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# Establishment of Joint Committee – Berkshire Prosperity Board

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 March 2024
<b>Portfolio Member:</b>	Louise Sturgess
<b>Date Portfolio Member agreed report:</b>	19 February 2024
<b>Report Author:</b>	Sam Robins / Clare Lawrence
<b>Forward Plan Ref:</b>	EX4499

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## 1 Purpose of the Report

- 1.1 This report seeks to establish a Joint (Prosperity) Committee (to be known as the Berkshire Prosperity Board) to enable Berkshire Authorities, through collaboration, to benefit from:
- Working to a shared vision of inclusive, green, and sustainable economic prosperity through working together collaboratively to address challenges and meet opportunities.
  - Present a strengthened case to Government and private investors for greater investment into strategic projects, service delivery and initiatives across Berkshire.
  - Act as a vehicle to commission the Thames Valley Berkshire Local Enterprise Partnership (LEP) Core functions and others in response to the Government's review of Local Economic Partnerships.
  - Have a stronger, collective voice in lobbying Government and other agencies.
  - Advantageously position Berkshire in readiness for potential devolution proposals to benefit from additional responsibilities and funding opportunities.

## 2 Recommendations

- 2.1 That Executive approves the establishment of a Joint Committee (to be known as the Berkshire Prosperity Board) from March 2024 to deliver a Berkshire-wide vision for inclusive green and sustainable economic prosperity.
- 2.2 The Executive approves delegated authority for the Chief Executive, in consultation with the Leader of the Council, Executive Director of Finance and the Monitoring Officer to agree and enter into an inter-authority agreement between the six Berkshire Local Authorities to facilitate decision-making by the Berkshire Prosperity Board (BPB)

- 2.3 That Executive approves the re-allocation of £10,000 of Council revenue funding and £20,000 UK Shared Prosperity Fund (UKSPF) funding in 2024/25, along with the collective allocation of £80,000 out of the shared £240,000 pot of grant funding that will be given to the 6 Berkshire Authorities from Government to replace LEP funding.
- 2.4 Executive delegates authority to the Monitoring Officer, in consultation with the Leader of the Council, to amend the Constitution to make minor amendments to the terms of reference for the BPB and to amend Part 3 (meeting procedure Rules) and Part 6 (Council Bodies) to take account of the existence of the BPB.

### 3 Implications and Impact Assessment

Implication	Commentary
<p><b>Financial:</b></p>	<p>Government funding for Local Enterprise Partnerships (LEPs) ends from April 2024, and instead £240,000 in total of funding will be paid collectively to the 6 Berkshire Authorities. This report proposes for the 6 Authorities to commit £80,000 (in total) of that collective grant funding for the programme management of the Prosperity Board.</p> <p>Each Authority has been asked to re-allocate £10,000 of revenue funding in 2024/25, which was previously paid to the LEP, to the Prosperity Board to make progress against the 6 key themes. Previously £10,000 per year was added to the Economic Development Team revenue budget (13804 E086W) to be paid as an annual contribution to the LEP – the Prosperity Board is proposing that this contribution be re-allocated to the Prosperity Board.</p> <p>A further request is that £20,000 of UKSPF funding is allocated to support the administration and project management of the Prosperity Board in 2024/25. This will be a one-off payment making use of grant funding; it is not proposed at this stage that it be replaced by a revenue pressure in future years when the UKSPF is no longer in place. The £20,000 of one-off UKSPF funding will need to come from a corresponding reduction in budget for another UKSPF project. A separate paper is being drafted to confirm changes to the UKSPF investment plan which includes the above funding.</p> <p>Details are provided in paragraphs 6.7 – 6.10.</p> <p>It is proposed that the Prosperity Board be set up with funding agreed for one year and reviewed prior to 2025/26.</p>

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<p><b>Human Resource:</b></p>	<p>The proposed Berkshire Prosperity Board will be programme-managed by consultants recruited for this purpose using the previously mentioned funding, therefore there are not significant Human Resource implications at this stage.</p> <p>Time will be required from the Executive Director – Place and the Economy Manager to attend the Prosperity Board. There will also be Resource implications in the delivery of projects / outcomes from the Board but this is not defined at this time.</p>			
<p><b>Legal:</b></p>	<p>The Executive has the power to enter a Joint Committee arrangement; Local Government Act 1972 s101/102. The Joint Committee will require a partnership agreement. It has been agreed that an independent firm of solicitors will be appointed to draft this on behalf of the Committee. This agreement will bind the Local Authorities in the decision making of the Joint Committee subject to the Governance of the individual Local Authority. Further details are provided in Paragraphs 6.2 – 6.6.</p>			
<p><b>Risk Management:</b></p>	<p>No risks identified in the setting up of a joint committee.</p>			
<p><b>Property:</b></p>	<p>There are no property related issues in the proposals in this report.</p>			
<p><b>Policy:</b></p>	<p>The Berkshire Prosperity Board is being set up in response to a change in Government policy on financial support for Local Enterprise Partnerships (LEPs), which has now been withdrawn and passed to Local Authorities to address local priorities for economic growth.</p>			
	<p><b>Positive</b></p>	<p><b>Neutral</b></p>	<p><b>Negative</b></p>	<p><b>Commentary</b></p>
<p><b>Equalities Impact:</b></p>		<p>X</p>		

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<p><b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?</p>		X		<p>The Board proposes to look at inequalities as one of its themes, however the setting up of a joint Committee is not considered to require an impact assessment at this time.</p>
<p><b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?</p>		X		<p>The setting up of a joint Committee is not considered to require an impact assessment at this time.</p>
<p><b>Environmental Impact:</b></p>	X			<p>While there will be no immediate impact from the creation of the Prosperity Board, it will work towards having a positive impact on climate change.</p>
<p><b>Health Impact:</b></p>	X			<p>Health and Inequalities form none of the themes to be covered by the Prosperity Board, these will be considered at a strategic Berkshire level.</p>
<p><b>ICT Impact:</b></p>		X		<p>The setting up of a joint Committee is not considered to require an impact assessment at this time.</p>
<p><b>Digital Services Impact:</b></p>		X		<p>The setting up of a joint Committee is not considered to require an impact assessment at this time.</p>

<b>Council Strategy Priorities:</b>	X			<p>The work of the Prosperity Board will contribute positively across the Council Strategy priorities, but particularly towards:</p> <ul style="list-style-type: none"> <li>- Tackling the Climate and Ecological Emergency</li> <li>- A Prosperous and Resilient West Berkshire</li> <li>- Thriving Communities with a Strong Local Voice</li> </ul>
<b>Core Business:</b>		X		Potential for collaboration between Authorities to improve services but this is not known or definable at this time.
<b>Data Impact:</b>		X		There may be impactions for data sharing, but this is not known at this time.
<b>Consultation and Engagement:</b>	Berkshire Leaders, Chief Executives and Thames Valley LEP have been involved in the creation of the Prosperity Board.			

## 4 Executive Summary

- 4.1 This report proposes that a joint Committee is set up between the 6 Berkshire Local Authorities, to be known as the Berkshire Prosperity Board, and seeks to confirm how the Committee will be resourced and funded, along with defining its purpose and scope.
- 4.2 Berkshire Leaders and Chief Executives have collectively agreed to establish a Berkshire Prosperity Board to work collaboratively towards economic development, prosperity, health, and net-zero goals and provide a unified voice for Berkshire. The key specific proposals are:
- All 6 Berkshire Local Authorities will participate in the Prosperity Board.
  - It will focus across 6 priority subjects.
  - It will be a decision-making body, but decisions will be formally approved—by each Authority’s internal decision-making processes.
  - Wokingham Council will take on the function of accountable body.
  - Funding will be provided by Government funding, which was formally provided to the LEP, along with £10,000 of revenue from each Authority and £20,000 UKSPF funding in 2024/25 which was also previously provided to the LEP.

## 5 Supporting Information

### Background

- 5.1 Collectively Berkshire Leaders and Chief Executives have been meeting to review the challenges and opportunities faced by the Berkshire economy. Leaders recognised that although, the Berkshire Economy is comparatively strong it faces several threats and has been experiencing declining productivity for several years. To respond to these challenges work has been undertaken by Berkshire Place Directors to explore options to create a vehicle to drive and deliver economic prosperity for Berkshire.
- 5.2 Initial discussions explored the option of a devolution deal with Government and how Berkshire might benefit from the financial and decision-making powers a deal might bring. Early in the process it was recognised that Berkshire's chance of securing a significant devolution deal was limited. Berkshire is disadvantaged by both the Government's Levelling Up agenda and because of priority being given to Local Authority areas with a Combined Authority and/or a directly elected mayor. The latter being something that Berkshire Leaders did not wish to pursue.
- 5.3 At the same time as this conversation began the Government announced that it would be ending Local Enterprise Partnership (LEP) funding from the end of March 2024, therefore discussions have been ongoing as to the future of the Berkshire LEP as part of this process. Berkshire authorities also discussed the future partnership arrangements with the LEP, in light of Government plans to transfer local economic leadership and budgets back to local authorities.
- 5.4 As discussions progressed leaders recognised that the structure of six unitary authorities, which has provided so much benefit to the Berkshire area, could be harnessed to promote Berkshire collectively and overcome the disadvantage Berkshire has in comparison with other larger counties and metropolitan areas, that speak with a single voice. It was acknowledged that by working together Berkshire Authorities can benefit from greater scale, and with that, more influence and greater ability to develop solutions through collaboration.
- 5.5 Berkshire Leaders have stated their intention to develop a Joint Committee to help deliver this economic ambition.
- 5.6 Collectively the Leaders have identified a programme that will focus on six thematic workstreams deemed key to the local economy. Including, health and inequalities, education and skills, affordable housing, sector development, strategic infrastructure, and net zero.

### Berkshire's Economy

- 5.7 To date Berkshire is an economic success story – no other region in the UK has played a bigger role in driving the UK economy in recent decades. As the UK's Silicon Valley, nowhere has the potential to add more value to UK plc. We have three diverse sub-regional economies and strengths in growth sectors of the future, innovative and international businesses, a highly skilled workforce, and are well connected to London and other highly productive markets.

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- 5.8 Since 2008, our economy has experienced a financial crisis, the Covid-19 pandemic, and the impacts of the war in Ukraine and the Israel-Hamas war. We are facing economic headwinds linked to changing trading relationships with Europe, labour market shortages and high inflation. Furthermore, as a region, we are disadvantaged when competing for Government's Levelling -Up Investment programme. We therefore cannot be complacent – our economy is mature, but growth is slower than in the past, and we are moving into a period of further economic uncertainty.
- 5.9 Some of our communities, however, have not been able to contribute to and benefit from Berkshire's economic success, and wage growth has not kept up with economic growth. Despite Berkshire's overall economic success, communities in West Berkshire face significant challenges. Wage growth lags behind inflation, leading to financial constraints, and deteriorating health outcomes are evident; West Berkshire's health index value for "economic and working conditions" has fallen from 119.2 in 2015 to 116.0 in 2021. The local labour market has tightened since December 2021, with job vacancies rising by 26% and the economic activity rate declining by 1.6%. Housing affordability remains a major issue, with median house prices 10.5 times higher than median earnings, impacting the recruitment and retention of skilled individuals. These complex challenges underscore the need for a comprehensive approach to address issues related to wages, living costs, health outcomes, economic inactivity, and housing constraints in West Berkshire.
- 5.10 The Berkshire economy is mature, but the strains of growth are showing. Many of the companies headquartered in Berkshire face re-investment decisions post Covid-19 and Brexit. It is clear that some of them are not as committed to a future in the UK as the six Unitary Councils would want.
- 5.11 There are many opportunities with growing industries such as the film industry in and around Reading University and Bray, but the need to act to secure Berkshire's long-term future is clearly evident. The development of the Joint Committee will allow the Berkshire Unitary Authorities to share and effect an economic vision to collectively address challenges and seize opportunities, providing a greater voice than each Council would have individually, helping to lobby Government and secure more finance from both public and private investors, and to be an attractive location for inward investment.

## Responding to changes to the Thames Valley LEP

- 5.12 Government will cease funding Local Economic Partnerships from April 2024. The Government requires that the core functions currently carried out by LEPs to be transferred to Local Authorities in a bid to empower local leaders and communities. Local Authorities will receive the funding for, and core responsibilities for, delivering these functions from April 2024. These core functions are as follows:
- Economic Strategy and Planning: This function is needed in the future to continue to provide evidence bases, data, and a Berkshire-wide economic strategy so that collective action can be prioritised and needs-led.
  - Business Voice: This is a core function required by Government going forward in each functional economic area. This function is needed in the future to provide representation to embed a strong, independent, and diverse local business voice

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into local decision-making on economic development issues. New guidance on how to set up a Business Board is due to be released by Government.

- Government Programme Delivery: This function is needed in the future to continue to monitor the final stages of government programmes at the Berkshire level and ensure compliance with programme guidelines.

5.13 Local Authorities will also be expected to take responsibility for commissioning the existing Growth Hubs and Skills Hubs.

5.14 Berkshire Leaders and the LEP have agreed that they want to continue working in partnership to support the Berkshire economy. The LEP will remain an independent company. Berkshire Leaders have agreed that funding received from Government for the core functions will be used to commission specialist organisations (such as TVB LEP) to deliver outcomes.

5.15 The development of a Berkshire Joint Committee with a nominated accountable body will allow Berkshire to accept funds from Government and together commission the core functions to address collective priorities.

## Devolution

5.16 In the 2022 Levelling Up White Paper the government set out plans for encouraging local areas to apply for a devolution deal – called ‘County Deals’. These agreements devolve funding, additional responsibilities and decision making with a view to stimulating local economic growth.

5.17 Prior to the May 2023 local Elections, Berkshire Leaders submitted to Government an expression of interest in becoming a devolved Deal area, setting out the opportunities that Berkshire offers the national economy given the right support and investment.

5.18 Having a fully operational Joint Committee will strengthen Berkshire’s chances of being offered a Deal if Government decides to accelerate the devolution process in advance of the General Election. Although, as things currently stand, Berkshire will need to become a Combined Authority with limited concessions or a Mayoral Combined Authority to receive any significant investment from Government. However, with the likelihood of a General Election Government may change its approach, therefore at this stage Devolution is not the driver to move forward with a Joint Prosperity Board.

## 6 Proposals and reasons for recommendation

6.1 It is proposed that a Joint Committee is established, known as Berkshire Prosperity Board, between West Berkshire and all 5 other local authorities in Berkshire, for the purpose of delivering a common vision for inclusive green and sustainable economic prosperity.

### Constitution, Secretarial and Accountable body

6.2 The Joint Committee’s role and purpose on behalf of the Partner Local Authorities relates to ensuring appropriate, effective, and formal governance is in place for the



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purposes of delivering a Berkshire wide Vision for economic growth and advancing partner Local Authorities aspirations for greater economic prosperity.

- 6.3 Core members of the Committee include, Bracknell Forest Council, Reading Borough Council, Slough Borough Council, The Royal Borough of Windsor and Maidenhead, West Berkshire Council and Wokingham Borough Council.
- 6.4 The Joint Committee will be a decision-making body which will discharge the decisions made by the Berkshire Leaders (in respect of those decisions delegated to the Board) and will be binding on the participating boroughs. Authorities will not, however, be prevented from discharging any functions on their own account as well.
- 6.5 The structure and constitution of the Joint Committee will need a decision to be approved through each of the participating Local Authority Democratic decision-making groups. Details of the function and procedure rules of the Joint Committee is contained in (Appendix A) along with the governance structure (Appendix B).
- 6.6 Wokingham Council has offered to take on the function of the Accountable Body. Bracknell Forest is likely to undertake the secretariate role, which is an extension of existing arrangements supporting Berkshire Leaders and Chief Executive meetings.

## Funding

- 6.7 The proposal is for the 6 Authorities to jointly fund the establishment and the running of the Berkshire Prosperity Board. All Authorities currently contribute £10,000 per year to the LEP – it is proposed that this funding be re-allocated to the Prosperity Board in 2024/25 and used collectively to progress work on the 6 themes. As with any revenue payment this will need to be approved by the Financial Review Panel. Other costs are not yet known, with authorities providing “in-kind” support to the project. Bracknell Forest will initially provide the Secretariat function, and this will be provided on an open book basis, so that actual costs can be recovered at the end of year one.
- 6.8 Collectively the six Unitary Councils are due to receive £240,000 per year from Government, which was previously paid to the LEP. It is proposed that £80,000 of this collective funding will be allocated to the programme management elements of the prosperity board, with the Accountable Body employing relevant staff for this purpose. This will be supplemented by each authority contributing £20,000 UKSPF funding in 2024/25.
- 6.9 This paper is therefore proposing that West Berkshire agree to the allocation of £80,000 of the collective grant budget, along with £20,000 UKSPF funding in 2024/25 to this purpose.
- 6.10 Total funding for the Prosperity Board will therefore be £260,000 in 2024/25 – which is split equally among all 6 Berkshire Authorities, as shown in the below table (the £13,333 figure is simply to demonstrate that the collective allocation of £80,000 of former LEP grant funding will be made equitably):

Authority	Central Government Funding (previously LEP funding)	Revenue Contribution	UKSPF Funding	Total
West Berkshire	13,333	10,000	20,000	43,333
Reading	13,333	10,000	20,000	43,333
Windsor & Maidenhead	13,333	10,000	20,000	43,333
Bracknell Forest	13,333	10,000	20,000	43,333
Wokingham	13,333	10,000	20,000	43,333
Slough	13,333	10,000	20,000	43,333
<b>Total</b>	<b>80,000</b>	<b>60,000</b>	<b>120,000</b>	<b>260,000</b>

6.11 It has not yet been decided how to use the remaining £160,000 of central Government grant funding that the Berkshire Authorities are due to collectively receive, in place of the LEP funding (£240,000, less then £80,000 provided to the Prosperity Board).

### Reasons for the Recommendation

6.12 Developing a Joint Committee and sharing common goals across a functional economic area will provide Berkshire Authorities with exciting new opportunities for collaboration on economic development, providing more flexibility and influence than a single council would have on its own, helping local authorities speak with one voice to secure more funding from Government and other agencies and sources to help get key projects and initiatives off the ground.

6.13 Berkshire Authorities, through collaboration, will benefit from:

- Working to a shared vision of inclusive and sustainable economic prosperity through working together to address challenges and meet opportunities.
- Having a strengthened case to Government and private investors for greater investment into strategic projects across Berkshire.
- Acting as a vehicle to commission the Thames Valley Berkshire Local Enterprise Partnership (LEP) and others in response to the Government’s review of Local Economic Partnerships.
- Having a stronger, collective voice in lobbying Government and other agencies.
- Advantageously positioning Berkshire in readiness for potential devolution proposals to benefit from additional responsibilities and funding opportunities.
- Working on six shared themes: Including, health and inequalities, education and skills, affordable housing, sector development, strategic infrastructure, and net zero.

6.14 The first official board would take place in April 2024 following the decision making for each of the six local authorities to establish the Board. The Board would meet four times a year. Each Council would lead on one of the six themes, with West Berkshire

Leader and Chief Executive leading on the sector development theme, and officers assisting Reading Borough Council's Leader and Chief Executive to support the infrastructure theme.

## **7 Other options considered**

- 7.1 The main alternative approach is to continue to work on economic development in each unitary area as exists at the moment. This no change approach does not resolve matters relating to the functions passing to Local Authorities with the end of government LEP funding which takes place in April 2024. It also does not build a stronger voice for Berkshire and does not enable streamlined collective decision making.
- 7.2 The other main alternative option considered was to develop a Combined Authority/Mayoral Combined Authority and seek a formal Devolution Deal. At this stage the Berkshire Leaders did not wish to pursue this option.

## **8 Conclusion**

- 8.1 Creation of a Berkshire Prosperity Board Joint Committee will create opportunities for collaboration between the 6 Authorities in Berkshire to work towards economic development, prosperity, health, and net zero goals, along with ensuring a single influential voice for Berkshire is maintained. It will be achieved primarily by utilising Government funding that the Authorities are due to receive, which was previously provided directly to the Thames Valley LEP.

## **9 Appendices**

- 9.1 Appendix A – Functions and Procedure Rules for a Joint Committee
- 9.2 Appendix B – Governance Structure

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### **Subject to Call-In:**

Yes:  No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only
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**Wards affected:** All of West Berkshire

**Officer details:**

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## Appendix A – Functions and Procedure Rules for a Joint Committee

### 1. Functions

The Joint Committee will discharge on behalf of the Participating Local Authorities the functions listed below related to promoting economic prosperity in Berkshire:

- 1.1 Develop a shared, Berkshire-wide vision for inclusive and sustainable economic prosperity, together with a set of practical thematic priorities, that addresses the strategic challenges and opportunities that the area faces.
- 1.2 Agreeing to and making funding applications and/or investment bids to external bodies, in relation to economic prosperity for the benefit of the Berkshire.
- 1.3 Providing direction to the nominated Accountable Body Local Authority on the allocation of any funding awards to appropriate projects for the benefit of the geographical area of the participating local authorities, including, where applicable, approving the approach to the procurement to be undertaken by Accountable Body Local Authority.
- 1.4 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies, central government inward investors and others on matters relating to investment and funding for the benefit of Berkshire.
- 1.5 Co-ordinate work across the six participating authorities and other Berkshire Committees, networks, and other statutory providers where this can help to promote inclusive and sustainable prosperity and the delivery of priorities across the six programme themes.
- 1.6 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.
- 1.7 Provide the appropriate governance, accountability, and delivery mechanisms for any future Government funding and programme support, that could arise from the integration of the LEP, from future growth funding, from UKSPF Berkshire Wide programmes and from any subsequent devolution funding.
- 1.8 Seeking to influence and align government investment in Berkshire in order to boost economic growth within the local government areas of the participating authorities.
- 1.9 Agreeing and approving any additional governance structures as related to the Joint Committee, or any sub-Committees formed by the Joint Committee.
- 1.10 Inviting special representatives of stakeholders such as business associations, government agencies, the further education sector, higher education sector, schools, voluntary sector, and health sector to take an interest in, and/or seek to influence, the business of the Joint Committee including by attending meetings and commenting on proposals and documents.

### 2. Membership and Quorum

- 2.1 The membership will comprise of 6 members with each participating Local authority appointing one person to sit on the Joint Committee as a voting member.

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- 2.2 Each participating local authority will make a suitable appointment in accordance with its own constitutional requirements. It is anticipated that, where practicable, the leader of each participating local authority will be appointed to the Joint Committee.
- 2.3 Where a Participating Local authority does not operate executive arrangements, the appointment of a voting member will be in accordance with the local authority's own procedures. It is envisaged that this will usually be one of its senior councillors.
- 2.4 In all cases, the appointed person must be an elected member of the council of the appointing Participating Local authority. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing Participating Local authority.
- 2.5 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.
- 2.6 Each participating local authority will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.
- 2.7 Where a participating local authority wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the Committee members. A six month notice period must be provided.
- 2.8 The quorum for the Joint Committee is six members. If the Joint Committee is not quorate it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the Committee secretary will advise those present that no business can be transacted, and the meeting will be cancelled.

### **3. Chair and Vice-Chair**

- 3.1 The Chair of the Joint Committee will be appointed for 12 months and will rotate amongst the participating local authorities.
- 3.2 Unless otherwise unanimously agreed by the Joint Committee, each Participating Local authority's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant local authority as a replacement will serve as Chair for the remainder of the 12 months as chair.
- 3.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chairman. This appointment will also rotate in a similar manner to the Chair.
- 3.4 At its first meeting, the Joint Committee will draw up the rotas for Chair and Vice-Chair respectively as well as the rota for the meeting schedule for the year.
- 3.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting where they are quorate.

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3.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

### **4. Sub-Committees**

4.1 The Joint Committee may establish working-groups to undertake elements of its work if required

### **5. Delegation to officers**

5.1 The Joint Committee may delegate specific functions to officers of any of the participating local authorities.

5.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other local authorities.

5.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more participating local authorities before exercising their delegated authority.

### **6. Administration**

6.1 Secretariate support for the Joint Committee, and accommodation for meetings, will be provided by the participating local authority whose representative is Chair unless otherwise agreed by the Joint Committee. The costs of this will be reimbursed by contributions from the other participating local authorities as approved by the Joint Committee.

6.2 At its first meeting as Chair, the Joint Committee will agree the rotas for Chair and Vice-Chair respectively as well as the rota for the meeting schedule for the year.

### **7. Financial matters**

7.1 The Joint Committee will not have a pre-allocated budget.

7.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of the Accountable Body Local Authority.

### **8. Agenda management**

8.1 Subject to 8.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the participating local authorities or their representatives.

8.2 It will be the responsibility of each report author to ensure that the impacts on all participating local authorities are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each participating local authority or by some other appropriate method.

8.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the participating local authorities may include an item for consideration on the agenda of a meeting of the Joint Committee, and, may require that an extraordinary meeting be called to consider such items.

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8.4 Each participating local authority operating executive arrangements will be responsible for considering whether it is necessary [in order to comply with Access to Information legislation regarding the publication of agendas including Forward Plan requirements] to treat prospective decisions as ‘key- decisions’ and/or have them included in the Forward Plan. Each participating local authority operating a Committee system will apply its local non statutory procedures.

### **9. Meetings**

9.1 The Joint Committee will meet quarterly and as required to fulfil its functions.

9.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all participating local authorities.

9.3 Access to meetings and papers of the Joint Committee by the Press and Public is subject to the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014. The Joint Committee will also have regard to the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012, notwithstanding the fact that its provisions do not strictly apply to the Joint Committee for so long as the Committee has any members who are not members of an executive of a participating local authority.

### **10. Notice of meetings**

10.1 On behalf of the Joint Committee, a Committee secretary will give notice to the public of the time and place of any meeting in accordance with the Access to Information requirements.

10.2 At least five clear working days in advance of a meeting the secretariat to the Joint Committee will publish the agenda via the website of secretariat’s authority and provide the documentation and website link to the participating local authorities to enable the information to be published on each Participating Local authority’s website. “Five Clear Days” does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.

10.3 The secretary to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

### **11. Public participation**

11.1 Unless considering information classified as ‘exempt’ or ‘confidential’ under Access to Information Legislation, all meetings of the Joint Committee shall be held in public.

11.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.

11.3 The maximum number of speakers allowed per agenda item is 6.

11.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.



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11.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the Committee including by attending meetings and commenting on proposals and documents.

11.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

### **12. Member participation**

12.1 Any elected member of the council of any of the participating local authorities who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

### **13. Business to be transacted**

13.1 Standing items for each meeting of the Joint Committee will include the following:

- Minutes of the Last Meeting
- Apologies for absence
- Declarations of Interest
- Provision for public participation
- Substantive items for consideration

13.2 The Chair may vary the order of business and take urgent items their discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.

13.3 An item of business may not be considered at a meeting unless:  
(i) A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or  
(ii) By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

13.4 “Special Circumstances” justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

### **14. Extraordinary meetings**

14.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.

14.2 The business of an extraordinary meeting shall be only that specified on the agenda.

### **15. Cancellation of meetings**

15.1 Meetings of the Joint Committee may, after consultation with the Chairman, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chairman and appointed members of the Joint Committee in the event that it is necessary for the efficient transaction of business.

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### **16. Rules of debate**

16.1 The rules of debate in operation in the Chair's authority shall apply.

### **17. Request for determination of business**

17.1 Any member of the Joint Committee may request at any time that:

- The Joint Committee move to vote upon the current item of consideration.
- The item be deferred to the next meeting.
- The item be referred back to a meeting of the Chief Executives of the participating local authorities for further consideration
- The meeting be adjourned.

17.2 The Joint Committee will then vote on the request.

### **18. Urgency procedure**

18.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each participating local authority (in line with pre-existing delegations in each local authority's Constitution) to take urgent action as is required within each of the constituent local authorities.

### **19. Voting**

19.1 The Joint Committee's decision making will operate on the basis of mutual cooperation and consent and will take into account the views of the special representatives. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.

19.2 Where a vote is required it will be on the basis of one vote per member and unless a recorded vote is requested, the Chair will take the vote by show of hands.

19.3 Any matter (save for a decision under Rule 2.8 above) shall be decided by a simple majority of those members voting and present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.

19.4 Any two members can request that a recorded vote be taken.

19.5 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast his / her vote for or against the matter or whether he/ she abstained from voting.

### **20. Minutes**

20.1 At the next suitable meeting of the Joint Committee, the Chairman will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.

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20.2 Once agreed, the Chairman will sign them.

20.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

### **21. Exclusion of Public and Press**

21.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the Access to Information requirements or in the event of disturbance.

22.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.

22.3 If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks is necessary.

22.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

### **23. Overview and Scrutiny**

23.1 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will need to be in accordance with each of the six local authority's own democratic scrutiny procedures for agreement before implementation.

23.2 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any Participating Local authority operating a Committee system may have) as would apply locally to a decision made by that participating local authority acting alone

23.3 No decision should be implemented until such time as the call-in period has expired across all of the participating local authorities.

23.4 Where a decision is called in, arrangements will be made at the earliest opportunity within the participating local authority where the Call-In had taken place for it to be heard.

23.5 Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Local authority concerned have been concluded.

### **24. Access to minutes and papers after the meeting**

24.1 On behalf of the Joint Committee, the secretariate will make available copies of the following for six years after the meeting:

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- (i) the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information.
- (ii) the agenda for the meeting; and
- (iii) reports relating to items when the meeting was open to the public.

### 25. Amendment of these Rules

25.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee following consultation with the monitoring officers of the participating local authorities. Note that Rule 1 (Functions) may only be amended following a formal delegation from each of the participating local authorities.

### 26. Special Representatives

The Functions and Procedure Rules for the Joint Economic Committee set out that there will be a select number of ‘Special Representatives’ invited to attend meetings to ‘influence’ the work of the Committee as and when appropriate. These will be drawn from the following sectors and institutions:

Sector	
Higher Education Institutes	
Further Education	
Business (large)	
Business Support	
Business (small/medium-sized)	
Voluntary & Community Sector	
DWP	
Health	