

# Crawley Borough Council



## Report to Cabinet 10 September 2014

### Coast to Capital Strategic Joint Committee

Report of the Head of Legal and Democratic Services  
Report No. LDS/087

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#### **1. Purpose**

- 1.1 This report seeks formal approval from the Council for the establishment of the Coast to Capital Joint Committee and its arrangements. The main purpose of the new Joint Committee is to approve the Strategic Economic Plan (SEP) and proposed Growth Deal for the Coast to Capital Local Enterprise Partnership area.
- 1.2 The Coast to Capital area encompasses all of the county of West Sussex, Brighton & Hove, Lewes, Croydon and four eastern Surrey districts. There are two county councils, two unitary authorities, 12 district and borough authorities and the South Downs National Park Authority who are within the area and partnership. It is one of the larger LEPs outside London, with just under 2 million residents and over 150,000 businesses and organisations.
- 1.3 The new Joint Committee will include representatives from all 16 local authorities and the National Park. The LEP and other business interests and organisations are not eligible to serve on a Joint Committee, which has a statutory status under the Local Government Act 1972.
- 1.4 Each Local Authority member is seeking equivalent approvals from their decision-making bodies, to enable the Joint Committee to be formally launched. It has met in shadow form on 25 March 2014.

#### **2. Recommendations**

- 2.1 That the Cabinet recommends to Full Council
  - 2.2.1 Approval of the establishment of the Coast to Capital Joint Committee, constituted in accordance with the Heads of Terms as set out in Appendix One.
  - 2.2.2 To grant delegated authority to the Chief Executive to take all measures necessary for or incidental to (i) the implementation of recommendation (2.1) above, and (ii) the on-going management and administration of the Committee; and
  - 2.2.3 Instructs the Head of Legal and Democratic Services as Monitoring Officer to amend the council's Constitution to reflect the establishment of the Joint Committee.
  - 2.2.4 The nomination of the Leader of the Council to serve on the Joint Committee.

### **3. Reasons for Recommendation**

- 3.1 The Joint Committee is one element of a package of measures being taken to Strengthen the governance arrangements within and around the LEP. This is important because the credibility of those arrangements in ensuring effective Collective action to implement the SEP will be a significant consideration for Government when deciding how much funding to provide to the LEP, including through investment in transport and other infrastructure which is crucial for all West Sussex residents.

### **4. Background**

- 4.1 The Government guidance for Growth Deals and the Local Growth Fund sets out demanding requirements for agreement of the Strategic Economic Plan by all partners and for governance structures for delivery of the subsequent investment and intervention plan. The guidance sets out expectations that the Plan would be backed by firm commitments from local authorities/partners and the private sector on their resources and levers for delivery including:
- Better use of Local Authority assets to unlock resources for growth
  - Commitment to pro-growth reforms, for example a co-ordinated approach to the development of local plans by planning authorities in their relevant geography.
  - Commitment to collective decision making involving all local authorities within a LEP. In Coast to Capital LEP there are 16 local authorities and a National Park authority.
- 4.2 Government is expecting LEPs to be able to deliver collective decisions. This means there is an imperative to develop arrangements for governance and to build on existing partnerships. Development of effective governance and decision-making processes across the economic area is a 'commitment' required by Government of all LEPs, seeking reassurance that there would be accountability for any public funding awarded under the Growth Deal and for delivery of agreed projects and investments.
- 4.3 The Coast to Capital LEP's success in accessing funds and freedoms in the future therefore depends on its ability to collaborate across the whole area and to draw in resources, assets and investments from across the public sector.

### **5. Description of Issue to be Resolved**

- 5.1 It is proposed that the Joint Committee will be chaired by a Member selected at the start of each meeting.
- 5.2 Each of the Local Authority members will be represented at the Joint Committee by one person, Each Local Authority member will be represented by its elected Leader and in the case of South Downs National Park Authority, by its chairman.
- 5.3 Each person representing a member of the Joint Committee will be entitled to vote at their respective meetings. Voting will be by show of hands and voting outcomes reached at those meetings will be on a simple majority of votes cast.
- 5.4 The Joint Committee will provide an annual report to each partner Local Authority and the Coast to Capital LEP Board. The work of the Joint Committee will also be subject

to review by an ad hoc Joint Local Authority Scrutiny Panel, which will be set up and managed by the lead authority (West Sussex County Council).

## **6. Information & Analysis Supporting Recommendation**

6.1 It is proposed that the Joint Committee will have a very limited and tightly defined remit:

- To agree the Strategic Economic Plan (SEP) and its revisions and amendments as proposed to the Joint Committee by the Coast to Capital LEP Board
- To provide strategic advice to the Coast to Capital LEP Board on the economic development and growth priorities for the Coast to Capital Area

To nominate on an annual basis three representatives from the district and borough local authorities who are members of the Joint Committee to serve as Directors on the Coast to Capital Board

6.2 The Joint Committee will not be able to impose financial obligations on its members.

6.3 The first meeting of the Joint Committee in shadow form took place on 25<sup>th</sup> March 2014 this was to agree the SEP which was submitted to the government on 31<sup>st</sup> March 2014. At the meeting the Heads of terms were also agreed and the Leader of WSCC was appointed Chairman it is now the intention to complete the formal establishment of the joint committee.

6.4 It may be that, in the light of experience and operation, some arrangements need change. The Heads of Terms therefore builds into its clauses the principle of review. Any variations to the Heads of Terms will require the resolution of the Joint Committee and will be subject to the approval of each body represented on the Committee. It is anticipated that the joint committee will next meet again in the autumn to agree the Coast to Capital Green Deal.

## **7. Implications**

### Legal

7.1 The new Coast to Capital Joint Committee will be a joint committee appointed by two or more local authorities in accordance with section 102(1)(b) of the Local Government Act 1972. In accordance with section 102(1)(c) of the 1972 Act, the Joint Committee may appoint one or more sub-committees.

7.2 The appointment of a Joint Committee pursuant to section 102 of the Local Government Act 1972 is a function of Full Council.

### Financial

7.3 West Sussex County Council will be the lead authority for the Joint Committee and will therefore provide the necessary financial, legal, scrutiny, administrative and business management support. They have committed to meeting all the costs of the Joint Committee in the first year.

7.4 The principal purpose of the Joint Committee is to approve the Strategic Economic Plan which includes a bid to secure significant funding to address infrastructure, business, skills and other growth issues.

## Consultation

Several partners have been consulted or engaged directly in the development of the SEP, including

- All 16 county, unitary, district and borough local authorities
- The South Downs National Park Authority
- Business representative organisations including the CBI, IOD, FSB, EEF, SECA, ICAEW, chambers, sector and trade bodies.
- Greater Brighton City Deal Officer Project Board and High Level Project Board
- Coastal West Sussex Partnership
- Rural West Sussex Partnership
- Gatwick Diamond Initiative
- Brighton & Hove Economic Partnership
- Brighton & Hove City Employment & Skills Group
- Further and higher education institutions
- Third Sector organisations
- National service providers including the Homes and Communities Agency.

## **8. Background Papers**

### 8.1 Coast to Capital Strategic Economic Plan March 2014

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## Appendix 1

### Final Heads of Terms as agreed at the Coast to Capital Joint Committee, 25 March 2014

#### Heads of Terms

#### Coast to Capital Strategic Joint Committee

#### 1. Establishment, Purpose and Form

- 1.1 The Coast to Capital Strategic Joint Committee (“the Joint Committee”) established from the Commencement Date.
- 1.2 The over-arching purpose of the Joint Committee is to promote and support sustainable economic development and growth across the area served by the Coast to Capital Local Enterprise Partnership (“the LEP”). To achieve this, the joint Committee will agree the Strategic Economic Plan as developed by the Board of the LEP (“the Board”) and also may advise the Board from time to time on the economic development and growth priorities of the area.
- 1.3 The Joint Committee shall be a joint committee appointed by two or more local authorities represented on the Joint Committee in accordance with section 102(1)(b) of the Local Government Act 1972.
- 1.4 The Joint Committee may appoint one or more sub-committees.
- 1.5 The lead authority for the Joint Committee shall be West Sussex County Council as the Accountable Body for the Local Growth Fund, whose functions in that capacity shall include financial, administrative and legal support (see paragraph 11).

#### 2. Interpretation

- 2.1 In the Heads of Terms-
  - (i) ‘Commencement Date’ mean such date as is approved by the local authorities represented on the Joint Committee.
  - (ii) ‘The LEP Area’ means the area encompassing the administrative boundaries of Brighton & Hove City Council, West Sussex County Council, London Borough of Croydon, Lewes District Council and part of Surrey County Council – Epsom and Ewell District Council, Tandridge District Council, Mole Valley District Council and Reigate and Banstead District Council.
  - (iii) ‘Economic development and growth’ shall bear its natural meaning, but with particular emphasis on:
    - employment and skills
    - business support, internationalisation and innovation
    - enterprise
    - infrastructure and transport
    - housing
    - investment and development
    - utilisation of property assets
    - strategic planning
  - (iv) “Strategic Economic Plan” means the plan created by the LEP for the LEP Area setting out the economic development and growth priorities as the basis for negotiation with government.

### **3. Functions**

3.1 The function of the Joint Committee are specified in paragraph 3.2 below and may be exercised only in respect of the LEP Area.

3.2 The functions referred to in paragraph 3.1 are as follows:

- (i) To agree the Strategic Economic Plan and its revisions and amendments as proposed to the Joint Committee by the Board.
- (ii) To provide strategic advice to the Board from time to time on the economic development and growth priorities for the LEP area.
- (iii) To nominate on request from the Board representative from the district and borough local authorities who are members of the Joint Committee to serve as Directors on the Board.

### **4. Reporting and Accountability**

4.1 The Joint Committee shall submit an annual report to each of the bodies represented on the Joint Committee.

### **5. Membership**

5.1 The following bodies shall be members of the Joint Committee:

#### County/Unitary Authorities

- Brighton & Hove City Council
- London Borough of Croydon
- Surrey County Council
- West Sussex County Council

#### District and Borough Authorities

- Adur District Council
- Worthing Borough Council
- Lewes District Council
- Mid-Sussex District Council
- Horsham District Council
- Crawley Borough Council
- Arun District Council
- Chichester District Council
- Epsom and Ewell District Council
- Tandridge District Council
- Mole Valley District Council
- Reigate and Banstead District Council

#### National Park Authority

- South Downs National Park Authority

5.2 Each of the bodies listed in paragraph 5.1 shall be represented at the Joint Committee by one person

5.3 Each local authority member shall be represented at the Joint

Committee by an elected Member nominated annually or a nominated substitute (see paragraph 8).

- 5.4 The South Downs National Park Authority shall be represented at the Joint Committee by its Chairman.

## **6. Chair of the Joint Committee**

- 6.1 The Chair of the Joint Committee shall be elected from amongst its Members on an annual basis.

## **7. Voting**

- 7.1 Decisions will be made on a simple majority of votes cast by members represented at a meeting.
- 7.2 Where voting at a meeting results in an equal number of votes cast in favour and against, the Chair of the Joint Committee shall have a casting vote.

## **8. Substitution**

- 8.1 Where a representative of a meeting of the Joint Committee is unable to attend a Joint Committee meeting, a substitute representative of that member (if approved by it) may attend, speak and vote, in their place for that meeting.
- 8.2 A substitute member must be appointed from a list of approved Substitutes submitted by the respective member to the Joint Committee at the start of each municipal year.

## **9. Quorum**

- 9.1 Subject to paragraph 9.2, no business shall be transacted at any Meeting of the Joint Committee unless at least eleven of the whole number of voting members are present.
- 9.2 In no case shall any business of the Joint Committee be transacted Unless at least two voting representatives from the County/Unitary Authorities as set out in paragraph 5.1 are present.

## **10. Time and Venue of Meetings**

- 10.1 The Joint Committee will meet annually
- 10.2 The Chair of the Joint Committee may call a special meeting of the Joint Committee at any time, subject to providing members with minimum notice of ten working days.

## **11. Administrative and legal support**

- 11.1 Administrative and legal support to the Joint Committee shall be provided by the lead authority, such legal support to include Monitoring Officer and Proper Officer functions in relation to the Joint Committee meetings.
- 11.2 Other members of the Joint Committee shall contribute to the costs incurred by the lead authority in connection with the activities described in 11.1. The contributions will be agreed on an annual basis.

**12 Observer status**

12.1 The LEP shall have the right to attend meeting of the Joint Committee as an observer and to provide information and advice as requested by the Joint Committee, but will not have any role in voting or decision making.

**13. Review and variation of Heads of Terms**

13.1 The Joint Committee shall keep these Heads of Terms under review to ensure that the Joint Committee's purpose is given full effect.

13.2 These Heads of Terms may be varied only by complete agreement of all members of the Joint Committee and in consultation with the Board.

**14. Procedure at meetings**

14.1 The standing orders of the lead authority will apply to meetings of the Joint Committee.

**15. Withdrawal**

15.1 Any member of the Joint Committee may give six months notice in writing of intention to withdraw from membership of the Joint Committee and involvement in the Strategic Economic Plan.