

EXECUTIVE BOARD – 21 JANUARY 2014

Subject:	Establishment of the City of Nottingham and Nottinghamshire Economic Prosperity Committee		
Corporate Director(s)/ Director(s):	Ian Curryer, Chief Executive Claire Richmond, Director of Policy, Partnerships and Communication		
Portfolio Holder(s):	Councillor Graham Chapman, Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration		
Report author and contact details:	Chris Henning, Director of Economic Development 0115 8764906 chris.henning@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Reasons: Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings <input type="checkbox"/> of £1,000,000 or more taking account of the overall impact of the decision	Revenue <input type="checkbox"/> Capital <input type="checkbox"/>		
Significant in terms of its effects on communities living or working in an area consisting of two or more wards in the City	<input checked="" type="checkbox"/> Yes No <input type="checkbox"/>		
Subject to call-in <input checked="" type="checkbox"/> Yes No <input type="checkbox"/>	Total value of the decision: £3,300		
Relevant Council Plan Strategic Priority:	Wards affected: All		
World Class Nottingham	<input type="checkbox"/>		
Work in Nottingham	<input type="checkbox"/>		
Safer Nottingham	<input type="checkbox"/>		
Neighbourhood Nottingham	<input type="checkbox"/>		
Family Nottingham	<input type="checkbox"/>		
Healthy Nottingham	<input type="checkbox"/>		
Leading Nottingham	<input checked="" type="checkbox"/>		
Summary of issues (including benefits to citizens/service users):			
To establish a Joint Committee of local authorities in the City of Nottingham and Nottinghamshire, (the Economic Prosperity Committee or EPC) to drive future investment in growth and jobs within their areas.			
Councils across Nottinghamshire have recognised that there is an opportunity to strengthen joint working and decision making by establishing an Economic Prosperity Committee. In July 2013 the Council Leaders and Mayor across Nottingham and Nottinghamshire made a commitment to work more closely together to drive future investment in growth and jobs.			
Recommendation(s):			
1	To agree the establishment of the Economic Prosperity Committee (EPC) as a joint committee of the following local authorities: Ashfield District Council, Bassetlaw District Council, Broxtowe Borough Council, Gedling Borough Council, Mansfield District Council, Newark and Sherwood District Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council (“constituent authorities”).		
2	To agree the Constitution (Terms of Reference, Membership and procedures) of the Economic Prosperity Committee as set out at Appendix A.		
3	To note that any relevant powers previously delegated by the Leader/Executive to individuals or bodies are not expressly withdrawn and will be held concurrently.		
4	To appoint Councillor Graham Chapman, Deputy Leader/Portfolio Holder for Resources and Neighbourhood Regeneration as the Council’s representative on the EPC and Councillor Jon Collins, Leader/Portfolio Holder for Strategic Regeneration and Community Safety to act as substitute.		

5	To agree to Nottingham City Council hosting the Committee and providing all necessary secretarial, legal and financial support services, (including S151 and Monitoring Officer roles) and the annual costs involved (estimated to be around £30,000), to be met in equal share by the constituent authorities, until such time as that this can be recovered in part or in whole from external funding streams.
6	To agree that this Council's annual contribution to the cost of servicing the Committee in the estimated sum of around £3,300 be met by the Economic Development Team and that any expenses for subsistence or travel in relation to the attendance of councillors at meetings on EPC business be met by the individual authorities from existing budget provision for members' allowances.
7	To note that, in accordance with Section 9F of the Local Government Act 2000, constituent authorities who operate executive governance will need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of functions of the EPC and that the Council's existing scrutiny arrangements will apply.
8	To note that, for the reasons set out in the report, the Committee will have no powers to co-opt.

1 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 1.1 The EPC will improve joint working and decision making, with better links to the D2N2 Local Enterprise Partnership (LEP), and in doing so maximise access to European and Government funding for growth, for the benefit of citizens and business. In parallel, Derby and Derbyshire councils are establishing similar arrangements.
- 1.2 The role and responsibilities of LEPs have grown since their inception. Over the next few months, Local Growth Deals will be negotiated with all LEPs. These are the successor to City Deals, enabling access to investment and new powers. The Government will consider a range of factors when negotiating Deals, including the strength of local partnerships such as Joint Committees and the strength and alignment of local plans. LEPs have also been invited to develop their approaches for the European Structural and Investment Funds (SIF) for 2014-2020 - D2N2 is currently consulting on how to prioritise its notional allocation in excess of £210m.
- 1.3 The new governance arrangements will support the LEP in the following ways:
- enable full engagement with all district councils, strengthening the LEP's democratic mandate;
 - ensure that growth plans realise the LEPs strategy for growth and its vision of creating a more prosperous, better connected, increasingly resilient and competitive economy;
 - demonstrate how local strategies and plans are aligned to maximise impact and fulfil Government funding criteria;
 - recommend priorities for investment of some LEP funds (at present the single Local Growth Fund and the European Structural Investment Funds - variously contracted to SIF or ESI), based on local knowledge;
 - help simplify the local government landscape for business because important investment decisions will be made in one place.

- 1.4 The LEP has endorsed this approach. Support to the LEP will be maximised by having such arrangements in both Nottingham/Nottinghamshire and Derby/Derbyshire.
- 1.5 Further consideration will be given to a work programme for the EPC (and how that work programme will be supported), as Government policy is evolving. An example of such a consideration is how the EPC's work will link to wider activity on the skills agenda.
- 1.6 D2N2 recommended this approach with its Board on 3 September. D2N2 consulted on SIF funding over the summer of 2013. The Nottinghamshire Leaders / Mayor were consulted on the formation of a joint committee on 6 September, following the Nottinghamshire Chief Executives being consulted on this approach on 23 August. Information was made available to all the relevant Legal and Democratic teams via a working group between 24 September and 8 November 2013.
- 1.7 The Leader and Deputy Leader have been consulted on this report. The Chief Executive and relevant officers from Legal and Democratic Services have been actively involved in the development of these proposals. All of the constituent local authorities within the LEP are progressing the proposal through their individual governance structures and have contributed to the development of the terms of reference and constitution for the EPC. The D2N2 LEP Board have also discussed and approved the proposals to create a Joint Committee.

2 REASONS FOR RECOMMENDATIONS

- 2.1 Proposals for the establishment of an EPC have been developed to further strengthen the current governance arrangements of the D2N2 LEP and provide the necessary democratic accountability for the management of LEP funding streams such as the single Local Growth Fund and for strategic decision making on investment in growth and jobs in the City and County. The proposal provides democratic decision making for the allocation of funds within the Nottingham and Nottinghamshire jurisdiction of the LEP.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing. The LEP could maintain its current governance structure which has functioned effectively to date. However, more formal arrangements will ensure that decisions are made in a more co-ordinated way that achieves maximum benefit for the economic area. Also, it is clear from Government Guidance that: the LEP is less likely to be successful in any bid to the single Local Growth Fund without enhanced governance; and that it would be less able to negotiate a Growth Deal; and that its governance arrangements would not be seen as robust when taking decisions over significant levels of funding.
- 3.2 Alternative governance models such as a Combined Authority or a Prosperity Board have been considered, but at this stage a Joint Committee is regarded by the constituent authorities as the most appropriate option. It is the only option deliverable within the necessary timescales.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 The Joint Committee provides a mechanism through which its constituent authorities can engage with the LEP on investment priorities across the Nottinghamshire area. This will provide a mechanism for accessing funds earmarked for Nottinghamshire by the D2N2 LEP including £213.4m of EU growth funding and an amount yet to be received by D2N2 under the single Local Growth Fund element of the D2N2's Local Growth Deal.
- 4.2 It is proposed that the Joint Committee's secretarial, legal and financial support services will be provided Nottingham City Council with the resultant costs being shared equally between the member authorities. It is estimated that such services will cost approximately £30,000 leading to a cost per authority of around £3,300 per annum. Travel and subsistence costs relating to the Joint Committee will be met by individual constituent authorities.
- 4.3 It should be noted that these costs do not include any allowance for technical advice and support which, if provided on a central basis for the Joint Committee, would lead to additional costs being incurred. As the Joint Committee develops, it will need to be determined whether such costs will also be shared equally between the constituent authorities or whether an alternate model, such as a management charge levied against individual schemes, would need to be introduced.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 Section 101(5) Local Government Act 1972 enables two or more local authorities to discharge any of their functions jointly and arrange for the discharge of those functions by a Joint Committee.
- 5.2 Section 9EB of the 2000 Act enables the Secretary of State to make Regulations permitting arrangements under Section 101 (5) where any of the functions are the responsibility of the executive of the authority. The relevant regulations are the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2012/1019.
- 5.3 Regulation 11 makes provision for joint arrangements to involve a joint committee under Section 101(5) of the 1972 Act. As all the functions being delegated to the EPC are executive functions, the Regulations and Council's constitution allow the decision to establish the EPC and determine the number of members to be appointed to the EPC and their terms of office to be made by the Leader or Executive Mayor or other relevant decision maker or body. The regulations also require that the members appointed to the EPC should be members of the Executive.
- 5.4 Regulation 12 covers membership of joint committees and confirms political balance would not apply. Where, as in the case of the EPC, all the powers that are being exercised are executive functions, the regulations do not allow for any co-option by the constituent authorities operating under executive arrangements (although that power exists for the constituent authorities where the governance is by committee). A pragmatic approach would therefore be not to permit co-option to the committee. Where it is considered beneficial for non-members, for example a representative of D2N2 to

contribute to the proceedings of the EPC, the Chair of the Committee may however invite members of the public to attend and speak.

- 5.5 Any FoI requests received by the EPC should be directed to the relevant constituent authority for that to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by 2 or more constituent authorities, they will liaise with each other before replying to the request. The host authority will co-ordinate responses to ensure that legislative deadlines are met.
- 5.6 As part of the process of making decisions and changing policy, the EPC will be required by law, under the public sector equality duty, to think about the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
 - foster good relations between people who share protected characteristics and those who don't.

6 SOCIAL VALUE CONSIDERATIONS

6.1 Not applicable

7 REGARD TO THE NHS CONSTITUTION

7.1 Not applicable

8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 BIS: Growth Deals, Initial Guidance for Local Enterprise Partnerships, July 2013
D2N2: DRAFT EU Structural and Investment Funds Strategy 2014-2020

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

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The City of Nottingham and Nottinghamshire Economic Prosperity Committee

Constitution (terms of reference, membership and procedure rules)

1. Purpose

To bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth¹ and jobs in the City and County.

2. Governance

- 2.1 The Economic Prosperity Committee (“EPC”) will act as a Joint Committee under Section 9EB of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.2 The EPC will comprise the local authorities within the Nottinghamshire area: Ashfield District Council, Bassetlaw District Council, Broxtowe Borough Council, Gedling Borough Council, Mansfield District Council, Newark and Sherwood District Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council (“constituent authorities”).
- 2.3 Political Proportionality rules will not apply to the EPC as so constituted.
- 2.4 The EPC will be a legally constituted body with powers delegated to it by the constituent authorities in the following areas:
 - a) to prioritise and make decisions on the use of the funding that the EPC may influence or control;
 - b) to review future governance requirements and delivery arrangements and how these can be best achieved in Nottingham and Nottinghamshire;
 - c) to have direct oversight of key economic growth focussed projects and initiatives that the EPC has influence over the funding of or contributes to;
 - d) to have strategic oversight of other key growth focussed projects and initiatives in Nottingham and Nottinghamshire.

The EPC will not hold funds or monies on behalf of the constituent authorities.

- 2.5 The EPC’s work plan and the outcome of any wider review into alternative governance may require a change in the delegated powers and terms of reference of the EPC and any such change would require the approval of all the constituent authorities.

3. Remit

- 3.1 The remit of the EPC will be:

¹ As exercised through the D2N2 LEP.

- a) to act as a local public sector decision making body for strategic economic development, and to make recommendations to the D2N2 LEP on its investment and other priorities;
- b) to prioritise, commission and monitor both investment plans and all European Structural Investment Funds (SIF), and Single Local Growth Fund money that is available to Nottingham and Nottinghamshire via the D2N2 LEP and the EPC;
- c) to oversee the alignment of relevant local authority plans and ensure that they contribute to economic growth;
- d) to actively engage with a range of businesses in Nottingham and Nottinghamshire in relation to the EPC's decision making, and to engage with other stakeholders where appropriate;
- e) to consider and advise on the appropriateness and viability of alternative, successor economic governance arrangements;
- f) to ensure that potential benefits stemming from any overlaps with other LEPs are fully maximised.

4. Membership

- 4.1 One member from each constituent authority (such member to be the Leader/Elected Mayor or other executive member or committee chairman from each constituent authority) and for the purposes of these terms of reference this member will be known as the principal member.
- 4.2 Each constituent authority to have a named substitute member who must be an executive member where the authority operates executive governance arrangements. In those constituent authorities where governance is by committee, that alternate member shall be as per that authority's rules of substitution. All constituent authorities must provide no less than twenty four hours' notice to either the Chairman or the Secretary where a substitute member will be attending in place of the principal member. Regardless of any such notification, where both the principal member and the substitute member attends a meeting of the EPC the principal member shall be deemed as representing their authority by the Chairman or Vice Chair.
- 4.3 In the event of any voting member of the EPC ceasing to be a member of the constituent authority which appointed him/her, the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in his/her place.
- 4.4 Where a member of the EPC ceases to be a Leader / Elected Mayor of the constituent authority which appointed him/her or ceases to be a member of the Executive or Committee Chairman of the constituent authority which appointed him/her, he/she shall also cease to be a member of the EPC and the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in his/her place.
- 4.5 Each constituent authority may remove its principal member or substitute member and appoint a different member or substitute as per that authority's rules of substitution, and by providing twenty four hours' notice to the Chairman or the Secretary.

- 4.6 Co-options onto the Committee are not permitted.
- 4.7 Each constituent authority may individually terminate its membership of the EPC by providing twelve months written notice of its intent to leave the EPC to the Chairman or the Secretary. At the end of these twelve months, but not before, the authority will be deemed to no longer be a member of the EPC.
- 4.8 Where an authority has previously terminated its membership of the EPC it may re-join the EPC with immediate effect on the same terms as existed prior to its departure, where the EPC agrees to that authority re-joining via a majority vote.

5. Quorum

- 5.1 The quorum shall be 6 members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chairman or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

6. Chairman and Vice Chairman

- 6.1 The chairmanship of the EPC will rotate annually between the principal member of the City of Nottingham and the principal member of Nottinghamshire County Council. The position of Vice Chairman shall be filled by the principal member of one of the district/borough council members of the EPC and this role will rotate annually between district/borough councils. The Chairman or in his/her absence the Vice-Chairman or in his/her absence the member of the EPC elected for this purpose, shall preside at any meeting of the EPC.
- 6.2 Appointments will be made in May of each year. The first appointments will be made part way through the municipal year and will continue until May 2015, unless otherwise agreed.
- 6.3 Where, at any meeting or part of a meeting of the EPC both the Chairman and Vice Chairman are either absent or unable to act as Chairman or Vice Chairman, the EPC shall elect one of the members of the EPC present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate. For the avoidance of doubt, the role of Chairman and Vice-Chairman vests in the principal member concerned and in their absence the role of Chairman or Vice-Chairman will not automatically fall to the relevant constituent authority's substitute member.

7. Voting

- 7.1 One member, one vote for each constituent authority.
- 7.2 All questions shall be decided by a majority of the votes of the members present, the Chairman having the casting vote in addition to his/her vote as a member of the Committee. Voting at meetings shall be by show of hands.
- 7.3 On the requisition of any two Members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each Member voted and there shall also be recorded the name of any Member present who abstained from voting.

8. Sub-Committees and Advisory Groups

- 8.1 The EPC may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit.
- 8.2 The EPC may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers or members of the constituent authorities or such third parties as the EPC considers appropriate.

9. Hosting and Administration

9.1 The EPC will be hosted by Nottingham City Council and the Director of Legal and Democratic Services from that authority shall be Secretary to the Committee (“the Secretary”). The Host Authority will also provide s151 and Monitoring Officer roles and legal advice to the EPC. The administrative costs of supporting the committee will be met equally by the constituent authorities, with each authority being responsible for receiving and paying any travel or subsistence claims from its own members.

9.2 The functions of the Secretary shall be:

- a) to maintain a record of membership of the EPC and any sub-committees or advisory groups appointed;
- b) to publish and notify the proper officers of each constituent authority of any anticipated “key decisions” to be taken by the EPC to enable the requirements as to formal notice of key decisions as given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to be met;
- c) to carry out such notification to and consultation with members of any appointing constituent authority as may be necessary to enable the EPC to take urgent “key decisions” in accordance with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012;
- d) to summon meetings of the EPC or any sub-committees or advisory groups;
- e) to prepare and send out the agenda for meetings of the EPC or any sub-committees or advisory groups; in consultation with the Chairman and the Vice Chairman of the Committee (or sub-committee/ advisory group);
- f) to keep a record of the proceedings of the EPC or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
- g) to take such administrative action as may be necessary to give effect to decisions of the EPC or any sub-committees or advisory groups;
- h) to perform such other functions as may be determined by the EPC from time to time.

10. Meetings

10.1 The EPC will meet no less than quarterly and meetings will be aligned where necessary with deadlines for decisions on resources and investment plans.

10.2 Meetings will be held at such times, dates and places as may be notified to the members of the EPC by the Secretary, being such time, place and location as the EPC shall from time to time resolve. Meeting papers will be circulated five clear working days in advance of any meeting. The Chairman may choose to accept or reject urgent items that are tabled at any meeting.

10.3 Additional ad hoc meetings may be called by the Secretary, in consultation, where practicable, with the Chairman and Vice Chairman of the Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC, or
- (b) from the Chief Executive of any of the constituent authorities.

10.4 Urgent, virtual meetings facilitated via teleconference, video conferencing or other remote working methodologies may be called by the Secretary, in consultation, where practicable, with the Chairman and Vice Chairman of the EPC, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC; or
- (b) from the Chief Executive of any of the constituent authorities.

Any such virtual meeting must comply with the access to information provisions and enable public access to proceedings.

10.5 The Secretary shall settle the agenda for any meeting of the EPC after consulting, where practicable, the Chairman or in their absence the Vice Chairman; and shall incorporate in the agenda any items of business and any reports submitted by:

- (a) the Chief Executive of any of the constituent authorities;
- (b) the Chief Finance Officer to any of the constituent authorities;
- (c) the Monitoring Officer to any of the constituent authorities;
- (d) the officer responsible for economic development at any of the constituent authorities; or
- (e) any two Members of the EPC.

10.6 The EPC shall, unless the person presiding at the meeting or the EPC determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out in paragraph 13 below.

11. Access to Information

11.1 Meetings of the EPC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.

11.2 These rules do not affect any more specific rights to information contained elsewhere under the law.

- 11.3 The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each constituent authority is to co-operate with the Secretary in fulfilling any requirements.
- 11.4 Any Freedom of Information Act requests received by the EPC should be directed to the relevant constituent authority(s) for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

12. Attendance at meetings

- 12.1 The Chairman may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the EPC.
- 12.2 Third parties may be invited to attend the EPC on a standing basis following a unanimous vote of those present and voting.
- 12.3 Where agenda items require independent experts or speakers, the Officer or authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in EPC meetings will be subject to the discretion of the Chair.

13. Procedure Rules

13.1 Attendance

- 13.1.1 At every meeting, it shall be the responsibility of each member to enter his/her name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

13.2 Order of Business

- 13.2.1 Subject to paragraph 13.2.2, the order of business at each meeting of the EPC will be:

- i. Apologies for absence
- ii. Declarations of interests
- iii. Approve as a correct record and sign the minutes of the last meeting
- iv. Matters set out in the agenda for the meeting which will clearly indicate which are key decisions and which are not
- v. Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public

- 13.2.2 The person presiding at the meeting may vary the order of business at the meeting.

13.3 Disclosable Pecuniary Interests

13.3.1 If a Member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, the Member must withdraw from the room where the meeting considering the business is being held:

- (a) in the case where paragraph 13.3.2 below applies, immediately after making representations, answering questions or giving evidence;
- (b) in any other case, wherever it becomes apparent that the business is being considered at that meeting;

unless the Member has obtained a dispensation from their own authority's Standards Committee or Monitoring Officer. Such dispensation to be notified to the Secretary prior to the commencement of the meeting.

13.3.2 Where a member has a disclosable pecuniary interest in any business of the EPC, the Member may attend the meeting (or a sub –committee or advisory group of the committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

13.4 Minutes

13.4.1 There will be no discussion or motion made in respect of the minutes other except as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

13.5 Rules of Debate

13.5.1 Respect for the Chairman

A Member wishing to speak shall address the Chairman and direct their comments to the question being discussed. The Chairman shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. His/her ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

13.5.2 Motions / Amendments

A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:

- i. To amend the motion
- ii. To adjourn the meeting
- iii. To adjourn the debate or consideration of the item
- iv. To proceed to the next business
- v. That the question now be put
- vi. That a member be not further heard or do leave the meeting
- vii. To exclude the press and public under Section 100A of the Local Government Act 1972

13.6 Conduct of Members

13.6.1 Members of the EPC will be subject to their own authority's Code of Conduct.

14. Application to Sub-Committees

14.1 The procedure rules and also the Access to Information provisions set out at paragraph 11 shall apply to meetings of any sub-committees of the EPC.

15. Scrutiny of decisions

15.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the EPC in accordance with that constituent authority's overview and scrutiny arrangements.

16. Winding up of the EPC

16.1 The EPC may be wound up immediately by a unanimous vote of all constituent authorities.

17. Amendment of this Constitution.

17.1 This Constitution can only be amended by resolution of each of the constituent authorities.