

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

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