

Public Document Pack



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PUBLIC

To: Members of Vision Derbyshire Joint Committee

Date Not Specified

Dear Councillor

Please attend a meeting of the **Vision Derbyshire Joint Committee** to be held at **11.00 am** on **Thursday, 14 December 2023**; in **Committee Room 1, County Hall, Matlock, DE4 3AG** the agenda for which is set out below.

Yours faithfully

A handwritten signature in black ink that reads 'Helen E. Barrington'.

Helen Barrington
Director of Legal Services

AGENDA

1. Apologies for absence
To receive apologies for absence (if any).
2. Declarations of interest
To receive declarations of interest (if any).

3. Minutes (Pages 1 - 4)

To confirm the minutes of the meeting of the Joint Committee held on 28 September 2023.

4. Devolution and EMCCA Update

5. The Derby and Derbyshire Strategic Leadership Board Terms of Reference Update (Pages 5 - 24)

6. Dissolution of the Vision Derbyshire Joint Committee (Pages 25 - 30)

7. Any Other Business

8. Exclusion of the Public

To move "That under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph(s)... of Part 1 of Schedule 12A to the Local Government Act 1972"

PART II - EXEMPT ITEMS

9. Declarations of Interest

To receive declarations of interest (if any).

10. East Midlands County Combined Authority - Shadow Arrangements (To Follow)

PUBLIC

MINUTES of a meeting of **VISION DERBYSHIRE JOINT COMMITTEE** held on Thursday, 28 September 2023 at Committee Room 1, County Hall, Matlock.

PRESENT

Councillor (in the Chair)

Councillors N Barker (North East Derbyshire District Council), J Dawson (Erewash Brough Council), C Emmas-Williams (Amber Valley Borough Council), S Flitter (Derbyshire Dales District Council), S Fritchley (Bolsover District Council), T Gilby (Chesterfield Borough Council), and A McKeown (High Peak Borough Council).

Also in attendance was E Alexander (Derbyshire County Council), H Bowen (Chesterfield Borough Council), S Gladwin (Amber Valley Borough Council), K Hanson (Bolsover District Council), L Hickin (North East Derbyshire District Council), J Jaroszek (Erewash Brough Council), A Stokes (High Peak Borough Council), and P Wilson (Derbyshire Dales District Council).

Apologies for absence were submitted for Councillor R Pearson (South Derbyshire District Council).

8/23 DECLARATIONS OF INTEREST

There were no declarations of interest.

9/23 MINUTES

RESOLVED that the Minutes of the meeting of the Committee held on 20 July 2023 be confirmed as a correct record with the addition of Councillor S Flitter's attendance.

10/23 DEVOLUTION AND EMCCA UPDATE

E Alexander introduced the item, providing the Committee with an update on Devolution and EMCCA.

Officers had confirmed that a lot of work was taking place, although timelines had been changeable due to delays in the bill receiving royal assent. They were confident that this would be complete in November 2023. There would then be a requirement to make a formal decision and give consent to the statutory instrument to enable the four councils to make decisions by the end of the calendar year.

It was expected that the creation of the combined authority would be in March 2024, followed by an election in May 2024.

11/23

VISION DERBYSHIRE ACTION PLAN 2023-24

S Eaton introduced the item, providing the Committee with an update on progress and work undertaken on key activity outlined in the agreed action plan 2023/24 since the last Vision Derbyshire Joint Committee in July 2023.

Members and Officers shared thanks to S Eaton for her work with the committee as she was leaving the authority for another role.

It had been confirmed that the next meeting of the Committee would be its last. Further work was taking place on what this would look like in the future.

RESOLVED to

1) Note the key milestones, activities and timeline in the Action Plan 2023/24 to deliver the necessary activities for the current financial year.

12/23

**VISION DERBYSHIRE STRATEGIC LEADERSHIP BOARD
DRAFT TERMS OF REFERENCE**

R Lowe introduced the item, providing the Committee with an update on progress in establishing a new single governance framework for Derbyshire Councils, including the draft Terms of Reference for the new formal decision-making committee to be called the Strategic Leadership Board.

RESOLVED to

1) Note the progress in developing the draft Terms of Reference, articles and procedures for the new Strategic Leadership Board;

2) Consider the proposed arrangements and make comments and/or suggest amendments where appropriate; and

3) Receive a future report to finalise the Strategic Leadership Board's Terms of Reference for agreement at the next Vision Derbyshire Joint Committee on the 23 November 2023.

13/23

**VISION DERBYSHIRE UPDATE ON PROGRAMME RESOURCE
PROPOSALS**

S Eaton introduced the item, providing the Committee with an update on progress since the last Vision Derbyshire Joint Committee (VDJC) and to consider and agree programme

resourcing proposals for 2023/24 and 2024/25.

RESOLVED to

- 1) Approve revised resourcing proposals for 2023/24 and 2024/25 to ensure there was sufficient capacity to take forward agreed work programmes;
- 2) Note the ongoing commitment for funding for the programme for the remainder of the 2023/24 period to be met by Derbyshire County Council to the value of £70,161; and
- 3) Agree, in principle, funding for the programme for the 2024/25 period to be met by the County Council, participating Councils through redirecting current funding for Derbyshire Economic Partnership and retained business rate funding.

14/23

ANY OTHER BUSINESS

There was no other business.

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Vision Derbyshire Joint Committee

Draft Final Terms of Reference for the Derby and Derbyshire Strategic Leadership Board

Date:	14 December 2023
Key ambition area:	Whole Programme
Sponsors:	Emma Alexander
For publication:	Yes

1.0 Purpose of the report

1.1 To update the Joint Committee on the latest draft Articles and Terms of Reference for the proposed D2 Strategic Leadership Board (D2 SLB) - a new joint decision-making committee envisaged as including all Derbyshire Councils – following the Committee’s earlier consideration of these (28 Sept) and ahead of the final approval stages to establish the D2 SLB, which will require agreement by all Derbyshire Councils.

2.0 Recommendations

2.1 To note the proposed Articles, procedures and Terms of Reference for the new D2 Strategic Leadership Board (**Appendix A**) which will subsequently be put to the new Board for determination.

2.2 To recommend to all Derby and Derbyshire Councils that they agree to the creation of a new joint Committee through their respective governance arrangements.

3.0 Reason for recommendations

3.1 To advise the Committee of the proposed terms of reference for the proposed new joint committee to enable the Committee to agree to support a proposal to each Councils to create a new joint committee.

- 3.2 In amalgamating two existing joint committees, to avoid duplication and increase efficiency as demonstrated by the draft terms of reference.
- 3.3 To ensure that the governance arrangements are inclusive, streamlined and fit for purpose in facilitating collaborative working across a range of county-wide issues.

4.0 Report details

Background

- 4.1 The Joint Committee at its most recent meeting (28 Sept), having agreed in principle that the Vision Derbyshire Joint Committee and the D2 Economic Prosperity Committee be dissolved and their remits assumed by the new D2 Strategic Leadership Board, reviewed initial draft Articles and Terms of Reference for the proposed Board, and **being broadly content with the thrust of these agreed that they should be finalised.**
- 4.2 Issues needing resolving as identified by Members in the discussion about the draft Articles and Terms of Reference concerned:
- the document's readability in articulating the overall ambition for the D2 SLB;
 - any further clarity being possible on the D2 SLB's prospective role in relation to the proposed new East Midlands Combined County Authority (EMCCA) should it proceed; and
 - the scope of the D2 SLB versus the safeguards and protections afforded to Councils wishing to maintain local control.

Progress

- 4.3 The revised draft final Articles & Terms of Reference, including the Articles, Procedure Rules and Access to Information Procedure Rules are attached at **Appendix A**. A short Guide to the D2 SLB is at **Appendix B**. The purpose of the latter is to provide a simple, accessible description of the D2 SLB's ambition and functions, and how it will work in practice, with a view to providing colleagues (Members and Officers) who feel they might benefit from it with a short primer.

4.4 On readability:

- A fresh introduction is provided as guidance for the reader in describing the background to and overall aims and ambition informing creation of the new D2 SLB (in addition to the separate short Guide that may act as a frontispiece);
- Technical terminology has been replaced where possible with more 'accessible' language or clarification given on its meaning – although ultimately Members will appreciate this remains a governance document;
- The document has been considered by Monitoring Officers at all individual prospective participant Councils.

4.5 On the D2 SLB's role, the draft final Articles and Terms of Reference provide a sufficiently robust and flexible framework for the D2 Strategic Leadership Board to operate as the future decision-making body for matters where Derbyshire Councils choose to work collaboratively:

- Providing collective leadership for Derbyshire
- Progressing shared ambitions for the area (with the aim of delivering improved, joined up local outcomes for residents)
- Working together to tackle common issues and challenges
- Enabling resources to be co-ordinated to enhance effective, clear, transparent and accountable decision making

4.6 Without assuming a role in relation to the proposed East Midlands Combined County Authority, it is anticipated that the D2 Strategic Leadership Board will potentially have one if CCA is established. The nature of this role, such as in relation to the CCA's investment strategy and programme, can only be determined if and when the CCA is established; and specific responsibilities can only be added into the Terms of Reference at the appropriate time.

- 4.7 The aims of the D2 SLB's will be to support councils to work across organisational boundaries to tackle strategic challenges and to reach collective decisions on aspects of the delivery of functions where there is consensus. On protections for participating councils, while the D2 SLB as a joint committee will have the ability to take decisions on agreed functions delegated to it, these will be concurrent with councils, the intention being not to fetter the discretion of Councils in relation to either the discharge of their own functions or in determining their own priorities more generally. Accordingly, the draft Terms of Reference aims to ensure safeguards are in place regarding Councils' discharge of their own responsibilities and no authority represented on the D2 SLB will be able to participate in voting on or discharging a function for which it has no responsibility in law.
- 4.8 It will be for the D2 SLB to determine its priorities, agenda and forward programme. The D2 SLB will have the ability to take decisions and discharge functions, in relation to agreed areas where a shared, collegiate approach is seen to be desirable (eg, Inward Investment) and also to simplify decision processes.
- 4.9 It is recommended that members of the Joint Committee consider the draft final Terms of Reference and support a recommendation to each Derbyshire Council for a new joint committee to be created on these terms following the dissolution of the Vision Derbyshire Joint Committee and the D2 Economic Prosperity Committee.
- 4.10 It will be for the new joint committee to determine at the outset and then review its Terms of Reference as necessary. It is anticipated that an early review will be required in order to reflect functions and responsibilities that are delegated to the Board once it is constituted.

Next steps

- 4.11 All participating Councils will need to seek approval to establish the proposed D2 Strategic Leadership Board through their respective decision-making processes, including consideration of the draft Articles and Terms of Reference that are the subject of this report and that will need to be approved by the SLB itself when it convenes.

4.12 It is proposed that Councils be invited to agree establishment of the new Board and to agree to dissolution of existing joint arrangements (VDJC and EPC) as early as possible in the new year in anticipation of an inaugural meeting of the new Board to be scheduled accordingly. A template report to support Councils with this process is the subject of a separate report to VDJC and is intended to be shared with Councils following the Committee's consideration and approval.

5.0 Alternative options

5.1 The Committee could choose not to support a recommendation to individuals Councils to agree to the creation of a new Committee.

6.0 Implications for consideration – Financial and value for money

6.1 There are no implications for the Vision Derbyshire Programme budget linked to this report.

7.0 Implications for consideration – Legal

7.1 There are no legal implications around this decision.

8.0 Implications for consideration – Human Resources

8.1 There are no HR issues related to this specific decision.

9.0 Implications for consideration – Climate Change

9.1 There are no Climate Change issues related to this decision.

10.0 Implications for consideration – Equality and Diversity

10.1 There are no Equality and Diversity issues relating to this decision.

11.0 Implications for consideration – Risk Management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
NA	NA	NA	NA	NA	NA

Document information

Report author
Stephen Batey
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.
None
Appendices to the report
Appendix 1 – Draft Final Articles and Terms of Reference

**THE DERBY AND DERBYSHIRE
STRATEGIC LEADERSHIP BOARD**

[Draft] TERMS OF REFERENCE

ARTICLES

1. Introduction and Context

1.1 The **Derby and Derbyshire Strategic Leadership Board** (D2 SLB) brings together the County's ten local authorities in what is a **joint committee** with a refreshed and fully inclusive approach to collaborative working across existing and new partnership activity. D2 SLB will:

- Provide collective leadership for Derby and Derbyshire, ensuring our authorities are heard to speak with a single, shared voice at the county, regional and national level;
- Collaborate as partners to develop joined-up approaches to the complex, connected and sometimes challenging agendas where our councils share common interests; and additionally
- Progress shared ambitions for the area, co-ordinating resources better and more sustainably.

1.2 Bringing a new interface between councils and new opportunities to improve outcomes for people and places throughout Derby and Derbyshire, the agendas it makes sense to co-ordinate at the County level that are envisaged as becoming the remit of D2 SLB include economic development, skills, health and wellbeing, transport and the environment and potentially wider agendas where there is common recognition in the value of tackling challenges together.

1.3 In particular the D2 SLB will:

- Achieve joined up approaches within and between a variety of **shared policy agendas and service delivery agendas**, including but not restricted to place and economic development;
- Rationalise and **simplify existing partnership and governance arrangements** related to these areas (with agreement that the work of existing County level committees (including the Vision Derbyshire Committee, the D2 Economic Policy Committee together with the Growth Board will be superseded by a single Derby and Derbyshire-wide partnership arrangement); and

- If a new Combined County Authority, as currently being proposed, is established then it is anticipated that this Joint Committee will be used for discussion between Derby and Derbyshire authorities feeding into that new decision making arena as required.

1.4 In this context, the overall ambition of D2 SLB is to mature into a truly authoritative and representative partnership of all Derby and Derbyshire councils while duly acknowledging the sovereignty of participating Councils and recognising that each will have separate as well as shared interests in partnership working, including a choice about whether or not to participate in this new venture.

Guiding Principles for the D2 SLB

1.5 The joint committee will provide:-

- Strong collective leadership and seek to deliver better local outcomes and more joined-up public services
- Clear, transparent and accountable decision-making which will ensure best value for taxpayers' money and maintain strong ethical standards
- An inclusive model of governance across an appropriate geographical footprint in Derby and Derbyshire
- Flexibility to work across organisational boundaries to deal with strategic and emergent challenges whilst maintaining local control

1.6 It is envisaged that collaboration and decision making based on these principles will enable Derby and Derbyshire's local authorities to tackle challenges at regional, county and local place levels more effectively.

1.7 The D2 SLB will act as the responsible decision-making body for functions delegated to it by participating Councils within Derby and Derbyshire and, accordingly, membership of the D2 SLB will comprise councillors appointed by those participating authorities. Councils may choose to appoint members to the D2 SLB while not delegating decision-making responsibilities for functions. However, all participating authorities, whether or not agreeing to delegate functions, will be required to contribute towards the costs of funding the D2 SLB.

1.8 Councils participating in the D2 SLB are committed to the provision of improved services. It is considered that this will, in certain instances, be best achieved by the joint provision of services, joint working and/or the development of common standards and protocols. All proposals for the setting up of any new services or the discharge of functions are in the first instance to be subject to an investigation into the suitability of providing such services or discharging such functions, as a joint service for all participating Councils.

2. Membership of the D2 SLB

- 2.1 All local authorities within the Derby and Derbyshire are invited to join the D2 SLB as constituent members (subject to agreement by respective councils) namely:
- Derbyshire County Council
 - Derby City Council
 - Amber Valley Borough Council
 - Bolsover District Council
 - Chesterfield Borough Council
 - Derbyshire Dales District Council
 - Erewash Borough Council
 - High Peak Borough Council
 - North-East Derbyshire District Council
 - South Derbyshire District Council
- 2.2 All participating councils within Derby and Derbyshire will be permitted to appoint one elected member to the D2 SLB and to nominate one elected member as a substitute, whether or not they are delegating functions to the D2 SLB.
- 2.3 A Substitute Member will have the same rights to receive meeting papers and to access information as the Member for whom s/he is a substitute.
- 2.4 All appointments as Members or Substitute Members of the D2 SLB shall be for a term of one year from the Annual Meeting, but an individual may be re-appointed to serve as a Member or Substitute Member any number of times.
- 2.5 All councils shall be entitled at any time to terminate the appointment of a Member or Substitute Member appointed by it and to appoint another of its Elected Members in that person's place. Where a Council exercises this power it shall give written notice of the new appointment and the termination of the previous appointment to the Monitoring Officer responsible for the D2 SLB and the new appointment shall take effect from the point specified in the written notice.
- 2.6 Should a change of political control occur at a participating local authority, usually arising from local elections, it will be for that local authority to confirm any changes in appointments to the D2 SLB's membership in accordance with the constitutional arrangements of that Council. A Member or Substitute Member of the D2 SLB who ceases (for whatever reason) to be an Elected Member of the Council that appointed them shall immediately cease to be a Member or Substitute Member of the D2 SLB,

and the relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the D2 SLB and appoint another of its Elected Members in that person's place.

- 2.7 A person may resign as a Member or Substitute Member of the D2 SLB by written notice served on the Proper Officer of the Council that appointed them and the resignation shall take effect on receipt of the notice by the Proper Officer. The relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the D2 SLB and appoint another of its Elected Members in that person's place.
- 2.8 Where an appointing Council operates executive arrangements (within the meaning of the Local Government Act 2000), the appointment, removal and replacement of Members and Substitute Members of the D2 SLB shall be decided in accordance with the constitutional requirements of that Council, but it is anticipated that all Members and Substitute Members appointed by it shall be Members of its executive and will include its executive leader or elected mayor.
- 2.9 All appointments, removals and replacements of Members and Substitute Members of the D2 SLB by Councils shall be made by notice in writing addressed to the Monitoring Officer responsible for the D2 SLB. Any such notice shall be deemed to have been given when received by the Monitoring Officer.
- 2.10 Any individual council that does not operate executive arrangements and that wishes to co-opt an additional member or members can only do so following consultation with and a majority vote of all voting members of the Joint Committee and shall have no voting rights. An individual's co-option shall terminate as soon as her/his involvement with the organisation that gave rise to the co-option ceases; and such co-option shall be endorsed annually by the Joint Committee and subsequently confirmed formally by the appointing authority.
- 2.11 All Members of the D2 SLB (including any Substitute Members acting in place of Members of the D2 SLB) will:
- a) (subject to the D2 SLB's voting arrangements) collectively be the ultimate policy makers of the D2 SLB;
 - b) bring views of their Councils into the D2 SLB's decision-making process; and
 - c) maintain the highest standards of conduct and ethics.

- 2.12 Members will at all times observe the Code of Conduct for Members in force in their own Council and any breaches will be reported to the Monitoring Officer of their own Council.
- 2.13 No remuneration shall be payable to D2 SLB Members other than allowances for travel and subsistence in accordance with the Members' Allowances Schemes in operation at participating Councils. (It is acknowledged that a participating Council may, in accordance with its own procedures, pay a special responsibility allowance to any Elected Member appointed by it to the D2 SLB in respect of duties and responsibilities undertaken as a Member or Substitute Member of the D2 SLB.)

3 Chairing the D2 SLB

- 3.1 The Chair of the D2 SLB will be appointed by the D2 SLB.
- 3.2 In the event that there are more than two Members nominated for the role of Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Chair is elected with a majority of votes.
- 3.3 The D2 SLB will appoint a Vice-Chair to deputise for the Chair when the latter is not present or available.
- 3.4 In the event that there are more than two Members nominated for the role of Vice-Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Vice-Chair is elected with a majority of votes.
- 3.5 The Chair or Vice-Chair of the D2 SLB will cease to hold such office when they cease to be a Member of the D2 SLB, in accordance with the provisions set out at paragraphs 2.6 to 3.7 above.

4. Procedural Arrangements

- 4.1 The D2 SLB shall meet in accordance with its agreed calendar of meetings throughout a municipal year, but additional meetings may take place should the need arise.
- 4.2 Each Member of the D2 SLB shall have one vote, other than in the following circumstances:

- a) where matters reserved to upper tier authorities are to be discharged, eg. functions that are reserved to county and unitary authorities;
- b) where matters reserved to lower tier authorities are to be discharged, eg. functions that are reserved to borough, district and unitary authorities;
- c) where matters reserved to specific geographies are to be discharged, eg functions that are reserved to Derbyshire councils only
- d) where matters are reserved in a combination of the above are to be discharged, eg. functions in Derbyshire that are reserved to borough and district councils only

In such circumstances Members from authorities that have no remit will not be entitled to vote.

- 4.3 The proceedings of the D2 SLB shall not be invalidated by any vacancy among its Members or Substitute Members or by any defect in the appointment or qualifications of any Member or Substitute Member.

5. Records of Proceedings

- 5.1 The D2 SLB shall make arrangements for the names of Members and Substitute Members present at any meeting to be recorded.
- 5.2 Minutes of the proceedings of a meeting of the D2 SLB, or any sub-committee, shall be kept in such form as the D2 SLB may determine.
- 5.3 Any such minutes are to be agreed as a true record and signed at the same or next suitable meeting of the D2 SLB or sub-committee by the Member chairing that meeting.
- 5.4 A Member of the D2 SLB, or any sub-committee, has the right to have their vote on any matter recorded in the minutes of the meeting at which the vote was cast.
- 5.5 Minutes of all minutes will be published on the websites of all participating Councils.

6. Sub-Committee

- 6.1 The D2 SLB may establish such sub-committees as it thinks fit to discharge its functions.

7. Officers

- 7.1 The Section 151 Officer (appointed under Section 73 of the Local Government Act 1975) and Monitoring Officer (appointed under section

5 of the Local Government and Housing Act 1989) of the host authority for the D2 SLB will serve as the statutory officers in support of the D2 SLB.

- 7.2 The D2 SLB may call upon any officer of any of the local authorities who have members on the D2 SLB for advice and assistance, as it considers necessary to carry out its functions.

8. Scrutiny of decisions

- 8.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the D2 SLB in accordance with that constituent authority's overview and scrutiny arrangements. Any authority that operates a committee system model of governance will have the discretion to scrutinise decisions of the D2 SLB according to its own specific governance arrangements.

9 Winding up of the D2 SLB and Cessation of Membership

- 9.1 The D2 SLB may be wound up immediately by a unanimous vote of all constituent authorities.
- 9.2 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the D2 SLB, that authority may cease its membership with effect from the date of its decision. However, authorities will remain liable for any previously agreed financial contributions until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership. Where long term liabilities, such as any Pension Fund shortfall, exists they will be calculated at the point membership ceases and any council exiting the arrangement will pay the host authority an amount to cover their share of that liability.

FUNCTIONS AND RESPONSIBILITIES

- a. The D2 SLB is established pursuant to Section 101(5) of the Local Government Act 1972, which permits local authorities to make arrangements for two or more authorities to discharge functions jointly, so long as it is a function that the law reserves to a specified committee. The D2 SLB is established for the following purposes:
- Provide collective strategic leadership for local government in Derby and Derbyshire
 - Drive forward shared ambition and collective priorities for local government across Derby and Derbyshire

- Improve joint working across local government in Derby and Derbyshire
 - Form a collective view on matters impacting Derby and Derbyshire
 - Enable agile, timely and effective decision making.
- b. The D2 SLB, on behalf of the participating authorities, will be responsible for improving the delivery of functions already within the remit of local authorities through statute or through specific collaborative work to improve the economic, environmental or social wellbeing of the areas within Derby and Derbyshire from the following broad definitions:
- Incorporating existing partnership arrangements
 - Areas for collaborative system changes across authorities
 - Specific thematic projects and priorities
- c. Within those broad definitions, the D2 SLB will:
- i) Provide a forum for consideration of opportunities for joint working across Derby and Derbyshire
 - ii) Provide or assume democratic oversight for existing joint committee and partnership arrangements
 - iii) Determine the prioritisation of issues affecting Derby and Derbyshire to influence commissioning at a regional level
 - iv) Determine commissioning arrangements on matters for which funding is provided on a sub-regional basis
 - v) In particular, act as the local public sector decision-making body for strategic economic development across Derby and Derbyshire (including potential alignment of resources, commissioning, and performance / contract management) in respect of
 - (a) Skills and training
 - (b) Inward Investment
 - (c) Investor Development
 - (d) Sector Development
 - (e) Regeneration Delivery
 - (f) Climate Change and Low carbon

(g) Supporting debates on Land Use policy

- vi) Own, monitor and review the Derbyshire Growth Plans and associated investment plans
 - vii) Act as the accountable body for decision making on funding streams allocated to the D2 SLB by other bodies
 - viii) Oversee the planning, alignment and performance of delivery partners and organisations to achieve more effective and efficient commissioning [monitoring and implementation] and ultimately better outcomes
 - ix) Maintain an ongoing dialogue with the Derbyshire business community through the relevant Economic Advisory Boards
 - x) Hold to account relevant bodies whose work impacts on the economic well-being of Derbyshire
 - xi) Determine the programme of projects and work streams, how those will be managed and communicated to stakeholders and the public
 - xii) Monitor and review performance in respect of services delivered in partnership through the D2 SLB and authorise the publication of an annual report of performance and outcomes
 - xiii) Commission strategic outline and full business cases for individual councils to consider opportunities for more collaborative working
 - xiv) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams
 - xv) Provide a forum for councils and their representatives to provide challenge to each other with the aim of increasing collaboration to deliver efficient, effective and economic services, which equally improve the offer and outcomes to residents and businesses
 - xvi) Delegate functions and responsibilities to sub-committees or officers as the D2 SLB deems appropriate and keep any governance arrangements associated with the D2 SLB under review.
- d. The D2 SLB will exercise all its powers and duties in accordance with the law and these terms of reference and procedure rules.

e. The authorities appointing to the D2 SLB are:

- Derbyshire County Council
- Derby City Council
- Amber Valley Borough Council
- Bolsover District Council
- Chesterfield Borough Council
- Derbyshire Dales District Council
- Erewash Borough Council
- High Peak Borough Council
- North-East Derbyshire District Council
- South Derbyshire District Council

[MEMBERSHIP TO BE AGREED BY RESPECTIVE AUTHORITIES]

f. It is for individual Councils participating in the D2 SLB to determine which functions and responsibilities they are willing to delegate to the D2 SLB in accordance with their own decision-making arrangements. Conversely, the D2 SLB in determining its agenda, priorities and forward programme will wish to take a view on whether or not to accept such responsibilities.

g. No authority represented on the D2 SLB may participate in voting upon or discharging a function for which it has no responsibility in law.

---- *Ends* ----

A short guide to the D2 Strategic Leadership Board (D2SLB)

a) Aims and ambitions – what is it; and why should my council join?

D2SLB is exactly as its name implies, a **leadership board**, bringing together Derby and Derbyshire's ten councils to lead and direct existing and new partnership agendas and activity:

- Providing collective **leadership for Derby and Derbyshire**, ensuring our authorities speak with a single, shared voice at the county, regional and national level;
- Collaborating as partners to develop **joined-up approaches** to the complex, connected and challenging agendas where our councils share common interests; and
- Progressing **shared ambitions** for the people and places of Derbyshire, making decisions together to improve services and co-ordinate resources better and more sustainably.

All local authorities within Derby and Derbyshire are invited to join D2SLB as constituent members and to play a full part in co-ordinating and driving agendas where it is recognised and agreed that more can be achieved for all our localities, and for Derbyshire as a whole, by our councils **working together**.

Those agendas will incorporate the remits of the dissolved D2 Economic Prosperity and Vision Derbyshire Joint Committees – including, **'place', regeneration, broader economic development, business and skills, and transport**, and strengthening the focus of wider agendas including **climate and the environment, and health and wellbeing**.

Legally, the Strategic Leadership Board will be constituted as a **'Joint Committee'**. This means that, with decision making powers delegated to it by its constituent member councils, the Board will be empowered to jointly discharge and to exercise functions on their behalf within its agreed remit. (A Joint Committee is one comprising two or more councils established for the joint discharge of any functions of those councils in accordance with the Local Government Act 1972, s101.)

A further consideration behind the proposed Strategic Leadership Board is the possible establishment of a Combined County Authority for the East Midlands, which will bring new opportunities to improve outcomes for people and places throughout Derbyshire. In the event the CCA is established, it makes sense for D2 councils to come together to manage their interface with the new authority

which is envisaged as having a key role in determining agendas, such an investment programme and adult education strategy for the East Midlands region. All Derby and Derbyshire's councils will have a stake in these agendas and shaping these effectively will be made more possible by doing so together.

b) Functions – what will it do; what is my Council agreeing to, getting from it; and giving up?

The D2 Strategic Leadership Board is intended to:

- achieve joined up approaches within and between **shared policy and service delivery agendas**, in the first instance, place, growth, regeneration and economic development – including business support, inward investment, skills and transport;
- rationalise and **simplify existing partnership and governance arrangements** related to these areas (with agreement that the work of existing County level committees (including the Vision Derbyshire Committee, the D2 Economic Prosperity Committee together with the proposed D2 Growth Board will be superseded by a single Derbyshire-wide partnership arrangement); and
- provide a possible forum for collaborative activity between councils in Derbyshire on matters relating to the anticipated new **Combined County Authority**, to generate and secure collective influence, especially concerning investment and growth strategies.

By joining, Derby and Derbyshire's councils are, first, signalling their intention to work together in the provision of improved services for Derby and Derbyshire's residents and the general betterment of the city and county; and secondly, councils are enabling the Strategic Leadership Board to act as the responsible decision-making body for such functions as those identified above that are conferred upon it by participating councils.

The County's local authorities have, therefore, nothing to lose and everything to gain from membership of the Strategic Leadership Board. The hope is that their active commitment and participation will allow the Board to mature into a truly authoritative, representative and collaborative partnership of all Derbyshire councils – while duly acknowledging the sovereignty of participating councils and recognising that each will have separate as well as shared interests in partnership working. This includes a choice about whether or not to participate in specific agendas (or indeed whether or not to participate at all).

c) Arrangements – how it will work in practice; how is my Council assured of getting a say?

Within the remit conferred upon it by participating Councils, it will be for the Board itself to determine its agenda and priorities, forward programme of activities together with the frequency of its meetings and working methods.

In doing so, the Board's guiding principles will be:

- Strong collective leadership which seeks to deliver better local outcomes and more joined-up public services
- Clear, transparent and accountable decision-making which will ensure best value for taxpayers' money and maintain strong ethical standards
- An inclusive model of governance reflecting the geographical footprint of Derbyshire
- Flexibility to work across organisational boundaries to deal with strategic and emergent challenges whilst maintaining local control; and last but not least
- Decision making by consensus.

Membership of the Board will comprise councillors from participating councils who will each be enabled to **appoint one Elected Member and one substitute**.

Although it is assumed that Councils joining the Strategic Leadership Board will wish to delegate responsibilities for collective decision making in respect of agreed agendas identified above, whether or not Councils choose to do so is entirely a matter for them. Membership and participation by all Derbyshire's councils is welcome, including by councils who choose not to confer responsibilities in the way that is envisaged and who instead choose to retain full, separate local control.

While the Board is envisaged as reaching decisions on the basis of consensus, formally, should there be circumstances where a vote is called for, no authority represented on the Board will be empowered to vote on or to discharge a function belonging to another for which it has no responsibility in law. Accordingly, the **Terms of Reference are drafted to ensure safeguards** are in place regarding Councils' discharge of their own statutory and non-statutory responsibilities.

All participating authorities, whether or not agreeing to delegate functions, will be required to contribute towards the costs of funding the Board. **It is proposed that the County Council will act as host Authority for the Board.**

Strategy and Policy, December 2023

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Vision Derbyshire Joint Committee

Dissolution of the Vision Derbyshire Joint Committee

Date:	14 December 2023
Key ambition area:	Whole Programme
Sponsors:	Emma Alexander
For publication:	Yes

1.0 Purpose of the report

1.1 For Constituent Councils to consider the dissolution of the Vision Derbyshire Joint Committee.

2.0 Recommendations

2.1 Note the positive impact that the Vision Derbyshire Joint Committee has made since its establishment on the 4 April 2022.

2.2 Approve the dissolution of the Vision Derbyshire Joint Committee.

2.3 Agree that arrangements for managing the remaining residual business of the Vision Derbyshire Joint Committee be delegated to the proposed new Joint Committee once the Committee is dissolved.

2.4 Carry forward the decision for ratification by constituent member councils.

3.0 Reason for recommendations

3.1 To ensure that the governance across the County is inclusive, streamlined, fit for purpose and can work collaboratively across a range of issues.

3.2 To rationalise governance arrangements that will otherwise duplicate the business envisaged as being undertaken by the successor body, the D2 Strategic Leadership Board.

4.0 Report details

Background

4.1 On the 4 April 2022, the Vision Derbyshire Joint Committee was established by the current full member authorities Chesterfield Borough Council, Derbyshire County Council, Derbyshire Dales District Council and High Peak Borough Council.

4.2 Since that time the Joint Committee has convened seven times and there have been a number of achievements over this time of which Councils can be proud. These include providing leadership and driving forward the Vision Derbyshire Business Development programme, two annual Festivals of Business, the development of the Vision Derbyshire Climate Change Strategy and shaping Planning Policy Guidance. The creation of the Vision Derbyshire Joint Committee itself, and demonstrating such arrangements can work successfully as the basis for future collaboration moving forward, has been a significant achievement.

4.3 The East Midlands Devolution Deal, signed and published on 30 August 2022 and the development of the proposed East Midlands Combined County Authority (EMCCA) are changing the context in which local councils work and it is important to ensure that the Vision Derbyshire approach continues to evolve to ensure that Derbyshire remains well positioned to maximise the benefits from the Deal as it moves into implementation. Getting the interface right with the proposed CCA, if it proceeds, will be critical to success.

4.4 Extensive consultation has taken place with partners and key stakeholders on a revised approach to collaborative working in Derby and Derbyshire. Since July 2023 the Committee has received a number of reports on the future of the Vision Derbyshire and members have indicated their desire for a refreshed and fully inclusive approach to collaborative working.

- 4.5 On 28 September 2023, the D2 Economic Prosperity Committee (EPC) and this Joint Committee received reports which approved in principle the establishment of a new Joint Committee for Derby and Derbyshire, the Strategic Leadership Board. This Joint Committee is envisaged as a merger and reworking of the Vision Derbyshire Joint Committee and D2 EPC to provide more streamlined and effective leadership across agreed agendas, whilst additionally anticipating the role and types of functions necessary to support the sub-regional delivery of a County Deal.
- 4.6 As a consequence of this merger, it is recommended that the Vision Derbyshire Joint Committee is dissolved, for the purposes of establishing the D2 Strategic Leadership Board.
- 4.7 It is proposed that arrangements for managing the remaining residual business of the Vision Derbyshire Joint Committee be referred to the D2 Strategic Leadership Board once the Committee is dissolved. It will be for the D2 Strategic Leadership Board, once established, to agree to its programme of work moving forward.

Next steps

- 4.8 All members being in agreement with the proposed decision, this will need carrying forward by constituent member councils.
- 4.9 A template report has been produced to support Derby and Derbyshire councils with the process of dissolving the Vision Derbyshire Joint Committee and establishing the Strategic Leadership Board so that these decisions can be progressed concurrently.

5.0 Alternative options

- 5.1 Not reviewing governance arrangements and continuing with the existing approach. This is not considered to be the most efficient or effective arrangements to undertake the functions of this Committee as described within the report.

6.0 Implications for consideration – Financial and value for money

- 6.1 Upon the Joint Committee's establishment, the constituent authorities agreed to a pooled programme resource budget of £331,400, contributions as follows:

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
NA	NA	NA	NA	NA	NA

Document information

Report author
Robert Lowe
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.
None
Appendices to the report
None

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