

# Gloucester City Council

<b>Meeting:</b>	<b>Council</b>	<b>Date:</b>	<b>9<sup>th</sup> July 2020</b>
<b>Subject:</b>	<b>Governance arrangements for the Gloucestershire Economic Growth Joint Committee</b>		
<b>Report Of:</b>	<b>Leader of the Council</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Ian Edwards, Head of Place</b>		
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<b>Appendix:</b>	<b>1. Report to GEGJC, 3<sup>rd</sup> June 2020</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To consider a request from the Gloucestershire Economic Growth Joint Committee to extend the operation of the Joint Committee for a period of 18 months from 4 September 2020 together with agreeing to waive the 12 months' notice period set out in the Inter Authority Agreement between the partner authorities to enable the Joint Committee to continue.

### 2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** to:

- (1) Waive and remove the twelve months' notice period set out in the Inter-Authority Agreement dated 4 September 2014 required to extend the Inter-Authority Agreement, including removing the need for future notice periods.
- (2) Agree to the Joint Committee continuing to operate from September 2020 for a period of eighteen months.
- (3) Delegate authority to the Head of Place, in consultation with the Leader of the Council, to agree and complete the appropriate legal formalities to allow the Inter-Authority Agreement to be extended for 18 months to enable the Joint Committee to continue until March 2022.

### 3.0 Background

- 3.1 At its meeting on 3<sup>rd</sup> June 2020, the Gloucestershire Economic Growth Joint Committee considered a report about its overall governance arrangements. A copy of the report is set out in the Appendix.

- 3.2 The report included an update regarding the Inter-Authority Agreement (IAA) dated 4 September 2014 which all Gloucestershire local authorities entered into to establish the Joint Committee. The report to the Joint Committee confirmed that its initial term was for a five year term which is due to end in September 2020.
- 3.3 The Joint Committee considered a proposal to extend its future operation for a further eighteen months following the end of the IAA in September 2020 and resolved to: *Request the partner authorities to waive and remove the twelve months' notice period set out in the Inter-Authority Agreement dated 4 September 2014, including removing the need for future notice periods, and to agree to the GEGJC continuing to operate from September 2020 for a period of eighteen months.*
- 3.4 The proposed eighteen month period will allow Gloucestershire local authorities to continue to work collaboratively together on Gloucestershire's economic development through the Joint Committee. At its June meeting, the Joint Committee also identified that it will be supporting the economic recovery of the County as a result of the economic impact of COVID19. The 18 month extension will enable the Joint Committee to oversee the strategy development and delivery, as the principal partnership based economic co-ordination forum.

#### **4.0 Alternative Options Considered**

- 4.1 To not agree to the Joint Committee continuing for a further 18 months will result in there being no other formal joint decision making arrangements across Gloucestershire local authorities in place to promote the economy and support the economic response to COVID19.

#### **5.0 Reasons for Recommendations**

- 5.1 To enable the Gloucestershire Economic Growth Joint Committee to continue to operate for a further 18 months from September 2020.

#### **6.0 Financial Implications**

- 6.1 The IAA between the Councils provides for the administration costs of the Gloucestershire Economic Joint Committee (capped at £5,000 per annum) to be paid from the Strategic Economic Development Fund.

#### **7.0 Legal Implications**

- 7.1 The IAA includes a provision to extend the committee which is triggered by 12 months notice being served by any of the partner authorities. This did not take place before September 2019 and this provision in the IAA will need to be waived to enable the Joint Committee to continue until March 2022.

#### **8.0 Risk & Opportunity Management Implications**

- 8.1 The proposed eighteen month extension to the Joint Committee does not present any particular risks to the authority.

9.0 **People Impact Assessment (PIA)**

9.1 The proposed 18 month continuation of the Joint Committee will not have any significant equality implications.

10.0 **Other Corporate Implications**

Community Safety

10.1 None

Sustainability

10.2 None

Staffing and Trade Union

10.3 None

**APPENDIX 1 – REPORT TO THE GLOUCESTERSHIRE ECONOMIC GROWTH JOINT COMMITTEE ON 3<sup>RD</sup> JUNE 2020**

**UPDATE ON THE GOVERNANCE ARRANGEMENTS FOR  
THE GLOUCESTERSHIRE ECONOMIC GROWTH JOINT COMMITTEE**

<b>Meeting</b>	Gloucestershire Economic Growth Joint Committee (GEGJC) 3 June 2020
<b>Report Author</b>	Gillian Parkinson Assistant Director, Legal Services (Gloucestershire County Council) Tel: 01452 328729 e- mail: <a href="mailto:gillian.parkinson@gloucestershire.gov.uk">gillian.parkinson@gloucestershire.gov.uk</a>
<b>Background documents</b>	The partner authorities' decisions to formulate the Joint Committee and appoint Gloucestershire County Council as the administering authority.
<b>Location/Contact for inspection of background documents</b>	Gloucestershire County Council Democratic Services Shire Hall Gloucester
<b>Main Consultees</b>	Senior Officer Group
<b>Planned Dates</b>	September 2020 – completion of agreement for the future operation of the Joint Committee
<b>Purpose of report</b>	To provide an update on the Committee's overall governance arrangements and to propose the continuation of the Joint Committee from September 2020.
<b>Recommendations</b>	<p><b>1. To note the overall governance arrangements for the Gloucestershire Economic Growth Joint Committee (GEGJC) set out in this report.</b></p> <p><b>2. To request the partner authorities to waive and remove the twelve months notice period set out in the Inter-Authority Agreement dated 4 September 2014, including removing the need for future notice periods, and to agree to the GEGJC continuing to operate from September 2020 for a period of eighteen months.</b></p>
<b>Reason for recommendations</b>	To allow the GEGJC to continue to operate from September 2020.
<b>Resource Implications</b>	As set out in the body of the report.

**1. Background**

- 1.1 The Committee was formed<sup>i</sup> on 4 September 2014 through an Inter Authority Agreement (IAA) between the County Council and Gloucestershire district authorities, which sets out the parameters within which it is to operate and its terms of reference.
- 1.2 Under the IAA, GEGJC has executive powers which are broadly defined, including:

*“To do anything it considers likely to achieve the promotion or improvement of the economic wellbeing of the area of Gloucestershire.”*

However, these powers are constrained by the following factors:

- Each individual partner retains the right to promote or undertake economic activity within its area (albeit the agreement also requires partners to advise GEGJC before adopting a position that is at odds with that of the Joint Committee);
- GEGJC is required to obtain the prior agreement of each partner(s) before considering a matter for decision in respect of that partner’s area;
- The budget available to GEGJC

## **2. The GEGJC decision making powers**

- 2.1 The GEGJC is empowered to take executive decisions within the scope of its powers, which, as mentioned above, are broad in their definition.
- 2.2 The GEGJC confirmed at its meeting on 21 November 2018 that each member of the Committee will need to be empowered by their relevant Council to enable them to take the decision to be taken at the Committee. This would have been a matter for each partner authority at the time the Committee was established in 2014.

As mentioned above, the requirement set out in the IAA confirms the GEGJC shall not consider a matter for decision in respect of a partner authority’s area without first obtaining the prior agreement of that partner authority.

In other words, in theory a partner can prevent GEGJC from considering a decision, but once it has granted agreement for that decision to be considered, that decision rests with and is subject to a majority vote by GEGJC.

- 2.3 Decisions are to be taken by majority vote of the voting members of the committee (with provisions for a quorum and chair’s casting vote also set out). The Chair of the GFirst LEP and one other member are also members of the committee, although they do not have any voting powers.
- 2.4 The IAA also confirms that the GCC constitution shall apply to the committee. This means that the procedural rules of decision making set out in the GCC constitution apply where the committee is taking executive decisions, including:

- Meetings to be conducted in public
- A forward plan of decisions to be considered by the committee
- Reports to be published 5 days in advance
- Decision notices published following the meeting

2.5 Any decisions taken by GEGJC are subject to the call-in procedures of each of the partner authorities. If one partner calls in a decision, it is subject to the procedures of that partner individually. If more than one partner calls in a decision, it is to be considered jointly by the Joint Economic Growth Scrutiny Committee.

### 3. **Governance arrangements to support the GEGJC**

3.1 The IAA confirms that Gloucestershire County Council is responsible for the governance of the Committee, as the Administering Authority.

3.2 A Senior Officers Group has been established to support the partnership, but formal governance remains the responsibility of the Administering Authority, in particular:

- GCC's s151 officer acts as the s151 officer for GEGJC.
- GCC's monitoring officer acts as the monitoring officer for GEGJC

### 4. **GEGJC's Budget Setting process**

4.1 The Senior Officers Group oversees the formation and development of GEGJC's draft budget, essentially negotiating and proposing how much each authority should contribute.

4.2 Each authority's contribution is then taken through the budget-setting cycle as part of its own decision-making processes, referring any proposed amendments to the draft budget back to GEGJC.

Each partner has until 18<sup>th</sup> February each year to approve any amendments to the draft budget.

The final budget is then approved by GEGJC by 28<sup>th</sup> February.

4.3 In the event that either partners or GEGJC fails to approve a draft budget by 26<sup>th</sup> February, the Joint Committee operates within the previous year's budget (adjusted for inflation) until such time as agreement is reached.

### 5. **Future arrangements for the GEGJC**

5.1 The IAA confirms that the initial term for the GEGJC was for a five year term which is due to end in September 2020. Therefore, arrangements now need to be put in place for the future operation of the Joint Committee. However, currently there are no other joint working arrangements to promote the economy under development in the County. It is proposed to extend the future operation of the Joint Committee for a further eighteen months following the end of the IAA in September 2020.

The IAA recognised that the GEGJC may continue for a further period and allowed the partner authorities to agree to extend the agreement not less than 12 months before expiry of the agreement. None of the partner authorities have agreed to the extension within this timeframe; however, it is open to the partner authorities to agree to waive and remove such notice period to enable the Joint Committee to continue. Therefore, the proposal is for each partner authority to confirm the future operation of the Joint Committee for the next eighteen months until March 2022.

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<sup>i</sup> The committee is formed under sections 101 (5) and 102 of the Local Government Act 1972 and under Part 1A chapter 2 section 9EB of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and any other enabling legislation.