

13th September 2011

To all Constituent Chief Executives

Dear Colleague,

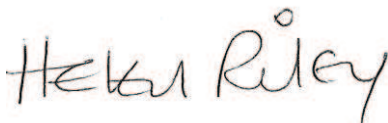
West Midlands Councils Constitution

Further to my letter of the 2nd September I understand that a few authorities are still unclear as to why they are being asked to seek formal endorsement of the Constitution when that Constitution has already been agreed and is in operation. The answer to this lies in the recent history of the organisation when the liabilities of members, and the respective shares of those liabilities (including those of authorities who had been members of the organisation at one time but had since left), were being looked at as part of the process of reconstituting the organisation. It was felt at that time by the monitoring officers advising on the process (from Birmingham City Council, Staffordshire County Council and Stafford Borough Council) that when the organisation was reconstituted it would then be a good idea for each of the member authorities to obtain formal endorsement from their authority for their continuing membership on the basis set out in the new constitution. This was because it appeared that very few authorities had formal approval from their authority to become members, and this was a concern when very large sums were being mentioned in terms of potential pension liabilities of the organisation were it to be wound up. Fortunately a way of dealing with the pension issues has been found, but, even so, it is suggested that members would still be wise to obtain decision-making cover for their membership and any associated liabilities arising from such membership.

In terms of how we are approaching this at Staffordshire, we are dealing with this as a formal delegated decision by the Leader of the Council. The Leader will be given a brief covering report along with my letter and a copy of the Constitution and, subject to his approval and there being no call-in, we will then complete and return the form attached to my letter to Emma Kiteley. No doubt your own monitoring officers will advise on how best to take this decision through at your authority.

I hope that this clarifies the position.

Yours sincerely,



Helen Riley
Host Chief Executive

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West Midlands Council Constitution (July 2011)

I, the undersigned, confirm that the 'Constitution (July 2011)' of West Midlands Councils has been received and accepted by my local authority as the governing document in respect of the terms and conditions of our membership of the West Midlands Councils.

Name of Local Authority	
Name of Authorised Signatory	
Signature	
Date	

Please return the completed form by 31st October 2011 to:

Emma Kiteley
West Midlands Councils
The Partnership Centre
Albert House
Quay Place
92-93 Edward Street
Birmingham B1 2RA

Scanned copies can be emailed to e.kiteley@wmcouncils.gov.uk