

PUBLIC

**MINUTES** of a meeting of **EAST MIDLANDS COMBINED COUNTY AUTHORITY** held on Wednesday, 20 March 2024 at The Town Hall, Rose Hill, Chesterfield.

## **PRESENT**

Councillor B Lewis (in the Chair)

Councillors B Bradley (Nottinghamshire County Council), T King (Derbyshire County Council) (substitute for S Spencer), B Laughton (Nottinghamshire County Council), D Mellen (Nottingham City Council), N Peatfield (Derby City Council), B Shanker (Derby City Council) and R Wynter (Nottingham City Council)

Officers present: Emma Alexander (Managing Director - Derbyshire County Council), Mel Barrett (Chief Executive - Nottingham City Council), Huw Bowen (Chief Executive - Chesterfield Borough Council), Richard Grice (Interim Strategy Lead), Mark Kenyon (Interim Section 73 Officer), Amanda Mays (Interim Operations and People Lead), Paul Simpson (Chief Executive - Derby City Council), Adrian Smith (Chief Executive - Nottinghamshire County Council), Andrew Stokes (Chief Executive - High Peak Borough Council) and Jodie Townsend (Interim Monitoring Officer).

Also present: Councillors T Gilby (Chesterfield Borough Council), A McKeown (High Peak Borough Council), P Peacock (Newark and Sherwood District Council), M Radulovic (Broxtowe Borough Council) and D Williams (Business Representative)

### **1 ELECTION OF CHAIR**

Councillor Barry Lewis (Leader of Derbyshire County Council) was elected as Chair for the meeting.

### **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Simon Spencer (Derbyshire County Council) with Councillor Tony King attending as substitute.

### **3 DECLARATIONS OF INTEREST**

None received.

### **4 PROPOSED STATUTORY OFFICER STRUCTURE**

Amanda Mays (Interim Operations and People Lead) introduced a report, which had been circulated in advance of the meeting, setting out recommendations to make various staffing appointments to the Authority

in accordance with the Local Government and Housing Act 1989 and other legislation.

Mark Kenyon and Jodie Townsend left the room for consideration of this item.

**RESOLVED to:**

- 1) Appoint interim Statutory Officers as part of the interim structure for the Combined County Authority as follows:
  - a) Mark Rogers (Interim Chief Officer, East Midlands Devolution Programme) to the Interim Head of Paid Service;
  - b) Mark Kenyon (Director of Finance and s151 Officer, Derbyshire County Council) to the Interim Section 73 Officer;
  - c) Jodie Townsend (Interim Governance Lead, East Midlands Devolution Programme) to the Interim Monitoring Officer; and
  - d) Jodie Townsend to the Interim Senior Information Risk Owner;
- 2) Approve the establishment of an Appointments Panel for the Chief Officer roles of (a) Chief Executive and Head of Paid Service, (b) Executive Director Inclusive Growth, (c) Executive Director Place and (d) Executive Director Resources (S.73 Officer); and to delegate authority to that Panel to conduct the recruitment and selection process and nominate a candidate for each role (subject to the requirements of the EMCCA Constitution and any legislative requirements) for consideration by the EMCCA Board;
- 3) Note that recruitment of the final Chief Officer post – the Monitoring Officer – will be subject to a subsequent Board Report; and
- 4) Note in line with the Constitution the consultation, recruitment and appointment to roles excluding Chief Officer and/or statutory roles are delegated accordingly to the interim Head of Paid Service.

**5 COMBINED COUNTY AUTHORITY GOVERNANCE**

Jodie Townsend (Interim Monitoring Officer) introduced a report, which had been circulated in advance of the meeting, seeking agreement for a number of procedural governance matters required at the first meeting of the Combined County Authority.

**RESOLVED to:**

- 1) Approve the draft Constitution, at Appendix A to the report, for

adoption;

- 2) Delegate authority to make any urgent and necessary amendments to the Constitution to the Interim Monitoring Officer in consultation with the four Lead Members of the Constituent Councils as set out in paragraph 3.54 of the report, pending the Mayor taking office at which point consultation would extend to the Mayor as well, ensuring that any amendments are consistent with the provisions of the 2024 Regulations and are reported to the subsequent meeting of this Board;
- 3) Appoint the D2 Strategic Leadership Board (Derbyshire) and The City of Nottingham and Nottinghamshire Economic Prosperity Committee (Nottinghamshire) as nominating bodies to nominate representatives for appointment to the Combined County Authority as set out in paragraph 3.32 of the report, subject to the two joint committees accepting the designation as a nominating body;
- 4) Delegate to the Interim Monitoring Officer the power to:
  - a) establish an Independent Remuneration Panel, including agreeing a terms of reference and reasonable allowances in consultation with the four Lead Members of the Constituent Councils, so that the Independent Remuneration Panel can, at the earliest opportunity, undertake a review and make recommendations regarding a scheme of allowances for the Combined County Authority to consider at a future meeting of this Board;
  - b) advertise the vacancy for the Independent Person on the Audit and Governance Committee, noting that they will act as Chair of the Committee, and make recommendations for appointment at a future meeting of this Board; and
  - c) advertise the vacancies for Independent Persons under Section 28 of the Localism Act 2011 for standards and make recommendations for appointment at a future meeting of this Board;
- 5) Confirm, in accordance with section 42(1) of the Levelling Up and Regeneration Act 2023, that the elected mayor for the Combined County Authority area is to be known by the title of the 'Mayor'; and
- 6) Confirm approval of the EMCCA's Local Assurance Framework at Appendix B to the report.

Jodie Townsend (Interim Monitoring Officer) introduced a report, which had been circulated in advance of the meeting, that sought approval to confirm the appointment of Melbourne Barrett as the Combined County Authority Returning Officer.

Melbourne Barrett left the room for consideration of this item.

**RESOLVED to:**

- 1) Confirm the decision taken by the Constituent Councils to appoint the Combined County Authority Returning Officer as set out in paragraph 3.1 of the report; and
- 2) Agree the Combined County Authority Returning Officer Fees as set out in paragraph 3.6 of the report.

**7**

**COMBINED COUNTY AUTHORITY PAY AND GRADING FRAMEWORK**

Amanda Mays (Interim Operations and People Lead) introduced a report, which had been circulated in advance of the meeting, outlining the proposed pay and grading framework for determining salary levels for staff of the combined authority.

**RESOLVED to:**

- 1) Note the progress made on the East Midlands Combined County Authority (EMCCA) Pay and Grading Framework;
- 2) Approve the proposed Pay and Grading Framework and associated pay scales at Appendix 1 to the report;
- 3) Approve job evaluation of the work of EMCCA employees using the Korn Ferry Hay scheme and principles and agree that an external provider is sought to meet the initial considerable demand and swift turnaround times;
- 4) Agree to use the nationally negotiated National Joint Council pay spine as the basis for the local grading structure;
- 5) Agree that the terms and conditions of employment for non-Chief Officers will be in accordance with collective agreements negotiated from time to time by the National Joint Council for Local Government Services;
- 6) Support the production of a Market Supplement Policy and

Redundancy and Early Retirement Policy;

- 7) Agree the EMCCA shall pay a spot salary for the Chief Executive and Executive Director roles and that no bonuses or performance related pay is paid to its Chief Officers;
- 8) Apply to the Living Wage Foundation to obtain Living Wage accreditation; and
- 9) Note that progress has been made so that the EMCCA joins the Local Government Pension Scheme.

## **8 COMBINED COUNTY AUTHORITY BUDGET 2024/25**

Mark Kenyon (Interim Section 73 Officer) introduced a report, which had been circulated in advance of the meeting, setting out the budget and other financial arrangements for the new combined authority.

### **RESOLVED to:**

- 1) Approve the interim operating East Midlands Combined County Authority budget for 2024/25 at Appendix 1 to the report;
- 2) Accept grant funding will be received and will be subject to conditions as set out in the grant offer agreements;
- 3) Agree that the Combined County Authority will opt into the national Public Sector Audit Appointments scheme to appoint its External Auditors;
- 4) Agree that a full finance system and service is required to be provided to the Combined County Authority by Derbyshire County Council as an interim arrangement; and
- 5) Agree for the Combined County Authority to adopt the Treasury Management Strategy and Financial Regulations of Derbyshire County Council and the Standing Orders of Nottinghamshire County Council as an interim arrangement in alignment with the proposed constitution at Appendix 2 to the report.

## **9 COMBINED COUNTY AUTHORITY STRATEGIC AND INVESTMENT FRAMEWORK**

Richard Grice (Interim Strategy and Delivery Lead) introduced a report, which was circulated in advance of the meeting, which set out the Combined Authority's Strategic and Investment Framework.

**RESOLVED to:**

- 1) Approve the Strategic Framework as a sufficient basis for East Midlands County Combined Authority (EMCCA) interventions and investments in 2024/25 and the development of a longer-term regional inclusive growth strategy, allowing for accommodation of Mayoral priorities from May 2024;
- 2) Approve the 2024/25 delivery plans, as set out in the Strategic Framework, allowing for accommodation of Mayoral priorities from May 2024;
- 3) Approve the further development of the Strategic Framework into a long-term inclusive growth strategy and delivery plan during 2024/25, for approval in March 2025;
- 4) Approve an initial investment plan and associated delegations for March-June 2024 to enable the development of an early pipeline of interventions and further investment in line with the Strategic Framework and delivery plans; and
- 5) Approve delegation to the Interim Chief Executive of the EMCCA of the submission of the Adult Education Budget Readiness Conditions, subject to consultation with members of the constituent councils, for final ratification at EMCCA Board in June.

The meeting finished at 12.18 pm