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PUBLIC

To: Members of D2 Strategic Leadership Board

30 May 2024

Dear Councillor

Please attend a meeting of the **D2 Strategic Leadership Board** to be held at **2.00 pm** on **Friday, 7 June 2024**; in **Council Chamber, County Hall, Matlock, DE4 3AG** the agenda for which is set out below.

Yours faithfully

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

Helen Barrington
Director of Legal Services

A G E N D A

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. Minutes (Pages 1 - 4)

To confirm the non-exempt minutes of the meeting of the D2 Strategic Leadership Board held on 16 May 2024.

5. Introduction to new EMCCA Mayor

6. District and Borough Council Nominations to EMCCA (Pages 5 - 14)

7. Any Other Business

PUBLIC

MINUTES of a meeting of **D2 STRATEGIC LEADERSHIP BOARD** held on Thursday, 16 May 2024 in Council Chamber, County Hall, Matlock, DE4 3AG.

PRESENT

Councillor N Barker (in the Chair)

Councillors J Dawson (Erewash Brough Council), C Emmas-Williams (Amber Valley Borough Council), S Flitter (Derbyshire Dales District Council), S Fritchley (Bolsover District Council), B Lewis (Derbyshire County Council), A McKeown (High Peak Borough Council), and N Tilley (South Derbyshire District Council).

Also in attendance was E Alexander (Derbyshire County Council), D Arkle (Amber Valley Borough Council), J Battye (Derbyshire County Council), S Batey (Derbyshire County Council), K Hanson (Bolsover District Council), C Henning (Derbyshire County Council), L Hickin (North East Derbyshire District Council), J Jaroszek (Erewash Brough Council), R Lowe (Derbyshire County Council), J Seymour (Derbyshire County Council), A Stokes (High Peak Borough Council), J Townsend (EMCCA), and P Wilson (Derbyshire Dales District Council).

Apologies for absence were submitted for Councillors T Gilby (Chesterfield Borough Council), R Pearson (South Derbyshire District Council), and H Bowen (Chesterfield Borough Council), and S Gladwin (Amber Valley Borough Council).

01/24 ELECTION OF CHAIR AND DEPUTY CHAIR

The Clerk opened the meeting to seek nominations for the Chair of the D2 Strategic Leadership Board.

On the motion of Councillor C Emmas-Williams, duly seconded, it was

RESOLVED:

To elect Councillor N Barker as Chair of the D2 Strategic Leadership Board and to elect J Dawson as the Deputy Chair.

02/24 DECLARATIONS OF INTEREST

There were no declarations of interest.

03/24 INTRODUCTION TO NEW EMCCA MAYOR

This item was deferred to the following meeting.

04/24 CONSIDERATION AND APPROVAL OF D2 SLB TERMS OF REFERENCE

R Lowe introduced the item, providing the Board with its Articles, Procedures and Terms of Reference.

RESOLVED to

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

05/24 CONSIDERATION AND APPROVAL OF PARTNERSHIP TEAM AND PROGRAMME RESOURCE

R Lowe introduced the item, providing the Board with the arrangements for the establishment of the Strategic Leadership Board Partnership Team and programme resources.

It had been confirmed by the Leader of Derbyshire County Council that the authority would no longer be providing funding.

RESOLVED to

1) agree the establishment of the Partnership Team and programme resource in principle, subject to determination of the funds available to establish that partnership team and subject to constituent councils of this board making decisions as appropriate within their own councils to enact the revised proposals to this board.

06/24 CONSENT TO DESIGNATION AS EMCCA NOMINATING BODY

J Townsend introduced the item, requesting that the Strategic Leadership Board (SLB) 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. As well as the request for the SLB to make formal nominations to the EMCCA Board.

RESOLVED to

1) accept the designation provided by the 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) note the arrangements for appointment, disqualification, dismissal of Non-Constituent members to EMCCA as detailed in Part 5 of the EMCCA Constitution.

3) 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.

07/24 **DISTRICT AND BOROUGH COUNCIL OUTSTANDING NOMINATIONS TO EMCCA**

R Lowe introduced the item, opening the discussion and requesting agreement to its approach to making outstanding non-constituent nominations to East Midlands Combined County Authority (EMCCA) committees.

RESOLVED to

1) discuss the approach to make outstanding nominations to EMCCA committees in alignment with paragraph 4.15 of the report, taking into account guidance provided.

2) agree to convene a future meeting of the SLB to make outstanding nominations and EMCCA committees in alignment with paragraph 4.15 of the report, taking into account guidance provided.

08/24 **DEVELOPING THE AGENDA FOR GROWTH IN DERBYSHIRE AND DERBY**

J Battye introduced the item, outlining the progress made on preparing a draft Inward Investment Strategy and draft strategy for growth covering the D2 geography. This was to set out how they will be used to support discussions with the East Midlands Combined County Authority (EMCCA) in preparing priorities for investment.

Suggested amendments had been made by Board members. Officers would include these and the final documents will be taken to the D2 Chief Executives meeting and then brought back to the D2 Strategic Leadership Board.

RESOLVED to

1) consider the presentation on the draft Inward Investment Strategy and provide comments/ feedback to help finalisation of the document.

2) confirm the preferred approach to signing off the final document and to include a review period.

3) note the progress made on preparing content for the D2 strategy for growth as outlined in the accompanying presentation and provide 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.

09/24 **ANY OTHER BUSINESS**

The next Board meeting was scheduled for 06 June 2024. This was to be reviewed as it was the 80th anniversary of D-Day.

Strategic Leadership Board

**District and Borough Council nominations to the East Midlands
Combined County Authority Committees**

Date: 7 June 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 make Non-Constituent nominations to East Midlands Combined County Authority (EMCCA) committees.

2.0 Recommendation

It is recommended that the Strategic Leadership Board:

2.1 Agrees to the nominations for EMCCA committees until May 2025 in alignment with paragraph 4.4 and 4.5 of this report, taking into account guidance provided in appendix 1 of this report.

3.0 Reason for recommendations

3.1 To enable the Strategic Leadership Board to nominate Derbyshire District and Borough Council Non-Constituent Members to EMCCA committees.

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

4.0 Report details

Background

4.1 At the last meeting of the Strategic Leadership Board (SLB) on 16 May 2024 the Board accepted the designation provided by East Midlands Combined County Authority to be the nominating body for Derbyshire District and Borough Council Non-Constituent representation to the

Combined County Authority Board and its Committees as listed in paragraph 4.4 of this report.

- 4.2 The Board is aware that it is for the SLB to formally approve district and borough members to EMCCA governance bodies as designated, and it is for district and borough councils to bring forward those nominations in a manner of their choosing. However, to support nominating bodies in the process, EMCCA provided some guidance to district and borough councils. This guidance, which was optional, can be found at appendix 1 this report.
- 4.3 The SLB agreed to reconvene before the next EMCCA Board meeting scheduled for 17 June 2024 to make the required nominations.

Nominations to EMCCA Committees

- 4.4 Having already made nominations to the CCA Board, the specific request from the CCA is that the SLB, as a nominating body, provides two representatives and two substitute representatives to be the non-constituent members to each of the following Committees:
- Transport Advisory Committee
 - Skills and Employment Advisory Committee
 - Investment Committee
 - Overview and Scrutiny Committee
 - Audit and Governance Committee.
- 4.5 District and borough councils having undertaken a process of determining their nominations prior to this meeting of the SLB, these non-constituent nominations are to be verbally confirmed at this Board meeting. It is recommended that these members will be representatives and substitute representatives on their respective EMCCA committees until May 2025.
- 4.6 As Non-Constituent EMCCA committee nominations are a matter for district and borough councils at this Board, voting regarding this matter is reserved only to district and borough councils.
- 4.7 Members will sit on the EMCCA Board and Committees as representatives of all Districts and Boroughs in Derbyshire and not of the District or Borough for which they are a Councillor.
- 4.8 Councillor's nominated to EMCCA Committees will receive an appropriate induction into EMCCA governance arrangements and the role and responsibilities of the governance body which they have been nominated to.

4.9 EMCCA is expected to approve their calendar of meetings for 2024/25 at its next Board meeting on 17 June 2024.

4.10 It is proposed that the Board:

a) Agrees to the nominations of non-constituent members to the EMCCA Committees until May 2025.

5.0 Alternative options

5.1 The Board could choose not to make outstanding non-constituent nominations to EMCCA committees, against EMCCAs designation. 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 The SLB consented to be the designated body for Non-Constituent EMCCA nominations at its meeting on the 16 May 2024, and therefore it is for the SLB to formally approve members to EMCCA governance arrangements as designated. Nominations are to be approved only by district and borough councils at the SLB.

7.2 There no specific rules for Non-Constituent nominations, but guidance has been provided to provide advice. Non-constituent members of the EMCCA Board should not also be on an EMCCA Committee, including the Overview and Scrutiny Committee.

7.3 All District and Borough Council's in principle should have at least one representative seat across EMCCA. To support making Non-Constituent substitute nominations, it is possible to be a member of one committee and a substitute of another if practicable.

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 Guidance Note on EMCCA Appointments

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 9

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.
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	<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.