



**CONSTITUTION OF THE
CHESHIRE WEST AND CHESTER LOCAL STRATEGIC PARTNERSHIP**

This CONSTITUTION was adopted on 30th April 2009 and it is agreed that the Cheshire West and Chester Local Strategic Partnership will be administered and managed in accordance with the provisions set down below.

1. The Cheshire West and Chester Local Strategic Partnership (“the Partnership”) is an unincorporated public body.
2. The Partnership shall operate in accordance with the Cheshire West and Chester Partnerships Framework Agreement and Protocols (Appendix 1) and Terms of Reference (to be developed in due course).

3. Membership

- (i) The Partnership shall comprise representatives from the Member Bodies (see Schedule 1 for details).
- (ii) All Members of the Partnership have voting rights on the basis of one vote per organisation.
- (iii) Member representatives shall be appointed by the relevant Member Body.
- (iv) Each Member Body will additionally appoint a reserve member for each place on the Partnership held.
- (v) The Partnership Secretariat shall maintain a list of all current Members (voting and reserves).
- (vi) Amendment to the Membership of the Partnership shall only be by agreement of the Partners in accordance with the provisions of this Constitution.
- (vii) Member bodies will supply their representatives with communications support to ensure the dissemination of information within their organisations.

4. Termination of Membership

Membership shall be terminated:

- (1) On termination of the Partnership; or
- (2) If the Member Body ceases to exist.

A Member representative may be removed from membership:

- (i) at the request of the Member Body;

- (ii) on the resignation of the Member by written notice to the Secretariat; or
- (iii) following a resolution of the Partnership that it is in the best interests of the Partnership that his or her membership is terminated. A resolution to remove a Member from membership may only be passed if:
 - (a) the Member has been given at least twenty one days' notice in writing of the meeting of the Partnership at which the resolution will be proposed and the reasons why it is to be proposed; and
 - (b) the Member or, at the option of the Member, the Member's representative (who need not be a Member of the Partnership) has been allowed to make representations at the meeting.

5. Annual General Meetings

- (1) The Partnership must hold an annual general meeting within twelve months of the date of the adoption of this Constitution.
- (2) An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.

6. General Meetings

- (i) Meetings other than the Annual General Meetings shall be called general meetings.
- (ii) General Meetings shall be held every quarter and no less than four times per annum.
- (iii) The Secretariat shall notify the Members of the dates of the General Meetings by an agreed annual schedule of meetings.
- (iv) The Secretariat shall prepare an Agenda for each meeting which shall be forwarded to the Members for receipt at least seven days prior to the meeting.

7. Special Meeting

- (i) A special meeting may be called by the Secretariat as appropriate or at the request of the Chairman.

8. Quorum

- (1) No business shall be transacted at any General Meeting unless a quorum is present.
- (2) A quorum is:
 - Ten Members entitled to vote upon the business to be conducted at the meeting; or
 - one half of the total membership at the time,whichever is the greater.
- (3) The authorised representative of a Member organisation shall be counted in the quorum.
- (4) If:
 - (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during the meeting a quorum ceased to be present,the meeting shall be adjourned to such time and place as the Chair shall determine.
- (5) The Partnership must reconvene the meeting and must give at least seven clear days notice of the reconvened meeting stating the date, time and place of the meeting.
- (6) If no quorum is present at the reconvened meeting, within fifteen minutes of the time specified for the start of the meeting, the Members present at that time shall constitute the quorum for that meeting.

9. Chair

- (i) A Chair and Vice-Chair of the Partnership shall be appointed by the agreed recruitment and selection process.
- (ii) These appointments of the Partnership shall be for a one year term, subject to the Termination Provisions within this Constitution. In the event of a termination of an appointment within the term of office an alternative appointment shall be made at the next General Meeting or at a Special Meeting as appropriate.
- (iii) In the absence of both the Chair and Vice-Chair, the Members may appoint a temporary Chair for a meeting.

10. Adjournments

- (1) The Members present at a meeting may resolve that the meeting shall be adjourned.
- (2) The person who is Chairing the meeting must decide the date, time and place at which the meeting is to be reconvened unless those details are specified in the resolution.
- (3) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- (4) If a meeting is adjourned by a resolution of the Members for more than seven days, at least seven clear days notice shall be given of the reconvened meeting, stating the date, time and place of the meeting.

11. Votes

- (1) Wherever possible, all decisions will be made on the basis of consensus. However, where a vote needs to be taken:
 - (i) Voting shall be by show of hands.
 - (ii) Decisions shall be taken on a majority basis.
 - (iii) Each voting organisation shall have one vote, but if there is an equality of votes the person who is Chairing the meeting shall have a casting vote in addition to any other vote he or she may have.

12. Delegation of Responsibilities to Members by Member Bodies

- (1) Individual Members shall act in accordance with the scheme of delegation agreed by their relevant Member body.
- (2) Delegation shall include powers to:
 - commit resources, where appropriate;
 - attend meetings; and
 - confirm actions.

13. Committees and Sub-Committees

- (1) The Partnership may delegate any of its powers or functions to a Committee or working group of the Partnership. A Committee/working group shall comprise no fewer than five Members of the Partnership drawn from three sectors.

- (2) If appropriate (and subject to the approval of all Members of the Partnership) a Committee/working group may delegate powers or functions delegated to it as a Sub-Committee.
- (3) The terms of any such delegation shall be recorded in the minutes of the relevant General Meeting and the Committee and/or Sub-Committee/working group shall at its first meeting adopt suitable terms of reference and appoint a Chairperson for the Committee. This should include reporting lines and responsibilities.
- (4) Delegation of powers to Committees and Sub-Committees/working group shall be subject to appropriate Conditions including:
 - (i) that stated relevant powers are to be exercised exclusively by Committee;
 - (ii) that no expenditure may be incurred on behalf of the Partnership except in accordance with any budget previously agreed.
- (5) The delegation to Committee or Sub-Committee may be revoked by majority decision.
- (6) All acts and proceedings of any Committee or Sub-Committee shall be reported to the next general meeting of the Partnership.

14. Irregularities in Proceedings

- (1) Subject to sub-clause (2) of this clause, all acts done by a meeting of the Partnership, or of a Committee or working group of the Partnership, shall be valid notwithstanding the participation in any vote of a Member:
 - who was disqualified from holding office;
 - who had previously retired or who had been obliged by the Constitution to vacate office;
 - who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise,
 if, without:
 - the vote of that Member, and
 - that Member being counted in the quorum,

the decision has been made by a majority of the Members at a quorate meeting.

- (2) Sub-clause (1) of this clause does not permit a Member to keep any benefit that may be conferred upon him or her by a resolution of the Partnership or of a Committee of the Partnership if the resolution would otherwise have been void.
- (3) No resolution or act of:
 - (a) the Partnership;
 - (b) any Committee or working group of the Partnership;
 - (c) the Partnership in General Meeting,

shall be invalidated by reason of the failure to give notice to any Member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a Member body.

15. Minutes

- (1) The Partnership Secretariat must keep minutes of all:
 - (i) appointments of Officers;
 - (ii) proceedings at meetings of the Partnership; and
 - (iii) meetings of the Partnership and Committees or working groups of Partnership including:
 - the names of the Members present at the meeting;
 - the decisions made at the meetings; and
 - the reasons for the decisions.
- (2) Minutes will be approved as accurate records at the next General Meeting.

16. Decision Making Processes

- (1) Agendas and Minutes will not normally be confidential.

17. Secretariat, Advisers and Support Officers

- (1) Collective management and administrative support for the Cheshire West and Chester Local Strategic Partnership will be

provided by Cheshire West and Chester Council and partner officers.

- (2) These arrangements will be maintained until the first annual review of the Cheshire West and Chester Partnerships Framework.

18. Notices

- (1) Any notice required by this Constitution to be given to or by any person must be:
 - (a) in writing; or
 - (b) given using electronic communications.
- (2) Notice may be given to a Member either:
 - (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the Member at his or her address; or
 - (c) by leaving it at the address of the Member; or
 - (d) by giving it using electronic communications to the Member's address.
- (3) A Member present in person at any meeting of the Partnership shall be deemed to have received notice of the meeting and of the purposes for which it was called.

19. Signatories to the Constitution

Signed: Dated: for Cheshire West and Chester Council	Signed: Dated: for the Children and Young People's Trust
Signed: Dated: for the Safer and Stronger Communities Partnership	Signed: Dated: for the Health and Wellbeing Partnership
Signed: Dated: for the Business, Enterprise and Culture Partnership	Signed: Dated: for the Environmental Sustainability Partnership
Signed: Dated: for Cheshire Police Authority	Signed: Dated: for Cheshire Fire Authority
Signed: Dated: for Western Cheshire PCT	Signed: Dated: for Cheshire Police Authority
Signed: Dated: for the Third Sector Assembly	Signed: Dated: for Cheshire Housing Alliance
Signed: Dated: for the Higher Education	Signed: Dated: for Further Education
Signed: Dated: for Connexions	Signed: Dated: for the LSC
Signed: Dated: for Cheshire Probation	Signed: Dated: for Jobcentre Plus
Signed: Dated: for CHaWREC	Signed: Dated: for ChALC

Signed: Dated: for Cheshire Community Action	Signed: Dated: for APB Chester
Signed: Dated: for APB Ellesmere Port	Signed: Dated: for APB Rural West
Signed: Dated: for APB Winsford and Rural East	Signed: Dated: For APB Northwich and Rural North

SCHEDULE 1

MEMBER BODIES OF PARTNERSHIP

Membership of Cheshire West and Chester Local Strategic Partnership (as at 30th April 2009).

- CW&C Leader or an Executive Member
- CW&C Chief Executive
- Area Commander of Police
- Representative from Cheshire Police Authority
- Area Commander of Fire & Rescue
- Representative from Cheshire Fire Authority
- Chief Executive of NHS West Cheshire
- Chair of Western Cheshire Primary Care Trust
- Nomination from the Third Sector Assembly
- Nomination from Private sector (Chamber of Commerce, SMEs and larger companies)
- Representative from the Cheshire Housing Alliance
- Representative from Further Education
- Representative from Higher Education
- Connexions
- Learning Skills Council
- Cheshire Probation Service
- Job Centre Plus
- Representative from Cheshire & Warrington Racial Equality Council
- Rural representation via ChALC
- Cheshire Community Action
- Government Office North West representative (co-opted)
- North West Development Agency representative (co-opted)
- Thematic Board Chairs – if not covered by the above
- Chairs of Area Partnership Boards - if not covered by the above.

There are currently a number of caretaker roles in the above membership list, to accommodate organisations that may wish to use a voting system to nominate members or build constituencies. It is anticipated that this is not an exhaustive list; membership of the partnership will be reviewed and changed

as the partnership matures and members assess their own positions within the partnership structure and where they can make the best contribution.