

EAST MIDLANDS REGIONAL ASSEMBLY – as revised on 12 December 2003

CONSTITUTION

1. NAME

- 1.1 The Body shall be known as “The East Midlands Regional Assembly” (referred to hereafter as “the Regional Assembly”). It has been designated by the Secretary of State as a “Regional Chamber” but has (with all other regions) chosen to call itself the Regional Assembly.

2. THE REGION

- 2.1 The geographical area covered by the Regional Assembly is encompassed by the boundaries of the Government Office for the East Midlands.

3. PURPOSE AND PRINCIPLES

Purpose

- 3.1 *The Regional Assembly provides the partnership voice for the region. It takes a leading role in securing an integrated and inclusive approach to the development and implementation of regional strategies. It will hold to account publicly funded bodies that operate at the regional level.*
- 3.2 The Regional Assembly will work to boost the social, economic and environmental quality of life for all the people of East Midlands.

Principles

- i The Regional Assembly and its operation must be open and transparent and should be underpinned by the seven principles of public life set out in the organisation’s “Code of Practice”. Meetings of the full Assembly and the Planning Board shall be open to the public and to the media and the Regional Assembly’s documentation made widely available.
- ii The Regional Assembly shall make conscious and determined efforts to ensure the full and active participation of representatives of all the region’s citizens in the work of the Regional Assembly, especially those who are often under-represented in public life, and ensure that all groups benefit from the work of the Regional Assembly.
- iii The development of regional working shall be based firmly on the principle of “subsidiarity” with responsibilities being devolved from central Government to the region rather than centralised to the region from local and sub-regional authorities, partnerships and agencies.
- iv The Regional Assembly shall draw its legitimacy through a combination of having a majority of its members drawn from directly

elected members of local authorities, together with the active participation of the range of regional partners drawn from the wider community.

4. OBJECTIVES

4.1 The Regional Assembly will:-

- 1 Be the voice for the regional partnership on significant issues affecting the East Midlands.
- 2 Work collaboratively with emda, the Government Office and other key regional agencies on the development of the regional agenda and the roles and functions of the Regional Assembly.
- 3 Take a leading role on the development and implementation of the Integrated Regional Strategy, the region's sustainable development framework.
- 4 Perform any statutory, governmental or other responsibilities assigned to or required to be performed by the Assembly, including the role of regional planning body and scrutinising on behalf of the region the Regional Development Agency (emda)
- 5 Play a key role in promoting the region and its identity
- 6 Engage with National, European and International institutions to influence policy and practice for the benefit of the East Midlands.
- 7 Influence key publicly funded bodies that operate at the regional level and improve liaison and integrated working with them to ensure they take full account of regional needs and priorities.
- 8 Improve the quality of regional decision making by proactively engaging regional partners in the development and implementation of regional strategies.
- 9 Raise awareness of the Regional Assembly and its role by widely communicating its activities.
- 10 Periodically review regional working arrangements to ensure that new challenges, opportunities and roles can be properly addressed.
- 11 Engage regional partners in considering how public funding contributes to meeting the region's needs.
- 12 Play a central role in developing the functions of representative Regional Assemblies through collaborative and close working with Government.

5. STRUCTURE

- 5.1 Membership of the Regional Assembly shall be open to Local Authorities and other regional partners shown in “Membership and Representatives” (An Appendix to the constitution sets out the current list of members) who will nominate the number of Representatives shown therein. Should any of the Member Organisations cease to operate, the Regional Assembly shall have the right to identify alternative Member Organisations.
- 5.2 Member Organisations should be organisations or groupings which have a membership structure at the regional level which aspires to cover the whole East Midlands Region or allows for region wide involvement. Exceptionally, an organisation with no regional membership structure may be accepted into membership of the Regional Assembly for a specific period, where inclusion is considered necessary for the successful achievement of any of its objectives.
- 5.3 Each partner represented on the Regional Assembly should be committed to encouraging the full participation of all the people its sector represents, including women, disabled people, young people and people belonging to ethnic minorities.
- 5.4 The Regional Assembly shall have the right to co-opt up to five additional Special Interest Members in order to achieve better representation of under-represented groups or to generally enhance the work of the Regional Assembly. The Regional Assembly will strive to achieve a balance among its representatives that reflects the region’s adult population.
- 5.5 The Regional Assembly will liaise with the East Midlands Regional Local Government Association which will ensure that Local Authority representation on the Regional Assembly shall include representatives from all the main political parties in numbers that broadly reflect the balance of parties within the region, using its “balancing places” where necessary.
- 5.6 All Members should demonstrate support for the Regional Assembly’s purpose, principles and objectives and to undertake to work in a spirit of partnership within the terms of this constitution.
- 5.7 Advisers
 - (i) The Regional Assembly shall also be able to invite such other representatives from regional organisations as it so determines to act in an advisory capacity; such Advisers shall receive all agendas and papers for Assembly meetings and shall have the right to speak but not vote on any item.
 - (ii) The Assembly may also invite other non-members to take an active part in particular meetings of the Regional Assembly. Such participation should be for a clear purpose and have a regional perspective.

5.8 Substitution

Each Member organisation may authorise an “alternate Representative”, for any duly nominated Representative, who may attend, speak and vote on his/her behalf at any full Assembly meeting. Members must inform the Regional Assembly’s Secretary of the names of nominated and alternate Representatives, in advance of any meetings they might attend.

5.9 Period of Office for Members’ Representatives

There shall be no limit to the period of office of Representatives, who will be replaced at the discretion of Member Organisations. However, where a Member has two or more Representatives, replacement should be “staggered” so that they do not both/all terminate in the same year. Nominations must be submitted in writing to the Regional Assembly’s Secretary.

5.10 Any additional Members co-opted by the Regional Assembly under the provisions of para 5.4 above are co-opted for a term of up to three consecutive years.

6. STAFFING

The Regional Assembly shall appoint such staff as it thinks appropriate within the confines of its approved budget.

7. ANNUAL BUDGET

7.1 The annual budget of the Regional Assembly shall be agreed before the start of the financial year commencing each 1st April.

7.2 The Regional Assembly is permitted to seek and/or receive resources from member organisations, but membership of the Regional Assembly will not be dependent on financial contributions.

8. MEETINGS OF THE REGIONAL ASSEMBLY

8.1 An Annual General Meeting (AGM) of the Regional Assembly shall normally be held in July to appoint a Chair and Vice Chair; consider an Annual Report on the activities of the Regional Assembly; and transact any other business that the Regional Assembly considers appropriate for its AGM.

8.2 Appointment of Chair and Vice Chair

The Regional Assembly shall appoint a Chair by nomination from the local authority sector within the Regional Assembly, and a Vice Chair by nomination from the Economic, Social and Environmental Member Organisations. Appointments shall normally be made at the AGM and last for approximately one year, but any vacancy that arises in either of these offices, after an AGM meeting, may be filled at any Assembly meeting before the next AGM.

8.3 Appointment of Secretary

A member of Regional Assembly staff shall be appointed to act as Secretary to the Regional Assembly. The Secretary shall provide administrative support for the Regional Assembly and its meetings, and be authorised to sign documents on the Regional Assembly's behalf.

8.4 Frequency of Meetings

(i) The Regional Assembly shall meet at least four times during each year, including the AGM.

(ii) Also, an Extraordinary General Meeting of the Regional Assembly shall be convened on a minimum of 21 days notice following receipt by the Secretary of a request from not less than one-third of Member Organisations.

9. Assembly Board and other groups

9.1 The Regional Assembly's Chair and Vice Chair shall be ex officio Directors.

9.2 The Regional Assembly shall have 18 Directors (including the Chair and Vice Chair) in approximately the same proportions as the Regional Assembly (i.e. two-thirds Local Government and one-third non-Local Government), to include a representative from business, trade unions and voluntary sectors. The Directors will make up the Regional Assembly Board. This will co-ordinate policy and take decisions on matters as delegated or authorised by the Regional Assembly; and, in exceptional circumstances, deal with business which cannot wait until the next meeting of the Regional Assembly. The Directors shall meet as necessary to discuss appropriate business and report to the next meeting of the Regional Assembly.

9.3 The Regional Assembly may establish such groups as it considers necessary. The purpose of these groups will be to consider specific issues or perform particular tasks. They may be established with a long term role or on an ad-hoc basis for a limited period.

9.4 The Chair and Vice Chair of the Regional Assembly shall have the right to attend all meetings of all groups.

9.5 The purpose of groups shall be agreed by the Assembly Board.

9.6 The Assembly Board has the right to determine rules of membership and operation which will be recorded in "Guidance for Operation of Regional Assembly Groups" (Section 4 of Regional Assembly Documents).

9.7 The Regional Assembly shall have power at any time:

(i) to add to, vary or alter the terms of reference of any of its constituent groups;

(ii) to disestablish any group or to merge it with any other to the extent which may appear desirable or appropriate.

10. QUORUM

The quorum for meetings of the Regional Assembly shall be 25% of representatives. The quorum for meetings of the Assembly Board shall be 25% of the membership with at least one representative being a non local authority member. The Regional Assembly shall determine the appropriate quorum for its groups

11. VOTING

11.1 The Regional Assembly shall normally operate on the basis of consensus. If required, voting at meetings of the Regional Assembly and all of its groups shall be by a show of hands and shall be by a simple majority. The Chair shall have the casting vote in the event of an even vote.

11.2 All members of the Regional Assembly shall have the opportunity to contribute to debates.

12. AGENDA

At least 21 days notice shall be given of meetings of the Assembly.. Matters for inclusion on the Agenda and any reports or documents shall be sent to the Secretary at least 10 days before such meetings. The Regional Assembly shall set down arrangements for its constituent groups in its guidance for operation of Regional Assembly boards and groups.

13. Termination of membership

Any organisation wishing to terminate its membership of the Regional Assembly will give notice in writing to the Secretary.

14. DISSOLUTION

A motion for the dissolution of the Regional Assembly must be approved by three quarters of the local authority members of the Regional Assembly and three quarters of the non-local authority members. Upon dissolution, after returning any unspent grants to funders and satisfying creditors, any remaining assets will be donated to a charity of the Regional Assembly's choosing.

15. ALTERATIONS TO THE CONSTITUTION

Alterations to the Constitution of the Regional Assembly shall only be made by the Regional Assembly on a simple majority of members from each of the two sectors, local authority and non-local authority.

16. ATTENDANCE OF THE PUBLIC AT MEETINGS

Meetings of the Full Assembly and Regional Planning Board shall normally be open to the public, subject to the right of exclusion at the discretion of the Chair.

Other meetings shall generally be private.

Appendix 1

Glossary

Name	Definition
Regional Assembly	The East Midlands Regional Assembly, made up of Member Organisations, each of which nominates a representative to attend meetings and participate in Regional Assembly business.
Governing Document(s)	At present the Regional Assembly's Governing Document is its Constitution. Should the Member Organisations opt to establish a limited company, new Governing Document(s) called "Memorandum of Association" and "Articles of Association" will be adopted to replace this Constitution.
Assembly Board	Appointed as described in the Governing Document(s).
Regional Boards	The collective title for the Regional Planning Board, Regional Policy Board, and Regional Scrutiny Board.
Core Sub-Group	A sub-group of the Assembly Board which is made up of the Chair and Vice Chair of the Regional Assembly plus the Chair of each of the Regional Boards
Constitution	The document which governs the Regional Assembly's operations.
Assembly Representatives	The individuals nominated by Member Organisations to represent them in Regional Assembly business.
Substitutes	The individuals nominated by Member Organisations, if they so choose, to represent them if their usual Assembly Representative is unavailable.
Code of Practice	The section of this document which sets out the general principles which the Regional Assembly will observe in its work, and the conduct and criteria which are required of Assembly Representatives.
Guidance for Corporate Governance	The section of this document which sets out the Regional Assembly's current arrangements for banking, auditing, the Monitoring Officer role and other issues relating to financial

	probity.
Regional Assembly officials	Staff of the Regional Assembly
Subsidiarity	Devolving decisions to the lowest appropriate level

Appendix 2

Member Organisations

Regional Assembly Members are generally **organisations** rather than individuals. Each **Member Organisation** is allocated a number of places (as shown in the table below) and nominates an equivalent number of **Representatives**.

Sector		Number of Representatives	Member Organisation
Local Authority		68	Nominated by EMRLGA. However, please see “What happens if a Local Authority withdraws from EMRLGA Membership?” (overleaf).
		2	Association of Parish and Town Councils
Special Partnership Members	Business Members	8	East Midlands Business Forum
	Trade Unions	4	Midlands Region TUC
	Voluntary Sector	2	Engage East Midlands
		2	Voice East Midlands
		1	Racial Equality Councils
	Faith Communities	2	Council of Faiths (Leicester)/Churches’ Regional Forum for the East Midlands
	Environmental	2	East Midlands Environment Link
	Further/Higher Education Providers	3	Association of Colleges East Midlands and the East Midlands Universities Assoc.
	Cultural Forum	2	East Midlands Cultural Consortium
	Social Housing	1	East Midlands Housing Federation
	Health	2	Department of Health East Midlands
	Police	1	Police Authorities
	Special Interest Members	5	Selected by Regional Assembly – methods vary from time to time
MEPs	6	Elected	

The 6 regional members of the European Parliament (MEPs) and 5 additional Special Interest Members are Members in their own right.