

## PART 3 – TERMS OF REFERENCE OF COUNCIL, THE LEADER/EXECUTIVE, AND COMMITTEES

### ~~GUILDFORD BOROUGH COUNCIL AND WAVERLEY BOROUGH COUNCIL JOINT GOVERNANCE COMMITTEE~~

#### ~~COMPOSITION AND TERMS OF REFERENCE~~

(Guildford Borough Council and Waverley Borough Council)

1. This Joint Committee is to be established by Guildford Borough Council and Waverley Borough Council ("the councils") in accordance with Section 10 ~~1~~ (5)2-(1) ~~(b)~~ of the Local Government Act 1972 (Appointment of committees)
2. MEMBERS: 12
  - (a) The Joint Governance Committee shall comprise the respective Leaders of ~~each~~ both councils, plus five members appointed by Guildford Borough Council and five members appointed by Waverley Borough Council
  - (b) Appointments shall be made in accordance with the Local Government (Committees and Political Groups) Regulations 1990 in respect of each council.
3. QUORUM: ~~74 members in total,~~ (subject to each council being represented at a meeting by at least ~~two~~ three of their members).
4. CHAIR: The Joint Governance Committee shall be chaired alternately between the councils by their ~~respective~~ Leaders of the Council, hosting the meeting, or in their absence, the Leader of the Council not hosting the meeting, or in both Leaders absence, the Chair shall be appointed by a majority vote of those members present and voting.
5. PLACE OF MEETINGS: The venue for meetings of the Joint Governance Committee shall normally alternate between the two councils with the host Leader chairing the meeting, but the venue may be varied by the Joint Monitoring Officer following consultation with the Leader of each Council. The venue for the first meeting shall be at Guildford Borough Council's offices.
6. GENERAL ROLE: Adopting and exercising such of the functions of the councils as ~~can~~ may be delegated by those councils in respect of the governance arrangements for inter-authority working between Guildford Borough Council and Waverley Borough Council.
7. FREQUENCY OF MEETINGS: As and when required, but at least bi-annually.
8. SUBSTITUTES: Substitutes may be appointed. The respective Group Leaders shall nominate an ongoing main substitute. Any appointed member of the Joint Governance Committee may be substituted by any other member of their political group on the ~~c~~ Council they represent.
9. ROLE AND FUNCTION:
  - (i) To undertake periodically a formal review (at least once every 12 months) of ~~the all~~ inter-authority agreements, between Guildford Borough Council and Waverley Borough Council, ensuring ~~they~~ it continues to be fit for purpose and recommending to both Full Councils any changes required.

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Commented [KSC1]: Recommendation requested by the Joint Governance Committee on 01.11.23

- (ii) To undertake periodically a formal review (at least once every 6 months) of the collaboration risk assessment, reviewing current and target impact and likelihood scores and making any changes to the list of risks and mitigating actions.
- (iii) Notwithstanding (i) and (ii) above, to undertake a formal review of the inter-authority agreements or the collaboration risk assessment at such other time as may be determined by the Joint Committee.
- (iv) To discharge any other functions that relate to the governance of the inter-authority working arrangements that may from time to time be delegated to the Joint Committee.
- (v) The Joint Governance Committee may arrange for the discharge of its functions by an Officer, of either Waverley Borough Council or Guildford Borough Council, and in doing so will set out clearly any limits upon such delegation.
- (vi) The Joint Governance Committee may establish working groups to assist them in their work and in doing so will set clear terms of reference for them. Such working groups shall not be decision-making bodies.
- ~~(iv)~~(vii) The Joint Governance Committee may establish a Sub-Committee consisting solely of Members of one Council to consider matters solely relating to that Council.

10. SERVICING THE JOINT GOVERNANCE COMMITTEE: The servicing of the Joint Governance Committee shall be agreed between the CC Councils' Democratic Services Managers.
11. MEETINGS OF THE JOINT GOVERNANCE COMMITTEE SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING PROCEDURE:
- (a) A meeting of the Joint Governance Committee shall be summoned by the relevant Proper Officer of the Council who shall give a minimum of five clear working days' notice (or less in the case of urgency)
  - (b) Meetings of the Joint Governance Committee shall be held in public except in so far as the matters for decision relate to issues which can be dealt with in private in accordance with Section 100A (4) and (5) of the Local Government Act 1972 (as amended)
  - (c) The order of business at meetings of the Joint Governance Committee shall include the following:
    - (a) Apologies for Absence and notification of substitutes
    - (b) Disclosures of Interest
    - (c) Adoption of the Minutes of the previous meeting
    - (d) Matters set out in the agenda for the meeting
    - (e) Matters not set out in the agenda for the meeting but which the chairman agrees pursuant to Section 100B (4) (b) of the Local Government Act 1972 (as amended) should be considered at the meeting as a matter of urgency

(d) Any matter will be decided by a simple majority of those members of the Joint Governance Committee present and voting at the time the question was put. A vote shall be taken either by show of hands or, if there is no dissent, by the affirmation of the meeting. The chairman or person presiding shall have the ~~ne~~ casting vote.

~~(e) The Joint Governance Committee shall have no function or power delegated to it in any circumstance where a majority decision cannot be made without the need for the chairman or person presiding having to exercise their second or casting vote.~~