

# **SOUTH EAST ENGLAND REGIONAL ASSEMBLY CONSTITUTION**

## **1. Name**

- 1.1 The South East England Regional Assembly (hereinafter referred to as 'the Assembly') is an unincorporated association designated as the Regional Chamber under the Regional Development Agencies Act 1998.

## **2. Geographical Coverage**

- 2.1 The South East (GOSE) region, covering the counties of: Buckinghamshire, East Sussex, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex: and the unitary authorities of: Bracknell Forest, Brighton & Hove, Medway, Milton Keynes, Portsmouth, Reading, Slough, Southampton, West Berkshire, Windsor & Maidenhead and Wokingham (hereinafter referred to as 'the region').

## **3. Purpose**

- 3.1 To provide the representative body for the region, to act to promote the economic, social and environmental well-being of all who live and work in the South East.
- 3.2 To define and represent the region's interests, particularly within the UK and the European Union as a whole.
- 3.3 To constitute the representative body recognised under the Regional Development Agencies Act 1998 to work with, and be consulted by, the South East England Development Agency (SEEDA) and in doing so to provide the means through which SEEDA can be responsive to regional views and can account to the region for its activities.
- 3.4 To be the Regional Planning Body for South East England.
- 3.5 To provide a forum within which to address issues of common concern or interest to all partners.
- 3.6 To work with others to promote the sustainable economic development of the South East region.

## **4. Functions and Responsibilities**

- 4.1 To promote the interests of the region, both nationally and internationally.
- 4.2 To seek to influence government policy and resource distribution in the interests of the region.
- 4.3 To prepare and review, and to contribute to the preparation and review of, strategic policies for the region's sustainable development.
- 4.4 To scrutinise SEEDA's policies, approach and impact, in particular through the Regional Economic Strategy and its corporate plan.

- 4.5 To prepare, monitor, review and promote the Regional Spatial Strategy.
- 4.6 Actively to promote partnership working at regional level, involving regional, sub-regional and local partners.
- 4.7 To encourage the involvement of local communities in decision-making at the regional level, through local and sub-regional channels.
- 4.8 To work jointly with the London Assembly and other regional assemblies to seek complementarity in strategic policy making.
- 4.9 To provide a framework for information, analysis and consultation within which all partners may work together to develop a better understanding, both of the region's needs and how best to meet strategic challenges at regional level.
- 4.10 To promote democratic decision-making in open and accountable ways, and to ensure that all views are heard and considered in decisions made by the Assembly and its committees, etc.
- 4.11 To promote a company or companies to carry out or assist in carrying out any of the purpose or objectives of the Assembly and, in particular, the company limited by guarantee known as 'SEERA Limited'.

## 5. Membership

- 5.1 The Assembly shall comprise 112 members representing the region's local authorities and social, environmental and economic partners.
- 5.2 Assembly members will be determined by their nominating bodies, i.e. for local government Members, their local authorities, and for Members representing town and parish councils and social, environmental and economic partners, their sector-based regional organisations or networks.
- 5.3 It will not be possible for an individual to be simultaneously both a member, or alternate member, of the Assembly and a member of the Board of SEEDA.
- 5.4 Elected councillors will not be eligible to represent social environmental and economic partners in the Assembly.
- 5.5 While Assembly members will be working together for the interests of the region, they will sit in the Assembly as representatives of their local authority or, in the case of town and parish councils and social, environmental and economic partners, of their regional organisation or network. Accordingly, members of the Assembly will be expected to be individually accountable to their nominating constituency.
- 5.6 All nominating bodies must ensure that the processes through which they choose their nominees to the Assembly must be fair, open and transparent. In the case of social environmental and economic partners, each Assembly member must be able to demonstrate their accountability to a clear and distinct constituency in the region.
- 5.7 Both local government and the social, environmental and economic partners shall endeavour to achieve an appropriate gender and ethnic minority balance in their

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membership and to secure appropriate opportunities for those with disabilities to be represented within the Assembly.

- 5.8 Each principal local authority in the GOSE area will be entitled to one seat in the Assembly, making a total of 74 seats.
- 5.9 Town and parish councils will be allocated three seats, on a region-wide basis. The New Forest National Park Authority will have one seat.
- 5.10 Social, environmental and economic partners in the region 'having an interest in the work of the RDA' will be allocated a total of 34 seats; these will cover, *inter alia*:
- The voluntary and community sector
  - Business organisations
  - Environmental interests
  - Economic partnerships
  - Higher education
  - Further education
  - Trades unions
  - Culture, sports, arts, tourism
  - Health
  - Rural interests

The allocation of seats among these sectors will be determined by the Executive Committee, and subject to periodic review.

## **6. Members, Alternates, Substitution and Resignation**

- 6.1 Members of the Assembly will be entitled to serve for a term of two years. Any member may be re-nominated to serve for a further term or terms, without limit.
- 6.2 Each constituent organisation is required to nominate, in addition to their full Assembly member, an alternate member who, once notified to the secretariat, will be permitted to attend any plenary meeting of the Assembly and to speak and vote in place of its nominated full member.
- 6.3 In the event of a full member of the Assembly serving on the Executive Committee or other committees and groups of the Assembly being unable to attend a meeting, he or she may be substituted by another full member from the same party or partner group. Alternates may not substitute for full members on the Assembly's committees, except where specific constituent interests have just one representative (e.g. large business, social housing), when their full member may be substituted by his or her alternate.
- 6.4 Any individual member or alternate wishing to resign should do so, in writing, to their nominating body, and inform the Assembly secretariat accordingly.

6.5 If a constituent organisation wishes to replace its full member or alternate on the Assembly, the secretariat must be given notice of its intention. If a local authority representative on the Assembly loses his or her local authority seat, he or she will immediately cease to be a member of the Assembly. Vacancies on committees arising in such circumstances should be filled by nomination from the relevant party or partner group.

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## 7. Assembly Meetings

7.1 The Assembly will hold an annual plenary meeting for the purpose of:

- (i) electing the Chair of the Assembly;
- (ii) appointing five Vice-Chairs, from among whom the Assembly will elect a Deputy Chair;
- (iii) appointing to the Executive Committee and to other committees, positions, forums and task groups as appropriate;
- (iv) receiving an annual report on the activities undertaken on the Assembly's behalf.

7.2 The Assembly will meet in plenary session three times a year, including its annual meeting, and on further occasions as may be determined by the Assembly or the Executive Committee, in order to:

- (i) debate and agree policies and actions to promote the economic, social and environmental well-being of all who live and work in the region;
- (ii) act as the Regional Planning Body;
- (iii) receive reports from the Chair of the Assembly on behalf of the Executive Committee on decisions made and actions taken on the Assembly's behalf;
- (iv) receive reports, including an annual report, on the activities of SEEDA and the progress of the Regional Economic Strategy;
- (v) carry out any other business considered appropriate by the Executive Committee.

7.3 A special plenary meeting of the Assembly may be convened with a minimum of 14 days' notice, following receipt by the secretariat of a request from the Chair or from no fewer than ten full members of the Assembly.

7.4 The quorum for plenary meetings is one third of the Assembly membership. The meeting will become inquorate whenever the numbers present fall below this threshold.

## 8. Assembly offices

8.1 The Chair of the Assembly will be an elected councillor representing a local authority as a full member of the Assembly. The Chair is the Assembly's figurehead and spokesperson; he or she is required to provide leadership for the Assembly, to command its confidence, to build consensus, to represent the interests of and act on behalf of the Assembly as a whole, and to promote and pursue the interests of the region as determined through the agreed policies and positions of the Assembly. Although there is no term of office for the Chair defined by this Constitution, party groups may have rules limiting the time any individual may serve in that role.

8.2 Each party group may nominate no more than one candidate for election as Chair. The election of the Chair will be by means of a confidential card ballot by transferable vote, in which the candidate winning more than 50% of the weighted votes of the Assembly membership present and voting is elected Chair.

8.3 With the exception of the party group represented by the Chair, the party and partner groups will nominate five Vice-Chairs as follows:

- Three from local government, including Town and Parish Councils, from the party groups not represented by the Chair.
- One each from the two partner groups, namely the economic partners, and the social and environmental partners.

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8.4 The Deputy Chair will be chosen by the whole Assembly from among the five Vice-Chairs, elected in the same way as the Chair. The Deputy Chair will deputise for the Chair of the Assembly at Plenary and Executive Committee meetings and, with the Chair, represent the Assembly at important meetings and other external events.

8.5 The Chair of the Assembly, the Deputy Chair, the Vice-Chairs and the Chair of the Regional Planning Committee together constitute the Assembly's Leadership group. They will convene periodically with the secretariat in order to give guidance on the arrangements for processing the business of the Assembly. This group should involve other chairs of committees, forums and groups, and other Assembly members as is from time to time appropriate. The Chair may take decisions in consultation with this group both on process issues and on urgent matters of policy.

## 9. Rules of Procedure

9.1 The conduct of the Assembly's business will be governed by rules of procedure agreed from time to time by the Executive Committee. Amendments to these rules may only be made by a two-thirds majority of the Executive Committee present and voting.

## 10. Voting

10.1 Voting by the Assembly in plenary session will be on the basis of a show of hands, and by a simple majority, except where five or more of those voting members present call for a card ballot.

10.2 Card ballots in the Assembly will be on the basis of the following weighted voting system:

County councils: an allocation of votes equivalent to the number of district councils in their county area

Unitary councils: an allocation of votes reflecting population size at the most recent census, as follows:

Up to 100,000	2 votes
100-150,000	3 votes
150-200,000	4 votes
200-300,000	5 votes
300-400,000	7 votes

District councils: 1 vote each

Town and parish councils: 1 vote per representative

Social, environmental and economic partners: 2 votes per representative

10.3 Alterations to the Constitution of the Assembly shall be made only by the Assembly on the basis of a two-thirds majority both of the local authority members and of the social environmental and economic partners present and voting.

## 11. Executive Committee

11.1 The Assembly will appoint an Executive Committee of not more than 31 members, including the Chair, Deputy and Vice-Chairs, broadly reflecting the balance between local government and social, environmental and economic partners within the Assembly, as follows:

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Principal local authorities	17
Town and parish councils	1
Social <u>and</u> environmental partners	<u>5</u>
<u>Economic partners</u>	<u>5</u>

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In addition the Chairs of the Regional Planning Committee, the Regional Housing Board and the Regional Transport Board will be ex officio, full voting members of the Executive Committee.

11.2 The principal local authorities will determine their representatives on the Executive Committee according to a template reflecting the party distribution of council seats across the region as a result of the latest round of local elections held in May each year. In nominating to the Executive Committee party groups will be expected to have regard to the need both to represent all tiers and to achieve a geographical balance. Party groups without representation on the Assembly that have 6% or more of the council seats in the region may, in accordance with the template, nominate councillors to the Executive Committee who are not full members of the Assembly, up to an overall limit of five in total.

11.3 The Assembly members representing the social, environmental and economic partners are expected to agree by means of an inclusive and open process nominations to the Executive Committee that fairly reflect the diversity and balance of interests amongst the partners.

11.4 The Executive Committee will be chaired by the Chair of the Assembly, or, in his or her absence, by the Deputy Chair or one of the Vice-Chairs. The Executive Committee is responsible for carrying out the affairs of the Assembly in between plenary meetings. With the exception of changes to the Assembly's constitution, approval of the Assembly's budget, and final approval of the draft Regional Spatial Strategy, the draft Regional Transport Strategy, and the Regional Economic Strategy, any matter to be determined by the full Assembly may be decided by the Executive Committee on its behalf.

11.5 The Executive Committee will agree a programme of plenary and committee meetings for the Assembly; the Chair of the Assembly may call additional meetings of the Executive Committee with a minimum of ten days' notice. The quorum for meetings of the Committee is one third of the committee membership; the meeting will become inquorate whenever the numbers present fall below this threshold.

11.6 The Executive Committee will:

- (i) recommend to the Assembly the financial resources and expenditure required for the Assembly; this will include the submission of an annual budget to enable the Assembly to deliver its agreed functions;
- (ii) formulate the strategic policies, programmes and priorities for the Assembly, either making recommendations to the Assembly, or taking decisions on the Assembly's behalf and accounting to the Assembly for those;
- (iii) make arrangements for the proper administration of the Assembly's affairs including:
  - (a) the appointment of staff;
  - (b) the adoption of policies;
  - (c) within the policy framework established by the Assembly, responding to regional issues upon which the Assembly's views are sought, and accounting for its work;
  - (d) holding to account the directors of any company established to act on the Assembly's behalf as a legal entity with limited liability;
  - (e) any other task or function which is required to be discharged before the next meeting of the Assembly.

**11.7** The Executive Committee may set up and dissolve permanent or time-limited committees or task groups in order to develop policy, oversee aspects of the Assembly's activities, or advise the Executive Committee and/or the Assembly as a whole on specific matters. Unless the Executive Committee agrees otherwise, membership of such committees or task groups will be in proportion to the balance of local government and social economic partners in the Assembly. Such committees or task groups may be created jointly with other bodies.

**11.8** The Executive Committee may invite individuals (e.g. experts, representatives) who are not members of the Assembly to serve on such committees and task groups of the Assembly as appropriate, with the proviso that such invitees will not normally have voting powers, that their invitation to participate remains always at the discretion of the Executive Committee and will be reviewed annually; notwithstanding such conditions the Executive Committee may make specific and exceptional arrangements governing 'statutory' functions, for example that of Regional Planning Body.

## 12. Regional Planning Body

12.1 As the Regional Planning Body for South East England the Assembly will advise the Government on strategic planning for the region through the preparation of a draft Regional Spatial Strategy. It will work jointly with the London Assembly and other regional chambers/assemblies to ensure complementary strategic planning advice to the Government for London and the greater South East area.

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12.2 The Assembly will create a Regional Planning Committee to advise the Executive Committee and /or the Assembly as a whole, on all matters relating to its function as Regional Planning Body in order that the Assembly can act effectively in that role. Planning policy matters should normally be determined by the full Assembly or, in between plenary meetings, by the Executive on the Assembly's behalf, but not both.

12.3 The Regional Planning Committee will comprise 25 members as follows:

Local government

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<u>Town and parish councils</u>	1
Economic partners	4
Social and environmental partners	4

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The nomination of local government members to the Regional Planning Committee will be made on the basis of a template reflecting the distribution of council seats by party across the region as a result of the latest round of local elections held in May each year.

- 12.4 The Regional Planning Committee shall elect a Chair and a Vice-Chair at its first meeting following the Assembly's annual meeting each year. Any interregnum between the Assembly annual meeting and the Committee's first meeting in the Assembly's year should be covered by reference to the Chair of the Assembly. The role of the Vice-Chair is to chair meetings and otherwise act in respect of Committee business on the Chair's behalf in their absence. The Chair is expected to consult with the Vice-chair as necessary on the management of the Committee's business.
- 12.5 The Regional Planning Committee will meet in accordance with the programme of meetings agreed by the Executive Committee and on additional occasions as circumstances dictate. The quorum for meetings of the Committee is one third of the committee membership; the meeting will become inquorate whenever the numbers present fall below this threshold.
- 12.6 Members of the Regional Planning Committee will act in the interests of the region as a whole, and not in the interests of particular areas or business sectors. The Committee will adopt an inclusive and consultative approach to its work, and in particular should ensure that the whole Assembly membership is engaged at key stages. The Committee Chair will be required to make a report to each ordinary plenary meeting of the Assembly.
- 12.7 The Regional Planning Committee may set up and dissolve permanent or time-limited working groups of committee members in order to deal with specific aspects of its remit. Such groups may involve Assembly members who are not on the Regional Planning Committee. Membership of such working groups should normally be in proportion to the balance of local government and economic, social and environmental partners in the Assembly.
- 12.8 The Regional Planning Committee may not co-opt, but is encouraged to invite to meetings of the Committee or working groups such experts and representatives as appropriate - e.g. of particular areas and/or interests - in order to contribute to debates.
- 12.9 The Regional Planning Committee will advise the Executive Committee of the Assembly in respect of inter-regional planning arrangements, including the representation of the Assembly at any inter-regional forum or on any joint committee or working groups. The Executive Committee may decide that such representation should include members beyond those drawn from the Regional Planning Committee – e.g. the Chair of the Assembly.

### **13. Partnership Boards**

13.1 The Assembly may establish and/or nominate members to regional boards that are established from time to time to bring together regional bodies and other partner organisations. The constitution and terms of reference of such partnership boards will be agreed on the Assembly's behalf by the Executive Committee, with the Assembly's Rules of Procedure updated accordingly. Members nominated by the Assembly to such boards are accountable to the Assembly for the contribution they make on its behalf.

### **14. Budget**

14.1 The Assembly will normally set its budget by 30 November for the financial year beginning 1 April in the year following.

14.2 The Assembly may levy subscriptions on its member organisations as it determines in respect of all or any of its functions, including that of Regional Planning Body. Member organisations will normally be notified of their subscriptions by 1 January of the year to which they will apply. Subscriptions will become due on 1 April of each year.

14.3 Any member organisation failing to pay its annual subscription by 1 July of the year in which that subscription becomes due will cease to be a member of the Assembly and, accordingly, will not be entitled to a seat or to vote in the Assembly. If a member organisation withdraws its support after the budget has been agreed by the Assembly, the subscription rate per vote will be adjusted to make up the shortfall.

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14.4 The Assembly may agree to pay allowances to those members adopting positions or responsibilities on the Assembly's behalf, for example the Assembly Chair and Vice-chairs, and the chairs, vice-chairs and members of committees. The level and terms of such allowances will be recommended to the Assembly by the Executive Committee.

### **15. Staffing**

15.1 The Assembly will be supported by professional staff, as agreed by the Assembly or by the Executive Committee on its behalf, within the overall operational budget as determined by the Assembly. This secretariat will, as necessary, also seek secondees from both constituent organisations and regional partners, and will seek to work in a structured way with the Assembly's constituent organisations in the development of regional policy.

### **16. Standards**

16.1 Membership of the Assembly is a public office, and all members and staff of the Assembly are accordingly required to observe the standards of probity and behaviour established by the Nolan and Neill Committees, and reflected in the National Code of Conduct for Local Government.

16.2 All members of the Assembly as well as external members of the Assembly's committees are required to register any pecuniary or other substantial interests that may influence their participation in the affairs of the Assembly. The register of members' interests is a public document.

## | 17. Resignation of Organisations from the Assembly

| 17.1 Any constituent organisation (i.e. local authority, network or other representative body) wishing to terminate their membership of the Assembly will be required to give not less than 12 months notice in writing to the secretariat, their membership to expire on 31 March in any year. The settlement of any financial issue relating to contributions and/or shares of assets or liabilities will be a matter for negotiation between the resigning member organisation and the Assembly secretariat, who will report the outcome for approval by the Executive Committee.

## | 18. Dissolution

| 18.1 Any motion for dissolution of the Assembly must be approved both by 75% of the local authority members and 75% of the social environmental and economic partners present and voting.

| 18.2 Following the approval of a motion for dissolution of the Assembly, the secretariat will ensure that the Assembly's assets and those of SEERA Ltd are disposed of, that its liabilities and those of SEERA Ltd are met, and that the responsibility for receiving proceeds or meeting liabilities is borne equally by organisations represented in the Assembly at the time of approval of the motion for dissolution, except that in the case of the social environmental and economic partners sectors, this should be limited to a level not exceeding their annual contribution to the costs of the Assembly.

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**Paul Bevan**  
**Chief Executive**  
**October 2006**