

Haltwhistle & District Joint Burial Committee

Draft Constitution

Appendix 6

The Haltwhistle & District Joint Burial Committee ('the committee') is empowered to manage and maintain Haltwhistle Cemetery on behalf of the Town/ Parish Councils of Haltwhistle, Coanwood, Plenmellor, Greenhead, Thirlwell, Featherstone and Melkridge ('the seven councils') under the following Constitution with effect from 1st April 2018.

1. **Background:** The Haltwhistle & District Joint Burial committee is a joint committee of the Town and Parish Councils of Haltwhistle, Coanwood, Plenmellor, Greenhead, Thirlwell, Featherstone and Melkridge, formed under section 101 of the Local Government Act 1972 to administer these council's functions as Burial Authorities. The Committee is the successor to the Haltwhistle & District Joint Burial Board, in accordance with Schedule? of the 1972 Act.
2. **Name:** The Haltwhistle & District Joint Burial Committee.
3. **Area:** The areas served by the Town and Parish Councils of Haltwhistle, Coanwood, Plenmellor, Greenhead, Thirlwell, Featherstone and Melkridge in the county of Northumberland.
4. **Functions:** The committee will operate the Burial Powers of the seven Parish Councils, as provided by section 214 of the Local Government Act 1972, subject to the provisions contained in this constitution.
5. **Host Authority:** As agreed, Haltwhistle Town Council shall perform the role of lead authority, in relation to legal liabilities, financial accountability, contracts, employment and other matters of the Committee, on behalf of the seven Councils.
6. **Composition:** The Committee shall consist of the following number of Parish Councillors, nominated by their respective Councils:
 - Haltwhistle ~ 3 members
 - Coanwood ~ 1 member
 - Plenmellor ~ 1 member
 - Greenhead ~ 1 member
 - Thirlwell ~ 1 member
 - Featherstone ~1 member
 - Melkridge ~ 1 member
7. **Terms of Office:** The Annual Meeting of each Council will review and confirm their Council's representative on the Committee.
8. **Meetings:** The Committee will meet on no fewer than four occasions in each year. One of those meetings will be an Annual Meeting, to be held normally in June or July, at which the Committee members will elect a Chairman and Vice Chairman, from among their members.

Signed on behalf of..... Town/Parish Council

SignatureChairman of Meeting

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9. **Rules:** The Committee will comply with all procedural requirements that apply to committees of Town and Parish Councils. IN addition, the Committee may adopt its own rules or standing orders, or it may choose to follow the standing orders of one of its component Councils. No rules or standing orders can be adopted which are in conflict with this Constitution.
10. **Attendance at Meetings:** Meetings of the Committee will only be quorate when no fewer than one representative from three of the seven Parish Councils is present. In the event that a constituent Parish Council is not represented, business may continue and decisions can be agreed. Following the meeting the Committee Clerk will inform the absent Council (in writing/email) of business conducted and decisions agreed. The absent Council will have a period of seven days in which to veto proposed actions. Any such written response must be attached to the minutes of the appropriate meeting. Should there be any disagreement on an issue then the matter cannot proceed and must be referred to a quorate meeting of the Committee for resolution. Should more than one Council not be represented business cannot continue.
11. **Finance:**
- (i) The full financial records of the Committee shall form part of the accounts of the Host Authority and shall be examined or audited according to any statutory requirements and Proper Practices.
 - (ii) Before the end of November each year the Committee will prepare a budget for the following year, showing (inter alia) what financial contribution is required from each of the seven constituent Councils.
 - (iii) The seven Councils will each contribute to the budget of the Committee with respect to the following:
 - Haltwhistle ~ 72.135%
 - Coanwood ~ 3.571%
 - Plenmellor ~ 5.713%
 - Greenhead ~ 7.855%
 - Thirwell ~ 2.471%
 - Featherstone ~ 3.454%
 - Melkridge ~ 4.801%
 - (iv) The Committee will adopt the hosts' Standing Orders and Financial Regulations.
 - (v) The Committee may take financial decision in accordance with its agreed budget and its Standing Orders/Financial Regulations. Before making any significant departure from its budget, the committee shall consult the seven Councils.
12. **Property:** Unless otherwise agreed and specified, ownership of the property will be held by the seven Councils in proportion to the above breakdown. Further, any rights and liabilities in respect of the property will be shared on the same basis. Where any property within the cemetery is rented to a third party, the Committee will act as the agent for the seven Councils in the letting of the property and in drawing up of appropriate lease documents. The Allotments will be classed as property.

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- 13. **Appointments:** The host Council will appoint the Committee’s paid officers with the agreement of the other constituent Parish Councils and be responsible for drawing up duties/responsibilities/contracts. The seven Councils agree to indemnify the host authority for any costs of such Officers in the proportions as set out in paragraph 11 (iii) above.
- 14. **Delegation:** The Committee may further delegate such aspects of its day-to-day functions as it considers appropriate, in accordance with section 101 of the Local Government Act 1972. The terms of the delegation must be clearly documented in the Committee meetings’ minutes.
- 15. **Alterations:** The seven Councils may agree to alter this Constitution from time to time.
- 16. **Dissolutions and changes in arrangements:** Dissolution of, or significant changes to these arrangements without the consent of all seven constituent Councils will be subject to the consent of the Principal Authority (Northumberland County Council), as required by paragraph 4 of Schedule 26 of the Local Government Act 1972.
- 17. **Transitional Arrangements:** The present staff will remain in place under existing terms and conditions of service, as long as they are compatible with the host council’s terms and conditions of employment, until vacancies arise.

Signed on behalf of..... Town/Parish Council
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Adopted at meeting on.....