



REPORT TO EXECUTIVE

PORTFOLIO AREA: PROMOTING CARLISLE

Date of Meeting: 24 APRIL 2006

Public

Key Decision: Yes

Recorded in Forward Plan:

Yes

Inside Policy Framework

Title: CONSTITUTION IN RESPECT OF THE CARLISLE LSP

Report of: DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

Report reference: LDS.13/06

Summary:

To consider the working draft of the Constitution for the Carlisle Local Strategic Partnership which was presented to the inaugural meeting of the LSP on 7 March last.

Recommendations:

It is recommended that the Executive considers the working draft Constitution attached and forwards any comments which it may have to the Carlisle LSP.

Contact Officer: John Egan

Ext: 7004

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Copy Constitution attached

1. BACKGROUND INFORMATION AND OPTIONS

- 1.1 Members will be aware from previous reports that they have agreed to the establishment of a Local Strategic Partnership for the Carlisle area following the dissolution of the joint LSP with Eden District Council. The creation of an LSP, as Members will be aware, reflects Government thinking on securing joined up service delivery across the wide spectrum of public, business, community and voluntary sector bodies in an authority's area who all have an important collective contribution to make in delivering improvements to the quality of life of all citizens in the area. It also appears from recent national consultation on LSPs that their role is going to be strengthened, especially in terms of Local Area Agreements.
- 1.2 In order to move the creation of the Carlisle LSP forward, an inaugural meeting of all the key stakeholders from the various sectors was organised on the 7 March last. This initial meeting was intended to deal with a number of necessary procedural issues, including receipt and adoption of the proposed Constitution for the LSP.
- 1.3 At the inaugural meeting on the 7 March, the body of representatives present (which included cross party representation from the City Council) received the draft Constitution attached Appendix 1, appointed a Chairman and Vice-Chairman of the main LSP Forum (the Leader of the Council and the Leader of the Opposition respectively) and confirmed the proposals for standing membership of the Executive as set out in paragraph 4.2 of the draft Constitution. The Forum also approved the establishment of the 4 Priority Groups referred to in paragraph 4.3 of the Constitution and appointed nominated individuals to complete the formation of those groups and take their work forward.
- 1.4 The attached Constitution is relatively short and self explanatory and the Carlisle/Eden LSP Constitution was used as a basis for drafting it. The principal issues which need some comment are set out below.
- 1.5 **Purpose and Objectives**

Paragraphs 1 – 4 of the Constitution set out the purpose and objectives of the LSP. They recognise that a major objective of the LSP is the creation and implementation of the Carlisle Community Strategy by co-ordinating the work of all the stakeholders and partners involved in delivering the various aspects of the Strategy. The LSP will also have a leading role in co-ordinating the work of all the partners involved in delivering the relevant targets for Carlisle which will be set out in the Cumbria Local Area Agreement which is scheduled to come into being as from the 1 April 2007. The detailed objectives of the LSP are particularised in the relevant paragraphs of the Constitution.

1.6 Structure

There are 3 basic constitutional elements to the proposed LSP structure to make it work. These are :

- The full LSP Forum
- The Executive and
- The Priority Groups

These are dealt with briefly in turn below.

The full LSP Forum

- This is the governing sovereign body of the LSP and will dictate its strategic direction.
- Membership is open to all public, private, community and voluntary sector bodies who can demonstrate that they are able to contribute to the overall objectives and work of the LSP.
- On membership, it is proposed that the City Council will nominate 3 Councillors to the Forum, plus the Leader. The County Council can also nominate one Councillor. Other bodies are entitled to nominate one member. All members of the Forum are to serve for a 3 year term and all members are entitled to appoint substitutes if their lead member cannot attend.
- Applications to join the Forum are submitted to the Chairman and considered at a full Forum meeting.
- The Forum will hold an Annual General Meeting in June and, in addition, at least 2 other meetings will be held during the year. There is provision to call special meetings as required.
- There needs to be a Chair and Vice-Chair of the Forum appointed. They will be elected by the full Forum and the Chair and Vice-Chair of the Forum will also be the Chair and Vice-Chair of the Executive. The Chair and Vice-Chair will thereafter be elected annually. As mentioned earlier, the Leader was elected Chair and Councillor Bradley Vice-Chair at the inaugural meeting on 7 March last for the first year.

The Executive

- The Executive will be the body responsible for driving forward the LSP objectives.
- Some permanent standing Members of the Executive are provided for in the Constitution (see paragraph 4.2). These are the Chair and Vice-Chair of the Forum; the Leader and Chief Executive of the City Council; an elected Member from each

- political group on the City Council; the Chairs of each Priority Group and one elected Member from Cumbria County Council. The LSP will then appoint such other Members to the Executive as determined by the Forum.
- The Executive is to meet every 2 months with provision to call extra meetings as required.

1.7 Priority Groups

- Paragraph 4.3 proposes the setting up of a number of Priority Groups. These are in effect special interest groups directed to focus on particular themes or areas and to be responsible for driving forward work in those areas. It is intended that they mirror the thematic blocks in the proposed Cumbria Local Area Agreement and therefore will cover Safer and Stronger Communities; Children and Young People; Healthy Communities and Older People and Economic Development and Enterprise.
- The Priority Groups will meet as often as is required and their membership is to be drawn from the main body of the Forum. The Groups will elect their own Chair who will then qualify automatically for membership of the Executive.

1.8 Recognition of Governance arrangements of individual Members of the LSP

- The LSP comprises of members of a variety of organisations, all of which have their own governance arrangements and constitutions setting out how decisions are made by them. Paragraph 7 of the Constitution recognises that any “decisions” made by the LSP will, in many cases, have to be ratified or approved by the individual partner organisations according to their own particular decision making processes. A good example of this is the Community Strategy itself which will have to be submitted through the City Council's own internal procedures for consideration and formal adoption by the authority.
- This paragraph (and similar references in the Preamble to the Constitution) is a recognition of the need to respect the appropriate decision making processes of the various stakeholders in the way in which the LSP undertakes its work.

2. CONSULTATION

2.1 Consultation to Date.

The Constitution was presented and debated at the inaugural meeting of the Forum on the 7 March last.

2.2 Consultation proposed.

It is presented to the Executive for any comment and will similarly be referred to the Corporate Resources Overview and Scrutiny Committee Meeting on the 15 June 2006. Other stakeholder members will similarly be able to respond with any comments which they may have on the Constitution.

3. **RECOMMENDATIONS**

It is recommended that the Executive considers the working draft Constitution attached and forwards any comments which it may have to the Carlisle LSP.

4. **REASONS FOR RECOMMENDATIONS**

To enable the City Council, as a key stakeholder in the LSP, to make any comments which it may have on the proposed working arrangements so that they can be passed on to the LSP for consideration.

5. **IMPLICATIONS**

- Staffing/Resources – The Constitution itself will not have any direct staffing implications other than that the Treasurer is to be the Director of Corporate Resources of the City Council and secretarial support to the LSP will be provided by the Council.
- Financial – It is not envisaged that there will be any direct financial consequences arising from the Constitution particulars.
- Legal – These have been incorporated into this report and into the draft Constitution itself.
- Corporate – The Constitution is an integral part of the effective working of the Carlisle LSP which, as part of its functions, will help the authority fulfil its corporate objectives of producing a Community Strategy, procuring its implementation and acting in accordance with Central Government's current directional thinking on facilitating joined up service delivery.
- Risk Management – It is not envisaged that there will be any direct risk to the City Council arising from the proposals in the Constitution itself. The LSP is not intended to have any direct spending powers or the capacity to make decisions which will bind the City Council and these matters will need to be processed through the normal decision making channels in the authority.

- Equality Issues – There will be an expectation that all the various stakeholders involved in the Forum will act in accordance with best practice in this area and one of the objectives of the LSP is to reduce inequalities in the community.
- Environmental – The work of the LSP is intended to make a substantial contribution to the environmental wellbeing of the area.
- Crime and Disorder – One of the key objectives of the LSP is to reduce crime and the fear of crime and it is intended that there is a specific thematic Priority Group to be set up to focus on Safer and Stronger Communities.

John Egan
Director of Legal and Democratic Services

March 2006

Carlisle Local Strategic Partnership

Constitution

1 Preamble

The Carlisle Local Strategic Partnership (Carlisle LSP) brings together public, private, community and voluntary sector organisations which have a role to play in improving the quality of life of Carlisle people and will address key issues such as health, housing, education, employment and community safety across the whole of Carlisle. The Carlisle LSP will have regard to issues affecting communities in rural and urban areas and, through its partners, will encourage action to tackle social exclusion.

Each Local Authority must prepare a Sustainable Community Strategy for promoting and improving the social, environmental and economic well being of its area. The guidance issued by the Secretary of State requires a Local Strategic Partnership to prepare and implement a Sustainable Community Strategy. A principal purpose in the establishment of the Carlisle LSP is the creation and implementation of the Carlisle Sustainable Community Strategy. It is recognised that each organisation involved in the Carlisle LSP will be required to adopt the Carlisle Sustainable Community Strategy and be responsible for authorising the actions to be taken in its own particular areas of responsibility in order to implement the Carlisle Sustainable Community Strategy and that these matters will require ratification where necessary in accordance with each organisation's own governance arrangements.

2 Introduction

- a) The Partnership shall be known as the "Carlisle Local Strategic Partnership" ("Carlisle LSP").
- b) The Carlisle LSP shall comprise representatives of the main public, business, community and voluntary bodies operating in the area of Carlisle City Council.
- c) The role of the Carlisle LSP is to:
 - Update and implement the Carlisle Sustainable Community Strategy.
 - Ensure that the Carlisle LSP focuses on a delivery plan for strategic issues, encouraging joint action by Carlisle LSP members to tackle these issues.
 - Specify measures to monitor progress in achieving the Carlisle Sustainable Community Strategy.
 - Provide an overview of plans, other partnerships and initiatives within Carlisle and ensure that bodies work effectively together to deliver them.
 - Ensure that the delivery and commissioning of services in Carlisle corresponds with the objectives of the Carlisle LSP.
 - Seek the views and involvement of the communities within Carlisle and ensure this 'voice' is heard at a sub-regional, regional and national level.
 - Lobby European, national, regional, and sub-regional bodies and seek access to funding and assistance to give effect to the Carlisle Sustainable Community Strategy.

3 Objectives

The objectives of the Carlisle LSP are to:

- Support the development of a strong community network which encourages all residents to participate in and contribute to their communities.
- Reduce crime and the fear of crime.

- Improve the health and well-being of communities by reducing health inequalities, promoting healthy living and supporting locally accessible, high quality health care.
- Support the development of an economically prosperous area that encourages investment, supports business development and enables local people to achieve their full potential.
- Provide a framework where children and young people can thrive and improve their life chances.
- Support the development and maintenance of decent, affordable housing which meets the needs of local people and supports economic development.
- Assist in the development of an effective, accessible and sustainable transport system whilst protecting and enhancing the environment.
- Promote Carlisle locally, nationally and internationally.
- Monitor the quality of and the delivery of its activities.

4 Structure and Membership

The Carlisle LSP will comprise:

- The Carlisle LSP Forum
- An Executive
- Priority Groups

4.1 Carlisle LSP Forum

4.1.1 Membership criteria:

- a) A body wishing to become a member of the Carlisle LSP Forum shall be a public body, a private sector business, a voluntary or community organisation or a group operating within Carlisle.
- b) The body must:
 - have a remit or sphere of operations or a significant interest in Carlisle;
 - if it is an organisation be properly constituted;
 - comply with the constitutional arrangements for the Carlisle LSP; and
 - have experience and/or qualifications appropriate to the objectives of the Carlisle LSP.
- c) Where the body is a community organisation or group:
 - the representative should obtain the agreement of the community concerned to represent its collective views;
 - the community interest should have a remit or sphere of operation or a significant interest in issues arising in Carlisle;
 - the representative and the community of interest should be able to demonstrate a system is in place for two-way communication and consultation;
 - the representative shall have the necessary level of experience to contribute to issues on behalf of the community; and
 - the representative shall undertake to comply (on behalf of the community) with the constitutional arrangements of the Carlisle LSP.
- d) Local Authority Membership

Carlisle City Council may nominate three Councillors to the Carlisle LSP Forum and to the LSP Executive as its representatives in addition to the Leader of Carlisle City Council, and Cumbria County Council may nominate one Councillor.

4.1.2 Nominations

Any organisation or body wishing to become a member of the Carlisle LSP Forum shall apply in writing to the Chairman of the Carlisle LSP. Any such request will be considered at the next meeting of the Carlisle LSP Forum and will be subject to the usual voting arrangements.

4.1.3 Participating Observers

The Carlisle LSP Forum shall be able to appoint, for a specific purpose, representatives from other organisations which have an aim to achieve at least one of the Objectives of the Carlisle LSP, as it so determines, to act as Participating Observers. Such Participating Observers shall receive appropriate agendas and papers for Carlisle LSP meetings and shall have the right to speak but not vote on any item.

4.1.4 Period of Office of Representatives

Each member of the Carlisle LSP Forum shall appoint one person to be its representative at any meetings of the Carlisle LSP Forum. Each representative of a member of the Carlisle LSP will be entitled to serve for such period not exceeding 3 years as his/her nominating body shall determine; any such nomination shall be submitted in writing to the Secretary of the Carlisle LSP. Any representative will be entitled to re-nomination by his/her nominating body.

4.1.5 Substitution

Each member of the Carlisle LSP Forum may authorise, in respect of any duly appointed representative, an "alternative representative" who, in the event of the appointed representative being unable to attend any meeting of the Carlisle LSP Forum or its sub-groups, may attend, speak and vote on his/her behalf at such meeting. The alternative representative should be at a level equivalent to that of the permanent representative.

An alternative representative attending any meeting of the Carlisle LSP Forum or its sub-groups who purports to represent any individual Partner shall not be allowed to do so unless proper written authorisation is provided to the Secretary in advance of the meeting.

4.1.6 New Representatives or Alternative Representatives

Any member of the Carlisle LSP Forum may, by written notice given to the Secretary, nominate a new representative or alternative representative who shall immediately replace the representative or alternative representative previously nominated by such approved body.

4.1.7 Resignation

- i) Any member wishing to resign from the Carlisle LSP Forum may do so at any time in writing to the Secretary.
- ii) Any representative shall cease to serve on the Carlisle LSP Forum if, in the case of a local authority representative, he/she ceases to be an elected Councillor on his/her local authority or the local authority appoint another representative in his/her place and notify such to the Secretary; and in the case of the non local authority member if the member concerned so requires their resignation, and notifies such to the Secretary or where the Carlisle LSP Forum ceases to recognise a formerly approved organisation.

4.1.8 Appointment of a Chairman and Vice-Chairman

The Carlisle LSP Forum will elect a Chair and Vice-Chair on an annual basis using the arrangements outlined below in 4.5 a) below. The Chair and Vice-Chair of the Carlisle LSP Forum will also act as Chair and Vice-Chair of the Carlisle LSP Executive.

4.2 The Executive

- a) The Carlisle LSP will have an Executive comprising:
 - the Chair and Vice-Chair of the Carlisle LSP Forum;
 - the Chairs of each Priority Group;
 - the Leader and Chief Executive of Carlisle City Council;

- one elected member from each of the political groups on Carlisle City Council;
 - one elected member from Cumbria County Council; and
 - such other members as determined annually by the Carlisle LSP Forum at its Annual General Meeting
- b) The Executive will meet every 2 months and be supported by the Carlisle LSP Manager.
- c) The Executive will make a difference by:
- Defining and agreeing a clear purpose and ambitious agenda for Carlisle
 - Monitoring the strategic direction for Carlisle through the implementation of the Carlisle Sustainable Community Strategy and promoting the further development of the Strategy through the Carlisle LSP
 - Acting as champions and community leaders for the creation of sustainable communities in Carlisle;
 - Consulting communities and listening to their views;
 - Developing an updated and focused Carlisle Sustainable Community Strategy with a deliverable action plan;
 - Promoting and commissioning projects and initiatives to meet Carlisle LSP objectives, and with other agencies;
 - Advising and influencing organisations and agencies at both a strategic and local level to effect improvements in the planning, procurement and delivery of services and initiatives to the benefit of Carlisle;
 - Encouraging and promoting joint working between members of the Carlisle LSP including aligning existing organisational strategies to complement each other and meet jointly agreed objectives;
 - Seeking to attract external funding to meet Carlisle LSP objectives;
 - Creating positive links with the rest of Cumbria;
 - Developing effective and innovative mechanisms to enhance communications with stakeholders, individuals, communities and businesses;
 - Reducing inequalities and social exclusion in both rural and urban areas of Carlisle.

4.3 Priority Groups

The number of Priority Groups will be for the Carlisle LSP Forum to determine, dependent on need, from time to time. It is likely that the Groups will encompass at minimum:

- a) Safer and Stronger Communities
- b) Children and Young People
- c) Healthy Communities and Older People
- d) Economic Development and Enterprise

Members of the Priority Groups will be drawn from the membership of the Carlisle LSP Forum and in addition the Groups may co-opt members as needed to augment their expertise.

As a matter of principle the number of any sub-groups of the Priority Groups will be kept to the minimum necessary.

4.4 List of Members

The Secretary will maintain a comprehensive list of the members of the Carlisle LSP.

4.5 Rules of Meetings

- a) Voting

The general arrangements for voting on any matter at the Annual General Meeting or a General Meeting or a meeting of the Executive will be:

- i) there to be one vote for each representative present at a meeting;
 - ii) decisions will be taken on a simple majority of those voting and present at the meeting, indicated by a show of hands;
 - iii) in the event of an equal number of votes for and against a proposal, the Chairman shall have a second or casting vote.
- b) **Quorum for a General Meeting of the Carlisle LSP Forum**
The quorum for meetings of the Carlisle LSP Forum shall be a third of the membership of the Carlisle LSP.
- c) **Quorum for the Executive**
The quorum for a meeting of the Executive will be a third of those representatives entitled to attend.
- d) **Minutes**
Minutes will be kept by the Secretary to provide a record of all proceedings and resolutions of General Meetings and of the Executive. Arrangements will be made by the Secretary to circulate copies of the minutes as soon as possible to all members of the Carlisle LSP so that all are kept fully informed of the decisions of the Carlisle LSP.

4.6 Secretary

The secretariat to the Carlisle LSP will be provided by Carlisle City Council. The secretariat shall ensure that agendas are circulated in good time, minutes are produced and all other necessary duties to ensure that the business of the Carlisle LSP is conducted expeditiously are undertaken.

4.7 Meetings

a) Annual General Meeting

Once in each year, normally in the month of June, an Annual General Meeting of the Carlisle LSP Forum will be held. At least 14 days notice shall be given by the Secretary to all members of the Carlisle LSP Forum.

The business of each Annual General Meeting shall be to:

- i) consider the work and activities of the Carlisle LSP during the previous year;
- ii) elect a Chair and Vice-Chair of the Forum and Executive;
- iii) review and determine the membership of the Carlisle LSP Forum;
- viii) review the operation of this constitution and make such revisions as are necessary;
- iv) determine the dates and times of future meetings and of General Meetings;
- v) determine how secretarial support will be provided and funded;
- vi) transact any other business, as appropriate;

b) General Meetings

General Meetings of the Carlisle LSP Forum will take place at least twice in each year in accordance with a programme decided at the Annual General Meeting. General meetings will:

- i) be a Community Conference at which issues of strategic importance within Carlisle can be discussed;
- ii) consider reports from each Priority Group and monitor the work of these Groups against the objectives of the Carlisle LSP; and
- iii) review and monitor the implementation of the Carlisle Sustainable Community Strategy.

c) **Frequency of Meetings**

A General Meeting and any meeting of the Executive will be convened by the Secretary with a minimum of 7 days notice upon request from the Chair.

4.8 Task Groups, Working Groups etc

The Carlisle LSP may form such committees, sub-committees and task groups/working parties as it considers necessary.

4.9 Attendance of the Public at Meetings

Meetings of the Carlisle LSP Forum shall normally be open to the public, subject to their right of exclusion in appropriate circumstances if the Carlisle LSP Forum agrees by a simple majority of those present and voting, but the meetings of the Executive, any committees, sub-committees and task groups/working parties shall be private.

4.10 Items of Business

Members of the Carlisle LSP may propose that future items of business are placed onto the Agenda as appropriate.

5 Accountable Body and Treasurer

The Accountable Body for the Carlisle LSP will be Carlisle City Council and the Treasurer will be the Director of Corporate Services of Carlisle City Council.

6 Dissolution

In the event of the Carlisle LSP being dissolved any assets which it has will be refunded or returned to the body from whom they were obtained or where this is inappropriate distributed to such bodies as may be decided by a majority of the members of the Carlisle LSP at that time to be used for purposes which are comparable to and compatible with the priorities and objectives of the of the Carlisle Sustainable Community Strategy.

7 Recognition of governance arrangements of individual members

It is recognised that individual members will have their own particular decision-making arrangements to comply with in respect of authorising any action to be taken or giving any necessary approvals in furtherance of the work of the Carlisle LSP. Nothing in this Constitution is intended to affect the rights and obligations of the members and organisations involved, and in particular those of the local authority members, to be solely responsible for the consideration and formal adoption of the Carlisle Sustainable Community Strategy and any subsequent changes in accordance with their own internal governance arrangements, and for authorising any action in respect of the implementation of the Strategy or otherwise insofar as it affects their own functions and responsibilities. It is therefore recognised that the implementation of any action agreed by the Carlisle LSP will be dependent upon ratification by each member in accordance with their own governance and delegation arrangements.