

Public Document Pack



Helen Barrington
Director of Legal Services
County Hall
Matlock
Derbyshire
DE4 3AG

Ask for Alisha Parker

Email:
alisha.parker@derbyshire.gov.uk
Direct Dial: 01629 538324

PUBLIC

To: Members of D2 Strategic Leadership Board

08 May 2024

Dear Councillor

Please attend a meeting of the **D2 Strategic Leadership Board** to be held at **11.30 am** on **Thursday, 16 May 2024** at **Council Chamber, County Hall, Matlock** 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

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Welcome and Introductions
2. Apologies for Absence
To receive apologies for absence (if any).
3. Declarations of Interest

To receive declarations of interest (if any).

4. Election of Chair and Deputy Chair
5. Introduction to new EMCCA Mayor
6. Consideration and Approval of D2 SLB Terms of Reference (Pages 1 - 32)
7. Consideration and Approval of Partnership Team and Programme Resource (Pages 33 - 38)
8. Consent to Designation as EMCCA Nominating Body (Pages 39 - 48)
9. District and Borough Council Outstanding Nominations to EMCCA (Pages 49 - 64)
10. Developing the Agenda for Growth in Derbyshire and Derby (Pages 65 - 74)
11. Any Other Business

Derbyshire Strategic Leadership Board

Terms of Reference

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: Emma Alexander

For publication: Yes

1.0 Purpose of the report

1.1 For the newly established D2 Strategic Leadership Board to discuss and agree its Articles, Procedures and Terms of Reference.

2.0 Recommendation

2.1 To agree to the proposed Articles, Procedures and Terms of Reference (Appendix A) brought forward for determination by the newly constituted Joint Committee, to be known as the D2 Strategic Leadership Board.

3.0 Reason for recommendations

3.1 To establish the D2 SLB's specific authority, role and responsibilities in accordance with those delegated to it by consenting Derbyshire Councils.

3.2 To provide Board Members, Officers, stakeholders and the wider public with a common understanding of the purpose, scope, powers, composition and operational processes of the Board.

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 and issues related to the East Midlands Combined County Authority.

4.0 Report details

Background

4.1 Derbyshire Councils have been on a journey together over the last year exploring the potential for closer collaborative leadership and

partnership working to focus and accelerate progress on shared agendas, such as economy, transport, climate and wellbeing, and to achieve the greater public value for local people and communities.

4.2 Following reviews of existing joint committee apparatus, including the D2 Economic Prosperity and Vision Derbyshire Joint Committees, participating Councils agreed to dissolve existing arrangements in favour of creating a more ambitious leadership board, bringing together all D2 councils to lead and direct existing and new partnership agendas and activity:

- Providing collective leadership for Derbyshire, allowing our authorities to speak with a single, shared voice on matters of common concern 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.

4.3 All local authorities within Derbyshire have agreed to join D2 SLB 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.

4.4 Agreement is sought following earlier consideration and approval of proposed Articles and Terms of Reference by the Board's processors, the Vision Derbyshire Joint Committee and D2 Economic Prosperity Committee, and further consideration and approval by all Derbyshire Councils that are consenting to establishment of the Board. The document has also been considered by Monitoring Officers at all individual participant D2 Councils.

Information and Analysis

4.5 The proposed draft final Articles, Functions & Terms of Reference for the Board, including, Procedure Rules and Access to Information Procedure Rules, are attached at Appendix 1 for consideration and agreement by the Board. A short guide, providing a simple, accessible description of the Board's ambition and functions, and how it will work in practice to the Board is at Appendix 2.

Board remit

4.6 The final Articles and Terms of Reference aims to provide a 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. The Board's remit includes:

- 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 the prospects for their effective deployment; and
- Providing a forum for D2 Councils to collectively engage with each other in working with the East Midlands Combined County Authority (EMCCA).

Relationship to EMCCA

4.7 With the EMMCA having only recently been established, the Terms of Reference for the new D2 SLB have been drafted to anticipate, but not assume, specific roles advising and supporting the new Combined Authority.

4.8 The D2 SLB first needs to consent to its proposed designation by EMCCA as the formal nominating body for appointments from non-constituent members to the CCA board. It will be for Districts and Boroughs to determine their two nominations via the D2 SLB. These non-constituent members will sit on the EMCCA board as representatives of all Districts and Boroughs in Derbyshire and not solely of the District or Borough for which they are a Councillor. Formal consent to these arrangements is subject to another report to the Board. The terms of reference of the D2 SLB will then need to be amended accordingly.

4.9 Following this consent, the D2 SLB is envisaged as being a platform to collectively discuss, align and reach consensus on D2 councils' positions on EMCCA business where there are shared interests, and to feed these views in. It will provide a sounding board for Derbyshire's representatives on the EMCCA Board to discuss and understand councils' individual and collective views and priorities related to that business. D2 SLB will be able to advise and assist EMCCA with the development of its strategy and with implementation of programmes as invited to do so.

4.10 EMCCA's working arrangements with Constituent and non-Constituent Authorities will emerge and evolve over the coming months as the EMCCA Board and its Executive Team establishes suitable, workable

mechanisms for progressing key business, such as the Investment Strategy and programme pipeline. The precise nature of D2 SLB's envisaged role in relation to EMCCA and specific responsibilities can be discussed at the Board and added into the Terms of Reference at the appropriate time.

- 4.11 A proposed review of D2 SLB's Terms of Reference, the timing of which will be for the Board to determine, will enable consideration to be given to the efficacy of its Terms as agreed in facilitating effective working with EMCCA and as to any requirement for revisions.

Protections for participating councils

- 4.12 It will be for the Board to determine its priorities, agenda and forward programme. The Board will have the ability to take decisions and to discharge functions in relation to agreed functions/agendas delegated to it where a shared, collegiate approach is agreed by the Board as being desirable.
- 4.13 Feedback on early drafts of the Terms of Reference raised issues concerning protections for Board members wishing to retain their discretion in relation to either the discharge of their own functions or in determining their own priorities more generally.
- 4.14 The Board's delegated decision-making powers will be concurrent with councils. 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.
- 4.15 **It is recommended that the Board:**
- a) Approves the draft final Articles and Terms of Reference, including Functions and Responsibilities, Procedural Rules and Information Procedure Rules for the Board as set out at Appendix 1.
 - b) Notes the drafting of the Terms of Reference will need amending assuming the Board accepts the invitation to be the body responsible for formal nomination of D2 District and Borough representatives to the EMCCA (which is the subject of a separate report to the Board) and

- c) Agrees to review the Board's Terms of Reference at a future point, to be determined, once it has had time to establish an operational rhythm and EMCCA's working practices are clear.

Next steps

- 4.16 Pending recruitment and appointment of a D2 SLB Secretariat/ Partnership Team, DCC Officers (including the Strategy and Policy Team) will take responsibility for liaising with EMCCA's Executive Team regarding any specific role and responsibilities that the Board may be invited to undertake and that may require adding into the Terms of Reference at the appropriate time.

5.0 Alternative options

- 5.1 The Board could choose not to agree the final Articles and Terms of Reference and ask for them to be redrafted.

6.0 Implications for consideration – Financial and value for money

- 6.1 There are no implications arising from the Articles and Term of Reference for budgets linked to this report. Board programme resource is the subject of a separate report.

7.0 Implications for consideration – Legal

- 7.1 The D2 SLB is a joint committee under s101 the Local Government Act 1972. The Terms of Reference set out the arrangements for discharge of the functions delegated to the joint committee.
- 7.2 The Terms of Reference and any amendments to those must be approved by each participating Council.

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 Appendix 2 – Short Guide to the D2 Strategic Leadership Board

D2 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, allowing our authorities to speak with a single, shared voice on matters of common interest 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 With the creation of the East Midlands Mayoral Combined County Authority bringing new opportunities to improve outcomes for people and places throughout Derby and Derbyshire, it makes sense for D2 councils to come together to manage their interface with this new authority as well as co-ordinating City, District, Borough and County agendas which are envisaged as becoming the remit of D2 SLB including economic development and regeneration, business and 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 Accordingly, 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 Prosperity Committee together with the

Growth Board will be superseded by a single Derby and Derbyshire-wide partnership arrangement); and

- Provide the lead forum for collaborative activity between councils in Derbyshire on matters relating to the new **Combined County Authority** primarily to secure collective influence, especially concerning investment and growth.

1.4 In this context, the overall ambition of D2 SLB is to mature into a truly collaborative and representative partnership of all Derby and Derbyshire councils, to maximise shared aims to the benefit of local citizens and businesses.

Guiding Principles for the D2 SLB

1.5 The joint committee will provide:

- Strong, collective and inclusive 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;
- Flexibility to work across organisational boundaries to deal with strategic and emergent challenges.

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 While a guiding principle of D2 SLB will be decision making by consensus, which will lead the Board to coalesce around agendas where there is a shared view about how to proceed, should there be circumstances where a vote is required 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. public transport functions that are reserved to county and unitary authorities;
 - b) where matters reserved to lower tier authorities are to be discharged, eg. housing functions that are reserved to borough, district and unitary authorities;
 - c) where matters reserved to specific geographies are to be discharged, eg local planning functions that are reserved to Derbyshire councils only;
 - d) where matters reserved in a combination of the above are to be discharged, eg. shared services arrangements involving specific councils not others.
- 4.3 In such circumstances Members from authorities that have no formal remit will not be entitled to vote. 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. No authority will be entitled to vote on a matter to which they have not formally delegated to the D2 SLB.

4.4 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) Inform and support the work of the East Midlands Mayoral Combined County Authority, in particular feeding into the EMCCA led Investment Strategy for the region;
- iv) Determine the prioritisation of issues affecting Derby and Derbyshire to influence commissioning at a regional level;
- v) Determine commissioning arrangements on matters for which funding is provided on a sub-regional basis;
- vi) 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
- vii) Own, monitor and review the Derbyshire Growth Plans and associated investment plans;
- viii) Act as the accountable body for decision making on funding streams allocated to the D2 SLB by other bodies;
- ix) 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;
- x) Engage and maintain an active, ongoing dialogue with the Derby and Derbyshire business community through relevant economic advisory boards;
- xi) Hold to account relevant bodies whose work impacts on the economic well-being of Derbyshire;
- xii) Determine the programme of projects and work streams, how those will be managed and communicated to stakeholders and the public;

- xiii) 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;
 - xiv) Commission strategic outline and full business cases for individual councils to consider opportunities for more collaborative working;
 - xv) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams;
 - xvi) 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;
 - xvii) 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. In the above context, it will be for the Board to establish any sub committees it chooses to in order to provide support with specific tasks within the Board's work programme and for the Board to determine the membership of such sub committees. Any sub committees will report into the full Board.
- e. The D2 SLB will exercise all its powers and duties in accordance with the law and these terms of reference and procedure rules.
- f. 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]
- g. 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.

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

PROCEDURE RULES

These procedure rules apply where appropriate to the Joint Committee and Sub-Committees established by the Joint Committee.

1. Name

- 1.1 The name of the Joint Committee shall be the 'Derby and Derbyshire Strategic Leadership Board (D2SLB)'.

2. Membership

- 2.1 The membership of the Joint Committee shall be determined in accordance with the provisions of Article 2.

3. Meetings

- 3.1 The Annual Meeting of the Joint Committee shall be held each year on such a day in the month of March, April, May or June as the Joint Committee may fix, to deal with any other business normally transacted at an annual meeting.
- 3.2 The Joint Committee shall meet throughout the municipal year in accordance with its agreed calendar of meetings, but additional meetings may take place should the need arise. The dates and times of meetings of the Joint Committee (including the Annual Meeting and extraordinary meetings) shall be determined by the Joint Committee. Such meetings shall be held at a venue determined by the Chair. Save as provided elsewhere in these Procedure Rules all meetings of the Joint Committee, sub-committees and working party meetings shall be summoned by the Proper Officer of the host authority.
- 3.3 An extraordinary meeting of the Joint Committee may be called at any time by the Chair. If the Chair refuses to call an extraordinary meeting of the Joint Committee after a requisition for that purpose signed by three Members of the Joint Committee has been presented to him/her or if, without so refusing, the Chair does not call an extraordinary meeting within seven days after the requisition has been presented to him/her then any three Members of the Joint Committee, on that refusal, or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the Joint Committee.
- 3.4 No business shall be considered at any extraordinary meeting save such as is specified in any requisition of the Joint Committee calling such meeting, or as the case may be, in the requisition presented to the Chair by Members.

4. Chair and Vice-Chair

- 4.1 Article 4 sets out the arrangements for the appointment of Chair and Vice-Chair of the Joint Committee.
- 4.2 If the Chair is absent from a meeting the Vice-Chair, if present, shall preside.

- 4.3 If both the Chair and Vice-Chair are absent from a meeting of the Joint Committee, such Member as the Members of the Joint Committee present so choose, shall preside.
- 4.4 Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

5. Quorum

- 5.1 The quorum for a meeting will be one third of the total of the members of the Committee who are entitled to vote.
- 5.2 If during a meeting the Chair, after counting the number of Members present, declares that there are not one third of the Members present, who are entitled to vote, the meeting shall stand adjourned. The names of those Members who are present shall be recorded in the minutes of the meeting. Consideration of any business not transacted shall be adjourned to a date and time fixed by the Chair at the time the meeting is adjourned, or if s/he does not so fix a date and time, to the next meeting of the Joint Committee.

6. Chair's Announcements

- 6.1 No discussion shall take place on any announcement made by the chair of the meeting, but any Member shall be at liberty to move a motion, without notice, to refer the subject matter of any such announcement to the next ordinary meeting of the Joint Committee and such motion, on being seconded, shall be at once put to the vote.

7. Order of Business

- 7.1 Except as otherwise provided by paragraph 7.2 of this Rule, the order of business at every meeting of the Joint Committee other than the annual meeting and any extraordinary meeting shall be:
 - (a) To choose a person to preside if the Chair and Vice-Chair are absent;
 - (b) Apologies for absence;
 - (c) To receive disclosures by Members of interests in matters under consideration;
 - (d) To approve as a correct record and sign the minutes of the last meeting of the Joint Committee;
 - (e) To deal with any business expressly required by statute to be done;
 - (f) Chair's announcements;
 - (g) To dispose of business, if any, remaining from the last meeting;
 - (h) To receive minutes of sub-committees;
 - (i) To receive and consider reports, if any, from sub-committees;
 - (j) To receive and consider reports from constituent authorities;

- (k) To receive minutes of and recommendations from other bodies;
- (l) To consider motions, if any, in the order in which notice has been received;
- (m) To deal with other business, if any, specified in the summons.

7.2 The Chair may at any meeting vary the order of business so as to give precedence to any business as seems appropriate and/or which in his/her opinion is of special urgency but such a variation shall not displace any business falling under items (a), (b), (d) or (e) in paragraph 7.1 of this Rule.

7.3 At any extraordinary meeting of the Joint Committee the minutes of the last ordinary meeting of the Joint Committee will not be considered. The minutes of an extraordinary meeting of the Joint Committee will be submitted where possible to the next ordinary meeting of the Joint Committee.

8. Notice of Motion

8.1 Except as provided by Rule 9, every notice of motion shall be in writing, signed by the Member or Members of the Joint Committee giving the notice and delivered by email or in person at least seven clear days before the next meeting of the Joint Committee at the office of the Head of Paid Service of the host authority, by whom it shall be dated, numbered in the order in which it is received and a record kept, which shall be open to the inspection of every Member of the Joint Committee during normal office hours.

8.2 Every motion shall be relevant to some matter in relation to the Joint Committee's powers or duties.

8.3 The Head of Paid Service of the host authority shall set out in the summons for every meeting of the Joint Committee motions of which notice has been duly given in the order in which they have been received, unless the Member(s) giving such notice intimated in writing, when giving it, that s/he proposed to move it at some later meeting or has withdrawn it in writing.

8.4 If a motion set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his/her behalf, it shall, unless postponed by consent of the Joint Committee, be treated as withdrawn and shall not be moved without fresh notice.

9. Motions which may be moved without notice

9.1 The following motions may be moved without notice:

- (a) Appointing a Chair of the meeting at which a motion is moved;
- (b) Motions relating to the accuracy of the minutes;
- (c) That an item of business specified in the summons has precedence;

- (d) Appointment of a sub-committee or members thereof occasioned by the appointment;
- (e) That leave be given to withdraw a motion;
- (f) That leave be given to withdraw in whole or in part or amend the minutes or proceedings of the Joint Committee or any sub-committee;
- (g) That the Joint Committee proceeds to the next business;
- (h) That the question be now put;
- (i) That the debate be now adjourned;
- (j) That the Joint Committee does now adjourn;
- (k) Amendments to any motion to approve the Minutes or proceedings of the Joint Committee or any sub-committee any part of which has been withdrawn or amended in accordance with Rule 9(f);
- (l) Suspending Procedure Rules in accordance with Rule 18;
- (m) A motion, under Part 1 of Schedule 12A to the Local Government Act 1972 (relating to admission to meetings of local authorities);
- (n) That a Member named under Rule 12 be not further heard or do leave the meeting;
- (o) Giving consent or leave of the Joint Committee where the consent or leave of the Joint Committee is required by these Procedure Rules;
- (p) That the subject matter of an announcement made by the chair of the meeting be referred to the next meeting of the Joint Committee or the appropriate sub-committee;
- (q) Approval or amendment of recommendations of Officers and any consequential resolutions.

10. Amendments to Motions

- 10.1 Normally, no motion to amend a motion other than a motion which may be moved without notice under Rule 9 shall be moved at any meeting of the Joint Committee unless not less than 24 hours' notice in writing of the motion, signed by the Member(s) giving notice, is delivered to the Monitoring Officer of the host authority. The Head of Paid Service of the host authority shall inform the Chair of the Joint Committee of any such amendments so received.

11. Rules of Debate

- 11.1 A motion or amendment shall not be discussed unless it has been proposed and seconded.
- 11.2 An amendment shall be relevant to the motion and shall be either:
- (a) to refer a subject of debate to the next meeting of the Joint Committee or the sub-committee for consideration or re-consideration; or
 - (b) to leave out words and insert or add others; or
 - (c) to insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Joint Committee.

- 11.3 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.
- 11.4 When an amendment has been lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.
- 11.5 When a motion is under debate no other motion shall be moved except the following:
 - (a) to amend or withdraw the motion provided that the notice of amendment has been properly given in accordance with these Procedure Rules;
 - (b) to adjourn the meeting;
 - (c) to proceed to the next business;
 - (d) that the question be now put;
 - (e) that a Member be not further heard.
- 11.6 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
- 11.7 A Member who does not have the right to vote on a matter shall have the same rights to speak on a matter as a Member with the right to vote on that matter.

ACCESS TO INFORMATION PROCEDURE RULES

These rules are a summary of rights to attend meetings of the D2 Strategic Leadership Board, its sub-committees, and of access to documents. The host authority for the Joint Committee will keep at its principal office a summary of various rights to attend meetings and to inspect documents in the possession of that authority on behalf of the Joint Committee, conferred by law.

1. Access

- 1.1 A meeting of the Joint Committee (including meetings of its sub-committees) is open to the public, except as stated in Rules 1.2 and 1.3 below.
- 1.2 The public must be excluded from a meeting during any item of business whenever it is likely that, if they were present, confidential information would be disclosed in breach of the obligation of confidence. Confidential information means information provided on a confidential basis by a government department, and information the disclosure of which is prohibited by statute or by Court order.

- 1.3 The public may be excluded by resolution during an item of business whenever it is likely that there would be disclosure to them of 'exempt information'. Exempt information is defined to cover such matters as personal information, financial and business affairs of people or companies with whom the Authority has dealings, action likely to lead to criminal proceedings, matters relating to industrial relations consultations and negotiations and matters relating to legal proceedings. A description of 'exempt information' is set out in Schedule 12A to the Local Government Act 1972, as amended.

2. Access to Agendas and Reports

- 2.1 Copies of the agenda and reports for a meeting of the Joint Committee or of any of its sub-committees must be open for inspection by the public, except for any report on an item during the consideration of which the meeting is not likely to be open to the public. Documents must be available five clear days before the meeting, or as soon as the meeting is convened, or the item added to the agenda, if that is less than five clear days before the meeting. The papers will be available through the following website (insert link) and at the offices of the host authority.
- 2.2 A reasonable number of copies of agendas and reports must be available for members of the public present at a meeting. The agendas and reports must also be made available to the media on request.

3. Key Decisions

- 3.1 A "Key Decision" means a decision of a decision maker, which is likely—
- (a) to result in the incurring of significant expenditure, or the making of significant savings, having regard to the Joint Committee's budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on persons living or working in an area comprising two or more wards or electoral divisions in the area of the participating authorities.

In relation to expenditure or savings referred to in 3.1(a), as a guide, this will ordinarily be taken to mean that a Key Decision will result in expenditure or savings in excess of £0.25M.

4. Procedures before taking Key Decisions

- 4.1 Notice – Where a decision maker intends to make a Key Decision that decision must not be made until a notice has been published which states:
- (a) that a key decision is to be made in relation to the discharge of functions which are the responsibility of the Joint Committee;
 - (b) the matter in respect of which the decision is to be made;
 - (c) the decision maker's name, and title if any;
 - (d) the date on which, or the period within which, the decision is to be made;

- (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
- (f) the address from which, subject to any prohibition or restriction on their disclosure under Rule 1.3, copies of, or extracts from, any document listed is available;
- (g) that other documents relevant to those matters may be submitted to the decision maker; and
- (h) the procedure for requesting details of those documents (if any) as they become available.

4.2 Subject to Rule 10 (general exception) and Rule 11 (special urgency), a key decision may not be taken unless:

- (i) the notice referred to at 4.1 above has been published:
 - (a) if the Joint Committee has a website, on its website; or
 - (b) otherwise, in such manner as it thinks is likely to bring the notice to the attention of persons who live in its area; and made available for inspection by the public at the offices of the host authority;
- (ii) at least twenty eight clear days have elapsed since the publication of the notice; and
- (iii) where the decision is to be taken at [or in the presence of] a meeting of the Joint Committee or its sub-committees, notice of the meeting has been given in accordance with 2.1 (notices of meetings) above.

4.3 Where, in relation to any matter:

- (i) the public may be excluded under section 100A of the Local Government Act 1972 from the meeting at which the matter is to be discussed; or
- (ii) documents relating to the decision need not, because of Rule 6 (confidential information), be disclosed to the public, the notice referred to above must contain particulars of the matter but may not contain any confidential information or exempt information.

5. Notice of a Key Decision – Cases of Special Urgency

5.1 Where the date by which a key decision must be made makes compliance with Rule 4 impracticable, the decision may only be made where the decision maker has obtained agreement from the Chair of the Joint Committee or, in the absence of the Chair, the Vice-Chair of the Joint Committee that the making of the decision is urgent and cannot reasonably be deferred.

5.2 As soon as reasonably practicable after the decision maker has obtained agreement under paragraph 5.1 that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must:

- (a) make available to the public at the offices of the host authority a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and
- (b) publish that notice on the Joint Committee's website, if it has one.

6. Inspection of Background Papers

- 6.1 Members of the public may also inspect a list of background papers for any report (except those reports containing 'confidential' or 'exempt' information) and a copy of each of the documents included in that list. This right is available as soon as the report to which the list relates is published, and continues for four years from the date of the meeting. (In the case of the public right to inspect background papers, the right is subject to their production as soon as is reasonably practicable after the request is made). Background papers disclosing confidential or exempt information are not required to be listed, but, if they are listed, they will not be open to inspection.
- 6.2 Background papers are documents which relate to the subject matter of a report, disclose any fact or matter on which the report is based, and have been relied on to a material extent in preparing the report - but exclude any published work. Requests for inspection of such documents should be made to the Monitoring Officer of the host authority who will arrange for the production of such documents as soon as reasonably practicable after the request.

7. Additional Access for Members of the Joint Committee

- 7.1 Any document in the possession or under the control of the Joint Committee which contains material relating to any business to be transacted at a meeting is open to inspection by a member of the Joint Committee.
- 7.2 Where a document discloses certain specified categories of exempt information it need not be open to inspection by a member. These categories relate mainly to personal information relating to crime or legal proceedings, or matters concerned with negotiations or industrial relations.

8. Publication of additional information

- 8.1 The host authority for the Joint Committee must maintain a register stating the name of every member of the Joint Committee and sub-committees and their appointing council. The register is published on the website and is also open to inspection by the public at the offices of the host authority.
- 8.2 The host authority for the Joint Committee will maintain a list specifying the powers delegated to individual authorities or specific officers, and stating the title of the officer by whom each of those powers is exercisable. The list is published on the website of the host authority and also open to public inspection, but excludes delegations of less than six months' duration.

9. Documents deposited with the Joint Committee

9.1 Documents may be required to be deposited with a proper officer of the host authority for the Joint Committee, either under an Act of Parliament or statutory instrument, or pursuant to the Standing Orders of either House of Parliament. A person interested in any such document may inspect it. Requests should be made to the Monitoring Officer.

10. Other Documents

10.1 Any report received from the Local Government Ombudsman under section 30 of the Local Government Act 1974 must normally be open to public inspection for a period of three weeks, but the Ombudsman may direct that a particular report shall not be publicly available.

10.2 Where a public inquiry is to be held into a compulsory purchase order made by the Joint Committee, a statement of the Joint Committee's case to the inquiry, together with copies of any documents it intends to submit to the inquiry, must be made available for inspection by any person on request.

10.3 The Local Government (Inspection of Documents) (Summary of Rights) Order 1986 lists many other statutory provisions under which documents are required to be made available to the public.

11. Fees

11.1 No fee will be charged for providing the facility of inspecting background papers.

11.2 A person who is entitled to inspect a document may (unless copyright law forbids it) make copies of, or extracts from it, or require a photographic copy of, or extract from, the document. The host authority for the Joint Committee reserves the right to make a charge for providing copies of documents.

12. Disorderly Conduct

12.1 If at a meeting any Member of the Joint Committee in the opinion of the Chair misconducts himself/herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Joint Committee, the Chair may move 'That the Member named be not further heard' and the motion if seconded shall be put and determined without discussion.

12.2 If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried the Chair shall either move 'That the Member named do leave the meeting' (in which case the motion shall be put and determined without seconding or discussion), or adjourn the meeting of the Joint Committee for such period as s/he in his/her discretion shall consider expedient.

12.3 In the event of general disturbance which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair in addition to any power vested in him/her may, without question put, adjourn the meeting of

the Joint Committee for such period as s/he in his/her discretion shall consider expedient.

13. Rescission of Previous Resolution

- 13.1 No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless the notice thereof given in pursuance of Rule 8 bears the names of at least five Members of the Joint Committee. When any such motion or amendment has been disposed of by the Joint Committee, it shall not be open to any Member to propose a similar motion within a further period of six months.
- 13.2 Provided that this Rule shall not apply to motions moved by the Chair or other Members of the Joint Committee in pursuance of a recommendation of a sub-committee.

14. Mode of Voting

- 14.1
- (a) Every proposition shall, unless otherwise required by these Procedure Rules or statute, be determined by show of hands.
 - (b) In taking the votes on any proposition, only those Members who are present in the room when the proposition is put from the chair shall be entitled to vote.
 - (c) After a proposition is put from the Chair but before the vote is taken, any three Members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each Member present gave his/her vote for or against that proposition or abstained from the voting.
 - (d) Except where a recorded vote has been taken, any Member who is present when the vote was taken may require that his/her vote for or against the question or abstention shall be recorded in the minutes by notifying the Head of Paid Service of the host authority.
- 14.2 Where there are more than two persons nominated for any position to be filled by the Joint Committee and of the votes given there is not a majority in favour of one person, the one having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on, until a majority of votes is given in favour of one person.
- 14.3 In the case of an equality of votes the Chair shall have a second or casting vote.

15. Urgent Business

- 15.1 The Head of Paid Service, Chief Financial Officer and the Monitoring Officer of the host authority shall each be empowered individually to take any action which is required as a matter of urgency in the interests of the Joint Committee, after consultation (where practicable) with the Chair of the Joint Committee, on

behalf of and within the powers and duties of the Joint Committee. All such action shall be reported to the next meeting of the Joint Committee.

16. Variation and Revocation of Procedure Rules

- 16.1 Any motion to add to, vary or revoke these Procedure Rules shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Joint Committee, provided that this Rule shall not apply to any review of Procedure Rules at the annual meeting of the Joint Committee.

17. Suspension of Procedure Rules

- 17.1 No Rule shall be suspended at any meeting of the Joint Committee except on the vote of a majority of the members then present.

18. Recordings at Meetings

- 18.1 The Local Audit and Accountability Act allows persons:

- (a) To film, photograph or make sound recordings of proceedings at a meeting of a body to which this section applies, or of a committee or - sub-committee of such a body;
- (b) To use other means for enabling persons not present at such a meeting to see or hear proceedings at the meeting, as it takes place or later;
- (c) To report or provide commentary on the proceedings at such a meeting orally or in writing, so that the report or commentary is available, as the meeting takes place or later, to persons not present at the meeting.

19. Record of Attendance

- 19.1 Every Member of the Joint Committee attending a meeting or a meeting of a sub-committees of which s/he is a member, shall have their attendance recorded and published through the website of the host authority.

20. Appointment of Sub-Committees

- 20.1 The Joint Committee may establish such sub-committees as it deems appropriate or it is required to appoint by or under any statute.

- 20.2 Subject to any statutory provision in that behalf the Joint Committee:

- (a) shall not appoint any member of a sub-committee so as to hold office later than the next annual meeting of the Joint Committee;
- (b) may at any time dissolve a sub-committee or alter its membership; every vacancy on a sub-committee shall be reported by the Head of Paid Service of the host authority at the first meeting of the Joint Committee after the vacancy has arisen and the Joint Committee may thereupon proceed to fill the vacancy.

- 20.3 The Joint Committee may appoint sub-committees for purposes to be specified by the Committee and, subject to these Procedure Rules and to any resolution of the Joint Committee in that behalf, may delegate to any such sub-committee any power or duty delegated by the Joint Committee.

- 20.4 The Chair and Vice-Chair of the Joint Committee shall be ex-officio members of every sub-committee appointed by the committee.
- 20.5 The membership of a sub-committee may include persons who are not members of the Joint Committee by which the sub-committee was appointed, however where such persons are not Members of the Joint Committee, they shall be appointed as non-voting members.
- 20.6 A Joint Committee shall not appoint any member of a sub-committee so as to hold office later than the next annual meeting of the Joint Committee and may at any time dissolve a sub-committee or alter its membership.

21. Quorum of Sub-Committees

- 21.1 Except where ordered by the Joint Committee or authorised by statute, or set out in the specific terms of reference of a sub-committee, business shall not be transacted at a meeting of any sub-committee unless at least one third of the whole number of members of the sub-committee who are entitled to vote is present, provided that in no case shall the quorum of a sub-committee be less than three members.

22. Procedure Rules to Apply to Committees and Sub-Committees

- 22.1 These Procedure Rules shall, with any necessary modifications, apply to meetings of sub-committees.

23. Interpretation

- 23.1 The decision of the chair of the meeting on the question of the construction of the Procedure Rules and on any question of order not provided for by the Procedure Rules shall be final.
- 23.2 The inclusion or exclusion of any specific matters in any other regulation or resolution shall not be construed as limiting in any way the scope of these Procedure Rules.
- 23.3 Where the Monitoring Officer is not a solicitor holding a current practising certificate for the expression "Monitoring Officer" in these Procedure Rules there shall be substituted the expression "the solicitor to the Joint Committee" wherever it is appropriate and where there is a requirement at law that such action is to be taken by a solicitor.

24. Procedure Rules to be Given to Members

- 24.1 A printed copy of these Procedure Rules and any other documents in respect of governance of the Joint Committee shall be given by the Monitoring Officer of the host authority to every Member of the Joint Committee on his/her first being appointed to the Joint Committee.

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

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

D2 SLB is exactly as its name implies, a **leadership board**, bringing together Derbyshire's councils to lead and direct existing and new partnership agendas and activity:

- Providing collective **leadership for Derbyshire**, allowing our authorities to speak with a single, shared voice on matters of common concern 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 have been invited to join D2 SLB 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 D2 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 D2 Strategic Leadership Board is the creation of a Combined County Authority for the East Midlands, which will bring new opportunities to improve outcomes for people and places throughout Derbyshire. With EMCCA's creation, it makes sense for D2 councils to come together to manage their interface with this 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 Derbyshire councils 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; and, potentially, oversight of related future funding from the new Combined County Authority or Government;
- 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 by providing a sounding board for Derbyshire’s representatives on the CCA Board, especially concerning the CCA’s investment and growth strategies; and additionally, because a mechanism is needed to agree nominations and appointments from District and Borough Councils to the CCA Board (subject to the Board accepting EMCCA’s invitation for the Board to be that nominating body).

By joining, Derbyshire’s councils are, first, signalling their intention to work together in the provision of improved services for Derbyshire’s residents and the general betterment of the whole county; and secondly, councils are enabling the D2 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 D2 SLB 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 D2 SLB'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 D2 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 Team, DCC, April 2024

---- *Ends* ----

This page is intentionally left blank

Derbyshire Strategic Leadership Board

Partnership Team and programme resources

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: Emma Alexander

For publication: Yes

1.0 Purpose of the report

1.1 To confirm arrangements for the establishment of the Strategic Leadership Board Partnership Team and programme resources.

2.0 Recommendation

2.1 That a Partnership Team and programme resources are established for the Strategic Leadership Board to the value of £425,000 as set out in the report.

3.0 Reason for recommendations

3.1 Establishing the partnership team and programme resource is critical in supporting the implementation of the Board and the Board's associated programme of work. Without the team and programme resource there will be more limited capacity to progress delivery, further develop identified programme activity and align with and support the East Midlands Combined County Authority (EMCCA).

4.0 Report details

Background

4.1 Agreement is sought following earlier consideration of plans for a Partnership Team and programme resources by the Vision Derbyshire Joint Committee, the D2 Economic Prosperity Committee and individual councils, with further consideration and approval at the establishment of the Board.

Information and Analysis

4.2 There is agreement across the Board that capacity and capability, through the establishment of a Partnership Team, is needed to support the Board. The Partnership Team would be responsible for:

- Overseeing, managing and co-ordinating Board business – including servicing meetings/committees;
- Working with thematic delivery leads to identify, develop, and deliver programmes and projects across the Boards collectively agreed priorities;
- Shaping the future programme and support which aligns with the proposed EMCCA, to optimise benefits for Derbyshire.

4.3 As the host authority for the Board, Derbyshire County Council will be responsible for the establishment of the team, the implications for which can be found at Section 6.0 and 8.0 of this report. The team will be comprised of a number of permanent and temporary Partnership Team posts, to be established on the commitment of the programme budget.

4.4 The D2 Strategic Leadership Board will direct the work of the Partnership Team. The following funding streams have been identified to meet budget requirements, these being previously attributed to the Vision Derbyshire programme, the D2 EPC and the Derbyshire Economic Partnership:

Strategic Leadership Board Funding	£s
County Council Funding	175,000
Derbyshire Economic Partnership Funding	135,000
Business Rate Pool Contribution	115,000
Total	425,000

4.5 These proposals will ensure that funding is in place until March 2025, requiring no immediate additional funding commitment from Board members as they can be funded through budgets already committed to the 2024/25 period.

4.6 The current Business Rates Pool stands at £734,449 and how the Board is funded beyond the 2024/25 period will be a decision to be taken by the Board at an appropriate time.

4.7 It is recommended that D2 SLB notes and agrees to the associated costs of the Partnership Team and programme resources as set out in

this report, the maximum cost of which currently stands at £425,000 per annum.

4.8 It is recommended that the Board:

- a) Approves the establishment of the Partnership team
- b) Agrees the spend of programme resourcing as described in this report to the value of £425,000

Next steps

It will be important to ensure that the Board is in the driving seat in developing a work programme over the coming months to maximise the collaborative benefits for local authorities, local people and communities in Derbyshire.

In this context, identifying the key actions which the Board will need to undertake, and the resources and capacity required to support the Board's agenda and future collaborative working will be a priority.

5.0 Alternative options

- 5.1 The Board could choose not to agree the Partnership Team and ask for options to support the delivery of the SLB to be brought forward at a future meeting.

6.0 Implications for consideration – Financial and value for money

- 6.1 Following the dissolution of the D2 EPC, the £734,449 remains from Retained Business Rates fund, and responsibility for overseeing the remainder of the spend has been transferred to the new D2 Strategic Leadership Board. Spend against the RRB will need to be aligned to projects and proposals that support economic growth and/ or help sustain or increase the generation of business rates in the D2 geography, in line with Government's original criteria for the retained funding.
- 6.2 The costs and contributions associated with meeting the required budget for the D2 SLB programme team are as outlined below and can in part be met from the budget already committed to the Vision Derbyshire approach in the 2023/23 and 2024/25 period.

D2 SLB Funding 24/25			Funded by		
Costs	Grade	FTE	Core DCC Budget (£)	Business Rates Pool (£)	DEP Funding (£)
Partnership Team	12	1	62,106		
	9	2.5	112,777		
	6	1		34,108	
Prog. Budget				50,000	
Team Budget				15,000	
Communications				10,000	
DEP Team	11	2			108,142
DEP Project funds					30,000
Total (£)			174,883	109,108	138,142

6.4 In its role as host authority, the Derbyshire County Council is likely to incur costs relating to the operation of the Board. These will be met from the Programme Budget.

6.5 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the Joint Committee, 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 to fund the D2 Strategic Leadership Board until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership.

6.6 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.

7.0 Implications for consideration – Legal

7.1 Derbyshire County Council will be the employer and bear employment and recruitment responsibility for the staff appointed to support the SLB. Staff will be recruited and employed in accordance with Derbyshire County Council terms and conditions of employment and its employment policies.

7.2 In accordance with Derbyshire County Council's Constitution – Responsibility for Functions at Appendix 1, Executive Directors have the authority to appoint and manage staff subject to the Council's policies

and legislative requirements. Therefore, the Executive Director for Place will be responsible for decision-making around this staff group.

8.0 Implications for consideration – Human Resources

8.1 Derbyshire County Council currently employs 2 FTE Grade 11 Senior Economic Development Officers who previously worked for the Derbyshire Economic Partnership. The current job descriptions enable them to be required to support the priorities of the D2 Strategic Leadership Board and its associated work, which would have previously agreed and commissioned by DEP.

8.2 As the host authority, Derbyshire County Council will hold additional Partnership Team posts. Recruitment to any outstanding posts will be in line with the grading criteria of the host council and their policies and procedures, as outlined below:

- 1 x Grade 12 Partnerships Manager
- 2 x Grade 9 Project Officers
- 0.5 x Grade 9 Communications Officer
- 1 x Grade 6 Admin Support.

3.3 These new posts will be created as a mixture of permanent and fixed term appointments, due to the one-off nature of a proportion of the programme funding. All posts would be subject to the host council's redundancy and redeployment policies and procedures.

3.4 All partners have confirmed their willingness to recognise an obligation to the postholders, through offering redeployment opportunities as appropriate, should this become necessary.

8.0 Implications for consideration – Climate Change

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

9.0 Implications for consideration – Equality and Diversity

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

10.0 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
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

Strategic Leadership Board

East Midlands Combined County Authority: Delegation as nominating body and request for Board nominations

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: NA

For publication: Yes

1.0 Purpose of the report

- 1.1 Request for SLB to accept designation from East Midlands Combined County Authority (EMCCA) to be the nominating body to make District and Borough Council representation nominations for membership on EMCCA Board and Committees for Derbyshire.
- 1.2 For the Strategic Leadership Board (SLB) to make formal nominations to the East Midlands Combined County Authority (EMCCA) Board.

2.0 Recommendations

It is recommended that the Strategic Leadership Board:

- 2.1 Accepts the designation provided by East Midlands Combined County Authority to be the nominating body for Derbyshire District and Borough Council Non-Constituent Members to the Combined County Authority.
- 2.2 Notes the arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA as detailed in Part 5 of the EMCCA Constitution.
- 2.3 To agree to the representatives as set out in paragraph 4.13 are the representatives nominated to the EMCCA Board until May 2025, at which point the representatives are reviewed through the selection process.

3.0 Reason for recommendations

- 3.1 To enable the Strategic Leadership Board (SLB) to nominate Derbyshire District and Borough Council Non-Constituent Members to the EMCCA Board and its wider committees.
- 3.2 To ensure that district and borough councils have formal representation at EMCCA.

4.0 Report details

Background

- 4.1 The East Midlands devolution deal signed in August 2022 enabled the creation of England's first Combined County Authority. In doing so it secured significant funds and powers for the region and empowered local people to make the decisions that influence jobs and skills, the quality of the region's transport infrastructure, housing investment, and the region's diverse natural environment. The four constituent councils' (Derbyshire County Council, Derby City Council, Nottinghamshire County Council and Nottingham City Council) subsequent approval of the creation of EMCCA in December 2023 will see the region benefit in the first instance from a £1.14 billion investment fund over 30 years, alongside an initial £1.5 billion in transport funding, £53m for adult education, and £18m for housing, brownfield land and other investments.
- 4.2 Alongside this, as a result of the creation of EMCCA, the region is working with national government to establish an 'Investment Zone', which will attract £160 million of support over ten years, with tax incentives for businesses, which will help boost economic growth across the region.
- 4.3 These initial powers and funds are the starting point for an ambitious programme that integrates social, environmental and economic initiatives in innovative ways to improve opportunity and wellbeing in the East Midlands.
- 4.4 EMCCA came into being on 28 February 2024 and held its first Board meeting on the 20 March 2024. At its inaugural Board meeting the EMCCA Board considered a number of procedural items to enable it to be able to operate as an effective organisation, this included statutory officer appointments and adoption of a constitution.
- 4.5 The East Midlands Combined County Authority Regulations 2024 provide that the Membership of the Combined County Authority will be the Mayor (who will Chair the Authority) and two Members from each

Constituent Council; however the EMCCA has the power to appoint Non-Constituent Members and Associate Members.

- 4.6 The Combined County Authority has three types of membership outside the position of mayor, these are as follows:
- **Constituents:** These are the 4 local authorities which the devolution of powers outside of mayoral functions have been devolved to (Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council). These are voting members of the EMCCA Board.
 - **Non-Constituents:** These are key partners/ stakeholders recognised within the EMCCA governance arrangements. They are defined as an individual nominated as a representative by a nominating body designated as such by the CCA in accordance with section 11 of the Levelling-up and Regeneration Act 2023. Non-Constituents are non-voting members across the EMCCA governance arrangements.
 - **Associates:** an individual appointed to be a member of the CCA in accordance with section 12 of the Levelling-up and Regeneration Act 2023
- 4.7 District and Borough Council representatives come under the definition of Non-Constituents; it should be noted that they are not the only grouping that would come under this definition.'
- 4.8 The 2024 Regulations limit additional membership, stating that the Combined County Authority must have no more than eight Non-Constituent and associate members. The constitution agreed by the EMCCA includes provision for four District and Borough Council representatives (two from Derbyshire and two from Nottinghamshire). This accords with the Devolution deal, Proposal submitted to government and the shadow arrangements adopted prior to the creation of the EMCCA.
- 4.9 At this first EMCCA Board meeting the four District and Borough representatives that have represented District and Borough Councils on shadow arrangements were present and able to contribute to discussions. They were not however formal Non-Constituent representatives at this first meeting due to the required formal procedure created by the legislation, this procedure requires:
- the Combined County Authority to be established (formally established on 28 February 2024)
 - the Combined County Authority to approve the designation of the D2 SLB and Notts EPC as a nominating body (agreed by EMCCA Board on 20 March 2024)

- the Combined County Authority to agree the number of non-constituent members and substitutes that may be appointed by each nominating body (agreed by EMCCA Board on 20 March 2024)
- the Combined County Authority to agree the process for the appointment, disqualification, resignation or removal of a non-constituent member or substitute members (agreed by EMCCA Board on 20 March 2024)
- the SLB and Notts EPC to agree to accept the designation as a nominating body (being proposed via this report)
- The SLB and Notts EPC to nominate non-constituent members and substitute members
- The Combined County Authority to approve the appointment of the non-constituent members and substitute members (to take place at next EMCCA Board, envisaged to be June 2024).

4.10 On 20 March EMCCA agreed that to designate to the D2 Strategic Leadership Board as the nominating body for Derbyshire District and Borough Non-Constituent appointments and the City of Nottingham and Nottinghamshire Economic Prosperity Committee (EPC) the position as the nominating body for Nottinghamshire District and Borough Non-Constituent appointments.

4.11 This designation asks that the Strategic Leadership Board accept that designation and make nominations to the EMCCA Board of two District and Borough Council representatives as Non-Constituent members of the EMCCA Board. The same request has been made to and accepted by the Notts EPC.

4.12 The arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA as detailed in Part 5 of the EMCCA Constitution can be found at Appendix A.

Nominations to EMMCA Board

4.13 A process of selection to the shadow EMCCA Cabinet was undertaken in October 2023 and the following were selected as the representatives from Derbyshire District and Borough Councils:

- a. Patricia Gilby, Leader of Chesterfield Borough Council;
- b. Anthony McKeown, Leader High Peak Borough Council;

4.13 It is recommended that these members are nominated as non-constituent members of the EMCCA Board until May 2025, and that a review process and future selection process be agreed by this Board.

4.14 Nominations for two substitute members is also required by this Board. It is recommended that the Board also agrees to nominate substitute members of the EMCCA Board until May 2025.

4.15 It is proposed that the Board:

- a) Accepts the designation provided by East Midlands Combined County Authority to be the nominating body for Derbyshire District and Borough Council non-constituent Members to the East Midlands Combined County Authority. If the Board decides not to accept the designation, it will not have the authority to nominate non-constituent members to the EMCCA and as a result Derbyshire District and Borough Councils would not be represented.
- b) Note the arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA as detailed in Part 5 of the EMCCA Constitution
- c) Agrees to nominate Patricia Gilby and Anthony McKeown as non-constituent members of the EMCCA Board until May 2025.
- d) Agrees to nominate substitute members of the EMCCA Board until May 2025.

Next steps

- 4.16 SLB will be requested to make outstanding non-constituent nominations to EMCCA committees at a future meeting. The process for these nominations is subject of another report to this Board.
- 4.17 EMCCA is in the process of pulling together its calendar of meetings for 2024/25, it is anticipated that the next meeting of the EMCCA Board will be in June to take account of each Constituent Council's Annual General Meeting. It is anticipated that the calendar of meetings for EMCCA will be approved at this June meeting.

5.0 Implications for consideration – Financial and value for money

- 5.1 Guidance on allowances for District and Borough Council representatives on East Midlands Combined County Authority Board and Committees will be provided following the Independent Remuneration Panel review.

6.0 Implications for consideration – Legal

- 6.1 The East Midlands Combined County Authority 2024 Regulations allow the Combined County Authority to have no more than eight non-

constituent and associate members on its Board. This allows the Combined County Authority to appoint up to a maximum total number of 8 Non-Constituent Members and Associate Members.

6.2 The Levelling Up and Regeneration Act 2023 allows for Combined County Authorities to designate a nominating body for the purposes of nominating Non-Constituent Members of a Combined County Authority, on condition that those nominating bodies accept that designation.

7.0 Implications for consideration – Human Resources

7.1 There are no Human Resources issues related to this decision.

8.0 Implications for consideration – Climate Change

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

9.0 Implications for consideration – Equality and Diversity

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

10.0 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
Jodie Townsend, Monitoring Officer for East Midlands Combined County Authority
Background documents <ul style="list-style-type: none"> ▪ EMCCA Governance and Constitution Board Paper: Item 5 - Governance and Constitution Report.pdf (derbyshire.gov.uk) ▪ EMCCA Constitution: Item 5 - Governance and Constitution Report.pdf (derbyshire.gov.uk) ▪ Arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA (attached as Appendix A)
Appendices to the report
Appendix A - Arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA

APPENDIX A – As included in the Constitution of the East Midlands Combined County Authority

Arrangements for appointment, disqualification, dismissal of Non-Constituent members

1. Background and Introduction

- 1.1 The Combined County Authority may designate a body, other than a constituent council, as a nominating body. Such a nominating body must consent to the designation. A nominating body may nominate a representative of that body for appointment by the Combined County Authority as a non-constituent member. The non-constituent members are non-voting members of the Combined County Authority, unless the Combined County Authority resolves otherwise.
- 1.2 The East Midlands Combined County Authority Regulations 2024 permit the Combined County Authority to appoint up to 8 non-constituent and associate members in total.

2. Appointment

- 2.1 The Combined County Authority will:
 - Approve the designation of a nominating body
 - Agree the number of nominating bodies that may be designated by the Combined County Authority
 - Agree the number of non-constituent members that may be nominated by a nominating body of the Combined County Authority
- 2.2 A nominating body may nominate such representatives of that body for appointment by the Combined County Authority as a non-constituent member as determined by the Combined County Authority.
- 2.3 A nominating body must nominate a substitute member for each non-constituent member nominated.
- 2.4 A nominating body may nominate a representative of the nominating body as a representative for appointment to the Combined County Authority.
- 2.5 Written notice must be served on the Monitoring Officer of the Combined County Authority confirming who the nominating body has agreed to nominate as a representative of that body for appointment by the Combined County Authority as a non-constituent representative.
- 2.6 The appointment of a non-constituent member or substitute will only take effect when the nomination is approved by the Combined County Authority.

3. Term of Office and Role

- 3.1 The term of office shall be for a maximum of two years.
- 3.2 A non-constituent member or substitute shall act as a representative of the nominating body that nominated them.

4. Disqualification

- 4.1 A person immediately ceased to be a non-constituent member or substitute if they cease to be eligible to be the representative of the nominating body that nominated them

5. Resignation

- 5.1 A person may resign as a non-constituent member or substitute by written notice served on the Monitoring Officer of the Combined County Authority and the resignation takes effect on receipt of the notice by the Monitoring Officer.

6. Withdrawal of nomination

- 6.1 A nominating body may at any time terminate its nomination of a non-constituent member or substitute nominated by it and nominate another one of its members in that person's place. Written notice shall be served on the Monitoring Officer of the Combined County Authority and the termination of membership of the Combined County Authority as a representative of the nominating body takes effect on receipt of the notice by the Monitoring Officer.

7. Dismissal

- 7.1 The Combined County Authority may dismiss a non-constituent member if they fail throughout a period of six consecutive months to attend any meeting of the Combined County Authority, unless their absence is due to a reason which has previously been approved by the Combined County Authority Board.
- 7.2 The Combined County Authority may dismiss a non-constituent member or substitute if there is a finding of breach of the Combined County Authority Code of Conduct by them.

Document version control	
Version:	1.0
Date:	20 March 2024
Document approved by:	EMCCA Board
To be of effect from:	20 March 2024

This page is intentionally left blank

Strategic Leadership Board

District and Borough council outstanding nominations to the East Midlands Combined County Authority

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: NA

For publication: Yes

1.0 Purpose of the report

1.1 For the Strategic Leadership Board to discuss and agree its approach to making outstanding non-constituent nominations to East Midlands Combined County Authority (EMCCA) committees.

2.0 Recommendation

It is recommended that the Strategic Leadership Board:

2.1 Discusses the approach to making outstanding nominations to EMCCA committees in alignment with paragraph 4.15 of this report, taking into account guidance provided in appendix 1 and 2 of this report.

2.2 Convenes a future meeting of the SLB to make outstanding nominations and EMCCA committees in alignment with paragraph 4.15 of this report, taking into account guidance provided in appendix 1 and 2 of this report.

3.0 Reason for recommendations

3.1 To support district and borough councils in their understanding of the ask from EMCCA and ensure the right representatives are brought forward for nomination.

3.2 To prepare for formal approval of outstanding non-constituent nominations to EMCCA committees in alignment with current EMCCA requirements, at a future meeting.

3.3 To ensure that district and borough councils have formal representation at EMCCA.

4.0 Report details

Background

- 4.1 EMCCA came into being on 28 February 2024 and held its first Board meeting on the 20 March 2024. At its inaugural Board meeting the EMCCA Board considered a number of procedural items to enable it to be able to operate as an effective organisation, this included statutory officer appointments and adoption of a constitution.

SLB relationship to the EMCCA Board

- 4.2 At the D2 Joint Committee for Economic Prosperity and Vision Derbyshire Joint Committee (predecessors of the of the new SLB), there was much debate about the role that this new Board would play in EMCCA related business. With the EMMCA having only recently been established, the Terms of Reference for the SLB has been drafted to anticipate, but not assume, specific roles for advising and supporting the new Combined County Authority.
- 4.3 The SLB has been envisaged as the platform to collectively discuss, seek agreement and align D2 councils' positions on EMCCA business where there are shared interests (as part of the SLB's broader remit). This should provide a sounding board for representatives on the EMCCA Board to discuss and understand councils' individual and collective views and priorities related to that business. The SLB could also advise and assist EMCCA with the development of its strategy and with implementation of programmes, as invited to do so.
- 4.4 Alongside this, the EMCCA Programme Team have been working in parallel, taking a view on how EMCCA needs to organise itself and what it may require of the SLB. The EMCCA Programme Team have been working under the assumptions and principles of 'Day 1' requirements and what the new Combined County Authority needs to have in place to be legal and operational, understanding that the future needs and wishes of the elected Mayor, Cabinet and appointed Executive Team will emerge and develop over the coming months and years.
- 4.5 EMCCA's working arrangements with all Derbyshire councils will therefore also emerge and evolve over the coming months as the EMCCA establishes suitable, workable mechanisms for progressing key business, such as the Investment Strategy and programme pipeline. The precise nature of the SLB's envisaged role in relation to EMCCA and specific responsibilities can be discussed at the Board and added into the Terms of Reference at the appropriate time.

4.6 It is suggested to the Board that the following set of principles should be adopted and applied to support the development of any new arrangements and the wider operating model of the SLB.

4.7 Arrangements must:

- Meet our own requirements and priorities, but also be responsive to EMCCA requirements and priorities
- Start with the minimal governance necessary to progress and retain the flexibility to evolve and adapt
- Keep things simple and non-bureaucratic by being pragmatic and streamlined
- Utilise and adapt existing apparatus
- Recognise that these ways of working are new, unfamiliar and will need time to understand as they emerge
- Constitute any governance in a way which can be managed efficiently and effectively.

Current EMCCA requirements

4.8 EMCCA has recently agreed an initial governance framework that is needed to undertake its statutorily defined functions. This consists of the following:

- EMCCA Board (the Mayor and Cabinet)
- Transport Advisory Committee
- Skills and Employment Advisory Committee
- Investment Committee
- Overview and Scrutiny Committee
- Audit and Governance Committee.

4.9 An earlier report on the agenda requests the SLB to consent to its proposed designation by EMCCA as the formal nominating body for appointments from non-constituent members to the Board and committees. It also sought the approval of the nominations of District and Borough council representatives on the EMMCA Board.

District and borough nominations to outstanding EMCCA committees

4.10 As well as making formal nominations to the EMCCA Board, EMCCA is also currently seeking, from the SLB, nominations to the other committees it has agreed (as a 'Day 1' minimum) are necessary to meet its legal and operational requirements, across the areas of:

- Transport
- Adult education and skills
- Economic investment

It also seeking appointment to its audit and scrutiny committees.

- 4.11 As with nominations to the EMCCA Board, it is for the SLB to formally approve members to EMCCA governance arrangements as designated. However, it is for district and borough councils to bring forward those nominations in a manner of their choosing – to be approved by district and borough councils *only* at the SLB.
- 4.12 These non-constituent members will sit on the EMCCA as representatives of all Districts and Boroughs in Derbyshire and not solely of the District or Borough for which they are a Councillor.
- 4.13 To support nominating bodies in the process, EMCCA has provided some guidance to district and borough councils. This guidance can be found at appendix 1 and 2 of this report. This has been designed and developed to support SLB members to bring forward the right representatives and is to be used for information and discussion at this stage.
- 4.14 It is a matter for each nominating body as to how they apply the guidance provided, however it should be noted that the guidance is provided in the spirit of partnership and to deliver effective district and borough representation at EMCCA.
- 4.15 EMCCA has outlined a number of key considerations for making nominations, with more detail in the guidance, and can summarised as follows:
- The knowledge and skillsets required to fit the role and responsibilities of each governance body
 - Political balance applied to the regulatory committees to ensure appropriate representation of political opinion
 - Diversity and inclusive leadership
 - Geographical spread.
- 4.16 Any councillor nominated to EMCCA committees should expect to receive an appropriate induction into EMCCA governance arrangements and the role and responsibilities of the governance body which they have been nominated to.
- 4.17 EMCCA is in the process of pulling together its calendar of meetings for 2024/25, it is anticipated that the next meeting of the EMCCA Board will be in June to take account of each Constituent Council's Annual General Meeting. It is anticipated that the calendar of meetings for EMCCA will be approved at this June meeting.

4.18 It is recommended that the SLB discuss the issues at hand and agree an approach to bringing forward outstanding nominations to EMCCA committees as soon as is practically possible. SLB can then be convened for those individuals to be formally nominated to those positions by the Board.

4.19 It is proposed that the Board:

- a) Considers the guidance provided to SLB members on making outstanding nominations to EMCCA committees.
- b) Reconvenes at a later date to approve outstanding nominations to EMCCA committees.

Next steps

4.20 Officers will liaise accordingly with EMCCA's Executive Team regarding any specific role and responsibilities that the Board may be invited to undertake and that may require adding into the Terms of Reference at the appropriate time.

5.0 Alternative options

5.1 The Board could choose not to consider the guidance provided to SLB members on making outstanding nominations to EMCCA committees to agree nominations to the Board. However, this is not recommended because it is important to ensure that district and borough councils have formal representation across all EMCCA committees.

6.0 Implications for consideration – Financial and value for money

6.1 Guidance on allowances for District and Borough Council representatives on East Midlands Combined County Authority Board and Committees will be provided following the Independent Remuneration Panel review.

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
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
Appendix 1 – Nominating Body FAQs on EMCCA Appendix 2 – Nominating Body Guidance Note on EMCCA Appointments

What is the Combined County Authority and how do District & Boroughs fit into its governance?

East Midlands Combined County Authority

May 2024

Purpose

This guidance note has been developed to provide District and Borough Councils across Derbyshire and Nottinghamshire with key information on the East Midlands Combined County Authority.

What is devolution?

Regional devolution refers to the process by which specific powers and decision-making authority are transferred from central government to subnational regions within a country. It aims to empower local communities and enhance their ability to address regional needs and priorities.

It is not about taking powers away from local authorities that already exist, rather bringing powers to the region from central government to empower regions, fostering better local governance and responsiveness to regional concerns.

What is the East Midlands Combined County Authority (EMCCA)?

The East Midlands Combined County Authority (EMCCA) has been created as part of the devolution deal between the Government and the four upper tier councils of Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council.

EMCCA has been given powers, functions and funding worth £1.14 billion from the Government. It means that decisions about investment in our areas, which are currently taken by central government, will be made locally. However, it is estimated that the region will unlock around £4bn of funding over the coming years because of this devolution deal.

Local authorities still exist as individual councils but the new Combined County Authority, led by a new regional Mayor, will work with all councils across the area to deliver the best possible outcomes for the residents and businesses. There would also be opportunities for private, public, and voluntary sector organisations to contribute and have their voices heard

How does this differ from a Combined Authority?

The Levelling Up and Regeneration Act creates a new type of combined authority for England. The new Combined County Authorities (CCAs) are designed for more rural areas, whereas the existing Combined Authorities (CA) typically cover metropolitan areas.

Combined County Authorities are made of Constituent Councils (upper tier authorities) who are called constituent members, and Non-Constituents such as district or borough councils who are key partners and play a key role in its ability to deliver.

A Mayor of the Combined County Authority

As part of the devolution deal, EMCCA must have a directly elected mayor. The Government believes a Mayor means clearer accountability over local powers, functions and funding.

A key part of the role is to act as an advocate and global ambassador for the Combined County Authority area and the 2.2 million residents who live here.

The Mayor leads the Combined County Authority, working with partner councils, business representatives and stakeholders on areas like transport, housing, regeneration, employment and skills, economic investment and the net-zero ambition.

The Mayor's term of office will run for four years.

The Mayor is directly elected by residents in Derbyshire, Nottinghamshire, Derby and Nottingham. The first election for a regional mayor is happening on Thursday 2 May.

What powers does EMCCA, and the Mayor have?

EMCCA has significant devolved powers and funding across several critical areas:

- **Transport:** Overseeing transportation infrastructure and connectivity.
- **Housing:** Addressing housing needs and development.
- **Skills and Adult Education:** Enhancing educational opportunities for adults.
- **Economic Development:** Promoting economic growth and job creation.
- **Net Zero:** Contributing to environmental sustainability

EMCCA is conferred with functions related to housing, regeneration, and planning. These include improving the supply and quality of housing in the area and securing the regeneration or development of land and infrastructure as well as compulsory purchase, land acquisition and disposal and development of land powers (the exercise of compulsory purchase functions is subject to the consent of all the local planning authorities affected).

EMCCA exercises local transport functions under the Transport Act 1985 and the Transport Act 2000. It can enter into agreements with strategic highways companies and enforce road traffic contraventions. Additionally, EMCCA has the power to implement a workplace parking levy and provide grants to bus service operators.

EMCCA has the power to borrow, a duty to prepare an economic assessment of the Area, will become responsible for Adult education and training functions which will be transferred from the Secretary of State.

The Mayor will chair the new Combined County Authority. The mayor's powers will include the power to designate a Mayoral Development Area and then set up a Mayoral Development Corporation as well as an ability to set a precept on Council Tax to fund mayoral functions and an option to charge a business rate supplement, subject to a ballot of local businesses.

What difference can EMCCA make?

Local decision making tends to result in better local economic performance, as policies are tailored to the needs of specific areas.

Local leaders often know and understand the areas much better than politicians and civil servants based in London, and their knowledge and experience can deliver what is appropriate and what will work for their region, especially when they work with nearby public and private sector partners.

EMCCA has already identified a number of key strategic aims through a strategic framework that sets out an initial broad vision rooted in inclusive growth. It aims to create a prosperous, sustainable, and fairer region by empowering people and businesses to seize opportunities.

The East Midlands underperforms against the national average across a number of core economic indicators, EMCCA will set to utilise its powers, funding and regional profile to tackle these issues and deliver on its objectives.

When will the Mayor take office?

The election for the first regional mayor will take place on 2 May 2024, The official list of candidates for the first East Midlands Combined County Authority (EMCCA) mayoral election is now confirmed and can be viewed by clicking: [**Elections 2024 – East Midlands Devolution**](#)

Where will the Mayor's office be located?

The Mayor will initially have an office based in Chesterfield, which will provide a hub for the Mayoral Office and EMCCA operations. EMCCA will also have hubs of operation right across Derbyshire and Nottinghamshire in existing local authority locations and elsewhere, the location of these hubs is yet to be identified but will seek to ensure appropriate geographical coverage.

How does the establishment of EMCCA affect local councils?

Councils will continue to have the responsibilities they do now, providing vital services to their communities and championing their towns, rural communities, and cities. This is about moving powers and money from Whitehall to the East Midlands for the benefit of all our communities.

District and Borough Councils will be represented right across in EMCCA governance arrangements as Non-Constituent Members and will play a key role in working with EMCCA to deliver better outcomes for the region.

Will this mean extra bureaucracy and higher cost to taxpayers?

Devolution is about reducing bureaucracy. By taking decisions closer to where they will have an impact, we can reduce the lengthy processes involved with dealing with the Government and secure better outcomes, offering better value for money.

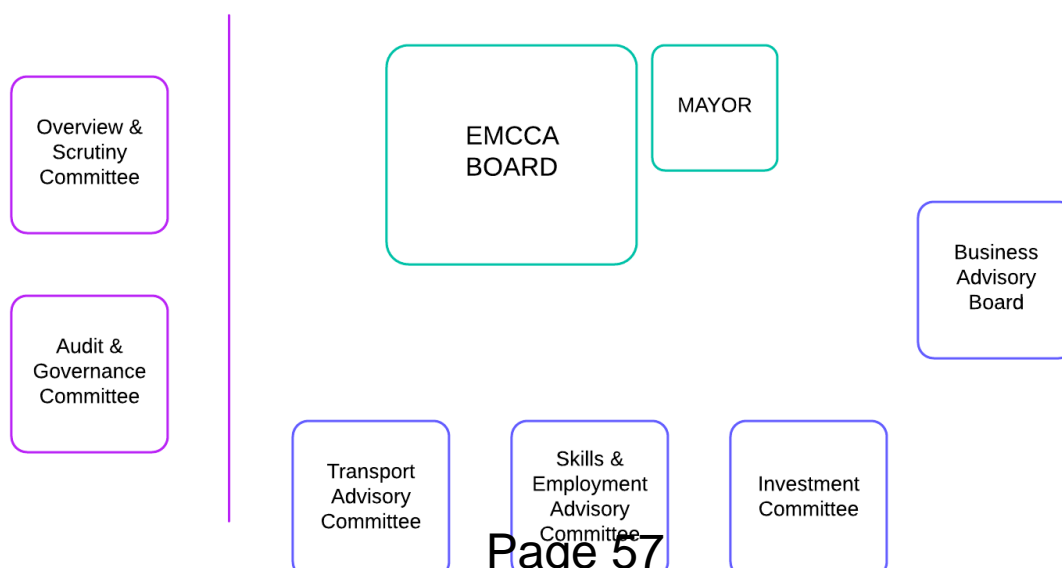
This isn't about adding a layer of unnecessary bureaucracy but moving resources and decision-making powers which already exist from London to the East Midlands and making all this democratically accountable to the people who live here.

As part of the devolution deal, funding has been secured to meet the additional costs of the new arrangements. The mayor will have limited tax-raising powers and would be accountable to the electorate for that decision and how that money is spent. Of the nine existing mayoral combined authorities, eight have this power, but only two have ever actually used it.

What are the governance arrangements at EMCCA?

EMCCA Board agreed the initial version of its governance arrangements at its first meeting on 20 March 2024, this version is based around enabling a minimal governance structure at first that will provide the platform for effective decision-making, strategy development and appropriate oversight and scrutiny, with the potential to build on that as the Combined County Authority develops.

In agreeing the initial version of its governance approach the intention of the Board was not to overcommit on governance arrangements before a Mayor is in place, and propose arrangements that whilst aligning with principles will allow the Mayor to be part of the evolution. The Committee structure at EMCCA initially looks as follows:



The EMCCA Board is the key decision-maker in the structure, it has responsibility for all decision-making outside of mayoral functions. It consists of the Leaders plus one other representative from each Constituent Council

Responsibilities across the structure are as follows:

Sets the strategic objectives	Board
Approves strategy, key policy and frameworks	Board
Sets the Medium-Term Financial Plan	Board
Non-Mayoral function decision-making	Board
Develops strategy, framework and policy proposals	Board and Advisory Committees
Provides investment guidance and advice	Investment Committee
Undertakes strategic level scrutiny	Overview & Scrutiny
Drives Mayoral and Board accountability	Overview & Scrutiny
Provides oversight and assurance of Standards and the Constitution	Audit & Governance
Provides oversight and assurance of sound financial management, governance and supporting frameworks	Audit & Governance
Provides the business voice	Business Advisory Board

How will District and Boroughs be involved?

Constituent Councils have formally emphasised a commitment to a principle of inclusivity when it comes to the involvement of District and Borough Councils, this commitment agreed on 20 March by the Board recognises District and Borough Councils as key partners and commits to:

- collaborate and engage on matters of strategy;
- co-design approaches where appropriate;
- continuously review arrangements to ensure the ability to influence is effectively enabled;
- provide opportunity to impact decision-making through effective Overview & Scrutiny; and
- work collaboratively to ensure communities feel engaged.

District & Borough Councils will be represented on EMCCA Board and all of its wider committees through two seats for each County area, the nominating bodies for each County will agree who these representatives are. The nominating bodies are the Nottinghamshire Economic Prosperity Committee and the Derbyshire Strategic Leadership Board.

There is also a statutory consents process in place that ensures that certain EMCCA decisions are subject to the consent of the local planning authorities affected.

For more information on EMCCA Governance please contact:

Jodie Townsend, Monitoring Officer

Jodie.Townsend@eastmidsdevo.org.uk

Guidance Note

Appointments by Nominating Bodies

East Midlands Combined County Authority

May 2024

This guidance note has been developed to provide guidance to designated nominating bodies to the East Midlands Combined County Authority (EMCCA) on the nomination of Councillors from District and Borough Councils to the Board and wider Committees of the Combined County Authority.

The guidance provided is intended as such, recognising that the decision on how and who to nominate is a matter for each designated nominating body. However, the guidance provided seeks to support the nomination of individuals that can best represent the District and Boroughs of each County area and contribute effectively within the Combined County Authority governance arrangements.

Background

- 1 The Levelling Up and Regeneration Act 2023 allows for Combined County Authorities to designate a nominating body for the purposes of nominating Non-Constituent Members of a Combined County Authority, on condition that those nominating bodies accept that designation.
- 2 On 20 March the Combined County Authority agreed to designate the positions of nominating body for Nottinghamshire and Derbyshire District and Borough Non-Constituent appointments to:
 - Derbyshire Strategic Leadership Board (D2 SLB)
 - Nottinghamshire Economic Prosperity Committee (EPC)
- 3 The nominations by the nominating bodies to the Combined County Authority would be for District and Borough Councillor representation.
- 4 Officers from the County Councils, District and Borough Councils and the Combined County Authority have contributed to this guidance note.

Requirement

- 5 The Combined County Authority has agreed an initial governance framework that provides 4 District and Borough nominated representatives on its Board and on each of its Committees, 2 from each county area. In accepting the designation provided by the Combined County Authority each nominating body is requested to provide the nominations to the Combined County Authority Board and its Committees.
- 6 The ask from the Combined County Authority is that each nominating body provides 2 representatives to be non-constituent members to each of the following Combined County Authority Board and Committees:

Combined County Authority Board	This is the decision-making body for all non-mayoral functions devolved to the Combined County Authority. It is responsible for the approval of all Combined County Authority strategy and the budget.
Transport Advisory Committee	This is an advisory committee to the Combined County Authority and the Mayor; it seeks to provide strategy advice and guidance on Transport matters in support of the exercise of Combined County Authority and Mayoral functions. Page 59

Skills & Employment Advisory Committee	This is an advisory committee to the Combined County Authority and the Mayor; it seeks to provide strategy advice and guidance on Skills and Employment matters in support of the exercise of Combined County Authority and Mayoral functions.
Investment Committee	This is an advisory committee to the Combined County Authority and the Mayor; it seeks to provide strategy advice and guidance on Investment matters in support of the exercise of Combined County Authority and Mayoral functions.
Overview & Scrutiny Committee	This is a regulatory committee of the Combined County Authority; these are Committees that the Combined County Authority must have by law.
Audit & Governance Committee	This is a regulatory committee of the Combined County Authority; these are Committees that the Combined County Authority must have by law.

- 7 The nominations by EPC and D2 SLB to these Combined County Authority governance bodies are for non-constituent membership.
- 8 Non-constituent members are individual members of the Combined County Authority who are nominated as members by a body designated by the Combined County Authorities, therefore they are nominated to represent a group or organisation. Non-constituent members are non-voting unless the voting members resolve otherwise.
- 9 Non-constituent members play a key role within the Combined County Authority governance framework in ensuring the bodies/ organisations that they represent are able to influence the agenda, decision-making, investment proposals and strategy developments.

Guidance for Nominations

- 10 The following guidance exists to support nominating bodies in the process of nominating to Combined County Authority positions.
- 11 It is a matter for each nominating body as to how they apply the guidance provided, however it should be noting that the guidance is provided in the spirit of partnership and to deliver effective District and Borough representation at the Combined County Authority.

Skillsets and Knowledge

- 12 Having an appropriate skillset and knowledge base that fits the role and responsibilities of each governance body will allow nominated individuals to play a more effective role within the body they have been nominated to and represent EPC or D2 SLB more effectively.
- 13 Individuals nominated need to understand the strategic nature of a Combined County Authority, as its focus will be on taking a region wide approach that benefits the region as a whole. Nominated individuals therefore need to be able to take a County wide approach to representing their nominating body rather than the local authority that they represent.
- 14 Individuals will benefit from having the appropriate thematic area knowledge to effectively represent, communicate, collaborate and understand regional aspirations and objectives.
- 15 Guidance is therefore provided as follows when making appointments:

Combined County Authority Board	Nominated individuals should be Leaders of District and Borough Councils who would generally have a good understanding of organisational responsibility as it relates to vision, strategic objectives and representation of an organisation.
--	--

	<p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of strategic policy to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p> <p>In representing the nominating body at the key decision-making Board of the Combined County Authority the individual would benefit from an ability to provide political leadership in a collective responsibility setting that seeks to take decisions based on consensus.</p>
<p>Transport Advisory Committee</p>	<p>The preference is that nominated individuals should be Lead Members for Transport and/or Place (or appropriate alternative such as backbencher with specialist knowledge) who will have a good understanding of regional strategic transport needs and understand terminology and approaches that cover public transport provision, highways and wider transport matters.</p> <p>An understanding of the purpose of the Local Transport Plan, sustainable transport, bus travel, rail and transport connectivity would be beneficial.</p> <p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of strategic transport policy to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p>
<p>Skills & Employment Advisory Committee</p>	<p>The preference is that nominated individuals should be Lead Members for employment, skills and adult learning, or economic growth (or appropriate alternative such as backbencher with specialist knowledge) who will have a good understanding of regional strategic need and understand terminology and approaches that cover public transport provision, highways and wider transport matters.</p> <p>An understanding of the purpose of a regional skills strategy, adult education, employment schemes and a Local Skills Improvement Plan would be beneficial.</p> <p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of strategic skills and employment policy to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p>
<p>Investment Committee</p>	<p>The preference is that nominated individuals should be Lead Members for Finance, or Economic Growth (or appropriate alternative such as backbencher with specialist knowledge) who will have a good understanding of regional strategic need and understand terminology and approaches that cover the development, decision-making and delivery of investment programmes and projects</p> <p>An understanding of Assurance Frameworks, Her Majesty's Treasury Green Book requirements and the process for the developing and approval of business cases would be beneficial.</p> <p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of strategic investment to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p>

<p>Overview & Scrutiny Committee</p>	<p>The preference is that nominated individuals should be Chairs or experienced Members of Overview & Scrutiny Committees (or appropriate alternative if committee system) who will have a good understanding of the role of the scrutiny function in a strategic context and accountability standards and practices.</p> <p>An understanding of performance management, strategic policy development and holding decision-makers to account would be beneficial.</p> <p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of strategic accountability to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p>
<p>Audit & Governance Committee</p>	<p>The preference is that nominated individuals should be Chairs, past Chairs or experienced Audit Committee Members who will have a good understanding of local authority financial affairs, risk management, governance and Member standards and code of conduct.</p> <p>An understanding of an organisational approach to internal systems of control, the Nolan Principles that govern Member behaviour and constitutions would be beneficial.</p> <p>They should have an ability to represent their nominating body (and wider Council Leaders) on matters of audit, risk, governance and finance to the Combined County Authority, and are able to effectively liaise with key individuals on behalf of their nominating body to ensure that they effectively represent that nominating bodies views.</p>

- 16 Political balance applies to the regulatory committees (Overview and Scrutiny/ Audit and Governance), it may therefore be more difficult to apply guidance on skillsets to these positions when taking political balance into account.
- 17 The Combined County Authority will seek to provide appropriate induction to individuals nominated and support officers where appropriate to the above governance bodies, training as appropriate and ensure they are provided with appropriate briefings and information to enable them to fulfil their role.
- 18 It is a decision for each nominating body on how they plan to effectively utilise their nominated members to the Combined County Authority to ensure that they are providing a County wide approach and perspective.

Geography

- 19 Having an approach that considers geographical representation across the scope of its nominations to the Combined County Authority in order to ensure that both the North and South of each County is appropriately represented across nominations will provide a wider range of views and experiences to the Combined County Authority.
- 20 Given the number of positions that the Combined County Authority seeks nominations for, guidance is provided that all District and Borough Councils within each County area are represented in the nomination process and therefore receive at least 1 nominating position.
- 21 Based on geography, it is suggested that each council gets 1 seat and then the remainder of required nominations are divided up according to preference/expertise with no council having more than 2 seats on the overall list of nominations to the Combined County Authority.

Diversity

- 22 To make the best possible decisions the Combined County Authority Board and Committees would benefit from having a diverse and inclusive leadership. Boards and committees made up of people with a mix of experience and skills gained from a range of backgrounds and lived experience that will bring fresh ideas, greater challenge and more robust decision making to the Combined County Authority.
- 23 Nominating bodies will want to consider nominations from those who are reflective of local communities in terms of gender, ethnicity, disability and sexuality who will be more equipped to understand our communities served.
- 24 It is important that our democratic organisations and public bodies strive to reflect the communities that they serve, and that we acknowledge the challenges and imbalances when they do not. Poor representation is a bad thing not just for those who are under-represented and suffer the consequences of a decision-making process that does not reflect their needs or interests, but for the institutions themselves. When they do not represent considerable parts of the population, they lose their legitimacy.

Political Balance

- 25 Political balance only applies to Combined County Authority appointments to its regulatory committees, and only to constituent council representation. Nevertheless, ensuring appropriate political representation across all nominations to the Combined County Authority will ensure an appropriate representation of political opinion and view from each county area.
- 26 Given the complexity of working out political balance requirements across a county area it is suggested that overall nominations take into account the political leadership of each District and Borough Council and appropriately reflect this make up in nominations.
- 27 For example, if 12 positions are available to nominate to the Combined County Authority, you could divide the number of nominations by the number of non-constituent councils and multiply this by the political leadership across all authorities to give an indicative balance.
- 28 For the Overview and Scrutiny Committee and Audit and Governance Committee, nominations will need to take into account the political balance requirements that will be set out in each nominating body report.

Role Profiles

- 29 Those nominated to Combined County Authority Board and Committees on behalf of each nominating body are expected to represent the views and objectives of the nominating body above that of their individual local authority.
- 30 Each Councillor nominated should act within the scope given to them by the nominating body which on occasion may need to be clarified.
- 31 It is the responsibility of the individual nominated to ensure that the nominating body is informed of key decisions, strategy development and thematic areas for discussion at a Combined County Authority level and that the nominating body has an opportunity to consider representation that it would like that nominated councillor to make.
- 32 Nominated representatives should make themselves aware of what the Combined County Authority expects from them. In so doing, a representative may seek information in relation to the Combined County Authority Constitution, Committee Terms of Reference, accounts etc.
- 33 Nominated representatives are expected to operate within the rules and/or Constitution of the Combined County Authority and adhere to the Code of Conduct for the Combined County Authority and their own local authority. Representatives will not disclose any information that is confidential to the

Combined County Authority who accept that such information may be required to be discussed in private session by a nominating body.

- 34 Nominated representatives are expected to attend meetings of the Combined County Authority to which appointed; to report on the activities of the Combined County Authority to the nominating body; the impact of those activities on the nominating body
- 35 Nominated representatives should take an active and informed role in the affairs of the Combined County Authority and in the appropriate representation of the nominating body;
- 36 Nominated representatives should make independent personal judgements in line with their Duty of Care to the Combined County Authority and the nominating body In so doing, to ensure that they are not representing the views and political position of their own political party and/or local authority make representations and decisions that are in the best interests of the nominating body.
- 37 Nominated representatives should inform the nominating body and any specific local authority Leader when matters specifically relating to that county or their local authority are to be discussed at a future Combined County Authority meeting.

Strategic Leadership Board

Developing the Agenda for Growth in Derbyshire and Derby

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: Joe Batty

For publication: Yes

1.0 Purpose of the report

- 1.1 To outline the progress made on preparing a draft Inward Investment Strategy and draft *strategy for growth* covering the D2 geography.
- 1.2 To set out how they will be used to support discussions with the East Midlands Combined County Authority (EMCCA) in preparing priorities for investment.
- 1.3 This covering report will be supported by a presentation at the meeting.

2.0 Recommendations

It is recommended the Strategic Leaders' Board:

- 2.1 Considers the presentation on the draft Inward Investment Strategy (shared at the meeting) and provides comments/ feedback to help finalisation of the document.
- 2.2 Confirms its preferred approach to signing off the final document.
- 2.3 Notes the progress made on preparing content for the D2 *strategy for growth* as outlined in the accompanying presentation and provides a steer on the key economic priorities for the geography that will be used to inform the framework and support discussions with EMCCA – and other partners.

3.0 Reason for recommendations

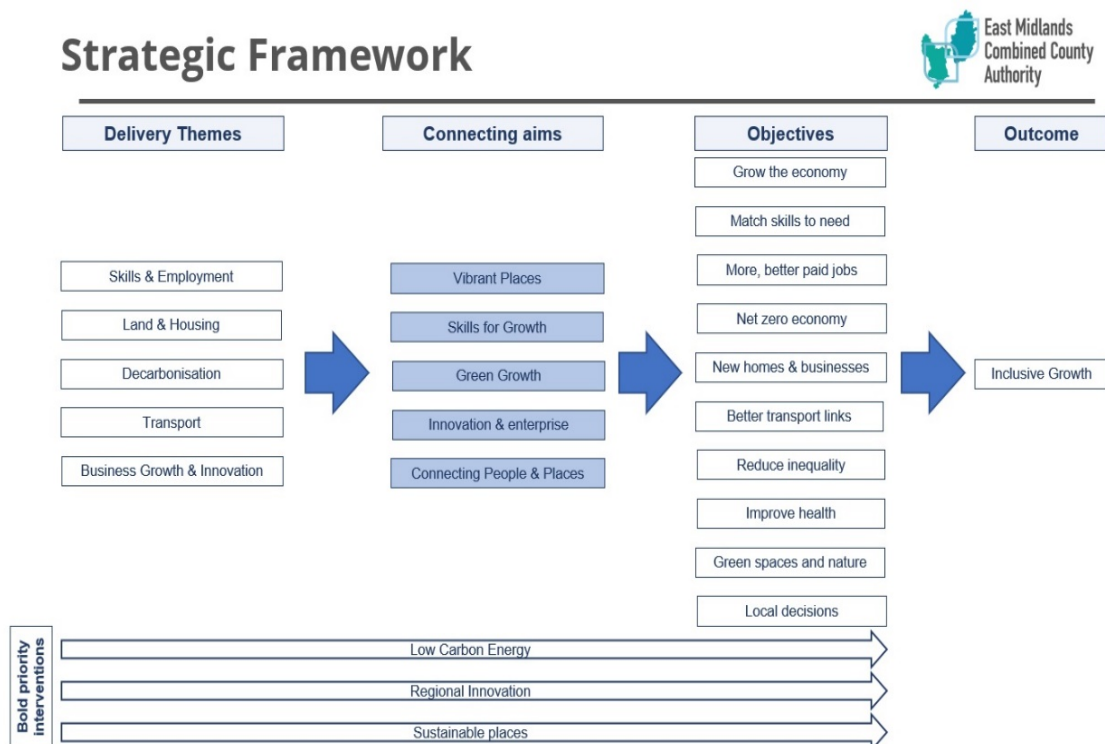
- 3.1 To enable the geography of Derbyshire and Derby to have a confirmed set of inward investment and economic priorities that can be used by the Strategic Leaders' Board (collectively and individually) to inform

discussions with EMCCA – and other partners - and maximise opportunities for funding presented by the new arrangements.

4.0 Report details

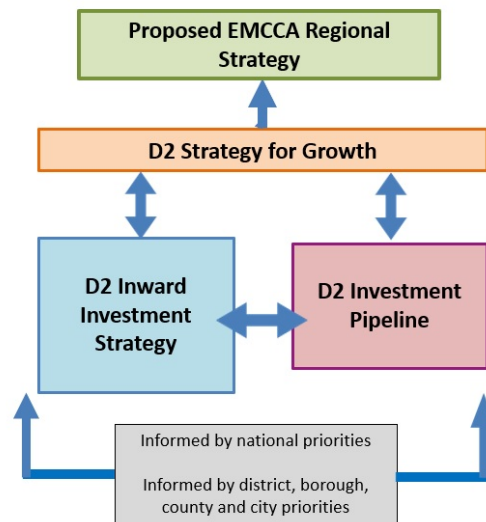
Context

- 4.1 Following discussions on the potential opportunities presented by the new EMCCA – particularly in relation to providing access to significant funding streams - the former D2 Joint Committee for Economic requested firstly that an Inward Investment Strategy be prepared for the geography, setting out key sites for attracting either growth of indigenous business or new foreign direct investment (FDI). An additional piece of work was requested more recently in the form of a shared ‘strategy for growth’ covering the D2 area. Having regard to the fact that the individual growth strategies of the districts, boroughs and city councils are all at different stages, this latter piece of work has the potential to take the shape of a strategic framework, rather than a strategy document in its own right.
- 4.2 In setting the wider, place-shaping context, EMCCA has developed a draft policy framework that will be used to guide the preparation of its own strategies, priorities and investment decisions; this is shown below. The arrival of the Mayor now may result in some changes to this Framework, although it’s unlikely to be substantial.



The D2 Response

- 4.3 The following diagram illustrates the inter-relationship between D2's Inward Investment Strategy and *strategy for growth* commissioned by the Strategic Leaders' Board (SLB) and the work shared at the previous meeting on the emerging D2 investment pipeline and context set by the proposed EMCCA 'regional strategy'.



D2 Inward Investment Strategy

- 4.4 On behalf of the SLB, Derbyshire County Council commissioned Marketing Derby and Derbyshire (MDD) to prepare the Inward Investment Strategy document. Over the past few months, MDD has undertaken a range of discussions with senior economic development officers from each of the ten local authorities to prepare the Strategy and collate a list of individual sites and proposals into one document.

- 4.5 Wider discussions have also taken place with:

- Property professionals and commercial agents, architects and planning consultants
- East Midlands Chamber of Commerce
- Destination Chesterfield
- Business Peak District
- D2N2 LEP
- Dept of Business and Trade
- Freeport
- Midlands Engine Partnership
- Rail Forum
- Visit Derby

- Visit Peak District and Derbyshire
- 4.6 Members will recall a presentation by MDD at a previous meeting in November 2023, setting out the core purpose of inward investment, the role a strategy could play, the national context and key opportunities within the D2 geography.
- 4.7 It is anticipated the final document will be used in two ways:
- a. As a means through which D2's development and inward investment priorities can be shared with EMCCA and other strategic partners.
 - b. As shared D2 collateral for use with potential investors at place marketing events such as UKREiiF, joint work with the Department for Business and Trade, discussions with Midlands Engine and with EMCCA.
- 4.8 A copy of the draft Inward Investment Strategy was received from Marketing Derby at the end of April and at the time of writing, is being reviewed by senior economic development officers in the local authorities.
- 4.9 A copy of the draft Strategy will be shared at the SLB meeting and discussion on the content will be supported by a brief presentation, informed by feedback from the senior officer group. The key focus of the discussion will be around the opportunities and challenges of the geography and confirmation of the investment sites to be included in the document as priorities for marketing.
- 4.10 The following section presents a few highlights from the draft Strategy for ease of reference:

Proposed Vision:

Derby and Derbyshire will be a location of choice for inward investors seeking a welcoming, central location, with a world-class heritage and culture of innovation, whilst providing proactive and effective support to strategic indigenous businesses.

Proposed Strategic Objectives:

1. To define a differentiated proposition(s) for Derby and Derbyshire in order to attract inward investment, both domestic and international;

2. To proactively promote Derby and Derbyshire to target markets on the basis of bespoke propositions, be they spatial, sectoral or otherwise;
3. To design an effective and efficient enquiry-handling service which operates at the right spatial level(s), is seamless and business customer-focused;
4. To ensure that activity is best delivered at the most appropriate level for the customer at a national, sub-regional or local level;
5. To proactively support strategic indigenous businesses seeking investment growth;
6. To work in collaboration across local and sub-regional geographies to create a delivery plan and attract resources.

Proposed Sites for Promotion for Inward Investment or Investor Development

- BECKETWELL (City)
- CULTURAL HEART OF THE CITY (City)
- NORTH RIVERSIDE (City)
- UNIVERSITY HUB PHASE 2 (City)
- INFINITY PARK DERBY (City)
- SMARTPARC SEGRO DERBY (City)
- ST. MODWEN PARK DERBY (City)
- BELPER NORTH & EAST MILLS
- CINDERHILL
- LILY STREET FARM
- SHIPLEY LAKESIDE
- CLOWNE GARDEN VILLAGE
- HORIZON 29
- BIRCHALL ESTATE
- CHESTERFIELD TOWN CENTRE 8. CHESTERFIELD WATERSIDE
- SHEEPBRIDGE LANE
- STAVELEY
- ASHBOURNE BUSINESS PARK
- BAKEWELL RIVERSIDE
- NEW STANTON PARK
- GRAPHITE
- HARPUR HILL AND STADEN LANE
- BAILEYS SQUARE, CLAY CROSS
- EGSTOW PARK
- THE AVENUE
- DOVE VALLEY PARK
- FORMER DRAKELOW POWER STATION
- SINFIN MOOR
- SWADLINCOTE TOWN CENTRE
- WOODVILLE REGENERATION AREA

- 4.11 Leaders are asked to consider whether a further version of the draft Inward Investment Strategy should be returned to the SLB for final sign off or whether delegation of amendments to the document can be given

to the D2 Chief Executives meeting which would offer an expedient means of finalising the document and making it available for marketing and discussion with EMCCA.

D2 Strategy for Growth

- 4.12 In addition to the Inward Investment Strategy, the former D2 EPC also requested that work commence on preparing a draft '*strategy for growth*' for the whole geography.
- 4.13 At present, the most up to date, collective growth strategy for D2 is based on the COVID recovery work, and although very well regarded and fit for purpose at the time, priorities were essentially focused on recovering from economic crisis with a heavy bias around high streets, town centre renewal and public transport. Although some of this work remains highly relevant, the strategic context has shifted significantly with the advent of EMCCA and the way in which investment programmes may well be called forward.
- 4.14 Furthermore, given that each of the 10 authorities have in place different growth strategies with varying timeframes and arrangements for their area, it is proposed that a 'framework' approach may work better, rather than a specific strategy in its own right. The baseline analysis would essentially be the same (socio-economic conditions, key challenges and risks to the economy etc) but it may be easier and quicker to pull together D2s key priorities and proposals set around EMCCA's Strategic Framework outlined at paragraph 4.2 above.
- 4.15 EMCCA does not have in place yet a growth strategy for the whole region – although work on its Local Transport Plan and Investment Pipeline is being progressed currently. It would be helpful for D2 to have in place its own views of priorities and proposals to inform EMCCA's regional work in a timely manner.
- 4.16 At the time of writing, it is understood EMCCA's plans to complete work on a regional strategy are broadly in line with the following timescale (although this may be subject to change through discussion with the Mayor):
- Agreement to commission the drafting of a strategy – July
 - Development of drafts and collation of evidence/ information – August to December
 - Likely completion of draft regional strategy – early 2025.
- 4.17 Making progress fairly quickly to create a D2 strategic framework for growth is therefore key and work has commenced in earnest – again utilising the senior economic development officer group. An update will

be provided at the SLB meeting and some key points drawn out for discussion but for ease of reference, the following economic priorities for growth are being proposed:

- Site Development;
- Supporting Business Growth and Innovation;
- Town Centre Regeneration;
- Growing the Visitor Economy;
- Improving Digital Connectivity;
- Supporting the Rural Economy and Diversification;
- Creating a Clean, Low Carbon Economy;
- Providing Access to High Quality Employment and Skills.

4.18 It is also proposed that D2's confirmed priorities be set around EMCCA's strategic framework to readily demonstrate how issues and proposals meet EMCCA's objectives. EMCCA's cross cutting themes are:

- Connecting People and Places
- Improving Health and Wellbeing
- Preserving and Developing Vibrant, Sustainable Places
- Reducing Inequality
- Decarbonisation and Working Towards Net Zero

4.19 Further detail on the emerging content and shape of the D2 approach will be presented for discussion / feedback at the meeting.

4.20 It is proposed that the Board:

- a) Considers the presentation on the draft Inward Investment Strategy (shared at the meeting) and provides comments / feedback to help finalisation of the document.
- b) Confirms its preferred approach to signing off the final document.
- c) Notes the progress made on preparing content for the D2 *strategy for growth* as outlined in the accompanying presentation and provides a steer on the key economic priorities for the geography that will be used to inform the framework and support discussions with EMCCA – and other partners.

Next steps

4.21 Inward Investment Strategy – receive feedback from D2 senior economic development officers by 10 May) and from leaders up to 24 May then finalise the document.

- 4.22 Confirmation of sites for investment to be used to support discussions and collateral at UKREiiF – week of 23 May 2024.
- 4.23 Continued development of content for the D2 growth framework and bring forward detailed proposals to next appropriate SLB.
- 4.24 Continue to liaise with officers at EMCCA to ensure timescales and draft outputs inform development of EMCCA Regional Strategy.

5.0 Implications for consideration – Financial and value for money

- 5.1 The cost of preparing the draft D2 Inward Investment Strategy is £25,000 and is covered from the shared DEP budget.
- 5.2 To date, work on the preparing the content of the draft Growth Strategy is being undertaken by Derbyshire County Council officers, working closely with the D2 Business, Place and Economy Workstream.

6.0 Implications for consideration – Legal

- 6.1 There are no legal implications related to this report.

7.0 Implications for consideration – Human Resources

- 7.1 There are no Human Resources issues related to this report.

8.0 Implications for consideration – Climate Change

- 8.1 Proposals related to low carbon development, climate change mitigation and adaptation will form part of the considerations and content of any future D2 Growth Strategy.

9.0 Implications for consideration – Equality and Diversity

- 9.1 Supporting levelling up through inclusive growth will be a key element of any future D2 Growth Strategy.

10.0 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
Joe Battye, Director Economy and Regeneration, Derbyshire County Council
Background documents Reports to former D2 Joint Committee for Economic Prosperity Committee <ul style="list-style-type: none"> ▪ September 2023 ▪ December 2023 ▪
Appendices to the report
None

