protection to Members and Officers of the LGA carrying out duties on behalf of the Association



- (l) To do anything that a natural person or legal corporation can lawfully do which is necessary, or intended to facilitate, or conducive or incidental to the discharge or achievement of the aims of the Association.

**Comment [CH8]:** To strengthen existing power

## Governance arrangements

### 3.0 General

- 3.1 The main governance structures of the LGA and the wider group are set out in **Annex 1** to the Constitution.
- 3.2 The General Assembly shall determine the terms of reference, delegated powers, size and political composition of all the Association's governance structures, may make Standing Orders for the regulation of their proceedings and may delegate its functions to the Executive.
- 3.3 The political balance on each of the Association's governance structures shall be calculated with reference to the overall electorate represented by the councillors of each party, immediately after the last principal elections of the member authorities. Only councils in full membership of the Association on the day of the principal local elections shall be included in the political balance calculations. A 50% weighting shall be applied for Welsh authorities in corporate membership.
- 3.5 Councillors serving on the LGA's member structures, or otherwise representing or undertaking business on behalf of the LGA, are required to operate in accordance with the member code of conduct of the local authority they are representing.

**Comment [CH9]:** For clarification

### 4.0 The General Assembly

- 4.1 There shall be a General Assembly of the Association.
- 4.2 The General Assembly will hold an Annual Meeting to elect the office holders of the Association set out in Article 7.
- 4.3 Other meetings may be held as required and the Assembly shall deal with such other business as may be determined by the Executive.
- 4.4 The General Assembly may from time to time make standing orders for the regulation of its proceedings, and shall approve and issue a set of Conventions governing relationships between the political parties in the conduct of the Association's business.

### 5.0 Membership of the General Assembly

- 5.1 Each local authority in full or corporate or voting associate membership of the Association shall be entitled to appoint one councillor to the General Assembly.
- 5.2 Where a member authority is entitled to more than one vote at the General Assembly under Article 6, it shall be entitled to appoint further councillors to a total equal to its number of votes or four, whichever is the lesser.



- 5.3 The names of councillors appointed to serve on the General Assembly shall be submitted in writing each year not less than eighteen working days in advance of the meeting, by the appropriate officer of that authority to the Chief Executive of the Association. In exceptional circumstances names can be submitted after that deadline subject to agreement with the Chief Executive of the Association.
- 5.4 All those appointed to serve on the General Assembly of the Association, the Executive, or any of the governance structures of the Association, shall be elected members of authorities in membership of the Association.
- 5.5 The period of office of the Office Holders of the Association shall begin with effect from the Annual Meeting in each year and shall end immediately before the Annual Meeting in the following year, or with immediate effect if the individual ceases to be a councillor of a local authority, or if his/her authority ceases to be in membership of the Association.
- 5.6 The period of office of any councillor appointed to serve on any of the governance structures set out in **Annex 1** shall begin on the date specified in the letter of appointment and shall cease with immediate effect if he/she ceases to be a councillor of a local authority or if his/her authority ceases to be in membership of the Association.

## 6.0 Voting at the General Assembly

- 6.1 Authorities in full membership of the Association shall be entitled to vote on all matters at the General Assembly as follows:
  - 6.1.1 In areas with both a county and district councils, each district council shall have one vote and the county council shall have votes equal to the number of district councils in its area.
  - 6.1.2 The total number of votes of unitary authorities shall represent the same proportion of the total votes of county and district councils, as the total population of unitary authorities represents the total population of county and district councils. Votes shall be allocated between individual unitary authorities on the basis of population bands determined by the Executive.

The population for this purpose shall be as given in the latest figures published by the Registrar General before the convening of each Annual Meeting.
- 6.2 Authorities in voting associate membership shall be entitled to vote only as follows:
  - 6.2.1 On the election of a Chair, Vice-Chair and Deputy Chairs under Article 7.5, and on questions of estimated expenditure and subscriptions under Articles 19.1 and 19.2 of the Constitution, each authority shall have one vote.
  - 6.2.2 On issues of direct relevance to the statutory duties and responsibilities of associate members of their class (as determined by the Chair of the meeting), each authority shall be entitled to the same number of votes as a unitary authority within their population band as determined under Article 6.1.



6.3 Welsh Authorities in corporate membership shall be entitled to vote only as follows:

- 6.3.1 On the election of Chair, Vice Chair and Deputy Chair under Article 7.5 and on questions of estimated expenditure and subscriptions under Articles 19.1 and 19.2, each authority will have one vote.
- 6.3.2 On non-devolved matters directly relevant to their statutory duties and responsibilities, each authority shall be entitled to the same number of votes as a unitary authority within their population band as determined under Article 6.1.

Welsh Authorities opting for full membership will have voting rights equivalent to that of a unitary authority within their population band on all matters.

- 6.4 Where the councillors from a member authority are entitled to more than one vote under Article 6.1, each councillor shall be entitled to cast votes at the General Assembly up to the number allocated to him or her, and notified to the Chief Executive of the Association not less than eighteen working days in advance of the meeting, by the appropriate officer of that authority. In exceptional circumstances allocations can be submitted after that deadline subject to agreement with the Chief Executive of the Association.
- 6.5 In the case of an equality of votes the Chair of the meeting shall have the casting vote in addition to any vote(s) he or she may be entitled to cast as a member of the General Assembly.
- 6.6 A councillor on the General Assembly may nominate another councillor of his or her authority to attend on his or her behalf and exercise his or her vote(s) provided that written notice is given to the Chief Executive of the Association before the start of the meeting by the Chief Executive or other appropriate officer of the member authority, or by the councillor originally nominated.
- 6.7 The quorum for General Assembly meetings shall be one-third of **voting** councillors appointed by authorities in full membership of the Association.

**Comment [CH10]:** For clarification

## 7.0 Positions of Office

### **Presidents & vice presidents**

- 7.1 A President of the Association shall be elected at the Annual Meeting in each year and shall be eligible for re-election.
- 7.2 Vice-Presidents shall be appointed annually by the leaders of the Association's political groups and be reported at the Annual Meeting of the Association.
- 7.3 The President and Vice-Presidents need not be councillors of member authorities and shall not have a vote.
- 7.4 The LGA President and Vice-Presidents are required to operate in accordance with the Code of Conduct for Members of Parliament/for Members of the House of Lords/for MEPs/for Welsh Assembly Members.



#### **Office Holders**

- 7.5 The General Assembly shall, at the Annual Meeting of the Association each year, elect from amongst the councillors representing full member authorities the following Office Holders:
  - (a) 1 chair;
  - (b) Vice-chairs; and
  - (c) Deputy chairs;
- 7.6 Each Office Holder shall be a representative of a political group of members of the General Assembly, whose share of the weighted electorate exceeds 5% of the total.
- 7.7 The largest group shall appoint the chair of the Association.
- 7.8 The remaining Office Holders are appointed according to proportionality in line with article 3.3. All groups shall have one vice chair and those entitled to additional Office Holder(s) shall also have a deputy chair(s).
- 7.9 The vice-chair nominated by the second largest group shall be the senior vice chair. The chair and vice-chairs of the Association shall also hold the equivalent offices in the Executive and the Leadership Board.

#### **8.0 General Assembly Meetings and Procedure**

- 8.1 At the Annual Meeting of the General Assembly, the President shall preside over the election of office holders and thereafter the Chair shall preside. At other meetings of the General Assembly, the Chair of the Association or in his/her absence a Vice Chair, or in their absence another person chosen by the meeting, shall preside.
- 8.2 Meetings of the General Assembly shall be held on such days and at such places as may be decided by the Executive.
- 8.3 The LGA Chief Executive shall:
  - 8.3.1 not less than three months before the Annual Meeting, and not less than twenty-eight clear days before each other meeting, send to each authority in membership of the Association, and to their chief executive or clerk, a notice stating the date, time and place of the meeting; and
  - 8.3.2 not less than 10 working days before the Annual Meeting, or any other meeting, send to each councillor of the General Assembly, and publish on the LGA website, an agenda specifying the business to be transacted.

#### **9.0 Executive**

- 9.1 There shall be an Executive whose purpose is to provide strategic direction to the work of the Association, having regard to any advice from the Leadership Board referred to in Article 10.0.
- 9.2 The Executive shall comprise:



#### Voting

- a) the Office Holders of the Association
- b) the chairs of the LGA boards
- c) one representative of each of the regional groupings and of the Welsh LGA
- d) additional members to balance political proportionality.

#### Non-voting

- e) representatives of the County Council's Network, District Councils Network and Special Interest Group of Municipal Authorities
- f) representatives of Local Partnerships  
~~and the Leadership Centre for Local Government~~

**Comment [CH11]:** Delete Leadership Centre as now longer part of LGA

9.3 The chair of the Association shall chair meetings of the LGA Executive.

### 10.0 Leadership Board

- 10.1 There shall be a Leadership Board, whose purpose is to direct the Association's activities and business, in accordance with the strategic priorities and direction set by the Executive and to report and make recommendations to the Executive on the Association's activities.
- 10.2 The LGA Leadership Board shall comprise the Office Holders of the LGA, as set out in articles 7.5 – 7.9.
- 10.3 The Chair of the Association shall chair the Leadership Board.
- 10.4 Groups with only one vice-chair on the board shall be permitted to appoint a substitute to attend in the absence of the vice-chair.

**Comment [CH12]:** New clause to ensure that all Groups are represented at meetings of the Leadership Board

### 11.0 Boards

- 11.1 There shall be Boards whose purpose is to develop, steer and oversee all policy and improvement activity, in line with the LGA priorities.
- 11.2 The political balance of each board may be maintained by the attendance of substitutes. In relation to the Executive, substitutes for chairs of boards from the same political party will be permitted. In the absence of the chair of a board, the vice chair will be permitted to attend to speak, but not vote, on items within that board's remit.
- 11.3 The quorum at meetings shall consist of one third of the members, provided that representatives of at least 2 political groups represented on the body are present.
- 11.4 All questions coming or arising before a board shall be decided by a majority of the voting members present and voting thereon. Each member shall have one vote. In the case of an equality of votes the Chair shall have the casting vote in addition to any vote(s) that he or she may be entitled to cast as a member of the board.



## **12.0 Fire Commission & Fire Services Management Committee**

- 12.1 There shall be a Fire Commission on which all fire authorities in associate or corporate membership of the Association shall have the right to representation and voting in accordance with **Annex 2**.
- 12.2 Additional members from fire authorities shall be appointed as necessary by the group leaders to ensure political balance as provided by Article 3.3.
- 12.3 There shall be a Fire Services Management Committee, whose role is to represent the views and concerns of the fire community in relation to fire services modernisation, and to take the lead on day-to-day policy issues affecting fire authorities. The Fire Services Management Committee will report to the Board which has responsibility for community safety and for all matters relating to fire and other blue light services.

## **13.0 Welsh Local Government Association**

- 13.1 Principal councils, statutory combined fire authorities and national parks authorities in Wales, shall be eligible either for full membership of the Association, or for corporate membership through the Welsh Local Government Association (WLGA).
- 13.2 Welsh local authorities joining as full members will be entitled to participate fully in all the activities of the Association. Welsh local authorities that join as Welsh corporate members will have limited voting rights as set out in article 6 of the Constitution, and limited representational rights as set out in article 5 of the Constitution.
- 13.3 In recognition of the special constitutional position of Wales as a nation in its own right, the WLGA:
  - (i) will have complete autonomy in respect of all policy matters affecting Wales;
  - (ii) will have complete autonomy in respect of Wales' relationships with the international community including European organisations;
  - (iii) will be entitled to directly appoint representatives to the Welsh share of places on national and international bodies, and on the LGA Executive.
- 13.4 In addition to any subscriptions paid by individual Welsh Authorities in full membership of the Association, the WLGA shall pay to the Association a corporate subscription, agreed annually, on behalf of those Welsh authorities in corporate membership.

## **14.0 Special Interest Groups**

- 14.1 If ten or more full member authorities with common features, interests or concerns so request by formal notice to the Chief Executive, the Association, acting through the Leadership Board, they may establish a Special Interest Group (SIG). Membership shall be open to all member authorities with such common features.
- 14.2 In any case of doubt as to whether an authority is eligible for membership of a SIG, the Leadership Board shall determine the matter.



- 14.3 The Association may provide secretarial services to SIGs, having regard to the overall level of resources available to the Association, provided it is satisfied that the SIG's activities accord with the strategic direction and interests of the Association as a whole. SIGs may provide their own, or augment Association support, through resources raised from member authorities.
- 14.4 Special Interest Groups shall develop their own rules of procedure subject to the approval of the Leadership Board. Each Special Interest Group shall report annually on its activities to the Leadership Board.

### **15.0 Responsibility for Action**

- 15.1 In matters of local government in general or which concern all member authorities, the Association will speak for all its member authorities.
- 15.2 The WLGA, and recognised groupings of member authorities established under Article 14 above, may speak for the interests they represent, subject to their views not conflicting with or undermining the LGA's policy as a whole or damaging the interests of other member authorities.
- 15.3 The Association shall ensure that the appointment of councillors to represent the views of member authorities on outside bodies or on delegations shall so far as is practicable reflect the political balance of the board.
- 15.4 The Association shall not in the context of the issue of local government reorganisation adopt or support any policy which adversely affects any category of member authority, for example, county and district councils or unitary authorities. Nothing in this Article shall prevent any member authority or group of member authorities seeking factual information from officers to assist such an authority or group in promoting outside the Association a view in connection with any reorganisation.

### **16.0 Chief Executive and Staff**

- 16.1 There shall be a Chief Executive of the Association appointed on such terms and conditions as agreed by the Leadership Board and such other staff as may be necessary for the purpose of implementing the Association's objects and powers.

### **17.0 Support for Political Groups**

- 17.1 Political groups recognised by the Association for the purposes of representation on its governance structures, and whose total share of the weighted electorate is five per cent or more, shall be entitled to reasonable support from the Association to enable them to play their part in influencing parties on behalf of member authorities.



## 18.0 Members' Scheme of Allowances

- 18.1 The Association shall provide a scheme for the payment of allowances and expenses to members appointed to **agreed LGA roles**, in recognition of duties carried out on behalf of the Association.
- 18.2 The LGA Executive may establish an Independent Panel to review at agreed times the Scheme of Allowances and to make recommendations for decision by the LGA Executive.

**Comment [CH13]:** "Structures" replaced by "roles"

## 19.0 Finance

- 19.1 The LGA Leadership Board shall approve **prior to the last day of March in each year** a statement of estimated expenditure for the year commencing on the following first day of April.
- 19.2 The subscriptions of member authorities for each year commencing 1 April shall be at rates to be determined annually by the LGA Leadership Board.
- 19.2.1 The annual subscription of each full member authority shall be calculated according to a formula determined by the LGA Leadership Board, having regard to the allocation of votes as set out in article 6.1. A maximum subscription for any year shall be set.
- 19.2.2 The WLGA shall on behalf of Welsh Authorities pay a corporate subscription at a rate that reflects the special constitutional position of Wales.
- 19.2.3 Associate members shall pay such reduced rate of subscription as agreed by the Leadership Board and which reflects the level of support and service to which they are entitled.
- 19.3 Subscriptions shall be payable on 1 April in each year.
- 19.4 The Chief Executive shall be responsible for the preparation of an Income and Expenditure Account and Balance Sheet each year, for their examination and certification by independent professional auditors and for the submission of those accounts to the General Assembly.
- 19.5 The Association may invest, lend or otherwise deal with monies not immediately required for its purposes in such manner as may be thought fit by the Leadership Board and may borrow or raise money in accordance with financial regulations agreed by the Board.
- 19.6 The Association may purchase, take on lease or otherwise obtain land and buildings for use as offices, to provide accommodation for meetings of the Association and for the use of staff and for ancillary and related bodies; and may sell, or otherwise dispose of, such land and buildings all on such terms and in such manner as the Leadership Board considers suitable, and may establish companies for this purpose.
- 19.7 The Chief Executive, or in his or her absence another authorised officer, and the Chair of the Association, or in his or her absence a Vice or Deputy Chair, shall be authorised to enter into and execute all instruments, deeds or assurances on behalf of the Association.

**Comment [CH14]:** Amended to reflect actual timescales



## **20.0 Resignation of Member Councils**

- 20.1 Any member authority of the Association wishing to terminate its membership shall give not less than twelve months' notice, in writing, to the Chief Executive to expire on 31 March in any year. At the expiration of the period of notice the member authority shall cease to be a member of the Association and shall become a past member.
- 20.2 Any member authority upon ceasing to be a member of the Association and becoming a past member, shall:
  - 20.2.1 forfeit all right to and claims upon the Association and its property and funds; and
  - 20.2.2 lose any entitlement whatsoever to any share in the assets of the Association whether on a dissolution or otherwise (save in so far as these Articles provide for the assets of the Association to be set off against the liabilities of the Association to determine the "net liabilities" under article 21.3).
- 20.3 Any past member authority shall remain liable for its share of the net liabilities of the Association for a period of five years from the date when the member authority ceased to be a member of the Association and shall discharge its share of the net liabilities of the Association on a dissolution calculated in accordance with Article 21.

## **21.0 Dissolution**

- 21.1 If at any meeting of the General Assembly a motion for the dissolution of the Association shall be passed by at least two-thirds of members from full member authorities present with at least two-thirds of such authorities represented at the meeting, the LGA Leadership Board shall thereupon proceed to realise the assets of the Association, to pay the liabilities of the Association and to make arrangements whereby the member authorities (both existing and past) shall discharge the Association's net liabilities.
- 21.2 On the completion of such arrangements, the remaining assets of the Association (if any) shall be distributed to all authorities in membership at the date of dissolution (referred to herein as "existing members") in the proportion which the total annual subscriptions paid or payable by each existing member to the Association in the last ten accounting periods prior to the date when the motion for dissolution was passed bears to the total subscriptions paid by all existing members in the same period. The Association shall thereupon be dissolved.
- 21.3 In the event that the Association's assets should prove to be insufficient to discharge its liabilities member authorities (both existing and past) shall contribute such additional sum as is required to eliminate the deficiency.
- 21.4 Every member authority (both existing and past) shall contribute towards any deficiency in the proportion to which the annual subscription which the authority was liable to pay in its last year of membership (which in the case of existing members shall be the full accounting year immediately before the accounting year in which the motion of



dissolution was passed, and in the case of past members shall be the accounting year at the end of which its membership ceased) bears to the total amount of subscriptions, as so determined, payable by all member authorities (both existing and past).

- 21.5 The provisions set out in Articles 21.2, 21.3 and 21.4 do not apply where dissolution is effected for the purpose of reconstitution or merger.
- 21.6 For the purposes of Articles 20 and 21 the liabilities of the Association shall include without prejudice to the general meaning of "liabilities" the following:
  - 21.6.1 Any sums which are or may in the future become due and payable by the Association under the terms of any lease, licence, mortgage, debenture, loan, guarantee, indemnity or any other agreement or arrangement to which the Association is a party and pursuant to which the Association is or becomes indebted.
  - 21.6.2 Any sums which are or may in the future become due and payable by the Association or by its members or any one or more of them:
    - a) to an administering authority for the purposes of the local government pension scheme regulations for the time being in force; and
    - b) in respect of the Association's liability to pay the amount of any unfunded pension costs rechargeable to the Association. The amount of such unfunded pension costs shall be determined by an Actuary acting as an expert and appointed by the Association and the determination shall be conclusive.
  - 21.6.3 Any sums which are or may in the future become due and payable to officers and/or employees of the Association including salary, wages, redundancy, compensation for loss of office or employment or any other benefits (including early retirement packages) to which such officer or employee is or becomes entitled by reason of law or in circumstances where the Association is dissolved, in accordance with the policy of the Association existing at the date of the passing of the motion for dissolution.
  - 21.6.4 Any sums (whether by way of damages or otherwise) which are or may in the future become due and payable in respect of any liability in law whether in contract, tort or otherwise.
- 21.7 For the purposes of Articles 20 and 21:
  - 21.7.1 A sum may become due in the future in whatever circumstance including on the dissolution of the Association.
  - 21.7.2 Net liabilities shall mean the assets of the Association less "the liabilities" of the Association.



21.7.3 “The assets of the Association” shall include all legal and equitable interests in any asset whatsoever including fixed, current, tangible and intangible assets.

21.8 In the event of a dispute between an existing or past member authority and the Association as to the amount which an authority should contribute or receive under this article the matter shall be referred to arbitration.

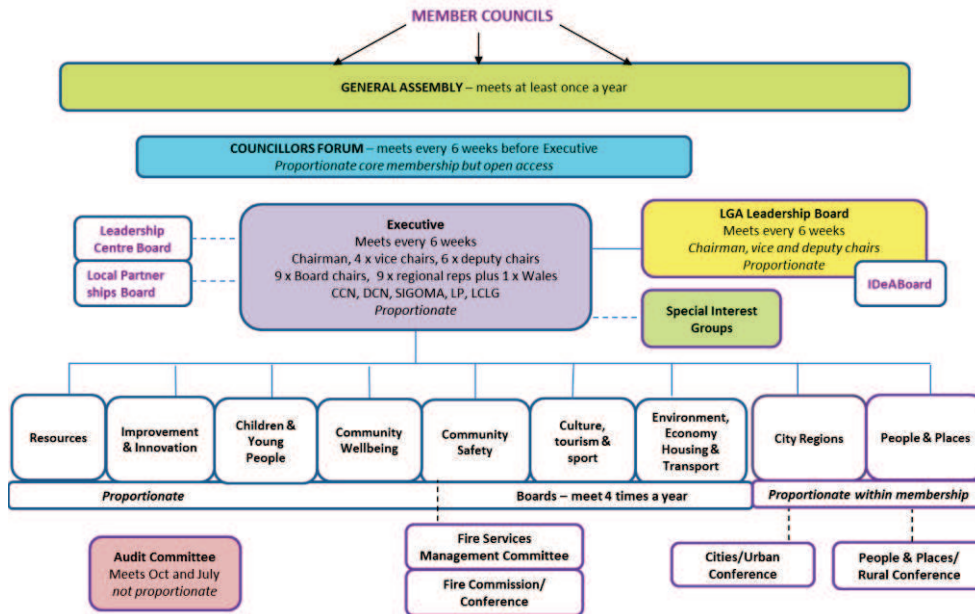
21.9 Any arbitration shall be conducted in accordance with the Arbitration Rules of the Chartered Institute of Arbitrators. The Arbitrator shall be appointed by the President for the time being of the Institute of Chartered Accountants of England and Wales. In the event that the Arbitrator issues a determination providing that a member or former member authority is liable to contribute a specified sum under this article the authority shall pay the monies which the Arbitrator determines it ought to pay within seven days of the issue of the award.

21.10 The terms of articles 20 and 21 which exist as at 12 December 2005 shall apply to all members who have resigned from the Association on or before that date. The terms of clauses 20 and 21 which exist as at 13 December 2005 shall apply to all members who are members on or who join the Association after 13 December 2005, notwithstanding that such a member may have given notice to resign from the Association prior to that date.

## **22.0 Alteration of the Constitution**

22.1 The General Assembly shall have power to alter this Constitution, provided that a motion in favour of each such alteration shall be passed by at least two-thirds of voting members from full member authorities present, voting in accordance with Article 6, with at least two-thirds of such authorities represented at the meeting.

## Annex 1 – LGA Governance structure



### Executive

Determines the Association's strategic priorities and policy framework, having regard to any advice from the LGA Leadership Board and representing the views of local government; holds the Boards to account; co-ordinates growth and transport policy on the advice of the City Regions, People and Places and Environment, Economy, Housing and Transport Boards; determines finance and workforce policy on the advice of the Resources Board.

### Leadership Board

Directs the Association's activities and business and ensures its proper management, in accordance with the strategic priorities and direction set by the LGA Executive; responsible for the management of internal resources and for policies on resource management; reports and makes recommendations to the LGA Executive on the Association's activities

### Boards

Engage with and develop a thorough understanding of councils' priorities in relation to their particular area; help shape the LGA business plan and oversee programmes of work to deliver, through extensive engagement with councils, the strategic priorities set by the LGA Executive.



The Boards are:-

- ◆ Children & Young People Board
- ◆ Community Wellbeing Board
- ◆ Culture, Tourism & Sport Board
- ◆ Community Safety Board
- ◆ Environment, Economy, Housing & Transport Board
- ◆ Resources Board
- ◆ Improvement & Innovation Board
- ◆ City Regions Board
- ◆ People & Places Board

Each Board has its own terms of reference.

#### **Audit Committee**

Monitors the integrity of the financial statements of the LGA and its associated companies and oversees their internal control and risk management systems.

#### **Fire Commission/Fire Services Management Committee**

Provides a forum for authorities with responsibility for fire and rescue to come together to discuss matters of common interest and concern, to exchange good practice and to influence the priorities and activities of the LGA. The Commission is led by the Fire Services Management Committee which reports to the Community Safety Board.

#### **Councillors' Forum**

Offers a programme of topical external/internal speakers and discussions and receives reports from the Chairman of the Association and the chairs of the nine boards.

#### **Company Boards of the IDeA and Local Partnerships**

Direct the activities and business of the respective bodies and ensure their proper management in accordance with their Memoranda and Articles of Association and with the strategic priorities and direction of the LGA set by the Executive; contribute to the development of the LGA business plan; oversee delivery of projects commissioned outside the LGA; report to the Executive on their activities.



## Annex 2 - Composition of Fire Commission

Fire Authority	Votes	Fire Authority	Votes
Avon	1	Norfolk	1
Bedfordshire & Luton	1	North Yorkshire	1
Berkshire (Royal)	1	Northamptonshire	1
Buckinghamshire & Milton Keynes	1	Northumberland	1
Cambridgeshire & Peterborough	1	Nottinghamshire & City of Nottingham	1
Cheshire	1	Oxfordshire	1
Cleveland	1	Shropshire & Wrekin	1
Cornwall	1	Stoke-on-Trent & Staffordshire	1
Cumbria	1	Suffolk	1
Derbyshire	1	Surrey	1
Devon & Somerset	2	Warwickshire	1
Dorset	1	West Sussex	1
Durham & Darlington	1	Wiltshire & Swindon	1
East Sussex	1	Greater Manchester	3
Essex	2	Merseyside	2
Gloucestershire	1	South Yorkshire	2
Hampshire	2	Tyne & Wear	1
Hereford & Worcester	1	West Midlands	3
Hertfordshire	1	West Yorkshire	2
Humberside	1	London Fire & Emergency Planning (LFEPA)	9
Isle of Wight	1	Mid & West Wales	1
Kent & Medway	2	North Wales	1
Lancashire	2	South Wales	1
Leicester, Leicestershire & Rutland	1		
Lincolnshire	1		

## **Part B - Standing Orders**

### **Part 1 - Meetings of the General Assembly of the LGA**

#### **1.0 Attendance Record**

- 1.1 At every meeting each representative of a member authority shall enter his/her name on an attendance record provided by the Chief Executive from which attendance of such member authorities will be recorded.

#### **2.0 Order of Business**

- 2.1 The order of business at each meeting of the General Assembly shall be

- (a) Appointments and Business
  - Election of President and Vice-Presidents
  - Election of Chairman, Vice-Chairman and Deputy Chairman
  - Audited Accounts
  - Approval of Minutes of previous General Assembly
- (b) General Assembly Motions
- (c) Chairman's Report

The Chair may, at his/her discretion, alter the order in which business is taken.

#### **3.0 Notices of Motion**

- 3.1 At any meeting of the General Assembly motions may be moved of which notice is given as set out below.
- 3.2 Notice of a motion to be moved at the Annual Meeting, shall be given to the Chief Executive not less than forty-two clear days before the meeting. In the case of special meetings notice shall be given not less than twenty-one clear days before the meeting.
- 3.3 The LGA Executive shall determine whether notices of motion, other than those to be submitted by boards of the Association or to a special meeting, to be moved at any meeting of the General Assembly shall instead receive consideration by such Boards as they shall decide. Members submitting notices of motion shall be informed of the LGA Executive decision in such cases.

#### **4.0 Special Meetings**

- 4.1 A special meeting of the General Assembly may be called at any time by the LGA Leadership Board subject to ten clear days' notice being given to member authorities stating the agenda.
- 4.2 A special meeting of the General Assembly, of which twenty-one clear days' notice shall be given, shall also be called by the Chief Executive within seven clear days of receiving



a requisition signed by the Chief Executive or other appropriate officer of a member authority on behalf of not less than one-quarter of authorities in full membership of the Association and stating the terms of the motion or motions proposed to be moved at such a meeting.

- 4.3 At special meetings called under this rule, no business other than that mentioned in the agenda shall be transacted.
- 4.4 A valid requisition under this rule may consist of a single letter or of two or more letters in the same form on which the member authorities signifying the request amount in total to the requisite numbers.

## **5.0 Motions and Amendments without Notice**

5.1 The following motions may be moved without notice:

- (a) To appoint a Chair for that Meeting or the remainder of the meeting
- (b) Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business
- (c) Adoption of reports or recommendations of LGA Executive, Boards and any subsequent resolutions
- (d) That a matter be referred or referred back to a Board
- (e) That representatives of the media be excluded from the meeting
- (f) That leave be given to withdraw motions
- (g) Amendments to motions
- (h) Suspending standing orders.

## **6.0 Minutes**

- 6.1 No motion or discussion shall take place upon the minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

## **7.0 Rescission of Earlier Resolution**

- 7.1 No notice to rescind any resolution passed within the preceding twelve months, and no notice or amendment to the same effect as one which has been negated within the preceding twelve months, shall be proposed. This standing order shall not apply to motions moved in pursuance of the report or recommendation of a Board

## **8.0 Rules of Debate**

### **Respect for Chair**

- 8.1 A representative, when speaking, must stand and address the Chair. He/she shall direct his speech to the question under discussion. When the Chair rises during a debate any member then standing must immediately stop speaking and sit down. If two or more delegates rise the Chair shall call on one to speak. The Chair shall decide all questions of



order and his/her ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

**Motion or Amendment – Procedure**

- 8.2 A motion or amendment shall not be discussed unless it has been proposed and seconded by representatives of authorities in membership of the Association.
- 8.3 Representatives of authorities in corporate membership may propose and second motions or amendments only where these are of direct relevance to their statutory duties and responsibilities. They may not be seconded by a representative from the same authority as the mover of the motion or amendment.

**Content of Amendment**

- 8.4 An amendment must relate to the motion and either
- (a) leave out words;
  - (b) leave out words and insert or add others; or
  - (c) insert or add words;

Any such amendment must not have the effect of negating directly the original motion.

**When a Member may Speak again on a Motion**

- 8.5 No representative shall address the meeting more than once on any motion or amendment except:
- (a) the mover of an original motion shall have the right to reply immediately before the motion, or any amendment to it, is put;
  - (b) if the seconder of an original motion or amendment formally seconds and sits down without speaking upon it, he/she may reserve the right of addressing the meeting later;
  - (c) on a point of order or personal explanation

**Length of Speech**

- 8.6 No speech shall exceed three minutes except the speech of the proposer on the original motion which shall not exceed five minutes.

**Debate on Amendment**

- 8.7 Every motion or amendment shall be reduced to writing, signed by the mover and delivered to the Chief Executive when it has been seconded.
- 8.8 After a motion or an amendment has been seconded, it shall not be withdrawn without the leave of the meeting.
- 8.9 A representative may, with the consent of his/her seconder and of the meeting, signified without discussion, alter a motion which has been proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.
- 8.10 A proposer of a motion or of any amendment may, with the concurrence of the seconder and the consent of the meeting, withdraw the motion or amendment which he/she has



proposed and it shall not be competent for any representative to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.

- 8.11 If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried the motion, as amended, takes the place of the original motion and becomes the motion upon which any further amendments may be moved.
- 8.12 A further amendment shall not be moved until the meeting has disposed of every amendment previously moved. After all amendments have been disposed of, the motion before the meeting shall be put without further debate.

**Motions which may be Moved During Debate**

- 8.13 A representative who has not already spoken in the debate may at the conclusion of a speech of another representative move without comment: -
  - (a) "that the question be now put";
  - (b) "that the debate be now adjourned";
  - (c) "that the meeting proceed to the next business"; or
  - (d) "that the meeting do now adjourn",

on the seconding of which the Chair, if in his/her opinion the motion before the meeting has been sufficiently discussed, shall, subject to the mover's right of reply, put the question to the vote and, if it is carried, the motion before the meeting shall be put to the vote or the subject of debate shall be deemed to be disposed of for that day, or the meeting may stand adjourned as the case may be.

**Personal Explanation and Points of Order**

- 8.14 A representative may rise on a personal explanation or a point of order at any time and is entitled immediately to address the Chair on the matter; but
  - (a) a personal explanation shall be confined to some material part of an earlier speech by the representative and on which a misunderstanding has occurred
  - (b) the representative who raises a point of order must specify immediately a Standing Order and say how it has been broken or infringed;
  - (c) in either case the representative's speech must be confined to the personal explanation or point of order;
  - (d) the ruling of the Chair on a personal explanation or point of order is not open to discussion.

**9.0 Voting**

- 9.1 Questions shall wherever possible be determined by a show of hands.
- 9.2 A ballot may be held if
  - (a) at any time the Chair considers it desirable, or



- (b) immediately after he/she has declared the result of voting, representatives from not less than one-third of the authorities represented at the meeting rising in their places demand a ballot,

9.3 If a ballot is requested in line with article 9.2 above, then the Chief Executive of the Association will arrange for voting cards to be distributed to and collected from the representatives present.

9.4 The actual votes cast, weighted in line with article 6 of the Constitution, will be determined retrospectively and the LGA will notify the Chief Executive of all member authorities of the result of the ballot within 3 working days of the meeting of the General Assembly.

9.5 Any voting card not completed in full and signed by the councillor will be considered a spoiled vote and will not be counted.

#### **10.0 Notices**

10.1 All notices and communications required by these standing orders to be sent or delivered may be sent by post, and any such notices or communications shall be deemed to be received on the day on which in the ordinary course of first class post they would be received.

#### **11.0 Suspension of Standing Orders**

11.1 Any of the preceding standing orders may be suspended at any meeting, in respect of any business on the agenda for such meeting, provided that the majority of the representatives of authorities in full membership of the Association who are present and voting so decide.



## **Part 2: Meetings of the Leadership Board, Executive and Boards of the Association**

### **12.0 Attendance at meetings**

- 12.1 At every meeting each representative of a member authority shall enter his/her name on an attendance record provided by the Chief Executive from which attendance of such member authorities will be recorded.
- 12.2 Observers may attend any of the meetings covered in part 2 of the Standing Orders but shall not take part in discussions without the consent of the Chair and other lead members of that body. Observers shall not vote. Observers may be requested to leave the meeting if a confidential item is to be discussed.

### **13.0 Order of Business for Leadership Board, Executive and Boards**

- 13.1 Election of a Chair, Vice-Chair and Deputy Chairs shall be the first item of business at the first meeting of the body after the Annual Meeting of the Association. The order of business at each Executive or Board meeting shall be
- (a) To appoint a Chair for the meeting in the absence of the Chair and Vice-Chair of the body
  - (b) To approve as a correct record and sign the minutes of the last meeting
  - (c) Chair's announcements
  - (d) To dispose of business (if any) remaining from the last meeting
  - (e) To receive and consider reports/minutes of task groups
  - (f) To transact other business in the order stated on the agenda paper
  - (g) The Chair may at his/her discretion alter the order in which business is taken

### **14.0 Minutes**

- 14.1 No motion or discussion shall take place upon the minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

### **15.0 Rescission of Earlier Resolution**

- 15.1 No notice to rescind any resolution passed within the preceding twelve months, and no notice or amendment to the same effect as one which has been negated within the preceding twelve months, shall be proposed. This standing order shall not apply to motions moved in pursuance of the report or recommendations of task groups.

### **16.0 Voting**

- 16.1 Questions shall wherever possible be determined by a show of hands.
- 16.2 A ballot may be held if:



- (a) at any time the Chair considers it desirable, or
- (b) immediately after he/she has declared the result of voting, representatives from not less than one-third of the authorities represented at the meeting rising in their places demand a ballot

16.3 If a ballot is requested in line with article 9.2 above, then the names of the authorities represented and the votes of their representatives shall be taken by the Chief Executive and recorded in the minutes.

#### **17.0 Suspension of Standing Orders**

17.1 Any of the preceding standing orders may be suspended at any meeting, in respect of any business on the agenda for such meeting, provided that the majority of the representatives who are present and voting so decide.



## Part C - LGA Political Conventions

### 1.0 Background

- 1.1 The LGA operates on a cross-party consensual basis as the legitimate voice of local authorities – independent of central government or opposition parties.
- 1.2 The LGA supports diversity; there is more than one correct response to society's problems and member authorities must have the right to respond to their communities in different ways. Differences must be respected and minority views must be able to be heard within the LGA. It follows that members of the LGA will not criticise publicly other member authorities of the LGA.
- 1.3 The LGA will seek to find solutions to problems of conflict by discussion; it will endeavour to avoid adversarial styles of political debate which assume that opposition views are incorrect because of their source; it will seek mechanisms designed to find new solutions rather than reiterating conventional wisdom.

### 2.0 Political Administration of the LGA

#### Political Structures/Cross Party Working

- 2.1 In the event of no group having an overall majority within the Association (that is over 50 per cent of the total weighted electorate), the principle of each political group playing a part in the Association will be respected. **In line with article 3.3 of the Constitution,** immediately after principal elections each year, the revised political balance of the LGA will be calculated and shared with the political groups. ~~It will then be for the groups to discuss and decide the right way to reflect that principle.~~ **Once the political balance is confirmed, the Group Leaders will enter into negotiations over the allocation of chairs, vice and deputy chairs on all the LGA's political structures.**

**Comment [CH15]:** For clarification

**Comment [CH16]:** For clarification

- 2.2 Similar principles govern Boards and the Fire Services Management Committee.

- 2.2.1 Where there is no overall majority and the positions of Chairs and Vice Chairs are shared, the business of the LGA will continue to be conducted by consensus or majority opinion. In these circumstances, groups not holding the position of Chair or Vice Chair will be entitled to a Deputy Chair. Chairs and Vice Chairs must reflect the views of the LGA as a whole, regardless of the political group from which they are drawn. Political group offices may be used to issue statements on behalf of the group concerned, so long as their status is clear and the titles of LGA officeholders are not used.

- 2.2.2 Where there is an overall majority, that group holds Chairs and Vice Chairs, with Deputy Chairs appointed by all eligible groups. Groups are entitled to a Deputy Chair if their share of the weighted electorate exceeds 5%.

#### Arrangements for chairs and other office holders following elections

- 2.3 In the period immediately after elections and before the first meeting of newly constituted Boards, it is normal for Chairs and other office holders to remain in place, provided they remain as councillors. Temporary nominations can be made if incumbents lose their seats. If the elections result in a change **in the largest party,** however, it will be

**Comment [CH17]:** Replaces "control"



important for the existing Chair to act in concert with other party spokespeople until the new arrangements are in place.

#### Task Groups

- 2.4 Task groups may be appointed by the Executive or a Board, with the approval of the Leadership Board. Task groups are expected to provide member oversight of specific business plan priorities, and should include members with relevant experience or expertise. They should be small enough (normally no more than 8 members) to enable effective working. Individual task groups need not achieve precise political balance, although the overall principles of proportionality should be reflected across all task groups.

**Comment [CH18]:** LGA business to Leadership Board

- 2.5 Task groups should normally include a Board member, but that person need not chair the group. Chairs of task groups may be appointed from any political group. Proportionality will be observed in the appointment of Task Group chairs, but not so strictly as to inhibit the appointment of the chair most appropriate to the role and purpose of any particular task group. Substitutes will not be allowed.
- 2.6 Task groups will generally have delegated authority to oversee a project, within a remit approved by the sponsoring Board. Normally, there should be no need for the task group to seek further approval from a sponsoring Board unless they propose a significant departure from the original objectives or design of the project.

#### Fire Commission

- 2.7 The Fire Commission is open to membership by all Combined Fire & Rescue Authorities and by principal authorities with a fire & rescue service. Representation and voting at meetings is on the basis of population and is set out in **Annex 2** to the Constitution.
- 2.8 The Fire Commission has a management committee which reports to the Community Safety Board but which may act on behalf of the Commission. The General Assembly has the overriding power to vary or modify the structure, and to determine terms of reference, delegated powers and rules for transaction of their business.

#### Agenda

- 2.9 Chairs, Vice-Chairs and Deputy Chairs of Boards, Commission, the Leadership Board, and the Executive will have the right to call for relevant items to be placed on an agenda.

#### Administrative Arrangements

- 2.10 Chairs, Vice Chairs and Deputy Chairs will be consulted on administrative arrangements for business and meetings of Boards, Commission, the Leadership Board, and the Executive, including dates and times of meetings and appointment of advisers.

#### Substitutes

- 2.11 The Constitution allows for the attendance of substitutes at meetings of Boards and the Executive. Substitutes must be from the same political party. In relation to the Executive, substitutes for chairs of Boards from the same political party will be permitted, but in addition, in the absence of the chair of a Board, the Vice Chair of that Board will be able to attend to speak, but not vote, on items within that Board's remit.

#### Chair's casting vote

- 2.12 The Constitution provides for the Chair to have a casting vote. The casting vote will not be used to change or establish LGA policy.



### **Special Interest Groups**

- 2.13 Special Interest Groups are open to membership by all authorities in membership of the LGA sharing a particular interest. The LGA's rules of political and authority proportionality cannot apply. Special Interest Groups will develop rules of procedure for formal approval by the Leadership Board. Groupings of classes of authority will be regarded formally as Special Interest Groups.
- 2.14 Special Interest Groups are able to speak for their interests as part of the LGA provided that their policies or statements do not conflict with or undermine LGA policy as a whole, or damage the interests of other member authorities. Finance is an area of particular difficulty. Local authority interests in the national financial settlements for local government may differ and create conflict between individual or groups of authorities. The LGA will wish to seek to ensure that such differences do not damage the case for the overall quantum of resources but will recognise the right of authorities, individually or in groups, to make their own case and to have technical support to do so, even where this may be in conflict with the interests of other authorities. Authorities are expected to respect each other's positions and to bear in mind the need to express arguments about the merits of their own case, rather than the perceived weaknesses of others.

### **Emergency Situations**

- 2.15 In situations which threaten the organisation, the reputation of local government or the well-being of communities that the LGA represents, the LGA's Chairman and Group Leaders will constitute an Emergency Group to lead the Association's response. The Group may supplement its membership as it considers appropriate to the circumstances of the emergency.

## **3.0 Support for Political groups**

### **Budget allocation**

- 3.1 The Constitution allows for Political groups recognised by the Association, whose total share of the weighted electorate is five per cent or more, to receive reasonable support from the Association to enable them to play their part in influencing parties on behalf of member authorities.
- 3.2 The Association will allocate the following funding:-
  - 3.2.1 The cost of salaries for Group Office staff in line with a maximum establishment agreed with the LGA Leadership Board
  - 3.2.2 A purchasing budget, divided on the basis of the proportions of weighted electorate used to establish the political balance of the LGA. Political groups may use their purchasing budget to secure additional staff, specially commissioned research or support services.
- 3.3 The allocations between the Groups will be reviewed and adjusted annually to reflect changes in proportionality and financial pressures within the Association.

### **Group Office staff**

- 3.4 Staff appointed to support the political groups will be employees of the Association and will be entitled to have normal access to the data and documents produced by the Association. Staff will be managed by the Chief Executive of the Association or his/her nominee.



#### **Support services**

- 3.5 The establishment for each Group Office includes a political support assistant, who is responsible for providing administrative support to the Group Office. All other support services, including IT equipment is provided via the Association's external supplier, Liberata in line with the contract between the Association and Liberata.
- 3.6 The costs of political group meetings will be charged to the Group's budget. Groups may choose to pay expenses or special responsibility allowances to Group Office Holders.
- 3.7 Subject to availability, meeting and conference rooms in Local Government House may be used free of charge for LGA activities. Refreshments will be charged to the Group budget.
- 3.8 During pre-election periods when the Association does not engage in political controversy, facilities at Local Government House may not be booked by party groups without the approval of the Chief Executive or his/her nominee. Party groups may not organise meetings involving other party group members without consultation with all Group Leaders of the Association.

#### **4.0 Impartiality of Staff**

- 4.1 As in local authorities, the staff of the Association, with the exception of Group Office staff, will be politically impartial and will give all groups, their officers and spokespersons, equivalent advice, assistance and support, as resources allow. All staff will strive to ensure that the rules and conventions governing the Association's work are implemented fully and fairly.
- 4.2 All staff outside the Group Offices must seek the approval of the Chief Executive if they wish to stand for, or hold, elected office.
- 4.3 Political groups may, with the agreement of the Chief Executive, invite officers of the Association to attend Group meetings to provide information, advice or confidential briefings on particular matters. Political groups may, with the approval of the other Group Leaders, commission research from an officer of the Association.

#### **5.0 Representation on Outside Bodies and Delegations**

##### **Outside Bodies**

- 5.1 Every effort will be made to ensure that all groups recognised by the Association are fairly represented on outside bodies both numerically and in terms of the range/type of appointments made. Each Board should aim as far as possible to achieve political proportionality across all the appointments it makes to outside bodies. Appointments to individual outside bodies should reflect political balance where possible, subject to the constraints set by the number of appointments to individual bodies.

##### **Delegations**

- 5.2 The purpose of delegations from the LGA is to have the maximum effect in representing the interests of local government to other bodies. It will be important to balance the interests of effectiveness (which will often imply small, tightly focused delegations) and representativeness which implies larger numbers.
- 5.3 The Chair of the Association or of the relevant Board, in consultation with officers, will agree the most appropriate structure, and representation for the meeting. Where small



delegations are preferred, the Association will not necessarily be represented by the Chair and/or office holders of the body concerned, and political balance will not be an overriding factor in deciding representation.

- 5.4 Members nominated to represent the Association will recognise their responsibility to represent the views of the LGA as a whole.
- 5.5 It is expected that Members sitting on Outside Bodies provide regular feedback to their nominating Board.
- 5.6 Where larger numbers are appropriate, every effort will be made to have politically balanced delegations. The relevant Board will be informed of the meeting and advised of the composition of the delegation, and will receive copies of briefings and feedback from the meeting.
- 5.7 It is recognised that there will be private, informal or party political meetings where it is inappropriate to have politically balanced delegations, and they may be briefed or attended by non-political staff for technical support.

#### **Wales**

- 5.8 In recognition of its constitutional position, Wales will be represented so far as possible on all outside bodies and delegations which are set up to address those matters of concern to England and Wales as a whole.

### **6.0 Public Statements on behalf of the Association**

- 6.1 Public statements made in the name of the LGA by the Chair or Vice Chair of a Board will represent the views of the LGA as a whole and not those of any one political group. The following procedures for media and public statements will apply subject to special arrangements during an election period set out in paragraph 6.5.

#### **Planned LGA publications or similar initiatives**

- 6.2 The following process should be adopted:-
  - 6.2.1 Consult with Group Leaders on the approach to be adopted in the statement;
  - 6.2.2 Group Leaders to agree in whose name a statement should be made or agree that a statement be issued with no personal attributions;
  - 6.2.3 Group Leaders to agree **either** a suitably experienced councillor to speak on behalf of the Association on the broadcast media **or** a slate of suitably experienced councillors with details of their availability.
- 6.3 In the absence of agreement by the Groups, or of a suitably experienced councillor, an appropriate senior officer can speak on behalf of the Association. A briefing note will be prepared setting out the LGA's policy position as the basis of any statements and comments made on behalf of the LGA.

#### **Government announcements and decisions of which the Association has advance notice**

- 6.4 As for planned LGA statements, with additional emphasis on the need for flexibility and pace to meet externally set timescales.



**Announcements and developments of which the Association has no advance notice**

- 6.5 Precise handling will inevitably vary from case to case depending on the circumstances, but the key principles are that:
- 6.5.1 As far as possible statements should reflect a cross-party view within the Association;
  - 6.5.2 Where such a view can be established the Chair or Vice Chair may issue a statement. If this is not possible:
    - Written statements should be issued in the name of the Association without any personal attribution;
    - An appropriate senior officer will be made available for broadcast interviews.
- 6.6 Where the LGA has an established policy position this will form the basis of any public statement. Where this is not the case, discussions will be held with the appropriate lead members to establish the basis of the Association's reaction to any statements.
- 6.7 On occasions it may be appropriate for Groups to issue their own public statements. The status of such news releases/statements will be made clear.
- 6.8 To preserve political impartiality, no public statement will be made by the Association, or staff of the Association, without the agreement of the Chair of the Association and all group leaders
- ♦ during the period between the announcement of a dissolution of Parliament and the holding of a General Election,
  - ♦ during the period of a campaign for elections to the European Parliament or
  - ♦ for the four weeks preceding local authority elections.

**7.0 Conferences**

**Chairing Sessions**

- 7.1 Where possible the Chair, or other lead member of the appropriate Board should have the opportunity to introduce and/or chair conferences and events run by the LGA to present the Association's policy line.
- 7.2 Where the nature or timing of the event precludes this, chairing arrangements should be discussed and agreed with the Group Offices.

**Councillors as speakers**

- 7.3 The Association must ensure that as far as possible its conferences as a whole, reflects its political structure and balance. Although it is not possible to achieve a precise political balance in any one conference, the following factors will be considered when involving councillors as speakers or as chairs:
- 7.3.1 If a councillor is speaking, is he/she presenting the formal position of the Association (for example as chair of a Board), **or** of his/her authority, **or** a political view? If the latter, the conference must include speakers from the other groups.



- 7.3.2 If there are a number of sessions, the chairs and/or speakers will as far possible be distributed between the main Groups according to political proportionality.
- 7.3.3 When identifying authorities to illustrate good practice, efforts will be made to ensure that as far as possible all parties are represented.

**Ministers and other politicians**

- 7.4 Ministers speak at many LGA events. This is important as it reinforces the LGA's status as the national voice for local government and helps maximise delegate numbers.
- 7.5 Where Ministers speak at one-day events, it will not always be practical or appropriate to include speakers from the other political parties. However the following factors will be taken into account:-
  - 7.5.1 if the focus of the event is largely on the implementation of, or practical implications for local authorities on, new legislation or new Government procedures or guidance, it will not normally be necessary or appropriate to involve speakers from the other political parties;
  - 7.5.2 if the focus of the event is to debate a new or developing aspect of Government policy, then the programme should normally involve speakers from the other political parties;
  - 7.5.3 the programme for major two or three day events should always be politically balanced.
- 7.6 The lead members of the sponsoring Board and/or the political offices will be consulted on the selection of political speakers.

**4 June 2014**



## Minutes

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### Annual Meeting of the General Assembly

2 July 2013

Manchester Central

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#### Present

237 authorities in full membership and 8 authorities in corporate membership were represented at the meeting.

#### Elections and business

##### 1. Election of President

The Chief Executive welcomed representatives to the meeting and invited nominations for the position of President of the Association for 2013/14.

##### Decision

*It was moved by Cllr Sir Merrick Cockell (RB Kensington & Chelsea), seconded by Cllr David Sparks OBE (Dudley MBC) and **agreed** that Lord Best be elected President of the Association until the next Annual Meeting.*

Lord Best addressed the General Assembly.

##### 2. Election of Chairman

The President invited nominations for the position of Chairman of the Association for 2013/2014.

##### Decision

*It was moved, seconded and **agreed** that Cllr Sir Merrick Cockell (RB of Kensington & Chelsea) be elected Chairman of the Association until the next Annual Meeting.*

The Chairman thanked Lord Best and chaired the rest of the meeting.

##### 3. Election of Vice-Chairmen and Deputy Chairmen

The Chairman invited nominations and seconders for four Vice-Chairmen of the Association for 2013/2014.

The following nominations were moved and seconded:

Cllr David Sparks OBE, Dudley (**Labour**);

Cllr Gary Porter, South Holland (**Conservative**);

Cllr Gerald Vernon-Jackson, Portsmouth City (**Liberal Democrat**);

Cllr Marianne Overton, Lincolnshire (**Independent**).

#### Decision

*Cllrs Sparks, Porter, Vernon-Jackson and Overton were **elected** as Vice-Chairmen of the Association until the next Annual Meeting.*

**The Chairman** invited nominations and seconds for six Deputy-Chairmen for 2013/2014.

The following nominations were moved and seconded:

#### **Conservative**

Cllr Andrew Lewer (Derbyshire CC);

Cllr Robert Light (Kirklees Council).

#### **Labour**

Cllr Sharon Taylor OBE (Stevenage DC);

Cllr Mehboob Khan (Kirklees Council);

Mayor Sir Steve Bullock (Lewisham Council).

#### **Liberal Democrat**

Mayor Dorothy Thornhill MBE JP.

#### Decision

*Cllrs Lewer, Light, Taylor, Khan, Thornhill and Mayor Sir Steve Bullock were **elected** as Deputy Chairmen of the Association until the next Annual Meeting.*

### **4. LGA Constitution**

The Chairman presented a report which set out the LGA Leadership Board's recommendations for a number of changes to the LGA Constitution (set out in paragraphs 2 to 10 of the report).

#### Decision

*The General Assembly **endorsed** the proposed changes to the LGA Constitution.*

#### Action

Revise the Constitution in line with the General Assembly decisions.

**Claire Holloway**

## **5. Appointment of Vice-Presidents**

The General Assembly were invited to note the appointment of Vice-Presidents for 2013/14, under Article 8.2 of the LGA Constitution.

### Decision

*The General Assembly **noted** the appointments of the following MPs, MEPs and Peers as LGA Vice-Presidents for 2013/14:*

#### **Conservative**

Gavin Barwell MP (Croydon Central)  
Mike Freer MP (Finchley and Golders Green)  
Stewart Jackson MP (Peterborough)  
Henry Smith MP (Crawley)  
Charles Walker MP (Broxbourne)  
Heather Wheeler MP (South Derbyshire)  
Margot James MP (Stourbridge)  
Baroness Eaton  
Lord Jenkin Of Roding  
Philip Bradbourn MEP  
Julie Girling MEP

#### **Labour**

Heidi Alexander MP (Lewisham East)  
Clive Betts MP (Sheffield South East)  
Louise Ellman MP (Liverpool Riverside)  
Ian Mearns MP (Gateshead)  
Andy Sawford MP (Corby)  
Steve Reed MP (Croydon North)  
Lord Beecham  
Baroness Smith of Basildon  
Lord Smith of Leigh  
Richard Howitt MEP  
Derek Vaughan MEP

#### **Liberal Democrats**

Gordon Birtwistle MP (Burnley)  
Annette Brooke MP (Mid Dorset and Poole North)  
Julian Huppert MP (Cambridge)  
Baroness Barker  
David Ward MP (Bradford East)  
Lord Greaves  
Baroness Maddock  
Lord Shipley  
Lord Tope  
Edward McMillan Scott MEP

Catherine Bearder MEP

**Independents**

Lord Alton  
Lord Bichard  
Baroness Greengross  
Baroness Howarth  
Lord Ouseley  
Lord Walpole  
Keith Taylor MEP  
Lord Adebawale CBE  
Lord Laming  
Earl of Lytton

**6. LGA Consolidated Financial Statements for the year to 31 March 2013**

The General Assembly received the LGA's Consolidated Financial Statements for the year to 31 March 2013.

Decision

*The General Assembly **received** the LGA's Consolidated Financial Statements for the year to 31 March 2013.*

**7. Minutes of the General Assembly held on 26 June 2012**

Decision

*The minutes **were** agreed as a correct record of the meeting.*

**8. Annual Report of the LGA Audit Committee**

The General Assembly received an overview of areas reviewed and work undertaken by the Audit Committee in 2012/13.

Decision

*The General Assembly **noted** the annual report of the Audit Committee.*

**9-10 General Assembly Motions**

The Chairman reported that two member authorities (Lewisham Council and London Borough of Sutton) had proposed motions on two issues of national importance to local government for consideration at the Annual Meeting of the General Assembly.

The LGA Executive, at its meeting on 16 May 2013, agreed both motions for debate at the General Assembly.

## **9. Motion on Welfare Reform**

Cllr Sharon Taylor OBE (Leader, Stevenage BC) proposed the following motion on Welfare Reform:

### **Proposed that**

“This Association accepts the need for reform of the existing welfare system in the current economic climate and supports the introduction of reforms that ensure that money goes to those who most need it.

There is no doubt that the impact of the reforms on local communities will vary from place to place and across the country. However this Association has a number of serious concerns, in particular in relation to the rollout of Universal Credit, the imposition of the size criterion, and the benefit cap. These include:

- the impact of direct payment of benefits on the collection of rents;
- the impact of direct payments on the private rented sector;
- the impact of migration of families to cheaper localities; and
- the effect of the reforms on the use of the badly limited social housing stock.

Councils are committed to continuing to serve their residents who are affected by these reforms and are currently piloting ways they might work with government and others to serve Universal Credit clients in 12 areas.

This Association calls on Government to examine properly the evidence generated by the pilots, to assess fully the overall impact of the welfare reforms on individuals, communities and local economies and to make the changes to the planned reforms, including recognising and funding the future role of local government, that are needed to reflect that learning and protect the most vulnerable members of society.”

Cllr Philip Atkins (Staffordshire CC) seconded the motion.

The Chairman opened the debate to the floor.

Cllr Jim McMahon (Leader, Oldham Council) responded on behalf of the LGA,

### Decision

*The General Assembly **agreed** the motion on Welfare Reform.*

## **10. Independent Local Government**

Cllr Ruth Dombey (Leader, London Borough of Sutton) proposed the following motion on Independent Local Government.

**Proposed that:**

“This Association believes in local government as one of the cornerstones of democracy in the UK and a champion of the needs and ambitions of the people it represents.

We believe that decisions made on behalf of a community are best made by those directly elected to represent them. This is the most democratic approach and makes for best use of public money. We note the Prime Minister’s acknowledgement that local government is the most efficient part of the public sector.

We note the work of the Political & Constitutional Select Committee on the position of local government in the Constitution and its recommendation for a national debate on securing greater autonomy for the sector. In its own campaigning for independence for local government, this Association believes that:

- Councils should be accountable to their electorates and not to ministers of the Crown;
- Councils should be granted greater freedoms and flexibilities to drive economic growth;
- Councils should have the power to provide any local public service not explicitly reserved to another body;
- Councils should retain in full the proceeds of council tax and business rates, subject to retaining mechanisms for fairness and redistribution and that both these taxes should be determined by councils alone without central government interference;
- The burden of statutory duties and central compliance regimes should be lifted further; and
- Central government interference should be removed from decisions on councils’ electoral boundaries and governance models.

The General Assembly calls on the leadership of LGA to use its influence in the House of Commons and the House of Lords to introduce Private Members Bills that entrench local government’s freedoms in our Constitution and protect them against erosion by future governments.”

Cllr Marianne Overton (Lincolnshire CC) seconded the motion.

Cllr David Sparks OBE, Vice-Chairman, opened the debate to the floor.

Cllr Robert Light (Kirklees Council) responded behalf of the LGA,

**Decision**

*The General Assembly **agreed** the motion on Independent Local Government.*

## **11. The Chairman's Address**

Cllr Sir Merrick Cockell, Chairman, welcomed delegates to the LGA's 2013 General Assembly and Annual Conference.

Sir Merrick referred to the launching at Conference of '*Rewiring Public Services*', an ambitious programme which provided much needed solutions to how local government could deliver public services within an ever-tightening fiscal environment. Sir Merrick outlined 10 demands to transform the way that local government is structured, funded, how that money is distributed and how government will need to respond.

Sir Merrick emphasised that the '*Rewiring*' model was innovative, deliverable and sustainable. It would tackle long-term structural issues far beyond a shopping list of obvious one-off savings.

Beginning his final year as Chairman of the LGA, Sir Merrick reflected over the last two years of his tenure. Sir Merrick referred to his many visits up and down the country, meeting councillors and council staff, and although each place had its own unique character, its own local issues and its own solutions, one thing remained constant – a desire for people in local government to make a difference. This, Sir Merrick emphasised, was why rewiring public services must work.

Sir Merrick told delegates that this was their model of a future vision for local public services, created by local government. It had the potential to leave a lasting legacy for communities.

Sir Merrick concluded by wishing delegates a productive and interesting week at Conference.

## **CLOSE OF MEETING**

**The next General Assembly Annual Meeting will be held on 8 July 2014 in Bournemouth.**



## Minutes

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### **Special Meeting of the General Assembly**

23 January 2014 at 12.45pm

Local Government House

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### **Present**

132 authorities in full membership and 4 authorities in corporate membership were represented at the meeting.

### **1. LGA Governance Arrangements**

Sir Merrick Cockell, Chairman of the LGA, welcomed representatives to the Special Meeting of the General Assembly, which had been called to consider proposed revisions to the LGA's governance arrangements, commended by the LGA Executive.

The Chairman stressed the importance of the LGA's governance arrangements in leading and shaping its work, on behalf of its membership, on a day to day basis. He emphasised that, as councils took tough decisions about funding and vital public services, the LGA's governance must reflect current realities within the sector. They must be able to equip the Association to support and represent its membership effectively and they must be affordable.

The Chairman outlined the five key principles on which the proposed changes were based:

#### **Representing our membership**

- Councillors across the country are engaged in the work of the LGA.
- The needs of individual councils are balanced with the needs of groupings of councils.

#### **Structures**

- City regions and counties have a central role in the LGA's decision making.
- Current governance arrangements are streamlined to focus on LGA priorities.

#### **Ways of working**

- Less reliance on formal 'committee meetings based around officer papers.
- Greater emphasis on engagement with the sector.

#### **The role of Members**

- Increased emphasis on the role of members as decision-makers, as representatives of local government and as advocates of the LGA.

**Cost of Governance**

- Overall reduction in direct, support and managerial costs.

The Chairman summarised the proposed changes and invited representatives to give their views.

**Cllr Robert Light (Kirklees Council)**, referring to the practical implementation of the new arrangements, asked how the transition from the current to the new structures would be effected. In response, Michael Coughlin, Executive Director of Workforce, Leadership and Productivity, explained that the new Boards would overlap with the existing Boards for a period of time to allow effective transition of responsibilities. Induction arrangements would also be put in place for all members on the new Boards.

**Cllr Neil Clark MBE (Rushcliffe District Council)**, commended the proposed formation of the City Regions and People & Places Boards. Cllr Clark expressed his satisfaction that there was potential for an increase in the influence of rural authorities as the People & Places Board would have decision making powers under the new arrangements. Cllr Clark said that he was also pleased that the annual Rural Conference would continue under the new proposals.

**Cllr Evelyn Carpenter (London Borough of Barking and Dagenham)** asked about the level of savings that would be achieved in the LGA's overall budget as a result of the streamlining of structures. The Chairman responded that the proposals would lead to a reduction of about 11% in the cost of running the LGA's governance arrangements.

In response to questions from **Cllr Clarence Barratt (London Borough of Havering) (Chair of the European & International Board)** and **Cllr Claire Hudson (Mendip District Council) (Vice-Chair of the Workforce Board)** Sir Merrick Cockell gave the LGA's assurances that mechanisms were being put in place to ensure that all priority streams of work, together with networks and external relationships, within their two policy areas, would be picked up in the new governance arrangements. In addition, the LGA Executive would take overarching responsibility for co-ordinating cross-Board policy.

Following the discussion, the Chairman commended the LGA Executive's proposals to the General Assembly. The General Assembly agreed the recommendation in the report by a clear show of hands (one vote against and one abstention)

Decision

*The General Assembly **agreed** the recommendations in the report and **approved** the revised Constitution.*

Actions

The City Regions and People & Places Boards to be established from February 2014.  
The remaining changes to come into effect from September 2014.  
A full review of the new arrangements to be carried out after 12 months.

## **2. The Chairman's Address**

In addressing the General Assembly, Cllr Sir Merrick Cockell, Chairman, set out what he thought were the really big challenges facing local government over the next 16 months, leading up a new Government in May 2015.

Sir Merrick began by paying tribute to the magnificent response from local government to some of the most extreme and persistent bad weather in recent times. On behalf of the sector, Sir Merrick thanked council staff, contractors, volunteers and councillors, for a job well done, despite the risks and challenges thrown at them by the elements.

The Chairman moved on to set out what the LGA had been doing on behalf of member authorities through some very difficult times. He highlighted the results of LGA's perceptions survey, which indicated that we were continuing to improve our offer to authorities – 73% of whom speak positively of the LGA.

Sir Merrick outlined five key challenges for councils in the months to come. The first was the continuing shift in the funding of local government. 2015 would be a 'crunch' year for public services, with incredibly difficult decisions to be taken as a General Election draws near.

The second challenge was the significant housing shortage that the country faces. The LGA was rallying behind this issue and was continuing to lobby hard to lift the borrowing cap which would enable local government to build an additional 12,000 homes a year.

The third challenge was meeting the rising demands for health and social care from an ageing population. Sir Merrick expressed his pride at the work led by the LGA which had released billions of funding to be shared between health and social care as part of the Better Care Fund.

The fourth challenge was for the need to generate a meaningful national debate about the future of public services – what should public services in post-austerity Britain look like? Can we afford to deliver services and how should they be delivered? Local areas would need to debate and conclude what their priorities were and where the money would come from to pay for them.

The final challenge was the 2015 General Election. In the coming months the LGA would be working hard to articulate what the sector would want from the next government in order to transform local public services.

Concluding, Sir Merrick said that the changes to the LGA's governance agreed by the General Assembly today would enable the LGA to better meet the challenges ahead and show that as an organisation we can listen, learn and react to the changing nature of local government and public services.

The Chairman emphasised that the next few years would be demanding but the LGA, with its strong cross-party approach, would continue to speak loudly for the whole of the local government sector. In the run up to the Annual Conference in July, members would hear more about how we are and will be meeting these challenges. The LGA would continue to do its utmost for its members and those they represent.

The Chairman closed the Special Meeting of the General Assembly.

**The 2014 Annual Meeting of the General Assembly will be held on 8 July 2014 in Bournemouth.**



## **Annual Report of the LGA's Audit Committee**

### **Purpose of report**

For information.

### **Summary**

The report provides an overview of areas reviewed and work undertaken by the LGA's Audit Committee in 2013/14.

### **Recommendation**

Members are asked to note the report.

### **Action**

Officers to take forward actions as directed by members.

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## **Annual Report of the LGA's Audit Committee**

### **Introduction**

1. The responsibilities of the LGA's Audit Committee are to:
  - 1.1. review the financial statements prepared for the LGA and its associated companies
  - 1.2. monitor the processes for managing risks, internal controls and corporate governance arrangements
  - 1.3. oversee the appointments of the external and internal auditors and commission and review their work
  - 1.4. consider issues of probity and conduct
  - 1.5. seek expert advice where necessary to provide independent internal or external assurance on key issues.
2. The main focus of the Audit Committee's work in 2013/14 has been to review the audited accounts of the LGA and its associated companies, and also the internal audit programme for the year.

### **Financial statements and external audit**

3. Following a tendering exercise in the autumn of 2011, which included members from all political groups, PKF Littlejohn was appointed as the external auditors for the LGA and its associated companies for three years. At the Audit Committee meeting held in November 2013 the Committee agreed that in light of a good service provided to date, and to avoid re-tendering both the internal and external functions in the same year that the PKF Littlejohn contract should be extended for a further two years.
4. In relation to the financial year 2013/14, in June 2014 the Audit Committee has reviewed the LGA's consolidated audited accounts; and also the audited accounts for the LGA's associated companies – IDeA, LGIH, LGA (Properties) Ltd and LGMB, prior to these being adopted by the Leadership Board and the relevant company boards.
5. The LGA's consolidated financial statements also disclose the position of the LGA as a stand-alone entity, and include the LGA's Income and Expenditure account and Balance Sheet.
6. The consolidated accounts show the LGA and its associated companies made an operating surplus of £5.479m before financing income and costs (-£0.846m), contributions from joint ventures (£1.350m), proceeds from the sale of shares (£0.128m) and adjustments relating to additional pension contributions (-£4.268m). These reconciling items result in an operating surplus of £1.843m which was achieved

through the implementation of a programme of cost saving measures agreed at the start of the financial year, following the last minute announcement of a £2m reduction in RSG topslice.

7. In reviewing the consolidated accounts, the Audit Committee were provided with an update on the LGA's strategy for managing the combined pension deficit of the LGA and the IDeA. The approach is to pay additional contributions in line with the requirements of each pension fund as determined by the triennial valuation which last took place in 2013. Alongside this, the LGA's Leadership Board has agreed to align the LGA's two property assets, Local Government House and Layden House, both of which are in central London, against the LGA and IDeA pension deficits respectively. The decision has recently been taken to refurbish Layden House with a view to increasing its capital value. An external review is also now underway of Local Government House to ensure that its full commercial potential is realised.
8. It is standard practice for issues identified in the course of the external audit to be raised by the auditors with management and for these to be reported to the board members as "Performance Improvement Observations" in what is commonly known as the "Management Letter". The Audit Committee received this report from the auditors at its meeting on 3 June 2014, and will monitor progress with the recommendations arising from the 2013/14 external audit.

#### **Internal audit**

9. The internal audit service was retendered in 2011 and TIAA (formerly Parkhill until the merger with TIAA in October 2013) was appointed for three years from 2011/12. The Audit Committee agreed in November 2013 that in light of a good service provided to date, that the TIAA contract should be extended by one year to review the impact of the merger on the service and avoid re-tendering both the internal and external functions in the same year.
10. The Audit Committee is responsible for agreeing the annual internal audit strategy and programme at the start of each financial year, taking account of the key risks identified in the LGA's Risk Register.
11. The Audit Committee agreed the internal audit strategy and audit programme for 2013/14 at its meeting in June 2013. The audit programme was split into two blocks of work, including follow-up of the 2012/13 audits. An additional review of Offsite Storage Arrangements was also undertaken. TIAA have completed the programme and full reports were presented to the Committee meetings held in November 2013 and June 2014. TIAA's Annual Report was presented to the Committee meeting in June 2014.
12. The Audit Committee received an update on progress with the LGA's Offsite Storage Arrangements, where work is underway to improve the arrangements for the LGA and to review the service provided to a number of third parties in the light of the known loss of some documentation.

13. Based on the work undertaken in 2013/14, the internal auditor's overall opinion regarding the adequacy and effectiveness of the LGA's risk management, control and governance processes is that the LGA "has adequate and effective management, control and governance processes to manage the achievement of its objectives."
14. The audit opinions are summarised below:

<b>Internal audit assignment</b>	<b>Internal audit opinion</b>
Key Financial Systems	Substantial
Grant Funded Programmes	Substantial
Governance (Performance Management)	Substantial
Risk Management	Adequate
Liberata Contract Management	Adequate
Data Security Health Check	Adequate
Follow-up of previous internal audit recommendations	Not applicable

15. The Key Financial Controls audit that focused on General Ledger and Bank & Treasury, demonstrates that the controls in place are operating effectively; and the Grant Funded Programmes audit confirmed that processes for authorising, reviewing and evaluating programmes entered into are fit for purpose. The Corporate Governance audit focused on performance management to provide assurance that information provided to LGA Boards and Panels, regarding achievement against key performance indicators is accurate, demonstrates that the processes in place are operating effectively.
16. The Risk Management audit reviewed the internal risk management arrangements and processes in place. The 'Adequate' assurance audit opinion was provided in view of a need to strengthen risk management, in light of the Ernst & Young review of the commercialisation of some LGA activities.
17. The Liberata Contract Management audit reviewed the management processes in place for the contract and to ascertain whether the LGA is receiving the expected benefits of the contract, through the effective management of demand led services. The audit recognises that the renegotiated contract has delivered significant savings. The 'Adequate' audit opinion is provided in view of further action required and some changes to the LGA's culture, to reduce the cost of demand-led print, design and catering services.
18. The Data Security audit reviewed the controls around data security risks, including core compliance with DPA 1998 and general good practice. The 'Adequate' opinion is provided in view of the need to strengthen physical security, access to the ICT system and a more rigorous application of policies and procedures in a number of areas, including offsite storage arrangements.

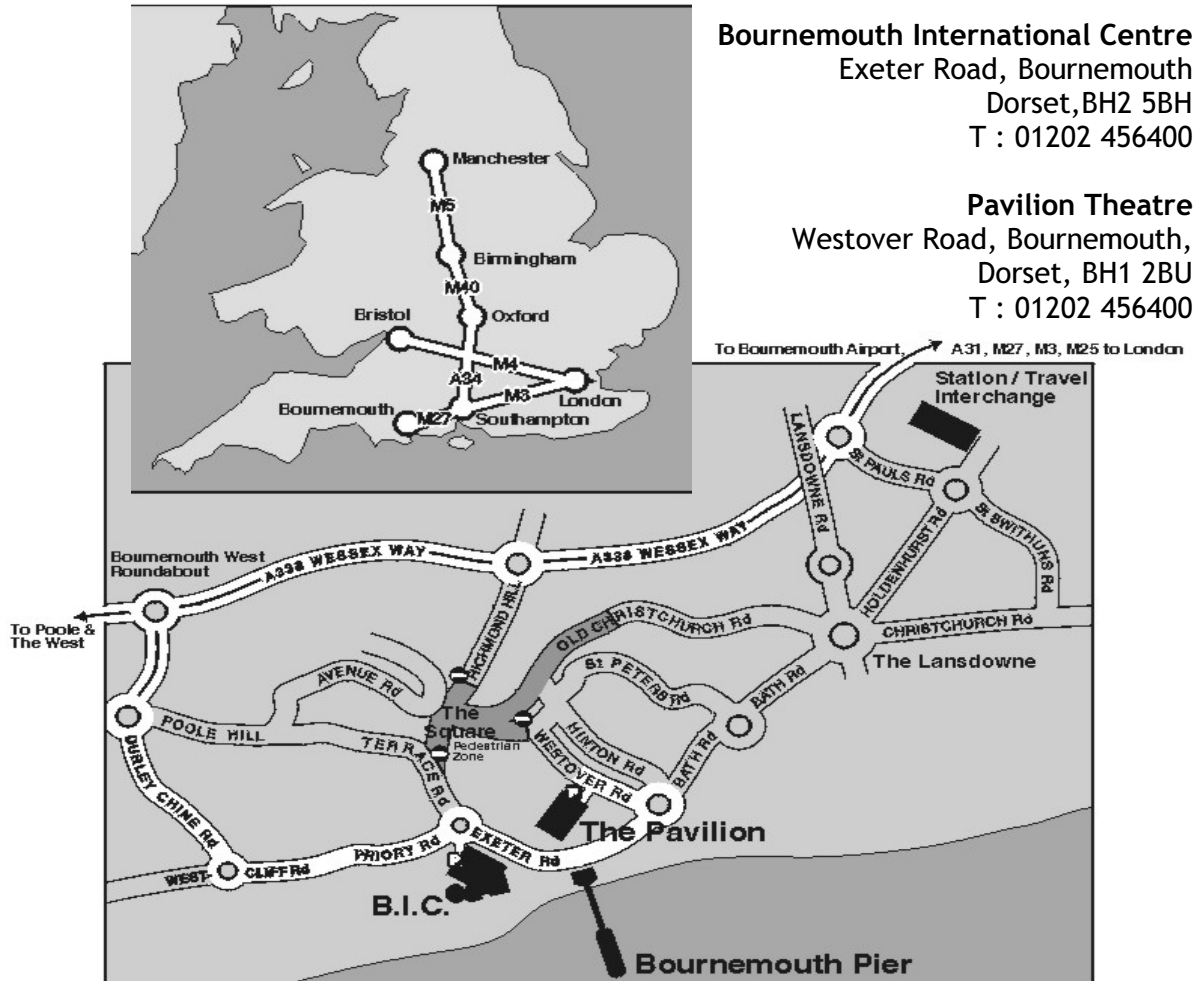
**Risk management and internal control**

19. The LGA's approach to risk management is set out in its Risk Management policy which was revised in April 2014, in particular to strengthen the LGA's risk management arrangements in relation to a number of significant new projects.
20. The Audit Committee has reviewed the Strategic Risk Register during the course of the year, in particular focusing on ensuring that key risks facing the organisation are being effectively managed.
21. The Audit Committee receives an annual report on instances of fraud occurring in the year. There were no instances of fraud or corruption reported or investigated in 2013/14.





## LOCATION AND DIRECTIONS TO THE BOURNEMOUTH INTERNATIONAL CENTRE & PAVILION



### Travelling to the Bournemouth International Centre by Road

#### From London:

Take the M25, then the M3, M27 and A31 to Ringwood. From Ringwood follow the A338 (Wessex Way) to the Bournemouth West Roundabout

#### From the Bournemouth West Roundabout:

Take the 1<sup>st</sup> exit and follow the brown signs to the BIC, The BIC multi-storey car park is off the roundabout at the bottom of Priory Road.

#### From the North and West:

Head for the A31/A338 junction (Ashley Heath) just outside of Ringwood, take the A338 to Bournemouth then follow the directions from the Bournemouth West roundabout.

### Travelling to the Pavilion by Road

Follow the directions for the BIC, Continue along Exeter Road to the next roundabout. Take the 1<sup>st</sup> exit into Westover Road. The Pavilion car park is on the left.

### Travelling by Air and Rail

Bournemouth is served by a 1 hour 40 minute train from London Waterloo.

Bournemouth International Airport is 15 minutes from the town centre via the A33



**FOR GENERAL ASSEMBLY VOTING MEMBERS ONLY**

LGA General Assembly Annual Meeting: 8 July 2014

Name: .....

Authority:.....

Please put cross in appropriate box -

For

☐

Against

☐

Abstain

☐

ISSUE:

**FOR GENERAL ASSEMBLY VOTING MEMBERS ONLY**

LGA General Assembly Annual Meeting: 8 July 2014

Name: .....

Authority:.....

Please put cross in appropriate box -

For

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Against

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Abstain

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ISSUE: