

Schedule A

Local Transport Body and its Board

Constitution

This Constitution has been approved by the Bath and North East Somerset Council, Bristol City Council, North East Somerset Council, South Gloucestershire and the Local Enterprise Partnership (“the parties”) as the Constitution of the Local Transport Body.

1 Establishment of the Local Transport Body

- 1.1 The Local Transport Body shall be the “West of England Local Transport Body”.
- 1.2 The Board shall discharge the functions of the Local Transport Body in the manner set out in this Constitution

2 Objectives

- 2.1 The functions and objectives of the Local Transport Body are to;
 - Identify a prioritised list of investments within the available devolved major schemes budget.
 - Scrutiny of individual scheme business cases.
 - Make decisions on individual scheme approval.
 - Release of funding for approved schemes.
 - Ensuring that the schemes, which come forward, deliver value for money.
 - Monitor progress of scheme delivery and spend including reviewing the programme risks and its risk mitigation measures.
 - Make such returns and provide such information as required by the DfT.
 - Secure the co-operation of the parties.
 - Active management of the DfT grant to respond to changed circumstances.
 - Taking on additional transport related functions agreed by the parties.
 - Administering additional transport funds from third parties.

3 Membership and Appointment of the Board of the Local Transport Body

- 3.1 The Board of the Local Transport Body (the Board) shall comprise six members, one being appointed by each of the local authority parties and two by the LEP. In appointing representatives to the Board, each local authority will unless there are over-riding reasons to the contrary, appoint as its primary representative the member of the Executive of that Authority who has portfolio responsibility for local transport functions within that Authority or, as the case may be, Chair of the relevant Committee. The LEP shall appoint, so far as possible, business representatives who are not elected representatives of a local authority
- 3.2 All appointments to membership of the Board shall be made by notification in writing from the Chief Executive of the appointing party.
- 3.3 Each Party may appoint an alternate (or substitute) member(s) of the Board.

- 3.4 Membership of the Board shall determine in the event that the member ceases to be a member of his Authority

4 Chair and Vice-Chair of the Board

- 4.1 At the first meeting of the Board and thereafter at its annual meeting the Board shall elect a Chair from among the local authority members and a Vice Chair from the LEP members.
- 4.2 The Chair and Vice Chair shall each hold office until –
- 4.2.1 A new Chair or Vice Chair is elected in accordance with Paragraph 4.1 above,
- 4.2.2 He/she/they ceases to be a member of the Board, or
- 4.2.3 He/she/they resigns from the office of Chair or Vice-Chair.
- 4.3 Where a casual vacancy arises in the office of Chair or Vice-Chair of the Board, the Board shall at its next meeting elect a Chair or Vice Chair (as the case may be).
- 4.4 Where, at any meeting or part of a meeting of the Board, both the Chair and Vice Chair are absent or unable to act as Chair the Board shall elect one of the local authority members to preside for the balance of that meeting.

5 Secretary to the Board

- 5.1 The Secretary shall support the Board.
- 5.2 The Secretary shall be an officer of one of the local authority parties, appointed by the Board for this purpose.
- 5.3 The functions of the Secretary shall be –
- To maintain a record of membership of the Local Transport Body and the Board
 - To maintain the LTB Forward Plan
 - To summon meetings of the Board in accordance with paragraph 6 below
 - To prepare and send out the agenda for meetings of the Board in consultation with the Chair and the Vice-Chair
 - To keep a record of the proceedings of the Board
 - To take such administrative action as may be necessary to give effect to decisions of the Board
 - Such other functions as may be determined by the Board
 - Maintain a register of Board member interests

6 Convening Meetings of the Board

- 6.1 Meetings of the Board shall be held at such times, dates and places as may be notified to the members by the Secretary being such time, place and location as –
- 6.1.1 the Board shall from time to time resolve

- 6.1.2 the Chair of the or if he/she is unable to act, the Vice-Chair, shall notify to the Secretary, or
- 6.1.3 The Secretary in consultation where practicable with the Chair and Vice Chair shall determine in response to receipt of a request in writing addressed the Secretary–
- From and signed by any member of the Board, or
 - From the Chief Executive of any of the parties
- which request sets out an urgent item of business within the functions of the Board
- 6.1.4 The Secretary shall settle the agenda for any meeting of the Board after consulting, where practicable, the Chair
- 6.1.5 The Board shall meet quarterly. (It is anticipated that its meeting shall be coordinated with the meetings of the Joint Transportation Executive Committee)

7 Procedure at Meetings of the Board

- 7.1 The Board shall, unless the member presiding at a meeting determines otherwise, conduct its business in accordance with the Rules of Bristol City Council, except in so far as may be specified to the contrary in this Constitution.
- 7.2 A meeting of the Board shall be inquorate and shall not be able to discharge any business unless there are present at least three members of which at least two must be local authority representatives.
- 7.3 Whilst the Board shall seek, wherever possible, to work on a principle of consensus, decisions shall be determined by a majority of the members present and voting. In the event of an equality of votes, the person presiding shall have a second or casting vote, provided they are a local authority representative.
- 7.4 The Board shall comply with the The Code of Recommended Practice for Local Authorities on Data Transparency.
- 7.5 Board decisions shall be reported to each member body as soon as possible, and in any event within 3 working days. Each such body shall notify the Secretary within 5 working days if they object to the decision, (giving full reasons) in which event the decision shall be referred back to the Board.

8 Attendance at Board Meetings

- 8.1 Notwithstanding that a meeting or part of a meeting of the Board may not be open to the press and public, the officers specified in Paragraph 8.2 below of each appointing Party shall be entitled, in person or by another officer nominated by that officer, to attend all, and all parts, of such meetings, unless the particular officer has a conflict of interest as a result of a personal interest in the matter under consideration.

8.2 The following are the officers who shall have a right of attendance in accordance with clause 8.1

- the Chief Executive of any of the appointing parties
- the Chief Finance Officer to any of the appointing parties
- the Monitoring Officer to any of the appointing parties
- the officers of each Party with responsibility for transport functions

8.3 The provisions of Annex A (Right of members of Constituent Bodies) and Annex B (Public Participation) to the Constitution of JTEC (as set out in the 2009 Agreement) shall apply to the Board.

9 Overview and Scrutiny

Where an Overview and Scrutiny Committee of any local authority party considers calling in or conducting a review of a decision by or on behalf of the Board, consideration shall be given to inviting the appropriate Overview and Scrutiny Committee of the other Party/Parties to share in such call-in or review.

10 Register of Interests and Conflict of Interest and Hospitality

10.1 Board members shall disclose all relevant interests at meetings. The Secretary shall maintain a register, available for public inspection, containing a record of the relevant interests of each of the members of the Board.

10.2 Board members shall disclose to the Secretary all instances of acceptance of hospitality arising out of their role as a Board member, and the Secretary shall maintain a record, available for public inspection, of any hospitality accepted by any Board member.

10.2 Notwithstanding the provisions of paragraph 10.2, local authority Board members shall comply with the provisions of their respective authorities' Codes of Conduct in connection with declaration of interests, and acceptance and declaration of gifts and hospitality.

10.3 LEP members shall comply with the requirement of the LEP (including any codes of conduct) in connection with acceptance and declaration of gifts and hospitality.

11 Amendment of this Constitution

This Constitution can only be amended by agreement of all the parties.