

REPORT TO: WEST OF ENGLAND JOINT COMMITTEE

DATE: 17th December 2021

REPORT TITLE: JOINT COMMITTEE GOVERNANCE REVIEW

DIRECTOR: UNITARY AUTHORITY CHIEF EXECUTIVES

AUTHOR: BEN MOSLEY

Purpose of Report

- 1 West of England Mayors and Leaders are committed to building a culture of trust in political and public engagement, shared objectives, shared key messages and ensuring that governance processes exist to maximise collaborative strategic discussion and delivery; and minimise bureaucracy and centralised policy and project development.
 - 1.1 The governance of the Joint Committee needs to be reviewed to deal with any relevant functions that fall outside those set out in the West of England Combined Authority Order 2017 including 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.
 - 1.2 This report sets out the next steps which may be considered to ensure effective collaboration between all West of England Joint Committee constituent authorities as a way of ensuring maximum impact and efficiency.
 - 1.3 The report commissions the Chief Executives and Monitoring Officers of the four Unitary Authorities 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) and to bring forward recommendations regarding the future administrative and management arrangements for these funds.

Recommendations

The Joint Committee agree:

1. 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.
2. 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 review the administrative arrangements for Joint Committee's investment sources including the Local Growth Fund (LGF), Economic Development Fund (EDF), Revolving Infrastructure Fund (RIF).

3. To requisition a meeting of the Joint Committee by March 2022 at Weston-super-Mare's Town Hall to consider the next steps.

Background / Issues for Consideration

- 2 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.
- 2.1 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 Bath and North East Somerset Council, Bristol City Council, South Gloucestershire Council, North Somerset Council.
- 2.2 Since January 2020, the West of England Joint Committee has 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 enables, for example, all reports to be published as one, unified agenda and means that one public forum session can take place near the start of the meeting. The two committees are separate bodies in legal terms but now meet together.
- 2.3 However due to concerns regarding how the governance of the Joint Committee has been implemented, especially with regards to voting arrangements and the content of reports, a review of the Joint Committee's governance arrangements is now necessary.
- 2.4 To this end it is recommended that the Chief Executives and Monitoring Officers of the Joint Committee's four Unitary Authorities (Bristol City Council, South Gloucestershire Council, Bath and North East Somerset Council, North Somerset Council) carry out a review of the constitutional and administrative arrangements of the Joint Committee and to bring forward recommendations to a Joint Committee meeting in February 2022
- 2.5 Furthermore it is recommend at that Chief Executives and Monitoring Officers of the Joint Committee's four Unitary Authorities review the administrative arrangements for Joint Committee funding streams not bound by WECA (LGF, EDF, RIF). The Joint Committee makes all decisions related to the following funding streams including:
 - The Economic Development Fund (EDF) – the City Deal signed in 2012 by the West of England Councils, the LEP and Government included a range of measures aimed at driving economic growth. Several of the Deal elements have been adopted in ongoing programmes (such as developing an integrated inward investment service) or have been completed. One ongoing element is the

Growth Incentive whereby the local authorities retain 100% of business rates growth in five West of England Enterprise Areas. £500m of the growth in these Enterprise Areas, together with the Bristol Temple Quarter Enterprise Zone, over a 25 year period is being used to create the LEP's Economic Development Fund to deliver infrastructure to help unlock these locations. Whilst the operation and monitoring of the Enterprise Zone and Areas is undertaken by the relevant Council, the overall growth performance is overseen by the Business Rates Pooling Board which comprises the four Councils' 151 Officers and the LEP. Periodic reports are presented to the LEP Board and the West of England Joint Committee.

- Revolving infrastructure Fund (RIF) – this fund was formed from awards by Government through the Regional Growth Fund and Growing Places. This is a revolving fund aimed at advancing the infrastructure which enables development.
- Local Growth Fund (LGF) – the £202m of funding covering the period 2015/16-20/21 awarded to the LEP through Growth Deals with Government.

2.6 Currently the day to management of these funds is carried out by the West of England Combined Authority acting as the Accountable Body. Accountable bodies are responsible for the proper administration and financial probity of external funds received. They are legally constituted bodies with a statutory role. The Accountable body must ensure the effective use of public money and have responsibility for the proper administration of funding received and its expenditure.

2.7 As the West of England Joint Committee has met jointly with the West of England Combined Authority Committee confusion has arisen around the processes of how proposals and decisions are made regarding these funds.

2.8 It is recommended that Monitoring Officers and Chief Executives of the four Unitary Authorities that constitute the Joint Committee review the current constitutional and administrative arrangements for these investment funds and propose recommendations regarding the future administration, management and transparent decision-making arrangements for the Joint Committee funding streams.

2.9 Once a review of the current arrangements and proposals for future working arrangements of the Joint Committee have been developed, it is recommended that meeting of the Joint Committee is requisitioned for Friday 25th February. As the Leaders of the Unitary Authorities are keen to demonstrate that the Joint Committee area includes North Somerset, it is recommended that the next meeting of the Joint Committee should take place at the Town Hall in Weston-Super-Mare, depending on availability.

Public Sector Equality Duties

6 The public sector equality duty created under the Equality Act 2010 means that public authorities must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected

characteristic and those who do not.

- Foster good relations between people who share a protected characteristic and those who do not.

6.1 The Act explains that having due regard for advancing equality involves:

- Removing or minimizing disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

6.2 The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected in the design of policies and the delivery of services, including policies, and for these issues to be kept under review.

West of England Combined Authority Contact:

Any person seeking background information relating to this item should seek the assistance of the contact officer for the meeting who is Ian Hird on 07436 600313; or by writing to West of England Combined Authority, 3 Rivergate, Temple Quay, Bristol BS1 6EW; email: democratic.services@westofengland-ca.gov.uk