

GLOUCESTERSHIRE COUNCIL JOINT COMMITTEE

TERMS OF REFERENCE

1. Introduction

- 1.1. Gloucestershire County Council, Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council, Gloucester City Council, Stroud District Council and Tewkesbury Borough Council (The “Constituent Councils” have resolved to establish a Gloucestershire Joint Committee (GCJC).
- 1.2. The GCJC is established pursuant to section s101 and 102 Local Government Act 1972 and the section 9EB Local Government Act 2000 and Part IV of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and 2012.
- 1.3. The GCJC will be constituted from xxxxx 2026. It shall be dissolved upon commencement of the shadow period, which is anticipated to begin four days after the 2027 elections.
- 1.4. It is constituted by resolution of each participating authority on a voluntary basis but is also intended to satisfy the requirements of any Structural Change Order when such legislation may come into force.
- 1.5. The GCJC must have regard to any information supplied to it by the Secretary of State and is set up further to the encouragement of the Secretary of State, as set out in his letter dated 16 July 2026 to all Gloucestershire authorities.

2. Purpose

- 2.1. The purpose of the GCJC is to bring together local authority partners expected to be succeeded by the Gloucestershire Council following local government reorganisation, in a formally constituted arrangement to facilitate the discharge of functions relating to preparatory and transition arrangements to that authority to include the functions referenced in any Structural Change Order when such legislation may come into force.

3. Membership

- 3.1. The GCJC consists of twelve persons:
 - 3.1.1. Six persons nominated by Gloucestershire County Council, each of whom is for the time being an elected member of that council and,
 - 3.1.2. Six persons nominated by the District and Borough Councils within Gloucestershire with each such Council nominating one person, each of whom is for the time being an elected member of the nominating council.

4. Functions

- 4.1. The GCJC will prepare, keep under review, and revise as necessary, an Implementation Plan which must include:

- Such plans and timetables as are, in the opinion of the GCJC, necessary to secure the effective, efficient and timely discharge of preparing for and facilitating the economic, effective, efficient and timely transfer to Gloucestershire Council of the Constituent Councils' functions, property, rights and liabilities; and
- Such budgets and plans as it considers necessary or desirable to facilitate the economic, effective, efficient and timely discharge, on or after 1 April 2028, of the functions that, before that date, are functions of the Constituent Councils.
- In regard to the GCJC's function of preparing, reviewing and revising an Implementation Plan, the GJC must have regard to Gloucester City Council's EFS Recovery Plan.
- The GCJC must have regard to the information supplied to the Secretary of State in support of the proposal for single tier local government in Gloucestershire.

4.2. Prepare, facilitate and subsequently formulate proposals for the code of conduct to be recommended for adoption by the shadow authority for Gloucestershire Council at its inaugural meeting. In formulating such proposals, the GCJC shall have regard to section 27 of the 2011 Localism Act which provides a duty to promote and maintain high standards of conduct and section 28 of that Act

4.3. Take all preliminary steps to enable the GCJC to be able to recommend to the first meeting of the Gloucestershire Council shadow authority designation of an interim Head of Paid Service, Chief Finance Officer and Monitoring Officer in accordance with sections 4 and 5 of the Local Government and Housing Act 1989.

5. Scope and Role of the Joint Committee

5.1. In addition to the functions set out in 4.0 above the GCJC will have the following scope and role to undertake:

- 5.1.1.** Prepare, facilitate and subsequently formulate proposals for a Members' Allowance Scheme in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 for the Gloucestershire Council shadow authority, to be recommended for adoption to the shadow authority at its inaugural meeting.
- 5.1.2.** Agree the process for an independent review of a scheme of Members' Allowances for the Gloucestershire shadow authority, including preparation for the setting up of an Independent Remuneration Panel.
- 5.1.3.** Establish and propose a Calendar of Meetings for the Shadow Council for adoption at its inaugural meeting.
- 5.1.4.** Agree proposals for a shadow authority Constitution, to be recommended to the shadow authority, to include responsibility for executive/local choice functions, the establishment and terms of reference of various committees including a scrutiny committee and staffing committee, relevant standing orders to include council and executive procedure rules, and a scheme of

delegation to be recommended for adoption at the inaugural meeting of the shadow authority.

5.1.5. To oversee the preparation for the smooth transition of all matters civic and ceremonial.

5.1.6. Take all preparatory steps to support the Returning Officer for Gloucestershire County Council in calling the first meeting of the shadow authority.

Only from the date of the Gloucestershire (Structural Changes) Order 2027 coming into force until the fourth day after the ordinary day of election of councillors in 2027.

5.2. The GCJC may, by written notice to the proper officer of each of the constituent councils, require the council referred to in the notice, to take such action relevant to the function of preparing for and facilitating the economic, effective, efficient and timely transfer to Gloucestershire Council of its functions, property, rights and liabilities, such functions to be discharged via the GCJC.

6. Implementation Team

6.1. As soon as practicable after the establishment of the GCJC it will form on a voluntary basis a single team of officers, known as the “Implementation Team” for the purpose of assisting the GCJC in the discharge of its functions, and if required the Gloucestershire Council shadow authority.

6.2. The members of the Implementation Team shall include officers from all Constituent Councils

6.3. The Leader of the Implementation Team (to be known as Senior Responsible Officer - SRO) shall be the person who is for the time being the Chief Executive of Gloucestershire County Council.

6.4. The deputy leader of the Implementation Team is to be the person who for the time being is the Chief Executive from one of the Constituent Councils, not including Gloucestershire County Council or as set out in the SCO.

7. Procedures at meetings

7.1. Meetings of the GCJC shall be conducted in accordance with the Terms of Procedure.

**GLOUCESTERSHIRE COUNCIL JOINT COMMITTEE
DRAFT TERMS OF PROCEDURE**

1. Appointments

- 1.1.** Appointments to the membership of the GCJC will be made by each Constituent Council in accordance with the membership criteria set out in the terms of reference for the GCJC.
- 1.2.** If any member of the GCJC ceases to be a member of the council that has nominated them, they shall, with immediate effect, cease to be a member of the GCJC, and the nominating council shall, as soon as is reasonably practicable, make a further nomination with the seat remaining vacant until such time as it is filled.
- 1.3.** Each constituent authority may remove its member(s) and appoint different member(s) as per that council's Standing Orders and by providing at least 24 hours' notice to the Leader of the Implementation Team (to be known as Senior Responsible Officer - SRO).

2. Chair and Vice Chair

- 2.1.** The GCJC shall appoint its own Chair and Vice Chair at its first meeting from amongst its membership.
- 2.2.** The Chair shall chair meetings of the GCJC, or in their absence, the Vice Chair shall preside at any meeting of the GCJC. In the absence of both the Chair and the Vice Chair, the GCJC will elect one of its members present to preside at the meeting.

3. Quorum

- 3.1.** For a meeting of the GCJC to be quorate there must be at least seven (7) members present and at least three (3) members present must be from Gloucestershire County Council and at least three (3) members present from the District and Borough Councils.
- 3.2.** No business will be transacted at a meeting unless or until a quorum exists at that meeting. If at the beginning of the meeting the person presiding declares that a quorum is not present, they shall adjourn the meeting for 15 mins and if there is still no quorum, the meeting shall stand adjourned.

4. Voting

- 4.1.** The GCJC's decision making will operate on the basis of mutual co-operation and consent. A question to be decided by the GCJC is to be decided by the majority of those members present and voting at the meeting at which the question is put. Each member shall have one vote.

4.2. In the case of an equality of votes, the person presiding at the meeting, whether or not the chair of the committee, has a casting vote, in addition to any other vote the person may have.

4.3. Voting at meetings shall be by show of hands or by an electronic system of voting where available.

4.4. Where immediately before a vote is taken, if at least two (2) members request it, there shall be a recorded vote taken and the minutes of the proceedings of that meeting shall record whether each member present cast their vote for or against the matter or whether they abstained from voting.

5. Meetings

5.1. The GCJC shall meet as required, with a schedule of meetings being agreed at its first meeting.

5.2. Additional meetings may be arranged with at least 5 clear working days' notice, at the request of either the Chair, any 4 members of GCJC or the SRO.

5.3. Meetings shall be held at such time and location as may be notified to the members of the GCJC by the SRO.

5.4. Agendas and reports for meetings of the GCJC shall be published and circulated at least five (5) clear working days in advance of any meeting.

5.5. The agenda for any meeting shall be agreed by the Chair of the GCJC and the SRO.

5.6. Meetings of the GCJC shall be held in public unless the public are excluded by resolution of the Committee under s100(B) Local Government Act 1972.

5.7. The GCJC shall, unless the person presiding at the meeting, or the GCJC determines otherwise in respect of a meeting, conduct its business in accordance with these procedure rules.

6. Substitutes

6.1. Nominated substitutes will be allowed on the GCJC and each Council when making an appointment to their seats on the GCJC may also appoint the same number of substitute member(s) as appointed member(s). In respect of Gloucestershire County Council which shall be permitted more than one substitute, any appointed substitute may act in place of any one appointed member from that Council. It is for the absent member of the GCJC to make arrangements for the substitute to attend.

7. Public Engagement

7.1. Public representations and questions are permitted at meetings of the GCJC on any matter that directly relates to any report being brought to a meeting of the Joint Committee from any person living, working or studying in Gloucestershire.

7.2. A representation or question may only be asked or put if notice has been given by sending it no later than 12 noon, 3 clear working days before the day of the meeting of the GCJC. Such notice must be in writing or by electronic mail to [XXX].

7.3. A written answer will be provided to a written question or representation and will be given to the person raising the question or representation and the members of the GCJC before the meeting. The question and answer will then be taken as read at the meeting itself and need not be read out. A copy of all written questions and written answers circulated at the meeting will be attached to the signed copy of the minutes of the meeting.

7.4. There shall not be provision for additional questions or representations to be made orally at the meeting.

7.5. Written representations and questions may be rejected when the Chair, in consultation with the Chief Executive of Gloucestershire County Council as Senior Responsible officer for the Gloucestershire LGR Programme, considers that they:

7.5.1 Are not on any matter set out in the agenda for the GCJC.

7.5.2 Are defamatory, frivolous or offensive.

7.5.3 Relate to a matter which is subject to litigation or could reasonably be considered to place a Constituent Council at risk of litigation.

7.5.4 Are substantially the same as a question that has been put to a meeting of the GCJC previously.

7.5.5 Would require the disclosure of confidential or exempt information. In every case, the Chair will specify the reason for rejecting a representation or question.

7.6 A person or organisation may submit a maximum of two (2) questions to each meeting.

7.7 The total time set aside for such representations and questions and answers will be limited to 15 minutes.

7.8 For the purposes of this paragraph any elected member from a Gloucestershire council who is not a nominated representative on the GCJC will be treated as a member of the public.

8. Access to Information

8.1. Meetings of the GCJC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed. Only members of the GCJC and relevant advising officers from the constituent

authorities and any person so invited by the Chair, shall be permitted to be present for such items.

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

8.3. Any information requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or Data Protection Act 2018 received by the GCJC should be directed to the relevant Constituent Council for that council 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 Council, they will liaise with each other before replying to the request.

9. Order of Business

9.1. The order of business at each meeting of the GCJC will be as follows, unless varied by the person presiding:

9.1.1. Apologies for absence.

9.1.2. Declarations of interests and substitute members.

9.1.3. Approval of the minutes of the last meeting.

9.1.4. Matters set out in the agenda for the meeting.

9.1.5. Matters set out in the agenda for the meeting which, in the opinion of the SRO, are likely to be considered in the absence of the press and public.

10. Discharge of Functions

10.1. The GCJC may arrange for the discharge of their functions by the SRO (who can nominate and delegate authority to an officer of the Implementation Team) and in doing so will set out clearly any limits upon such delegation.

11. Code of Conduct and Interests

11.1. Members of GCJC are governed by the provisions of their own Council's Codes and Protocols including the code of conduct for members and the provisions regarding interests.

12. Minutes

12.1. There shall be no discussion made in respect of the minutes, 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 Chair shall sign the minutes of the previous meeting.

13. Role of the Chair

13.1. A member wishing to speak shall address the Chair and direct their comments to the agenda item being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

- 13.2.** The Chair shall have the discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting, including excluding members of the press and public in the event of a disturbance.

14. Amendment of these Procedure Rules

- 14.1.** These procedure rules may only be amended by majority resolution of the members of the GCJC present and voting, following consideration of the SRO's advice.