

CONSTITUTION OF THE WEST CORNWALL LOCAL ACTION GROUP

1. Establishment

There shall be constituted a West Cornwall Local Action Group (WCLAG), consisting of representatives from the public, private, voluntary and community sector organisations with an active interest in community regeneration in the Local Action Group area shown in the map in Appendix 1. The partnership is formed to deliver the WCLAG programme in this area.

2. Objectives and functions

The purpose of WCLAG is to stimulate and support community led regeneration initiatives in the WCLAG area.

The objectives and functions below relate to the requirements of Local Action Groups as defined in the LEADER National Delivery Framework for the delivery of the LEADER programme 2015 of the Rural Development Programme for England and are subject to the relevant RDPE guidelines and regulations

- To build the capacity of local people to develop and implement operations in the LAG area.
- To deliver the LEADER Local Development Strategy (LDS) through establishing selection criteria and then selecting and prioritising operations to meet the LDS objectives and targets
- To consider and decide upon operations including applications for funding in a fair, impartial and democratic manner
- To monitor the implementation of the LDS
- To publicise and promote the programme and the LDS

In addition to the above programme defined functions, the WCLAG also has the following objectives:

- To act as a forum for discussion with wider regeneration issues in the WCLAG area to enhance the quality of life.
- To facilitate knowledge exchange and shared learning with other groups to share best practice and stimulate innovation.

3. Representation / Membership

Representatives who serve on WCLAG in a voting capacity will be from named bodies, organisations and businesses with an interest in stimulating the economy and improving quality of life in the WCLAG area. The balance of members from different sectors (public/private/voluntary) must meet the programme requirements, (no single sector having more than 49% of the voting rights) but it is envisaged that representation will be split 33% private, 33% Public and 33% from the community and voluntary sector (agricultural and forestry representation can be under any one those three).. Individuals can also join where agreed by the LAG where they contribute the relevant skills, experience or expertise required by the LAG. It is anticipated that the total number of voting members will not number less than 7 but they will evolve to ensure there is democratic accountability across the programme area. If necessary a Decision Making Steering Group

should be established in order to ensure operational efficiency. The Voting members of the WCLAG can be found in Appendix 2.

Only Cornwall Councillors nominated through Democratic Services are able to sit on the Group, even if they hold positions in other organisations who may be a member of the WCLAG.

The LAG members should be committed to implementing the objectives of the Local Development Strategy and its development, be prepared to act as a focal point for consultations, to ensure delivery across the area is undertaken in a co-ordinated way and to act as ambassadors for and actively promote the Local Action programme in a professional manner.

If a representative of an organisation resigns from that organisation, they resign from being the named representative on the WCLAG. The organisation will be invited to nominate a new representative on the LAG.

Each representative shall be entitled and is encouraged to have a named substitute attend meetings should they be unable to do so. It is the responsibility of each representative to ensure that their substitute is fully conversant with the business of the LAG.

Membership will be kept under review and will be formally reviewed on an annual basis. In reviewing membership, WCLAG will assess and take recognition of the involvement of its representatives in other related organisations and groups.

In addition WCLAG may co-opt additional representatives at any time during the year to further the interests of the work being undertaken. Normally these representatives would be non voting. However, the LAG may decide in certain circumstances these individuals should have voting rights. The reasons for this decision should be clearly laid out and minuted.

Should any representative miss 3 consecutive meetings without sending comments or their substitute the WCLAG will consider whether that representative should be asked for a written explanation, which will be formally reviewed by the WCLAG and decision made as to whether a request is submitted to the organisation requesting alternative representation or a termination of the membership.

4. Meetings

WCLAG shall hold at least 4 meetings in every year including an Annual General Meeting, for the transaction of general business and may hold such other meetings as they shall find necessary or convenient.

5. Quoracy and decision making in meetings

For a meeting of the WCLAG to be quorate there must be present no less than 50% of the representatives entitled to vote. Where the total number of representatives is lower than 14, a minimum of 7 members is required in order to be quorate. In this situation the minimum number overrides the membership percentage.

The requirement for no single sector having more than 49% of the voting rights is applicable at the point of a vote/decision.

Most decisions at a meeting of WCLAG shall be reached by a consensus rather than a voting procedure. Formal Voting (i.e. proposal, seconder and vote) will be needed on decisions that commit finance and beyond that only in exceptional circumstances. When voting takes place there will be an equality of votes amongst those representatives present and voting on that question and in the case of a tied vote on any question, the person presiding at the meeting shall have a second or casting vote. The representatives of both the Accountable Body and Defra have the right to veto decisions that they consider to be technically incorrect and thus not valid.

Partners may bring supporting advisers to the meeting at the discretion of the Partnership in addition to the current list of advisers as given in Appendix 2.

A full record of those present at the meeting and of the representatives sending in apologies of absence shall be recorded in the minutes. The minutes of every meeting of WCLAG shall be drawn up by the Secretariat and shall be approved by WCLAG and when approved, signed by the Chair at the next meeting.

Each representative of WCLAG shall be permitted to

- Send to the Secretariat not less than 14 days prior to the date of the meeting a statement of any matter that they may wish to include in the agenda.
- Receive copies of the agenda and accompanying papers 7 days prior to the date of the meeting, unless there is some particular urgency when a lesser period may be given, which in any event shall not be less than 3 days.
- Items may be tabled for information purposes only; all should be written in plain English.
- Verbal reports other than those for information will only be accepted in exceptional circumstances and with the consent of the Chair.

6. Special Meetings

Any five representatives of WCLAG can call for a special meeting. Such requisition, made to the Secretariat, must set forth the nature of the matter requiring consideration and the notices summoning such meetings shall contain details of the matter to be discussed. The meeting must take place within 21 days of its notification.

7. Written procedures

With the express consent of the Chair and the Accountable Body decisions can be made by written procedures, such procedures to be agreed by the WCLAG but which reflect the principles of this constitution. In each case a deadline for response will be given, the decisions will be binding and they will be reported to the next convened meeting of the WCLAG.

8. Conflicts of Interest and Confidentiality

When accepting membership of WCLAG each representative must complete a register of interests and accept the membership code of conduct, which shall be kept by the Secretariat and be open to inspection by any representative of WCLAG. This register of interest must also be completed by any officer contributing to the WCLAG. In the spirit of openness, interests must be declared where appropriate. Those declaring an interest may be asked to leave the room and shall take no part in the discussion or the voting thereon. However, WCLAG if appropriate can invite the interested party to provide factual information before the discussion begins. As a minimum the register must be updated annually, but each member should ensure that it is updated as necessary if any changes occur during the year.

All members should respect the confidential nature of some aspects of the activity undertaken by the AMLAG, and must adhere to the membership code of conduct.

9. Appointment of Chair and Vice Chair

WCLAG shall appoint at its first meeting and thereafter annually a Chair and a Vice-Chair for the ensuing year. On election the post holder would become independent and a new representative would need to be found from their organisation.

In line with the process adopted by the Local Enterprise Partnership it is expected that the chair will be drawn from the Private or Community/Voluntary Sector wherever possible.

The Chair and Vice Chair will act in the best interests of the WCLAG as a whole. The Chair shall conduct the meetings of the WCLAG and perform other duties as determined by the WCLAG and formally agreed at a meeting. If the Chair is absent, the Vice Chair will take on the roles undertaken normally by the Chair. In the absence of both the Chair and Vice Chair, a meeting Chair will be elected for that meeting from the voting members present.

If the Chair resigns during the year, the Vice Chair will become Interim Chair and an interim Vice Chair will be nominated by the WCLAG until the formal elections are held in the next AGM. If the Vice Chair indicates they do not wish to become the Interim Chair, then the WCLAG will nominate an interim Chair until the formal elections are held in the next AGM. If the Vice Chair resigns during the year, an interim Vice Chair will be nominated by the WCLAG until the formal elections are held in the next AGM.

10. Supporting arrangements

Provision is made to establish sub groups of the WCLAG to facilitate quick decision making and engagement of relevant specialists. The terms of reference, functions and membership of any such sub groups is to formally agreed by the WCLAG. These details for each sub group established are attached to this constitution in Appendix 3. Any groups established whilst having their own terms of reference are expected to operate within the

remit of this constitution and shall have a majority of members from the voting representatives of the WCLAG

11. Amendments to Constitution

The constitution shall be open to review at any time but any amendment of the constitution shall not be made unless agreed by a three quarters majority of representatives present that are entitled to vote. Notes of such proposed amendments shall be provided to representatives of WCLAG at least 14 days before the meeting.

12. Dissolution

The Group may be dissolved by a resolution passed by a simple two-thirds majority of those present and voting at a Special Meeting.

Draft Constitution V7 June 2015

Constitution agreed at the meeting of: 20th July 2015

Signed:

Position: Programme Manager

Date: July 2015

Appendix 2:

WEST CORNWALL LOCAL ACTION GROUP (LAG) MEMBERSHIP

See Separate list

Appendix 3: Sub Group Terms of Reference if applicable

Not currently applicable