

A meeting of the
WECA Overview & Scrutiny Committee

will be held on

Date: Tuesday, 3 May 2022

Time: 2.00 pm

**Place: Council Chamber, Bristol City Council, College Green Bristol
BS1 5TR**

Notice of this meeting is given to members of the West of England Combined Authority Overview & Scrutiny Committee as follows

Cllr Winston Duguid, Bath and North East Somerset
Cllr Hal MacFie, Bath and North East Somerset Council
Cllr Geoff Gollop, Bristol City Council
Cllr Ed Plowden, Bristol City Council
Cllr Brenda Massey, Bristol City Council
Cllr Steve Pearce, Bristol City Council
Cllr Andrew Varney, Bristol City Council
Cllr Brian Allinson, South Gloucestershire Council
Cllr James Arrowsmith, South Gloucestershire Council
Cllr John Ashe, South Gloucestershire Council

Enquiries to:

West of England Combined Authority Office
Rivergate 3
Temple Way
Bristol, BS1 6ER
Email: democratic.services@westofengland-ca.gov.uk
Tel: 0117 332 1486

West of England Combined Authority Committee Agenda

YOU HAVE THE RIGHT TO:-

- Attend all WECA, Committee and Sub-Committee meetings unless the business to be dealt with would disclose 'confidential' or 'exempt' information.
- Inspect agendas and public reports five days before the date of the meeting
- Inspect agendas, reports and minutes of the WECA and all WECA Committees and Sub-Committees for up to six years following a meeting.
- Inspect background papers used to prepare public reports for a period public reports for a period of up to four years from the date of the meeting. (A list of background papers to a report is given at the end of each report.) A background paper is a document on which the officer has relied in writing the report.
- Have access to the public register of names, addresses and wards of all Councillors sitting on WECA, Committees and Sub-Committees with details of the membership of all Committees and Sub-Committees.
- Have a reasonable number of copies of agendas and reports (relating to items to be considered in public) made available to the public attending meetings of WECA, Committees and Sub-Committees
- Have access to a list setting out the decisions making powers the WECA has delegated to their officers and the title of those officers.
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OTHER LANGUAGES AND FORMATS

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Please phone 0117 42 86210**

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The Openness of Local Government Bodies Regulations 2014 mean that any member of the public or press attending this meeting may take photographs, film or audio record proceedings and may report on the meeting including by use of social media (oral commentary is not permitted during the meeting as it would be disruptive). This will apply to the whole of the meeting except where there are confidential or exempt items, which may need to be considered in the absence of the press or public.

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1. EVACUATION PROCEDURE

In the event of a fire, please await direction from the Bristol City Council staff who will help assist with the evacuation. Please do not return to the building until instructed to do so by the fire warden(s).

2. APOLOGIES FOR ABSENCE

To receive apologies for absence from Members.

3. DECLARATIONS OF INTEREST UNDER THE LOCALISM ACT 2011

Members who consider that they have an interest to declare are asked to: a) State the item number in which they have an interest, b) The nature of the interest, c) Whether the interest is a disclosable pecuniary interest, non-disclosable pecuniary interest or non-pecuniary interest. Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

4. CONSIDERATION OF CALL-IN

5 - 24

Next meeting: Monday, 27 June 2022

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**REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY
OVERVIEW & SCRUTINY COMMITTEE**

DATE: 03 MAY 2022

**REPORT TITLE: CALL IN OF JOINT COMMITTEE GOVERNANCE
REVIEW DECISION**

**AUTHOR: JACK LATKOVIC, DEMOCRATIC SERVICES &
SCRUTINY MANAGER**

BACKGROUND INFORMATION

On 8th April 2022 the Joint Committee considered a report on the Joint Committee Governance Review.

The West of England Joint Committee RESOLVED:

1. The Joint Committee is to be re-established with new governance arrangements that make accountability clearer, and decision making more transparent. This includes the receipt of any relevant recommendations from the Local Enterprise Partnership Business Board, and any other relevant legacy matters that involve both the West of England Combined Authority area and the area of North Somerset Council.
2. Joint Committee will play its full role in the development of strategy for the West of England region as a whole, working with the LEP, Combined Authority and Western Gateway and other partners to advocate for the region with Government and other stakeholders.
3. That the four Unitary Authorities (Bristol City Council, South Gloucestershire Council, Bath and North East Somerset Council, North Somerset Council) agree to dissolve the existing Joint Committee arrangements subject to new Standing Orders being agreed by the Joint Committee, subject to Unitary Authority council governance processes.
4. To note the comments made by the Scrutiny and LEP Chairs, which will be considered as part of the report produced by Monitoring Officers setting out new

standing orders which be considered at the next meeting of the Joint Committee.

5. Monitoring Officers will produce new standing orders which be considered at the next meeting of the Joint Committee. The new standing orders will include provisions which detail arrangements for the management of Joint Committee meetings and agenda setting; election of a chair; the co-production of reports; voting arrangements; the relationship with the Combined Authority; and the role of the Combined Authority Mayor.
6. One Front Door funding administrative arrangements should continue with regards to relevant funds such as the Economic Development Fund and Resolving Infrastructure Fund.
7. To ensure clearer accountability of the Joint Committee and in line with Quality Assurance Framework, approve the principle that for those funds that are the responsibility of the 4 Unitary Authorities, for example the Economic Development Fund reports, will be commissioned by the Committee and signed-off by Unitary Authority (UA) CEOs in partnership with the CEO of the LEP before publication.
8. Note the Government White Paper "Levelling Up the United Kingdom", published on 2 February 2022, proposes changes to the current framework for the governance and funding of LEPs. To welcome the agreement of the LEP Board to establish a working group, comprising representatives from the Combined Authority, the LEP, North Somerset and a representative from the three other Unitaries to consider options and proposals regarding the future governance of the LEP to bring before the respective bodies in the early summer.
9. Note the letter received from the Department for Levelling Up, Housing and Communities regarding 'Integrating Local Enterprise Partnerships into local democratic institutions' on 31st March 2022. Note that bespoke arrangements to maintain West of England LEP will need to be developed and welcome the opportunity to be engaged in the development of a preferred option.
10. To provide greater transparency and accountability the Joint Committee will produce an annual report which will detail its activities and set out its priorities for the year ahead. Regular updates are to be provided at Joint Committee meeting regarding the work of the Western Gateway including engagement with Government and other key stakeholders.
11. Good governance and accountability require that the West of England Joint Committee should have a clear and distinguishable identity, distinct from the Combined Authority. The Joint Committee is to establish its own online presence whereby committee reports, and decisions can be clearly accessed

by the public. This will provide public access to the Joint Committee's standing orders and terms of reference to support the public's understanding of its role and purpose.

REASONS FOR CALL-IN

On 19th April 2022 Councillor Winston Duguid and Councillor Geoffrey Gollop submitted Call In proforma to the Democratic Services & Scrutiny Manager requesting a call-in of the decisions on the following grounds:

'At the meeting of the Joint Committee on 8/4/22 a decision was made to approve a paper on a joint committee governance review. This paper had not been through scrutiny. It was an agenda item at the last scrutiny meeting but regrettably, due to a mix up in communication, no one attended to present the paper and take questions.

In essence the four unitary authorities agreed a plan of action that will dissolve the existing joint committee arrangements subject to new standing orders agreed by the joint committee and subject to Unitary Authority governance processes. Clearly as the discussion unfolded in Committee the contents of the paper had not been agreed with the Combined Authority.

In requesting this call in we are very mindful of the context of this paper, and that at least in part, it is borne out of the continuing frustration in the Unitary Authorities senior leadership that they do not believe they are co-producing documents, that co working is too limited and needs to be genuine, and that disagreement needs to be discussed in pre meetings and hopefully ironed out before the public meetings.

Although laudable in its objectives of greater transparency and co -production the adoption of this paper could have far reaching consequences as it seeks to establish a clear and distinguishable identity for the joint committee, distinct from the C.A..It's not clear what the relationship would be between the two in the future ,it's not clear how it fits the current Devolution framework agreed with government, it's not clear how it fits with the recent Levelling Up White Paper and its direction and finally it's not clear whether it may delay the LEP being able to move to a fast track integration into the CA as outlined in a recent letter from HMG to the CA and chairman of the LEP.

So Scrutiny needs to see more evidence and specifically wants to understand inter alia: -

- *The proposals depend on the detail of the constitution and standing orders. When will these be available?*

- *Do these proposals break with the current devolution framework? The WECA chief Executive stated that they may put over £500m worth of future funding at risk.*
- *How do these proposals interact with the recent Levelling Up White Paper and the letter dated March 31st from the ministers?*
- *Do the joint committee believe that these proposals will hinder the LEP's integration into the CA moving forward in the first tranche date of the end of July, as indicated in the ministers' letter?*
- *The cost of setting up this distinct committee and what are the ramifications for staff working for the Joint Committee and the Combined authority.*
- *It is suggested that the chair of the new joint committee should not be the metro mayor, but instead it should be one of the four constituent authorities of the joint Committee. How have they got time to do this and are they going to start duplicating attendance of meetings and correspondence with Whitehall with the metro mayor? Will this not blur the representation and voice of the region?*
- *Is this the most effective and efficient route to go to maximise opportunities of funding from Whitehall and developing coherent, strategic plans that fit the needs of our residents, businesses, educational institutions, the Arts and other stakeholders? And is this the best route to go to address the issues of transport, housing, economic development and climate change across the region?*

We understand that the prescribed procedure is that the call in must occur within ten working days from today's date—so on or by May 3rd. We would suggest either Friday afternoon April 29th or May 3rd would be suitable dates. We are keen that we work at pace in scrutinising this issue, particularly in regard to the LEP's integration into the MCA, where being part of tranche 1 would seem to give the LEP more of a chance of influencing the outcome.'

CALL-IN MEETING

On receipt of a signed and completed pro-forma, the Statutory Scrutiny Officer will make arrangements for a meeting of the Combined Authority Overview and Scrutiny Committee to be held to consider the call-in. The date of the meeting will be determined by the Chair of the Overview and Scrutiny Committee and must be held as soon as practicable, and in any event within a maximum of 10 working days of receipt of the signed pro-forma. If the Chair is not available, the date of the meeting will be determined by the Vice-Chair of the Overview and Scrutiny Committee. If the Chair and Vice-Chair are not available, the date of the meeting will be set by the Statutory Scrutiny Officer.

The decision taking committee must be invited to attend the meeting of the Combined Authority Overview and Scrutiny Committee that will consider the call in.

As the purpose of the meeting is specifically to review a decision that has been taken (i.e. on the basis of the information available to the decision taking committee on the date that the decision was taken), there is no provision for

public questions, petitions or statements to be submitted to a meeting of an Overview and Scrutiny Committee that is convened for the purposes of considering a call-in.

The agenda papers for the Overview and Scrutiny Committee meeting that will consider a call-in must include:

- A copy of the call-in procedure (below).
- A copy of the submitted call-in proforma, which sets out in writing the reasons for the call-in (Appendix 1)
- Any written comments that the original decision taker may wish to submit in light of or responding to the issues raised by the callers-in. (to follow)
- A copy of (or link to) the original report considered by the decision taking committee. (Appendix 2)
- A copy of (or link to) any public participation items submitted to the decision taking committee in connection with the relevant agenda item that related to the decision taken – <https://westofengland-ca.moderngov.co.uk/documents/b1648/Statement%20and%20questions%2008th-Apr-2022%2015.00%20West%20of%20England%20Joint%20Committee.pdf?T=9>

CALL IN PROCEDURE

The Overview and Scrutiny Committee will follow this procedure in considering a call-in:

1. The councillors who submitted the call-in to be given an opportunity to explain why they have called-in the decision.
2. Members of the Overview and Scrutiny Committee to then ask any questions of the councillors who submitted the call-in.
3. The decision taker to then be given an opportunity to explain why the decision was taken and to respond to the issues raised by the call-in.
4. Members of the Overview and Scrutiny Committee to then ask any questions of the decision taker.
5. Members of the Overview and Scrutiny Committee to then discuss and review the decision taken, in light of the evidence submitted.

As part of this, the Committee may ask further questions of the councillors who submitted the call-in, or of the decision taker, or of specialist officers as necessary.

CALL IN OUTCOME

The Committee must then determine either:

- a. That no further action be taken (in which case, the decision shall stand, as

determined by the decision-taking committee). or

b. That the decision-taking committee be asked to reconsider the decision taken.

If the Overview and Scrutiny Committee determines to ask the decision-taker to reconsider the decision taken, they must state their reasons and also make any further recommendations that they feel the decision-taking committee should take into account in reviewing their decision.

The matter will be re-considered as soon as practicable by the decision taking committee in order that the decision taking committee can consider their final decision on the matter.

That final decision cannot be “called-in.”

Appendices:

List any appendices to the report:

Appendix 1 – Call In proforma

Appendix 2 – Joint Committee Governance Review report - <https://westofengland-ca.moderngov.co.uk/documents/s4649/AMENDED%20JOINT%20COMMITTEE%20GOVERNANCE%20REVIEW%20April%202022.pdf>

Appendix 3 (to follow) -any written comments that the original decision taker may wish to submit in light of or responding to the issues raised by the callers-in.

Background papers:

None

West of England Combined Authority Contact:

Report Author	Contact Details
Jack Latkovic – Democratic Services & Scrutiny Manager	

CALL-IN REQUEST - PROFORMA

Request to call-in a decision of the West of England Combined Authority Committee or the West of England Joint Committee

This form must be sent to:

Statutory Scrutiny Officer, West of England Combined Authority, 3 Rivergate, Temple Quay, BRISTOL BS1 6EW

Email: democratic.services@westofengland-ca.gov.uk

Details of the Call-In request:

1. Names of the councillor(s) requesting the call-in of a committee decision:

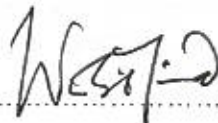
Guidance: please state name of councillor and the authority they represent.

Councillor(s) Cllr Winston Duguid (Banes) Councillor Geoff Gollop (Bristol City Council)

Authority(ies)..... Banes and Bristol City

Council.....

Signature(s)



2. Date of submission of Call-In proforma: 19/4/22.....

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REPORT TO: WEST OF ENGLAND JOINT COMMITTEE

DATE: March 2022

REPORT TITLE: JOINT COMMITTEE GOVERNANCE REVIEW

AUTHOR: BEN MOSLEY, HEAD OF THE EXECUTIVE OFFICE – BCC

1. Purpose of Report

- 1 West of England Mayors and Leaders are committed to building a culture of trust in political and public engagement, developing a shared vision for sustainable and inclusive economic growth for the region and ensuring that effective governance processes exist to maximise strategy development, collaborative decision making and delivery.
 - 1.1 The governance of the Joint Committee has been in place for 5 years and needs to be reviewed. The committee is able to deal with any relevant functions that fall outside those set out in the West of England Combined Authority Order 2017. Importantly as being the only democratically elected strategic decision making body that covers all areas of the West of England, this includes the receipt of any relevant recommendations from the Local Enterprise Partnership Business Board – which is coterminous with the Joint Committee area. It also includes significant past and present regional funding streams and programmes (Economic Development Fund, Regional Growth Fund and Invest in Bristol and Bath), and other matters of regional significance relevant to the committee.
 - 1.2 This report sets out a series of recommendations to renew the governance arrangements for the West of England Joint Committee that will ensure effective collaboration between all West of England authorities as a way of ensuring maximum impact. This includes recommendations concerning the governance arrangements of the Joint Committee including a review of the Joint Committee’s Standing Orders; hosting arrangements; a protocol for the co-production of proposals & reports; greater transparency and accountability in decision making; and regular reporting of Joint Committee programmes and initiatives.
 - 1.3 Monitoring Officers and Finance Officers have reviewed the governance arrangements in place for the Economic Development Fund, Local Growth Fund and Revolving Infrastructure Fund. Recommendations have been set out concerning the management and governance arrangements of these funds, having regard to the benefits of the One Front Door approach.
 - 1.4 This report confirms the importance of maintaining and strengthening the links between the Unitary Authorities and the West of England LEP, building on the successes over the last 10 years. West of England Unitary Authorities are keen to ensure the foundations are in place for the Joint Committee to consider wider strategic priorities with the LEP, which can be advanced through the Combined Authority, Western Gateway and directly with Government. This also includes

proposals to improve transparency and accountability by strengthening the public profile of the Joint Committee and its activities.

- 1.5 This report has been produced by UA CEOs, in consultation with the Monitoring Officers of the Unitary Authorities, S151 Officers.

2) Recommendations

- 1) The Joint Committee is to be re-established with new governance arrangements that make accountability clearer, and decision making more transparent. This includes the receipt of any relevant recommendations from the Local Enterprise Partnership Business Board, and any other relevant legacy matters that involve both the West of England Combined Authority area and the area of North Somerset Council.
- 2) Joint Committee will play its full role in the development of strategy for the West of England region as a whole, working with the LEP, Combined Authority and Western Gateway and other partners to advocate for the region with Government and other stakeholders.
- 3) That the four Unitary Authorities (Bristol City Council, South Gloucestershire Council, Bath and North East Somerset Council, North Somerset Council) agree to dissolve the existing Joint Committee arrangements subject to new Standing Orders being agreed by the Joint Committee, subject to Unitary Authority council governance processes.
- 4) Monitoring Officers will produce new standing orders which be considered at the next meeting of the Joint Committee. The new standing orders will include provisions which detail arrangements for the management of Joint Committee meetings and agenda setting; election of a chair; the co-production of reports; voting arrangements; the relationship with the Combined Authority; and the role of the Combined Authority Mayor.
- 5) One Front Door funding administrative arrangements should continue with regards to relevant funds such as the Economic Development Fund and Resolving Infrastructure Fund.
- 6) To ensure clearer accountability of the Joint Committee, approve the principle that for those funds that are the responsibility of the 4 Unitary Authorities, for example the Economic Development Fund, reports will be commissioned by the Committee and signed-off by Unitary Authority (UA) CEOs in partnership with the CEO of the LEP before publication. Any delegated decision making will be to UA CEOs in consultation with UA leaders, recognising relevant accountability and governance requirements.
- 7) Note the Government White Paper "Levelling Up the United Kingdom", published on 2 February 2022, proposes changes to the current framework for the governance and funding of LEPs. To welcome the agreement of the LEP Board to establish a working group, comprising representatives from the Combined Authority, the LEP, North Somerset and a representative from the three other Unitaries to consider options and proposals regarding the future governance of the LEP to bring before

the respective bodies in the early summer.

- 8) Note the letter received from the Department for Levelling Up, Housing and Communities regarding 'Integrating Local Enterprise Partnerships into local democratic institutions' on 31st March 2022. Note that bespoke arrangements to maintain West of England LEP will need to be developed, and welcome the opportunity to be engaged in the development of a preferred option.
- 9) To provide greater transparency and accountability the Joint Committee will produce an annual report which will detail its activities and set out its priorities for the year ahead. Regular updates are to be provided at Joint Committee meeting regarding the work of the Western Gateway including engagement with Government and other key stakeholders.
- 10) Good governance and accountability require that the West of England Joint Committee should have a clear and distinguishable identity, distinct from the Combined Authority. The Joint Committee is to establish its own online presence whereby committee reports, and decisions can be clearly accessed by the public. This will provide public access to the Joint Committee's standing orders and terms of reference to support the public's understanding of its role and purpose.

3) Background & Issues for Consideration

- 3.1 All parties are committed to the success of the West of England as a region and raising the profile of the region both nationally and internationally.
- 3.2 The West of England Joint Committee is established under Section 101(5) of the Local Government Act 1972, as applied by Section 20 of the Local Government Act 2000 and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 by the Executives of Bath and North East Somerset Council, Bristol City Council, South Gloucestershire Council, North Somerset Council.
- 3.3 Since January 2020, the West of England Joint Committee has generally met jointly with the West of England Combined Authority Committee – this joint meeting was the main member decision-taking meeting. Prior to January 2020, the Combined Authority Committee and the Joint Committee met separately on the same day. To streamline arrangements and to enable more efficient meetings, Mayors and Leaders agreed in January 2020 that the Combined Authority Committee and the Joint Committee should in future meet together at a joint meeting. This enabled, for example, all reports to be published as one, unified agenda and meant that one public forum session could take place near the start of the meeting. The two committees were separate bodies in legal terms but met together.
- 3.4 However due to legal advice received regarding the voting arrangements of the Joint Committee, Unitary Authority leaders unanimously agreed in December 2021 to review the governance arrangements of the Joint Committee.
- 3.5 In December 2021 the Joint Committee resolved:
 - To commission the Monitoring Officers of the Unitary Authorities which constitute

the Joint Committee to review the Joint Committee's current constitutional arrangements and to make recommendations which will be considered by the Joint Committee by March 2022.

- To implement a review into the governance and administration of the Joint Committee's funding streams and to commission the Chief Executives and Monitoring Officers of the four Unitary Authorities to work with the LEP Board and CEO to review the administrative arrangements for Joint Committee's investment sources including the Local Growth Fund (LGF), Economic Development Fund (EDF), Revolving Infrastructure Fund (RIF), having regard to the advantages of the single pot approach and flexibility across funding programmes. Recommendations from the review to be formally reported to the LEP Board and then to Joint Committee.
- To requisition a meeting of the Joint Committee by March 2022 at Weston-super-Mare's Town Hall to consider the next steps.

3.6 This report has been developed in accordance with the resolution passed by Joint Committee. Monitoring Officers of the Unitary Authorities which constitute the Joint Committee have reviewed the Joint Committee's current constitutional and administrative arrangements and made a series of recommendations on how they could be improved.

3.7 There has been engagement with the Chief Executives, S.151 Officers and Monitoring Officers of the four Unitary Authorities and the Chair of the LEP Board and its CEO regarding administrative arrangements for Joint Committee's investment sources.

3.8 In February 2022 the Government published the "Levelling Up the United Kingdom White Paper", which encourages the integration of LEPs and their business board into Mayoral Combined Authorities. This poses a challenge to the West of England, given that North Somerset is not part of WECA. Further detail over transition arrangements for LEPs has been recently published and this report has been updated to reflect the latest position.

3.9 North Somerset is a key part of the West of England region. While North Somerset is not a member of the West of England Combined Authority, all partners recognise the importance of the strategic relationship with North Somerset in delivering the key infrastructure priorities in the region.

3.10 Within this context the Joint Committee remains committed to bringing together business, the region's councils and the Combined Authority to promote the local economy of the West of England.

3.11 The Government's devolution agenda has changed since the Joint Committee was established in 2017. Pan regional partnerships have emerged as a key part of the regional development infrastructure, providing an extended network of collaborators and a strong regional brand. The Western Gateway is a cross-border economic partnership of Local Authorities, City Regions, LEPs, universities and business across Western England and South Wales, which works closely with both Governments in Wales and Westminster. Working together it offers to bring additionality and amplification to the area's existing strategies and structures. The Western Gateway has quickly gained traction and profile with Government and is cited within the White Paper as an initiative that demonstrates "the benefits that can be achieved through effective cross-border

collaboration”, bringing together local leaders and the private sector to drive growth.

4. Governance Structure, Transparency and Accountability in Decision Making

- 4.1 Monitoring Officers from across the four Unitary Authority members of the Joint Committee have been engaged in a ‘Governance Review’ exercise of the current Joint Committee arrangements.
- 4.2 The West of England Joint Committee is established under Section 101(5) of the Local Government Act 1972, as applied by Section 9EB of the Local Government Act 2000 and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions (England) Regulations 2012 by the Executives of Bath and North East Somerset Council, Bristol City Council, South Gloucestershire Council, North Somerset Council.
- 4.3 The Joint Committee was established to deal with any relevant functions that fall outside those set out in the West of England Combined Authority Order 2017; in particular work on joint plans e.g. Joint Transport Plan, the receipt of any relevant recommendations from the Local Enterprise Partnership Business Board and any other relevant legacy matters that involve the West of England Combined Authority area and the area of North Somerset Council.
- 4.4 Since January 2020, the West of England Joint Committee has generally met jointly with the West of England Combined Authority Committee – this joint meeting is the main member decision-taking meeting. Prior to January 2020, the Combined Authority Committee and the Joint Committee met separately on the same day. To streamline arrangements and to enable more efficient meetings, Mayors and Leaders agreed in January 2020 that the Combined Authority Committee and the Joint Committee should in future meet together at a joint meeting. This practice was discontinued from December 2021.
- 4.5 The arrangement has led to an inappropriate merging of constitutional arrangements between the Joint Committee and Combined Authority Committee which has resulted in confusion regarding the respective roles and responsibilities of the two bodies.
- 4.6 In December 2021, the Joint Committee noted that the Metro Mayor does not have a right of veto on matters relating to the Joint Committee; all voting is by way of a simple majority of those present and voting will exclude the Metro Mayor for the particular items set out in the Joint Committee’s Terms of Reference.
- 4.7 Joint Committee’s Terms of Reference are contained within the constitution of West of England Combined Authority. Standing Orders (Descriptions and Rules of Procedure), that apply to a meeting of the West of England Combined Authority also apply to meetings of the Joint Committee save that the voting arrangements applicable to the Joint Committee.
- 4.8 These arrangements do not provide a clear distinction between the rules and procedures that govern Joint Committee and those of the Combined Authority. As such, to provide greater clarity regarding the role and responsibilities of the committee it is recommended that Joint Committee has a new set of Standing Orders, that are

independent of those which are set out in the Constitution of the Combined Authority. This will ensure there is greater clarity regarding the functions and procedures of these two committees going forward. This would require that Joint Committee dissolve its current arrangements.

- 4.9A new set of Standing Orders are to be developed by the Monitoring Officers of the four Unitary Authorities that constitute the Joint Committee. The new draft Standing Orders for the Joint Committee will update the Joint Committee's roles and responsibilities, delegations and voting arrangements to reflect the changes that have taken place since 2017.
- 4.10 Should the Joint Committee approve the recommendation of this report, Monitoring Officers of the region's four Unitary Authorities will develop new Standing Orders which will need to be agreed by each constituent Council of the Joint Committee at an Executive or Full Council meeting. The current Joint Committee arrangements will remain in place until each constituent council of the Joint Committee agrees to re-constitute the Joint Committee on the new standing orders proposed by the Monitoring Officers.
- 4.11 It is recommended that several key changes are contained within the new standing orders which are outlined below which will be implemented should recommendation one of this report be implemented:
- **Meetings:** The West of England Joint Committee has met jointly with the West of England Combined Authority Committee. While this arrangement was introduced as an efficiency measure to reduce the number of public meetings, it has resulted in the decision making of the two committee effectively being merged, blurring the lines between roles and responsibilities and authority to take decision. To address the challenge and improve transparency over decision making, it is recommended that the joint meetings of the West of England Combined Authority and Joint Committee do not continue and that both committees meet independently. This would require the publication of separate forward plans, agendas, papers and minutes detailing decisions taken at each committee will be required, providing the public with greater transparency regarding decision making. **Recommendation:** Joint Committee meetings to be separate and independent of Combined Authority meetings. Joint Committee meeting can be held on the same day and in the same venue as Combined Authority meetings.
 - **Chair & agenda setting:** At presented the Joint Committee is chaired by the Combined Authority Mayor, which was agreed by Joint Committee in June 2021. To maintain its distinction from the Combined Authority and recognising the geography of the Joint Committee is wider than that of Combined Authority, it is recommended that the Chair of the Joint Committee should be elected from among the four constituent authorities of the Joint Committee. The Chair will be responsible for setting the agenda for Joint Committee meetings in agreement with Joint Committee Leaders and for chairing meetings of the Joint Committee. It is recommended that all members of the Joint Committee be invited to attend agenda setting meetings in advance of the publication of Joint Committee agenda papers.
 - **Co-production of reports:** Co-production is a fundamental principle for a

successful joint working arrangement and that applies across all structures of the governance and delivery processes. At present Joint Committee reports are mainly produced by officers of the Combined Authority. To help all members of the Joint Committee avoid circumstances where proposals are presented without the full engagement of the relevant Unitary Authority leads and where new resources are committed without a clear understanding of the existing capacity to deliver, it is proposed that a clear process for the co-production of reports is adopted. It is recommended that a new standard section is included in the Joint Committee report format requiring a description of the liaison/co-production activity that has taken place across the authorities and where relevant the wider LEP Board in developing proposals.

- **Relationship with the Combined Authority:** The West of England Joint Committee will continue to work closely with the Combined Authority. This relationship is fundamental to its success. The Joint Committee will continue to contribute to the following work that will be led by the West of England Combined Authority:
 - The delivery and development of key strategies to improve the economic condition across the West of England area.
 - Agreement and delivery of a set of strategic priorities that enables the region to deliver on its climate commitments.
 - West of England Growth Fund Review
 - Support the West of England Growth Hub
 - Support Invest Bristol & Bath
 - Championing the delivery of policy, projects and programmes of work that enables the region to deliver on its climate commitments.
- **Role of the Combined Authority Mayor:** Matters requiring a decision on the following functions are to be determined by a majority of those Members in attendance, or their substitutes (one vote representing each Authority) and including the West of England Combined Authority Mayor subject to the proviso that any such matter that solely impacts the area of a single unitary authority requires that unitary authority to vote in favour of the proposal:
 - West of England One Front Door Programme Schemes
 - West of England Growth Fund Review
 - Support the West of England Growth Hub
 - Support Invest Bristol & Bath

4.12 It is proposed that through a decision to be taken via the Joint Committee, the four Unitary Authorities and the West of England Combined Authority consider and agree to adopt the new standing orders so that Joint Committee can be reconstituted on the new standing orders by June 2022.

4.13 The LEP Board will continue to provide a business perspective and make recommendations to the West of England Joint Committee. A programme of sequential meetings of the LEP Board and West of England Joint Committee should continue to support this process and timely decision making. The LEP Board and Chair will continue to play a key advisory role and make recommendations that are considered by the Joint Committee, which will continue to take full account of these recommendations in its decision making. The Chair of the LEP Board will continue to participate as a non-voting member in the meetings of Joint Committee. Further recommendations to strengthen the relationship of the LEP and Joint Committee are set out in section 6.

5. Finance and Investment arrangements

5.1 The Joint Committee oversees the following funding streams:

- Economic Development Fund – £500m fund created from retained business rate growth across the West of England Enterprise Zone and Areas. The fund runs for 25 years from 2014 until 2039, is focused on supporting capital infrastructure to unlock job creation in the Enterprise Zone and Areas.
- Local Growth Fund – through Growth Deals, (GD 1 & 2, GD 3 Award), the West of England LEP secured a total of £202.1m from the government's Local Growth Fund that will be invested in the West of England from 2015 – 2021. This funding, which is capital only, will be matched by over £200m of additional investment from local partners and the private sector, and together will create over 9,000 jobs. This funding stream expired in 2021.
- Revolving Infrastructure Fund – this fund is worth £56.7m and is made up of two elements including £16.9m from the Growing Places fund and £39.8m from the Regional Growth Fund (RGF). The fund's purpose is to drive economic growth and is used to front end the infrastructure required to enable development. Open to the four local authorities, the fund is largely capital and is required to be repaid in order to keep the fund revolving.
- Getting Building Fund – £13.7M capital funding to help complete major projects which are planned to stimulate jobs and support the region's economic recovery. To create or safeguard 2,403 jobs, plus another 153 during construction, while also benefiting more than 265 business.

5.2 Matters requiring a decision on these funding streams (with exception of the Local Growth Fund) are determined by a majority of Members of the Joint Committee present and voting, excluding the West of England Combined Authority Mayor, subject to the proviso that any such matter that solely impacts the area of a single unitary authority requires that unitary authority to vote in favour of the proposal.

5.3 Currently schemes coming forward through the Economic Development Fund (EDF), and new schemes through the Revolving Infrastructure Fund (RIF) will pass through the One Front Door process. This means that all projects follow a 2 stage approval process, Outline and then Full Business Case with Highlight Reporting for ongoing management.

5.4 The One Front Door process was adopted by the West of England Joint Committee in 2017. This approach was developed for the identification, development, approval and change management for schemes seeking funding through the LEP Local Growth, Economic Development & Revolving Infrastructure Funds. This involves recommendations being made by the Chief Executives of the Local Enterprise Partnership and the four local authorities, oversight by the LEP Board and formal decision making by the West of England Joint Committee. For schemes within the Economic Development Fund (EDF) advice is provided by the four Council S151 officers as part of the business case approval decision.

5.5 The aim of the 'One Front Door' approach was to establish a consistent and transparent approach that oversees a wide range of programmes regardless of their funding source. It is recognised that transparency, accountability and ensuring value for money must be central to these arrangements, and Government have set out their expectations in this

regard in the ‘National Local Growth Assurance Framework’ guidance. The way that these requirements are met is set out in the West of England Local Growth Assurance Framework.

- 5.6 However, in practice in recent years proposals to access these funds have been largely developed by the Combined Authority with varying levels of coproduction with Unitary Authorities. This has led to frustration that proposals are not being meaningfully coproduced with Unitary Authorities, giving the Combined Authority an undue amount of influence over the allocation of these funds.
- 5.7 In December 2021, the Joint Committee resolved to: *“implement a review into the governance and administration of the Joint Committee’s funding streams and to commission the Chief Executives and Monitoring Officers of the four Unitary Authorities to work with the LEP Board and CEO to review the administrative arrangements for Joint Committee’s investment sources including the Local Growth Fund (LGF), Economic Development Fund (EDF), Revolving Infrastructure Fund (RIF), having regard to the advantages of the single pot approach and flexibility across funding programmes. Recommendations from the review to be formally reported to the LEP Board and then to Joint Committee.”*
- 5.8 Chief Executives, Monitoring Officers and Finance Officers from the of the four Unitary Authorities that constitute the Joint Committee have reviewed the administrative arrangements for Joint Committee’s investment sources.
- 5.9 The current arrangements could be used to better affect through comprehensive ‘co-production’ of proposals ensuring these are embedded into Joint committee’s ways of working and contained within the committee’s Standing Orders. In effect this would require any proposal to utilise these funds will only be considered by the Joint Committee once the Combined Authority as the accountable body can demonstrate the proposal has been ‘co-produced’ by all partners, including the LEP. It is therefore recommended that reports for the Joint Committee can only be published with the agreement of the majority of the CEOs of the Unitary Authorities or their designated representative.

6. Strengthen the relationship between the Unitary Authorities, Joint Committee and the West of England LEP

- 6.1 The Government’s Levelling Up White Paper recognises that Local Enterprise Partnerships (LEPs) play an important role in bringing together stakeholders from local authorities and businesses. The paper includes a commitment to retain the key strengths of LEPs as local, business-oriented institutions in supporting private sector partnerships and economic clusters.
- 6.2 The Government’s White Paper encourages the integration of LEPs and their business boards into Mayoral Combined Authorities where geographies align. In the West of England, Leaders recognise the LEP has played an important role in representing the voice of businesses on the Joint Committee and within the Combined Authority.
- 6.3 Nationally the Government has recognised that LEPs have acted as important organisational means of bringing together businesses and local leaders to drive

economic growth across England. LEPs are responsible for the delivery of a number of major funding streams. The Government wants to retain the key strengths of LEPs in supporting private sector partnerships and economic clusters, while at the same time better integrating their services and business voice into the UK Government's new devolution plans.

6.4 To that end, the UK Government is encouraging the integration of LEPs and their business boards into MCAs, the GLA and County Deals, where these exist. Where a devolution deal does not yet exist, LEPs will continue to play their vital role in supporting local businesses and the local economy. Where devolution deals cover part of a LEP, the Government has stated this will be looked at on a case by case basis. Further detail on this transition has recently been published.

6.5 The West of England devolution deal, as it does not include North Somerset, is not coterminous with the LEP area. As such the guidance indicates a local solution will need to be developed on a 'case-by-case' basis. The guidance makes clear that in this scenario further legal advice may need to be commissioned on what options are legally permissible in each area, and that the mechanism for delivery should also be jointly developed between the CA and North Somerset Council. The Joint Committee welcomes the decision of the LEP Board to set up a working group to review options of what a local solution could look like, and to enable the most appropriate option to be taken forward in line with Government policy.

6.6 Until agreement regarding the expansion of the Combined Authority is reached, it is likely the Joint Committee and West of England LEP (or its successor arrangements) will be required to continue to perform their respective roles. Subject to legislation, this could be for at least a further 3 years.

6.7 Joint Committee Unitary Authority Leaders recognise the important role the LEP has in facilitating strategic conversations in the region. Unitary Authorities Leaders are keen to ensure that the function of the LEP continues its important work and that the foundations are in place for the Joint Committee to consider wider strategic priorities with the LEP (or its successor) which can be advanced through the Western Gateway and with Government.

6.8 The Joint Committee should consider establishing a joint working group with the LEP Board (or its successor post the Levelling Up devolution changes) to identify future strategic agenda items for the Committee to focus its resources. To enable these important strategic conversations to take place Joint Committee should consider establishing a series of quarterly meetings with a core group of LEP Board members and Unitary Authority CEOs. These considerations could also form part of the ongoing work around the future of LEP structure under the Levelling Up proposals.

6.9 These meetings could help enable greater information sharing, idea generation and support the tracking of progress and delivery of key projects as well as develop proposals for future areas of work. The meetings would also serve a direct link between the LEP (its successor) and Unitary Authorities which will encourage leaders to maintain these strategically important relationships.

7. Strengthen the public profile of the Joint Committee

7.1 The Joint Committee provides the opportunity for all Unitary Authority partners in the WoE, including North Somerset, to collaborate and access the Economic Development and Revolving Infrastructure Funding. To demonstrate the value and importance of this relationship and to provide greater transparency, the Joint Committee and the LEP should consider producing an annual report of its activities so that local leaders, business and the public can see clearly the value to this strategically important relationship and how it supports the delivery of key projects throughout the region.

Western Gateway

7.2 In the Levelling up White Paper, the Government recognises the convening power of local leaders and is committed to working with stakeholders to strengthen and deepen partnership working to drive local growth. In particular, it recognises the work of the Western Gateway, an economic partnership of local authorities, city regions, LEPs working in close collaboration with governments in Westminster and Wales, that demonstrates the benefits that can be achieved through effective cross-border collaboration.

7.3 The Joint Committee should capitalise on the Government's support for the Western Gateway and actively work with the LEP Board to ensure this partnership achieves its full potential. Joint Committee leaders should consider establishing a working group with the LEP to identify regional priorities which should be promoted and progressed through the partnership. The working group should bring regular updates to Joint Committee meeting to inform their work with the Western Gateway. Leaders may also want to consider inviting the Chair of the Western Gateway to give an annual update report to the Joint Committee and LEP, which could support leaders to identify opportunities for greater collaboration within the wider partnership and support engagement with Government.

Promoting the Joint Committee

7.4 In the interests of public transparency and accountability, the West of England Joint Committee should have clear and distinguishable identity that is distinct from the Combined Authority.

7.5 The Joint Committee should consider producing an annual report of its activities and decisions that should be agreed by Joint Committee leaders and presented to Unitary Authority Council meetings for noting.

7.6 The Joint Committee should consider commissioning its own branding and logo which should be visible on any material produced by projects which received Joint Committee investment.

7.7 The Joint Committee may wish to consider establishing its own website whereby committee reports, and decisions can be clearly accessed by the public. The website would provide public access to the Joint Committee's standing orders and terms of reference to support the public's understanding of its role and purpose. Such a facility could also be used to share position statements and strategies agreed by the Joint

Committee as well as updates of the Joint Committee recent activities.

8. Next Steps

8.1 Should the recommendations of this report be approved by committee, the Monitoring Officers of the Unitary Authorities will develop a new set of standing orders for the Joint Committee which will be presented to committee by June 2022.