

WEST LANCASHIRE LOCAL STRATEGIC PARTNERSHIP FUNDING MANAGEMENT GROUP

Operating Protocol

(See also Appendix 1 – an extract from the Memorandum of Agreement)

TERMS OF REFERENCE

The Terms of Reference for the Funding Management Group (FMG) are set out in the Local Strategic Partnership's (LSP) Constitution. Subject to delegation from the LSP or its Executive Group, the FMG functions will be to:

- Oversee the management and monitoring of the implementation of the LSP's funded programmes, including the West Lancashire "Investing in Business" Regeneration and the Transforming Your Space Programmes;
- Implement strategic decisions taken by the LSP or the Executive Group regarding funded programmes;
- Take all operational decisions relating to the LSP's funded programmes including approval of projects;
- Oversee the arrangements made by the Accountable Body for the monitoring and evaluating the progress of each project and Programme and for maintaining appropriate records of project activity, expenditure and outputs;
- Consider reports dealing with other funding programmes being delivered within West Lancashire but under the management of other bodies or partnerships;
- Undertake such other functions and activities that may, from time to time, be delegated by the LSP or the Executive Group.

NOTICE OF MEETINGS

Not less than four clear days notice of a meeting shall be given to all members of the FMG, although dates shall normally have been agreed in advance at the previous meeting. Agendas and minutes shall be distributed at least four clear days before the meeting.

The FMG shall meet at least quarterly (*normal* meetings)(unless members agree to a postponement), and more often if necessary.

CHAIR

The FMG shall be chaired by the Council and Accountable Body representative, normally the Council's Executive Manager, Financial Services. In the absence

of the Chair at or during any meeting, those members present shall elect one of their members to chair the meeting until the Chair is present.

SECRETARY

The Funded Programmes Manager shall act as Secretary to the FMG and, with the assistance of other members of the External Funding Team, shall in particular:

- a. Keep a record of FMG membership and any changes or additions;
- b. Take minutes of meetings;
- c. Compile agendas and post notices of meeting;
- d. Keep a record of all documents received or produced to the FMG;
- e. Maintain a register of FMG members' interests; and
- f. Any other duties to be agreed.

QUORUM

A quorum of the FMG shall consist of at least four members, or their deputies, present and voting (a member may be precluded from voting on an individual issue by a declaration of interest).

If a quorum is not present when the FMG meets or if during a meeting the number of members present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting. However, it shall be competent for members at the inquorate meeting to decide that business shall be referred to absent members after the meeting in order that they have an opportunity to record a decision in writing.

CONDUCT OF BUSINESS

The FMG shall always seek to make decisions by consensus. Where a decision by vote is required, such a decision shall be made by a simple majority of votes with each of the members (or deputies) present and voting having one vote, by show of hands. The decision shall go with a simple majority. This will also apply to changes to this Operating Protocol.

In the case of a split vote, the Chair shall have an additional casting vote as his/her discretion.

Between normal meetings, decisions can be obtained from the FMG by the forwarding of a written report to each current member and by the returning by each member of a written and signed agreement, or otherwise. A decision shall be considered as having been assented to if a simple majority of current members agrees to it, unless a member notifies the Funded Programmes Manager in writing that he/she wishes the matter to be discussed at an FMG meeting, or unless the Regeneration Manager considers that the decision is of such importance that the opinion of all members should be canvassed at a meeting. Such written reports shall require a particular member to declare any interest in the matter, and the Funded Programmes Manager shall also have

regard to personal knowledge plus information contained in the Register of Interests.

The FMG can agree to the formation of a sub-group to transact any of its business that can be attended by any FMG members. Such sub-group meetings shall be conducted in accordance with this operating protocol except that the normal rules of quorum will be suspended. The minutes of such sub-group meetings shall be presented to the next normal FMG meeting for ratification.

Where a decision is taken at any meeting, whether in the presence or in the absence of the Chair (as representative for the Accountable Body), he/she will have the ability to veto any decision which, in his/her opinion, could be viewed as placing the Council at risk or lead to a breach of the NWDA's guidance. He/she can also require the business to be transacted (again) at the next FMG meeting at which he/she shall be present. Where necessary, he/she will present his/her reasons at the next normal FMG meeting.

ORDER OF BUSINESS

Unless the FMG decides otherwise (to be proposed by any member and, if necessary, put to a vote), the order of business shall be as follows:

- a. Introductions, and to receive such communications as the Chair considers important;
- b. Presentations (Declarations of Interest can be taken prior to this item if this is felt to be pertinent);
- c. Apologies for absence or lateness;
- d. Consideration of the minutes of the previous meeting(s) and any corrections or omissions;
- e. Matters arising from the minutes not included elsewhere on the agenda;
- f. Declarations of Interest (if not taken earlier);
- g. To receive and consider the business included on the agenda;
- h. Any other business;
- i. Dates of next meetings.

PERSONAL CONDUCT

Disorderly Conduct

No member shall at any meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively or improperly. In the event of such conduct the Chair shall be entitled to require the person(s) responsible to leave the meeting and if necessary to adjourn the meeting until such time or place as will, in the opinion of the Chair, enable the business to be properly concluded.

Interests

Declarations of Interest shall be a standing item on each FMG meeting agenda and members shall recognise the potential for conflict of interest. Any member representing an organisation which has a financial or other interest in a project or other item being discussed, or recognising any other potential conflict of interest, shall declare the interest and shall not participate in any vote thereon, although they will not normally be precluded from taking part in any discussion leading thereto.

The Funding Programmes Manager shall obtain from each member of the FMG a completed Register of Interests form. Where necessary, the Funded Programmes Manager shall report to the FMG any disclosure within the Register of Interests that is not declared by a member at a meeting.

Attendance

If a member is absent from two consecutive normal meetings, with or without apologies having been notified, the Funding Programmes Manager will endeavour to ascertain the full reasons for the absences, if necessary. Should that same member be absent for a third consecutive normal meeting, the Funding Programmes Manager shall report to that meeting any explanations that he/she has ascertained.

It shall be competent for the FMG to decide what should be done about this absence, including the termination of membership if it felt that the circumstances warrant such termination. Such decisions shall be taken in accordance with the normal voting procedure under Conduct of Business, unless the meeting is not quorate.

Code of Conduct on Complaints

The FMG shall deal with complaints of maladministration allegedly committed by any member or officer in attendance, referring the complaint to any other competent body, as appropriate.

IN ATTENDANCE

The following officers shall be entitled to be in attendance at Funding Group Meetings but shall not be entitled to vote:

- a. the NWDA's managers for the liB Programme
- b. the Council's Funded Programmes Manager
- c. other members of the Council's External Funding Team and support staff, as necessary
- d. representatives of funding bodies for other programmes
- e. the Council's Executive Manager, Regeneration & Property
- f. the Council's Economic Regeneration Manager
- g. other persons who, from time to time, may be invited to attend by the FMG for a specific purpose.

Extract from Memorandum of Agreement relating to meetings of the Funding Management Group

MEETING OF THE FMG

3. The Parties agree that meetings shall be convened in accordance with the Operating Protocol annexed to this Memorandum as Appendix 3.
 - 3.1 Meetings of the FMG shall normally be held 4 times a year (*normal meetings*), normally on the final Wednesday in January, April, July and October. The Funded Programmes Manager shall send to each representative at least 4 clear days before a meeting a notice of it specifying the business proposed to be transacted.
 - 3.2 At the discretion of The Chair of the FMG, the Funded Programmes Manager may at any time convene a special meeting of it or, where appropriate, a sub-group meeting.
 - 3.3 The Chair of the FMG shall within 14 days of receiving a written request to do so from any six members of the FMG, convene a special meeting of it.
 - 3.4 Where there is a conflict between any provisions of the Operating Protocol and any of the terms of this Memorandum then the terms of this memorandum shall apply.
4. All decisions of the FMG shall be made at such meetings as aforesaid save that in an emergency the Chair and any one or more members of the FMG shall have delegated authority to make a decision without convening a meeting provided that the decision and the reasons for it shall be reported for information to the next normal meeting of the FMG.
5. Any FMG member who fails to attend or tenders apologies for three successive normal FMG meetings shall be deemed potentially to have vacated his or her place as a member. Any final decision regarding such a vacation shall normally be taken by the FMG at the third such meeting.