

Shadow Partnership Board Draft Constitution

TRANSPORT FOR THE SOUTH EAST (TfSE)

CONSTITUTION OF THE SHADOW SUB-NATIONAL TRANSPORT BODY (SSTB)

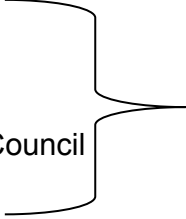
1. Constituent Authorities

The constituent authorities are the local transport authorities situated wholly or partly in the South Easterly regions of England, namely:-

Brighton & Hove City Council
East Sussex County Council
Hampshire County Council
Isle of Wight
Kent County Council
Medway Council
Portsmouth City Council
Southampton City Council
Surrey County Council
West Sussex County Council

&

Bracknell Forest Council,
Reading Council,
Slough Council,
West Berkshire Council,
Windsor and Maidenhead Council
Wokingham Council



Represented by the Berkshire Local Transport Body Partnership (BLTBP)

2. Area of the SSTB

The area of the SSTB is the area of the constituent authorities

3. Name of the SSTB

The name of the SSTB will be **Transport for the South East (TfSE)**

4. Membership

4.1 Each constituent authority, with the exception of those set out in paragraphs 4.2 and 4.3, will appoint one person as a member of TfSE and shall be entitled to one vote. The person appointed shall be that organisations elected mayor, chair, leader or cabinet member for transport.

4.2 Bracknell Forest Council, Reading Council, Slough Council, West Berkshire Council, Windsor and Maidenhead Council and Wokingham Council, who together compromise the BLTBP, will jointly appoint one person as a member of

TfSE, and shall be entitled to one vote between them. The person appointed shall be an elected mayor, chair, leader or cabinet member from one of the 6 authorities.

- 4.3 Portsmouth City Council and Southampton City Council will jointly appoint one person as a member of TfSE, and shall be entitled to one vote between them. The person appointed shall be an elected mayor, chair, leader or cabinet member for transport from one of the 2 authorities.
- 4.4 The constituent authorities will appoint, another of their councillors as a substitute to act as a member of the TfSE in the absence of the person appointed. Such appointments will reflect the levels of representation set out in paragraphs 4.1, 4.2 and 4.3 above.
- 4.5 There will be a presumption that decisions are normally agreed by consensus. In exceptional circumstances where consensus cannot be achieved a formal vote shall be taken. Subject to paragraph 4.6, the matter shall be decided by a simple majority of those members present and voting.
- 4.6 Notwithstanding paragraph 4.5 the following decisions will require the support of more than 75% of the members present and voting to be carried:
 - The approval and revision of TfSE's transport strategy
 - The approval of TfSE's annual budget
 - Any changes to TfSE's constitution

5. Co-opted Members

- 5.1 The SSTB can appointment persons who are not elected members of the constituent authorities to be co-opted members of TfSE
- 5.2 Persons who may be appointed as co-opted members will include:
 - (a) the person appointed by TfSE as Chair of the Transport Forum
 - (b) two people nominated collectively by the Local Enterprise Partnership's.
 - (c) A person nominated by the South Downs National Park
- 5.3 Co-opted members will be non-voting members of TfSE, except to the extent that the voting members of TfSE resolve that such members should have voting rights.
- 5.4 The LEP members may collectively agree to withdraw their representative(s) and nominate a new member or members to represent them by seeking the agreement of the Chair to include a vote to that effect on the agenda of the next meeting of the Board.

6. Election and role of Chairman and Vice-Chairman

- 6.1 The Chairman and Vice-Chairman will be elected on a simple majority of those members present and voting for a term of one year.

6.2 The first election will take place at the inaugural meeting of the Shadow Board and at the meeting scheduled nearest to the 12 month anniversary of the inaugural meeting, every year thereafter.

6.3 In the absence of the Chairman the Vice-Chairman will Chair the meeting

6.4 In the event of a tied vote, the Chairman will have a casting vote.

7. Quorum

7.1 The Quorum shall be 5 voting members of TfSE, of which two must be members appointed by constituent authorities pursuant to section 4 above.

8. Executive Arrangements

8.1 TfSE will not operate formal statutory executive arrangements

8.2 TfSE is a “local authority” for the purpose of section 101 of the Local Government Act 1972 and may delegate the discharge of its functions to a committee, sub-committee or officer, or to another local authority. As such, TfSE may establish a committee(s) to discharge any functions as are delegated to it.

8.3 The functions of agreeing a budget and the transport strategy of TfSE will **not** be delegated functions and will only be determined by a meeting of the full TfSE.

9. Executive Body

TfSE may establish an executive officer body, but may delegate the discharge of agreed functions to the officers of the Constituent Authorities in accordance with a scheme of delegation or on an ad hoc basis.

10. Scrutiny

10.1 It is proposed that TfSE arrange for the appointment of a scrutiny committee including a representative of BLTBP and one member of each of the other constituent authorities. Representatives will be nominated by the body to be represented.

10.2 The scrutiny committee appointed by TfSE may not include a member, substitute member or co-opted member of TfSE, but may include co-opted persons representative of non-constituent authorities and non-councillor representatives of passengers, road users, employers and employees.

10.3 *[The arrangements should ensure that the membership of the scrutiny committee reasonably reflects the political balance of elected members on the constituent authorities (or, in the case of combined authorities, their constituent councils) taken together.]*

10.4 The arrangements should ensure that the scrutiny committee has power:-

(a) to review and scrutinise decisions made, or other action taken, by TfSE

- (b) to make reports or recommendations with respect to the discharge of the functions of TfSE
- (c) to make reports or recommendations on transport matters that affect the area of TfSE or inhabitants of the area
- (d) to require members or officers of TfSE to attend meetings of the committee to answer questions.
- (e) to invite other persons to attend meetings of the committee