

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

9 SEPTEMBER 2021

Report of the Managing Executive Director

Vision Derbyshire – Phase 4 Implementation Proposals
(Strategic Leadership, Culture, Tourism and Climate Change)

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 To provide an update on work taking place with Derbyshire Councils on Vision Derbyshire and the emergence of the opportunities presented through a County Deal and, to seek approval for the Council's involvement in Phase 4 development and implementation and to establish a Joint Committee of local authorities within Derbyshire, the Vision Derbyshire Committee, to progress a collaborative working model between local authorities across Derbyshire which seeks to improve outcomes for people and place through closer working between those authorities.

4. Information and Analysis

4.1 Background

Over the last two years, Councils across Derbyshire have been working towards a new collective and ambitious vision and model of local government collaboration, integration and shared leadership, which has looked beyond traditional partnerships and focused on achieving the greatest public value for local people and communities.

Phase 1 of the approach which commenced in July 2019, saw all ten Councils in Derbyshire – the County Council, City Council and eight District and Borough Councils – working together to develop a shared set of priorities and to agree to strategically collaborate on the improvement of outcomes for people and places, to speak with one voice as a county, to provide a viable alternative to unitarisation and to coordinate resources better and more sustainably.

Phase 2 of the approach, involving all Derbyshire Councils except Derby City, resulted in the development of Vision Derbyshire, an approach to non-structural reform and a case for change and proposition to central government focused around four key ambitions as follows:

- Seize innovation - pioneering skills and technologies for a sustainable future economy
- Establish relentless ambition - creating opportunities for everyone in Derbyshire and making these visible:
- Build proactive communities - harnessing the energy in Derbyshire's communities and empowering people to make change:
- Live and work sustainably - committing to a zero-carbon footprint in our tourism, wider economy and ways of working

A number of enablers, including: leadership; culture; strategy; technology; workforce; customers; and assets, to support and embed collaboration, were also identified during the development of Phase 2, alongside estimated organisational and wider system benefits that could potentially be achieved if the new approach were to be taken forward.

New formal governance arrangements, to support effective decision making, were also identified during this phase as being crucial in taking the approach forward, in addition to a number of asks and offers to Government to support the realisation of ambitions.

In September 2020, a report to Council, provided an update on Vision Derbyshire in the context of the awaited Devolution and Local Recovery White Paper, with reports at the time suggesting that this would pave

the way for widespread local government reorganisation. Whilst the Council approved structural reform as a viable alternative option for local government reform in the event Vision Derbyshire was not able to satisfy the Government's requirements for reform, Vision Derbyshire was approved as the Council's preferred option.

Since that time, work has actively been taking place to further develop the Vision Derbyshire approach. In October 2020, Leaders and Chief Executives of eight Derbyshire Councils (all Derbyshire Councils excluding Derby City Council and South Derbyshire District Council), agreed to progress and commence implementation of Vision Derbyshire proposals, translating the case for change and proposition to central government, developed during Phase 2, into a practical programme of work across the following five workstreams:

- Strategic and Tactical Development
- Building a Team
- Accelerated Delivery Programme
- Governance Model
- Communications and Stakeholder Engagement

Vision Derbyshire Phase 3 has sought to:

- Maintain the momentum successfully built up during earlier phases, extending engagement to a broader range of Members, employees and partner organisations through agreed implementation and delivery proposals
- Mobilise delivery in order to accelerate the implementation of agreed priorities initially focusing on a number of early start areas aligned to the four agreed ambitions areas
- Develop draft governance proposals for Vision Derbyshire through the development of new Joint Committee arrangements
- Build a broader short and medium-term delivery programme to meet agreed ambitions.

Phase 3 has seen significant progress being made in a relatively short period of time and has been successful in demonstrating the true potential of the approach. During Phase 3, Leaders and Chief Executives supported by Lead Officers from across the range of participating Councils have been given responsibility for identified thematic programmes of work. This has accelerated shared leadership and accountability and developed trust and collective buy in to the approach.

Phase 3 has also seen the design and development of joint programmes of work to support identified priorities and this has presented opportunities to showcase activity and the benefits of the model in delivering improved outcomes for people and place, for example through the development of a new county wide Business Entrepreneur Scheme and new Homelessness approach.

Engagement sessions specifically aimed at broadening wider Elected Member involvement took place between January and March 2021 and have provided a basis for the fostering of even closer working relationships through a clearer understanding and involvement in Vision Derbyshire implementation which will deliver benefits on the ground.

Rapid progress has been made on governance with Lead Officers, from a number of participating Councils, involved in the Governance Working Group designing and developing proposals for new formal governance arrangements through a new Vision Derbyshire Joint Committee which are presented in this report for consideration and endorsement.

Work to develop communications and engagement of the approach, which will be vital as activity on the ground emerges, has also taken place with an initial focus on the development and design of a new Vision Derbyshire brand through a partnership with the University of Derby.

Phase 3 has ultimately put in place the foundations and architecture for future phases of the Vision Derbyshire approach and this will put Derbyshire Councils in an excellent position to rapidly accelerate future proposals.

4.2 Current Position

Vision Derbyshire has been driven forward and involved a significant investment of time, hard work and goodwill from participating councils and their leaders, executive officers and lead officers. The future of the approach is now at a critical stage of development, given what it potentially at stake.

At a meeting of Vision Derbyshire Leaders and Chief Executives in March 2021, proposals to take forward the approach were approved and Phase 3a, which commenced in April 2021, is now underway. Phase 3a seeks to take advantage of the significant progress made during Phase 3 putting in place plans and making the necessary preparations for the delivery of a wider, ambitious programme of work as part of Phase 4 proposals. The key aims of Phase 3a are to:

- Scope out and develop detailed programme delivery plans for the four thematic ambition areas ensuring these are developed and in place in advance of Phase 4 implementation
- Identify and scope out the key enablers and potential shared services which can be further developed through the Vision Derbyshire approach
- Secure the buy in to, and involvement of participating councils to new formal governance arrangements
- Identify and secure resources for the creation of dedicated joint programme support
- Broaden involvement through additional Elected Member, and a series of new Senior Management Team, engagement sessions across participating Councils to support the development of programme delivery plans
- Re-engage with central government and other key stakeholders to identify opportunities to maximise opportunities for Derbyshire to support identified ambitions and priorities.

It is anticipated that all necessary plans and activity will be completed in readiness for the launch of Phase 4 at the end of September 2021.

4.3 County Deals and Devolution

A key principle of the approach is to put in place arrangements and a model to position Derbyshire at the forefront of any national developments including securing a potential devolution deal and maximising additional resources into the county. The national landscape has recently shifted, with a move away from Devolution and Local Recovery to Levelling Up. Recent announcements by the Prime Minister and Secretary of State Robert Jenrick MP about plans for the Levelling Up agenda have signalled a move towards the creation of County Deals and this presents significant opportunities for Derbyshire Councils through Vision Derbyshire in this shift, to present a credible model to Government.

Reduced public sector funding and increasing demand for services driven by demographics and long standing social, health and economic pressures mean that the Council, like many other authorities across the country, continues to face significant challenges in providing the services that local people need and want with available resources. The resulting impact of the pandemic on the national economy is likely to be significant and the anticipated financial shock on public finances will place local government under increasing pressures to deliver services with increasing demand and reduced resources.

Based on existing deals, a County Deal for Derbyshire could incorporate directly devolved investment in infrastructure, skills, transport and housing. Such investment would be of vital importance in enabling the local and regional economy to recover from the pandemic for the benefit of local people.

Given the anticipated publication of the forthcoming Levelling-Up White Paper, expected in the Autumn, many councils are actively considering their routes to securing a County Deal. Government are currently in discussions with a number of authorities across the Country and it is expected that the Government will invite a small number of these to be pilot areas. The Council recently submitted a formal expression of interest requesting that Derbyshire be considered as a potential County Deal pilot area.

Whilst this is an emergent process, the Council understands that those authorities who can submit the clearest, most innovative and readily deliverable plans for non-structural reform in their areas, with proposals for strong governance alongside, are most likely to be successful. Therefore, the need to mobilise as a group of Vision Derbyshire Councils in this process will be critical in ensuring that vital resources and funding are drawn into the county to meet identified ambitions.

Phase 4 proposals set out in the report will ensure that the necessary governance and structures to deliver at pace are in place to take advantage of opportunities as these arise in advance of the White Paper being published and before any new proposals and funding streams for future Levelling Up activity is announced.

4.4 Phase 4 Vision Derbyshire Proposals

Phase 4 Vision Derbyshire proposals seek to build on the foundations and architecture built during previous phases whilst clearly focusing on programme delivery specifically aimed at achieving better outcomes for local people and places across Derbyshire. Phase 4 of the Programme will seek to:

- Confirm detailed implementation proposals developed during Phase 3a and commence delivery of agreed short and medium-term programmes of activity focused on achieving the four Vision Derbyshire strategic ambitions

- Establish a new joint Vision Derbyshire programme team, tasked with accelerating and supporting the implementation of delivery plans and proposals
- Build on the success of Phase 3, further extending and deepening the engagement and involvement of Elected Members, senior managers and partner organisations through agreed implementation and delivery proposals
- Establish the new Vision Derbyshire Joint Committee embedding new decision-making processes across participating councils
- Build a broader longer-term delivery programme to meet agreed Vision Derbyshire ambitions.

4.5 Phase 4 Delivery Programme

Detailed delivery programmes for each of the four thematic ambitions are currently in development and will be in place by September 2021.

Key priorities for each of the ambitions which are set out below:

Ambition	Priorities
Seize Innovation	Business Entrepreneur Scheme
	Smart Towns Programme
Achieve Relentless Ambition	Careers
	Skills and Employment Research
	Festival of Business
	Social Mobility
Communities	Homelessness
	Independent Living
	Domestic Abuse
Live and Work Sustainably	Climate Change
	Shared Planning Policies

A high-level plan, which sets out key activity identified to date, alongside Leader, Chief Executive and Lead Officer leads is attached at Appendix A for consideration.

The benefits of progressing the Vision Derbyshire approach are significant, both in terms of the potential offered by the approach and the benefits that will be accrued through associated programmes of delivery.

New formal governance arrangements will enable a clear focus and accountability for key programmes of work which will streamline current arrangements, reduce duplication, and ensure resources can be effectively organised and deployed. They will also provide an opportunity to explore rationalisation of existing partnership structures and approaches, which will be essential given limited capacity and expertise and reducing public sector resources.

The case for change developed through Phase 2 of the approach set out potential benefits of taking forward Vision Derbyshire as a group of Derbyshire Councils – these include organisational benefits estimated at between £20m to £66m and wider system benefits estimated at approximately £1.08bn that could be achieved. Whilst these figures are indicative at this stage and subject to the decisions taken by individual Councils, it is clear that developing a joint approach to a number of complex challenges facing organisations at the current time both in terms of: programmes of activity which improve outcomes for people and place; and proactive joint working on key enablers, will undoubtedly result in better outcomes for people and place and savings.

Any benefits associated with Vision Derbyshire activity will need to link to agreed programmes of work as these develop and progress over forthcoming months.

4.6 Proposals for Future Governance - Vision Derbyshire Joint Committee

The creation of new formal governance arrangements to support effective decision making is a critical factor in delivering future Vision Derbyshire ambitions and progressing a County Deal. Formal governance is important in ensuring that Derbyshire Councils can work effectively, maximise opportunities for collaboration and provide a platform to enable agile and flexible formal joint decision making. Understanding the level of commitment to the approach is also essential in identifying the appetite of Derbyshire Councils to progress to Phase 4 and beyond, as well as participate in County Deal discussions over the forthcoming period.

A significant amount of work has been undertaken by the Governance Working Group during Phase 3 on the development of governance proposals. Draft proposals, for the establishment of a Vision Derbyshire Joint Committee, were developed and considered by Leaders and Chief Executives of the current participating Derbyshire Councils at their meeting on 12 March 2021. Leaders and Chief Executives were tasked with considering proposals within their own organisations and identifying

any potential issues and challenges in advance of proposals being brought forward for approval.

The final articles, functions and procedure rules for the proposed Vision Derbyshire Joint Committee are now attached at Appendix 3, for consideration and approval by the Council. These provide a framework for the Joint Committee to operate as the future decision-making body for matters where Derbyshire Councils will work collaboratively and demonstrate a collective political commitment and will to the approach moving forward. The articles set out the main aims of the Vision Derbyshire Joint Committee, which will:

- Provide collective leadership for Derbyshire
- Progress shared ambitions for the area
- Work together to tackle the issues and challenges outlined in the case for change; and
- Enable agile, timely and effective decision making.

The Joint Committee, 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 Derbyshire from the following broad definitions:

- Shared service arrangements
- Incorporating existing partnership arrangements within the Vision Derbyshire model
- Areas for collaborative system changes across authorities
- Specific thematic projects and priorities

The flow charts which are set out in Appendix 4 to this report, identify the likely flow of decision making that will be required under the four areas highlighted above.

The Joint Committee will initially have responsibility for the approval of agreed Phase 4 delivery programmes and the budgets and resources allocated to the full programme of work. It is likely that one of the first key tasks of the Joint Committee will be the sign off, of the detailed delivery programme as outlined in the report.

In the first instance, the Joint Committee will also have responsibility for previously agreed thematic areas of work such as climate change and social mobility. As the approach develops, consideration will be given to the Joint Committee taking on responsibility for existing partnership

arrangements such as the Joint Committee for Economic Prosperity and associated programmes of work.

As Phase 4 progress from September 2021, it is envisaged that the Joint Committee will take on new areas of work and responsibility as these emerge and develop. This will be subject to approval by the Council to delegate those additional functions to the Joint Committee. The further exploration of agreed enablers will for example, identify potential areas and opportunities for taking forward shared services which are likely to result in efficiencies to those Councils participating in the approach.

In order to form a Joint Committee two or more authorities in the area must delegate functions to that Joint Committee. All local authorities will be encouraged to delegate functions to enable full collaboration across the range of proposed activities that will form part of Vision Derbyshire and to deliver efficient and effective services with improved economies of scale on a county wide basis. However, the Articles, Functions and Rules of Procedure set out in Appendix 3 recognise that those authorities who choose not to delegate functions to the Joint Committee will still be able to appoint representatives to the Committee.

In order to preserve the decision-making rights of authorities delegating functions, it is proposed that voting will be restricted to those representatives who are from authorities which have delegated functions to the Committee.

In view of the fact that the Joint Committee is not a legal entity, to progress the approach and to ensure the effective operation of the Joint Committee, a host organisation will also be required. The host authority be responsible for the administration of meetings of the Joint Committee, hold funding on behalf of the Joint Committee and act as the employing authority for the purposes of the Programme Team. The host authority's statutory officers will also act as the statutory officers for the Joint Committee. At this time the host authority has not yet been agreed and is subject to discussion across Derbyshire Councils. Therefore in order to avoid any delay in the commencement of operation of the Joint Committee it is proposed that Cabinet delegate authority to the Leader of the Council to agree the host authority in due course.

All Derbyshire Councils are now being asked, and will need to consider, whether they wish to progress their involvement in Vision Derbyshire moving forward, the implications of which are set out above. This includes the approval of proposals to establish the Joint Committee,

approval to delegate the identified functions as set out in the report and the nomination of Leader representatives to sit on the Joint Committee. It is important to note that with the prospect of Vision Derbyshire and the Joint Committee providing the foundations and structure for a County Deal, those councils not wishing to progress their involvement in Vision Derbyshire at this time will still be able to make a decision to join in the future.

The Council is now asked to consider proposals as set out in the report in relation to the authority's future involvement in Vision Derbyshire and the proposed Vision Derbyshire Joint Committee. The establishment of governance arrangements through the Joint Committee formalise Vision Derbyshire as an approach. Given the role the Council has played in developing the Vision Derbyshire approach, it is recommended that the authority delegate functions to the Joint Committee as set out in report to enable it to be formed, agree the governance arrangements at Appendix 3 and to delegate authority to the Leader to agree by executive member decision which authority will act as the Vision Derbyshire host authority. It is also recommended that the Leader, Cllr Barry Lewis, be nominated to represent the County Council on the Joint Committee once it is formed and the Deputy Leader, Cllr Simon Spencer, be nominated as substitute.

4.7 Taking Forward Proposals

Whilst significant progress has been made on the development of the approach to date, it has become increasingly apparent that the ability to accelerate delivery is currently limited due to the lack of capacity. This is particularly the case at a project and programme delivery level. The lack of resource at what has been a critical time for local government in terms of the recent pandemic has slowed the delivery response.

Proposals to adequately resource Phase 4 ambitions and plans, initially for a twelve-month period, are set out below and create the following programme resource:

- Programme team – comprising combination of team members to facilitate delivery
- Programme budget – funding to support the buy in of specialist expertise and support and support the operation of the Joint Committee and other associated costs
- Communications budget – funding to support branding, design, campaigns, social media activity etc
- Equipment, travel and subsistence – to support the activities of the programme team

- Accommodation – in-kind support from host agency/agencies

Proposals for the Programme Team include the creation of the following roles on a fixed term basis:

- 1 x Grade 14 Programme Manager
- 4 x Grade 11 Senior Project Officers (one per ambition theme)
- 1 x Grade 11 Communications Officer
- 1 x Grade 6 Admin Support

The total cost of taking forward resourcing proposals per annum is £436,248. Subject to approval of proposals, it has been agreed that the costs of preparing for and taking forward Phase 4 proposals, should be shared across Councils using the following split:

Council	£
County Council 40% split	174,499
District and Borough Councils 60% split	261,749 (32,719 per council if eight councils) (37,393 per council if seven councils) (43,635 per council if six councils) (52,350 per council if five councils)
Total	436,248

The County Council's contribution to the total cost of supporting Vision Derbyshire Phase 4 is therefore £174,499 per annum. Involvement in Phase 4 presents a unique opportunity for the Council to participate in the further development and implementation of an innovative and collaborative approach for Derbyshire and a delivery programme which will support the achievement of key Council priorities which will ultimately benefit local people across local communities and Derbyshire as a whole. The ability to pool resources on the programme is likely to deliver significant benefits across a range of activities.

The County Council's costs in year one will be met from the General Reserve. Future years will be the subject of a pressure bid as part of the development of the 2022-23 budget.

It is recommended that Cabinet approves the authority's active and continued involvement in Vision Derbyshire and the associated costs as set out in the report.

Wider engagement with Leadership Teams within participating Councils, both at an Elected Member and Senior Management Team level, will continue to be vital moving forward and a key action which will feature strongly through future phases of the approach. It will be important to ensure that the authority is engaged in proposals as they emerge and develop over forthcoming months to maximise the benefits for local people and communities in Derbyshire. Identifying the key actions which the Council will need to undertake, and the resources and capacity required to participate fully in both the development and future implementation of proposals will also be important.

5. Consultation

5.1 Not applicable.

6. Alternative Options Considered

- 6.1 Alternative Option 1 Do Nothing – The Council could continue with current arrangements for Vision Derbyshire with existing informal governance arrangements and resources. However, this option is not sustainable in the short and medium term because resources and capacity to deliver identified programmes of work are not sufficient to progress the approach. A new joint team and formal governance arrangements provide an opportunity to present a different and new model of collaboration as a viable alternative to local government reform and as such this would not deliver the ambitions of the Council to deliver local government reform.
- 6.2 Alternative Option 2 – The Council could cease its involvement in Vision Derbyshire and abandon ambitions to develop a new collaborative model for Derbyshire. The Council instead could continue to pursue opportunities to deliver improved outcomes through traditional forms of collaboration and partnership. However, this approach has known limitations, does not address the challenges facing local government in respect of reduced financial resources and will not deliver the full range of benefits as set out in the report. It does not provide a viable alternative to local government reorganisation and limits Derbyshire's ability to speak with one voice. Ultimately this could prevent Derbyshire from maximising resources into Derbyshire that may become available through devolution and the levelling up agenda.

- 6.3 Alternative Option 3 – The Council could cease its involvement in Vision Derbyshire and pursue an alternative approach to local government reform through local government reorganisation. However, this is not currently the Council’s preferred option and there is currently no framework in place to enable Councils in the country to pursue this approach at the current moment in time

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 A New Vision for Derbyshire – Non-Structural Reform Final Report, PWC November 2019
- 8.2 Vision Derbyshire Case for Change – July 2020
- 8.4 Vision Derbyshire Proposition to Central Government – July 2020
- 8.5 Devolution Vision Derbyshire and Local Government Reform – Report to Full Council - 16 September 2021

9. Appendices

- 9.1 Appendix 1 - Implications
- 9.2 Appendix 2 – High Level Plan
- 9.3 Appendix 3 – Proposed Governance Arrangements for Vision Derbyshire
- 9.4 Appendix 4 – Flow Charts

10. Recommendations

That Cabinet:

- a) Notes progress on the development of the Vision Derbyshire approach and recent Phase 3 developments and achievements.
- b) Considers and notes key actions currently being undertaken during Vision Derbyshire Phase 3a to develop an ambitious programme of work in advance of Phase 4.

- c) Considers and approves Vision Derbyshire Phase 4 proposals for the forthcoming period as set out in the report.
- d) Approves the Council's active participation in Vision Derbyshire Phase 4 and the associated costs of taking forward the programme of work, the maximum cost of which currently stands at £174,499 per annum.
- e) Approves proposals for the establishment of the Vision Derbyshire Joint Committee and delegates functions to the Joint Committee as set out in the Functions and Responsibilities document in Appendix 3.
- f) Approves the Terms of Reference, including the Introduction and Context, Functions and Responsibilities, Procedural Rules and Information Procedure Rules for the Vision Derbyshire Joint Committee as set out at Appendix 3 and the position detailed in those documents regarding scrutiny and co-option.
- g) Appoints the Leader, Cllr Barry Lewis, as the Council's representative on the Vision Derbyshire Joint Committee and the Deputy Leader, Cllr Simon Spencer, as substitute.
- h) Agrees to delegate authority to the Leader to agree by executive member decision which authority will act as the host authority for the Joint Committee.
- i) Notes that as the functions of the Committee are executive functions, Derbyshire County Council will not have the opportunity to co-opt additional members onto the Committee and the ability to co-opt is restricted within the Terms of Reference.
- j) Notes that, in accordance with section 9F of the Local Government Act 2000, constituent authorities who operate executive arrangements will need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of the functions of the Vision Derbyshire Joint Committee, and that the Council's existing scrutiny arrangements will apply.

11. Reasons for Recommendations

- 11.1 To ensure that Cabinet is aware of developments and progress that has taken place on the development of Vision Derbyshire since the last reports to Cabinet and Council in September 2020.
- 11.2 To ensure that Cabinet is aware and understands the full range of activity that is in development and currently taking place to prepare for the next phase of the Vision Derbyshire approach.
- 11.3 To ensure that Cabinet fulfils the ambitions set out in reports to Cabinet and Council in September 2020 and progresses the Vision Derbyshire approach as a viable alternative to local government reform.

- 11.4 To enable Cabinet to commit the financial resources required to support Phase 4 proposals.
- 11.5 To enable Vision Derbyshire partners to establish the Joint Committee with robust governance arrangements in place and secure the Council's future involvement and participation in new governance arrangements as they develop and emerge.
- 11.6 To enable the Council to participate fully in all decision making and programme activity that will take place under the remit of the proposed Joint Committee.
- 11.7 To ensure the Council has appropriate lead Elected Member representation on the proposed Vision Derbyshire Joint Committee.

12. Is it necessary to waive the call in period?

12.1 No

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This report has been approved by the following officers:

<p>On behalf of:</p> <p>Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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Implications**Financial**

- 1.1 The total cost of taking forward Vision Derbyshire proposals is £436,248. A breakdown of costings is set out below:

Resource	£'s
Programme Team	
1 x Grade 14 Programme Manager	47,181 oncosts 13,211
4 x Grade 11 Senior Project Officers (1 per theme)	131,652 oncosts 36,863
1 x Grade 11 Communications Officer	32,913 oncosts 9,216
1 x Grade 6 Admin Support	19,697 oncosts 5,515
Programme Budget	100,000
Equipment, Travel and Subsistence	10,000
Communications Budget	30,000
Total	436,248

The total cost to the Council in supporting current proposals as set out in the report is £174,499, which can be met from the General Reserve. In its role as host authority, the Council is likely to incur costs relating to the operation of the Joint Committee. These will be met from the Programme Budget. The cost of ensuring the Council can actively participate in the development and implementation of proposals are currently unknown and will therefore be the subject of a separate report to Cabinet as further detail emerges.

Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the Joint Committee, that authority may cease its membership with effect from the date of its decision. However, authorities will remain liable for any

previously agreed financial contributions to fund Vision Derbyshire 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.

Legal

- 2.1 Section 101(5) of the Local Government Act 1972 (LGA 1972) permits councils to make arrangements for two or more authorities to discharge any of their functions jointly, and arrange for the discharge of those functions by a Joint Committee.

Under s102 LGA 1972 two or more local authorities may appoint a joint committee of those authorities for the purpose of discharging any of their functions. Those two or more authorities would need to agree to delegate functions or powers to the joint committee to enable it to discharge those functions. Those two or more authorities may permit other authorities to appoint members to the joint committee without those authorities delegating functions into it. However, all authorities that wish to join the joint committee will need to formally agree to set up the committee and agree the terms of reference to be able to appoint a member to the committee.

All members appointed to the joint committee are members of that committee. Under the legislation, all members would have the right to participate and vote on any matters at the joint committee. However, voting rights can be restricted to members of those authorities who have delegated functions to it in the Terms of Reference so that authorities would not be able to vote in respect of functions they have not delegated to the joint committee.

Section 9EB of the Local Government Act 2000 (LGA 2000) enables the Secretary of State to make regulations permitting arrangements under section 101(5) of the LGA 1972 where any of the functions are the responsibility of the executive of the Authority. The relevant regulations are the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Regulation 11 makes provision for joint arrangements to involve a joint committee under section 101(5) of the LGA 1972.

The functions being delegated to the Vision Derbyshire Committee are all executive functions. Therefore, in accordance with the legislation and the Council's Constitution, the decision to establish the Vision Derbyshire Committee and determine the number of members to be appointed to the Committee and their terms of office should be made by Cabinet.

As the functions are executive functions, the regulations also require that the members appointed to the Vision Derbyshire Committee should be members of the Executive.

In accordance with the Regulation 12 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, a local authority with executive arrangements delegating executive functions is not able to co-opt additional members to the Committee. However, an authority operating a committee system is able to co-opt additional members. Therefore, the ability to co-opt is restricted within the Terms of Reference to obtaining a majority vote in relation to any proposal to co-opt. Such co-optees shall not be Members of the Joint Committee and shall have no voting rights.

Any requests for information received by the Joint Committee should be directed to the relevant constituent authority for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by 2 or more constituent authorities, they will liaise with each other before replying to the request. The host authority will co-ordinate responses to ensure that legislative deadlines are met.

As part of the process of making decisions and changing policy, the Vision Derbyshire Committee will in accordance with the public sector equality duty to consider the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't.
- Foster good relations between people who share protected characteristics and those who don't.

Human Resources

- 3.1 Following agreement of proposals, Vision Derbyshire Councils will need to identify and confirm a host organisation to support the joint programme team. It is yet to be determined which Council will host the

seven Programme Team posts however, recruitment to the posts would be in line with the grading criteria of the host council and their policies and procedures.

It is proposed that all posts will be created on a fixed term basis, and as such, will be subject to the host council's redundancy and redeployment policies and procedures. Where employees are on fixed term contracts, employment law determines that they may be entitled to claim both unfair dismissal and/or redundancy payment at the termination of their contract.

All partners will be asked to confirm their willingness to recognise an obligation to the postholders, through offering redeployment opportunities as appropriate, should this become necessary.

Information Technology

4.1 None

Equalities Impact

5.1 An EIA is not needed as the report relates to an administrative decision rather than an issue of policy.

Corporate objectives and priorities for change

6.1 Vision Derbyshire is one of the Council's three strategic pillars forming part of the Council's overarching strategic approach. Working collaboratively with partners is fundamental to the Council's approach and ambition to deliver better outcomes for people and place.

HIGH LEVEL PLAN

Seize innovation	Establish relentless ambition	Build proactive communities	Live and work sustainably
<p>Early Starts</p> <ul style="list-style-type: none"> County wide Business Start up and Support Programme <p>Additional short term activity</p> <ul style="list-style-type: none"> Smart Towns Programme Develop wider programme of work in advance of launch <p>Lead Strategic Group – Economic Recovery Pilot</p> <p>Leader Lead – Cllr Trish Gilby CEX Lead – Emma Alexander Officer Lead – Joe Battye</p>	<p>Early Starts</p> <ul style="list-style-type: none"> Festival of Business Careers Skills Research <p>Additional short term activity</p> <ul style="list-style-type: none"> Develop wider programme of work in advance of launch <p>Lead Strategic Group – Employment and Skills Recovery Group</p> <p>Leader Lead – Cllr Barry Lewis CEX Lead – Paul Wilson Officer Lead – Andy Marsh</p>	<p>Early Starts</p> <ul style="list-style-type: none"> Homelessness Independent Living (e.g. joint approach to disabled facilities grants etc) Domestic Violence <p>Additional short-term activity</p> <ul style="list-style-type: none"> Develop wider programme of work in advance of launch <p>Lead Strategic Group – Communities Recovery Pilot</p> <p>Leader Lead – Cllr Carol Hart CEX Lead – Andrew Stokes Officer Lead – Liz Cook</p>	<p>Early Starts</p> <ul style="list-style-type: none"> Joint Climate Change programme, e.g. behaviour change, green homes, Develop shared approach to Planning Policies to support climate change <p>Additional short-term activity</p> <ul style="list-style-type: none"> Strategic Housing Plan Visitor Economy/Tourism Develop wider programme of work in advance of launch <p>Lead Strategic Group(s) Derbyshire Planners Group Climate Change Working Group</p> <p>Leader Leads – Cllr Kevin Buttery (Climate Change) Cllr Garry Purdy (Planning and Climate Change) CEX Leads – Lee Hickin (Climate Change), Julian Townsend (Planning & CC) Officer Leads – Claire Brailsford (Climate Change) David Arnold (Planning and Climate Change)</p>

PROPOSED GOVERNANCE ARRANGEMENTS FOR VISION DERBYSHIRE

ARTICLES

1. Context

- 1.1 Vision Derbyshire is a collaborative working model between local authorities across Derbyshire which seeks to improve outcomes for people and place through closer working between those authorities without formal, top-down reorganisation from central government.
- 1.2 These governance arrangements provide a framework to reach the intended outcome of a model that will enable local authorities in Derbyshire to work collaboratively to deliver efficient and effective services with improved economies as an alternative to a government led reorganisation of local government in the county.
- 1.3 A joint committee, to be known as the **Vision Derbyshire Joint Committee**, will:-
- Provide collective leadership for Derbyshire
 - Progress shared ambitions for the area
 - Work together to tackle the issues and challenges outlined in the case for change.
 - Enable agile, timely and effective decision making
- 1.4 The Vision Derbyshire model allows local authorities to blend working at a hyper-local level with a large strategic level. Authorities will collaborate at three levels:
- regional/national

- county-wide or
- local place level,

depending on the nature of the outcome that the authorities are looking to improve. In adopting this way of working, Derbyshire can blend strategic, county-wide and local approaches to tackle outcomes in a multi-faceted way, and maintain focus on people and places, not organisational boundaries.

- 1.5 To enable the delivery of the above, the Joint Committee will act as the enabling body, through the political leadership of councillors from the participating authorities. Councils within Derbyshire may choose to appoint members to the Joint Committee, but not to delegate any functions. Should any council choose to do this, then they will still be required to agree to the Terms of Reference for the Committee and contribute towards the cost of funding the Committee.
- 1.6 The authorities in the Vision Derbyshire working model 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. All participating Councils agree to operate all reviews in an open and transparent manner to support the aims and objectives of Vision Derbyshire. This will include the sharing of all information.

2. Membership of the Joint Committee

- 2.1 *[named local authorities who are delegating functions]* shall appoint one of their Elected Members to be a member of the Joint Committee and one Member to be a substitute Member.
- 2.2 All other councils within Derbyshire, whether or not delegating functions to the Joint Committee, will be permitted to appoint one member to the Joint Committee and to nominate one member as a substitute.
- 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 Joint Committee shall be for a term of one year, 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 Joint Committee and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.
- 2.6 A Member or Substitute Member of the Joint Committee 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 Joint Committee, and the relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the Joint Committee 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 Joint Committee 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 Joint Committee 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 Joint Committee 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 Joint Committee by Councils shall be made by notice in writing addressed to the Monitoring Officer responsible for the Joint Committee. 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 which 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 being supportive of that authority exercising powers of co-option. Such co-optees shall not be Members of the Joint Committee and shall have no voting rights. They shall, however, observe the Code of Conduct for Members set out from whichever authority they serve on. An individual's co-option shall terminate as soon as his/her 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 Joint Committee (including any Substitute Members acting in place of Members of the Joint Committee) will:-

- (a) (subject to the Joint Committee's voting arrangements) collectively be the ultimate policy makers of the Joint Committee;
- (b) bring views of their communities into the Joint Committee'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 which is 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 Joint Committee Members other than allowances for travel and subsistence in accordance with the Members' Allowances Schemes in operation at the participating Councils and non-participating Councils. (It is acknowledged that a participating Council or a non-participating Council may, in accordance with its own procedures, pay a special responsibility allowance to any Elected Member appointed by it to the Joint Committee in respect of duties and responsibilities undertaken as a Member or Substitute Member of the Joint Committee.)

3 Chairing the Joint Committee

3.1 The Chair of the Joint Committee will be appointed by the Committee. The Joint Committee can only be chaired by a Member of the Joint Committee appointed by a Council which has delegated functions to the Joint Committee for the duration of a municipal year.

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 Joint Committee will appoint a Vice-Chair to deputise for the Chair when they are not present or available. The Vice-Chair must also be from a

Council which has delegated functions to the Joint Committee and will be appointed for the duration of a municipal year.

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 Joint Committee will cease to hold such office when they cease to be a Member of the Joint Committee, in accordance with the provisions set out at paragraph 3.5 above.

4. Procedural Arrangements

4.1 The Joint Committee 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 Each Member of the Joint Committee appointed by councils which have delegated functions to the Joint Committee shall have one vote.

4.3 Members of the Joint Committee appointed by councils which have not delegated functions to the Joint Committee will not have the right to vote

4.4 The proceedings of the Joint Committee 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 Joint Committee 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 Joint Committee, or any sub-committee, shall be kept in such form as the Joint Committee 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 Joint Committee or sub-committee by the Member chairing that meeting.
- 5.4 A Member of the Joint Committee, 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.

6. Sub-Committees

- 6.1 The Joint Committee may establish such sub-committees as it thinks fit to discharge its functions

7. Officers

- 7.1 The Head of Paid Service (appointed under Section 4 of the Local Government and Housing Act 1989), 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 Joint Committee will serve as the statutory officers in support of the Joint Committee.
- 7.2 The Joint Committee may call upon any officer of any of the local authorities who have members on the Joint Committee 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 Joint Committee 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 Joint Committee according to its own specific governance arrangements.

9 Winding up of the Joint Committee and Cessation of Membership

9.1 The Joint Committee 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 Joint Committee, that authority may cease its membership with effect from the date of its decision. However authorities will remain liable for any previously agreed financial contributions to fund Vision Derbyshire 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 Joint Committee 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 Joint Committee is established with the following aims:
- Provide collective leadership for Derbyshire
 - Progress shared ambitions for the area
 - Work together to tackle the issues and challenges outlined in the case for change.
 - Enable agile, timely and effective decision making
- b. The Joint Committee, 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 Derbyshire from the following broad definitions:-
- Shared service arrangements
 - Incorporating existing partnership arrangements within the Vision Derbyshire model
 - Areas for collaborative system changes across authorities
 - Specific thematic projects and priorities
- c. Within those broad definitions, the Joint Committee will:-
- (i) Oversee the Vision Derbyshire Delivery Programme
 - (ii) Determine the programme of projects and work streams, how those will be managed and communicated to stakeholders and the public

- (iii) Monitor and review performance in respect of services delivered through the Vision Derbyshire Joint Committee and authorise the publication of an annual report of performance and outcomes
- (iv) Commission strategic outline and full business cases for individual councils to consider opportunities for more collaborative working in respect of shared services
- (v) Approve annual business plans for the delivery of shared services
- (vi) Provide or assume democratic oversight for existing joint committee and partnership arrangements
- (vii) Provide a platform for the devolution of powers from Government to authorities in Derbyshire
- (viii) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams
- (ix) 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
Delegate functions and responsibilities to sub-committees or officers as the Committee deems appropriate.

d. The functions of the Joint Committee conferred or imposed upon it by any Orders from the Secretary of State and / or the functions of the Joint Committee delegated to it by Orders approved by participating authorities will be set out within these terms of reference.

e. The Joint Committee 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 Joint Committee are:

- Insert Council name
-

- g. It is a matter for each individual Council to determine which functions and responsibilities it chooses to delegate to the Joint Committee according to its own individual governance arrangements.

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 'Vision Derbyshire Joint Committee'.

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 two or one third of the total of the members of the Committee who are entitled to vote, whichever is the greater.

- 5.2 If during a meeting the Chair, after counting the number of Members present, declares that there are not at least two 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 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.

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.