

MODEL CONSTITUTION FOR LABSS CONSORTIA

1. Formation of Consortia

- 1.1 On this dayand with the express agreement of all participating authorities hereby agree to the formation of a formalised building standards consortia to be known as “Building Standards Consortia”
- 1.2 In this document the “..... Building Standards Consortia” is referred to as the Consortia.
- 1.3 In this document the “Local Authority Building Standards Scotland” is referred to as LABSS.
- 1.4 In this document the “Scottish Type Approval Scheme” is referred to as STAS.
- 1.5 In this document the Building Standards Division of the Scottish Government is referred to as the BSD.

2. Objectives of Consortia

- 2.1 To provide a forum for the discussion and promotion of local authority Building Standards and allied matters and, where necessary, to promote action thereon.
- 2.2 To help promote uniformity of interpretation and application of the Building Acts, Building Standards and other relevant Scotland legislation across the geographical area of the consortia and where appropriate Scotland wide.
- 2.3 To arrange, where necessary, for the dissemination and collation of information concerning Building Standards and allied matters.
- 2.4 To provide a means whereby the knowledge and experience of individual consortia members can be made available to other consortia members and, where appropriate the Scottish Government, national agencies and other relevant organisations.

- 2.5 To provide a means whereby the knowledge and experience of individual consortia members can be made available to applicants and agents who are in a legitimate dispute with a consortia member.
- 2.6 To promote a culture of continuous improvement and the achievement of best value principles in the delivery of a local authority Building Standards service.
- 2.7 To promote partnership working to ensure that support from fellow Consortia members is given in the first instance to deliver satisfactory performance in respect of statutory Key Performance Outcomes across all Consortia members.
- 2.8 To promote and where necessary carry out work on behalf of LABSS to ensure the success of the Scottish Type Approval Scheme (STAS).

3. Membership

- 3.1 Each consortium shall have a minimum of three member authorities.
- 3.2 There shall be eligible for membership of a consortium officers from a local authority constituted under the Local Government Scotland Act 1973 and any successor Act(s). The number of nominated representatives (hereinafter known as Members) from each authority shall be entirely within the remit of the member authority. Representatives nominated by the authority must be actively employed in Building Standards.
- 3.3 Each member authority of the Consortia shall have one vote.
- 3.4 The nominated representative from any consortia holding the voting power (hereinafter known as the Voting Member), in respect of LABSS Board meetings is entirely within the remit of the consortia and may vary between meetings.
- 3.5 A Member ceasing to hold an appointment which qualifies him / her for representation of a local authority shall automatically cease to be eligible for membership of any consortia.
- 3.6 Decisions reached by the Consortia shall in the first instance be by

consensus and failing that by vote with decisions reached by a simple majority of those attending the consortia meeting. All members of the Consortia shall be bound by the decision of the Consortia. In the event that a consortia member cannot agree with the final decision of the Consortia, that Consortia member has a right of appeal to the Management Board of LABSS. The decision of the Management Board is final.

- 3.7 In becoming a member of a Consortia each local authority agrees to abide by the decisions of the Consortia in respect of procedural and technical matters in relation to the general work under the Building (Scotland) Act 2003 and Building Standards (Scotland) Regulations 2004 and associated legislation.
- 3.8 In becoming a member of the Consortia each member agrees to promote where appropriate and to abide by the rules of membership of STAS.
- 3.9 In becoming a member of the Consortia each member agrees to all procedural and technical matters agreed between LABSS and the BSD and all other relevant stakeholders and partners.

4. Representation to LABSS Board

- 4.1 Each consortium shall nominate one member to represent the consortia on the LABSS Board as an ordinary member.
- 4.2 Individual membership of the LABSS Board will last no longer than two years unless with the express agreement of both the membership of the consortia concerned and the LABSS Board.
- 4.3 Each consortium shall have a single vote in respect of the business matters of the LABSS Board.
- 4.4 A Consortia member of the LABSS Board and an executive member of the LABSS Board cannot be from the same local authority.

5. Workings of Consortia

- 5.1 Each consortium shall appoint a chairperson, secretariat and technical representative for a timescale, which is entirely at the discretion of consortia members.
- 5.2 Each consortium will arrange meetings to allow the consortia to meet its objectives as highlighted in (2) above.
- 5.3 Each consortium shall report as necessary to the LABSS Board on its work and in any case at the appropriate meetings of the LABSS Council.
- 5.4 Each consortium shall report as necessary to the LABSS Board to allow detailed responses to be made to any request for information from the Scottish Government.
- 5.5 Each consortium shall prepare an annual report to be sent to all Councils, which make up the consortia.
- 5.6 Each Consortium shall maintain a register of officers with specialist knowledge.