

Strategic Leadership Board

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

Date: 16 May 2024

Key ambition area: Whole Programme

Sponsor/s: NA

For publication: Yes

1.0 Purpose of the report

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

2.0 Recommendation

It is recommended that the Strategic Leadership Board:

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

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

3.0 Reason for recommendations

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

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

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

4.0 Report details

Background

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

SLB relationship to the EMCCA Board

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

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

4.7 Arrangements must:

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

Current EMCCA requirements

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

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

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

District and borough nominations to outstanding EMCCA committees

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

- Transport
- Adult education and skills
- Economic investment

It also seeking appointment to its audit and scrutiny committees.

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

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

4.19 It is proposed that the Board:

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

Next steps

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

5.0 Alternative options

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

6.0 Implications for consideration – Financial and value for money

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

7.0 Implications for consideration – Legal

7.1 There are no legal implications around this decision.

8.0 Implications for consideration – Human Resources

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

9.0 Implications for consideration – Climate Change

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

10.0 Implications for consideration – Equality and Diversity

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

11.0 Implications for consideration – Risk Management

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

Document information

Report author
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Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.
None
Appendices to the report
Appendix 1 – Nominating Body FAQs on EMCCA Appendix 2 – Nominating Body Guidance Note on EMCCA Appointments