

Leaders

for the Heart of the South West

Heart of the South West Joint Committee – proposals for its future

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1. Summary

- 1.1. This report provides an update from three of the Constituent Authorities regarding their proposals for the future of the Heart of the South West (HotSW) Joint Committee.
- 1.2. The proposals in this report specifically relate to the Joint Committee's governance arrangements only and do not cover the HotSW Local Enterprise Partnership and the associated HotSW Joint Scrutiny Committee.

2. Recommendations

2.1. The Joint Committee is asked to consider:

(a) the proposals that are expected to be brought forward shortly to Devon County Council, Somerset Council and Torbay Council to seek approval to serve notice of their withdrawal from the Joint Committee and for the Joint Committee to be dissolved and a further report be received at the next meeting regarding the future of the Joint Committee, OR

(b) In view of the proposals set out in (a), that a majority of the Constituent Authorities could collectively choose to agree to serve notice of their withdrawal and that the Joint Committee be dissolved on 31 December 2023 (or another date as determined by the Constituent Authorities) and consequently all future meetings would be cancelled.

3. Reasons for recommendations

- 3.1 It is essential that the Joint Committee remains fit for purpose, represents a sustainable way of working into the future; and delivers value for the resources committed to it by the Constituent Authorities. To that end it is important that the Committee reviews its governance arrangements, funding allocations and support arrangements and proposed future funding commitments and makes any appropriate changes.

4. Background

4.1 In 2015 the HotSW partnership (17 local authorities, two National Parks, the LEP and three clinical commissioning groups) submitted a devolution “statement of intent” to Government and began negotiations about a devolution deal. However, following the EU referendum in 2016, devolution was no longer a government policy priority and the HotSW partnership developed a Productivity Strategy. In March 2018 the partnership formalised the arrangements to establish the HotSW Joint Committee. Following the establishment of Somerset Council, the HotSW JC constituent authorities are now:

- Dartmoor National Park Authority
- Devon County Council
- East Devon District Council
- Exeter City Council
- Exmoor National Park Authority
- Mid Devon District Council
- North Devon Council
- Plymouth City Council
- Somerset Council
- South Hams District Council
- Torbay Council
- Teignbridge District Council
- Torrington District Council
- West Devon Borough Council

The Heart of the SW LEP and the NHS are co-opted members of the HotSW Joint Committee.

4.2 The Joint Committee was seen a partnership vehicle to support that aim and provide a single forum for local authority engagement with the Heart of the South West Local Enterprise Partnership and Government.

The specific objectives of the HotSW Joint Committee in its Terms of Reference are to:

- (a) Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
- (b) Increase our understanding of the economy and what needs to be done to make it stronger;
- (c) Improve the efficiency and productivity of the public sector;
- (d) Identify and remove barriers to progress and maximise the opportunities / benefits available to the area from current and future government policy.

4.3 Since its inception, the HotSW JC’s work has worked on issues covering the HotSW area as a whole such as: Local Industrial Strategy, Coastal Productivity Plan, Housing Task Force and regional imbalances.

4.4 The HotSW JC has a meeting cycle of two formal meetings a year and it is directly supported and administered by Somerset Council.

The case for change

4.5 Changes in Government policy over the last five years, the development of the Devon, Plymouth and Torbay devolution deal and forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the HotSW JC have largely been superseded and other partnership arrangements between the Constituent Authorities can deliver their aims.

4.6 In relation to withdrawal from/dissolution of the HotSW Joint Committee, the inter-authority agreement states that:

- *A Constituent Authority wishing to withdraw from the Joint Committee shall give a minimum of 6 months' notice in writing to the other Constituent Authority via the Administering Authority. The Constituent Authorities shall co-operate with any such request.*
- *If two or more Constituent Authorities give notice of withdrawal from membership of the Joint Committee in the same Financial Year, the Joint Committee shall consider and make recommendations to the remaining Constituent Authorities as to the future operation of the Joint Committee and, if appropriate, recommend any necessary amendments required to the Joint Committee's functions and operating arrangements.*
- *Where a majority of the Constituent Authorities at any time agree (via formal resolutions) that the Joint Committee should be dissolved or terminated on a specified date then the Joint Committee shall cease to exist from that date.*

4.7 Proposals are being brought forward by December 2023 to Devon County Council, Torbay Council and Somerset Council to jointly agree to give notice of their intention to withdraw from the HotSW Joint Committee and propose to the HotSW Joint Committee that the Joint Committee be dissolved.

4.8 All Constituent Authorities are invited to note the intention of three partners to seek approval to serve notice and propose that the Joint Committee is dissolved. It is proposed that the Joint Committee use its meeting on 26 January 2024 to receive the proposed notices and determine its response.

4.9 In view of the proposals set out in 4.8, a majority of the Constituent Authorities could collectively choose to agree to serve notice of their withdrawal and that the Joint Committee be dissolved on 31 December 2023 (or another date as determined by the Constituent Authorities) and consequently all future meetings would be cancelled.

4.10 The Administering Authority could assist with drafting a report and notice if a majority of the Constituent Authorities choose collectively to progress serving notice of their withdrawal and to agree to dissolve the Joint Committee.

5.0 Joint Committee Budget

5.1 The Joint Committee remains completely reliant on the Constituent Authorities for its budget and there are no obvious sources of additional funding to support running costs or delivery of its work programme. Joint Committee members' costs and expenses are funded and administered by each respective Constituent Authority.

5.2 The Administering Authority holds the balance of contributions from the Constituent Authorities. The current unallocated balance is £ 43,009. If the Joint Committee is dissolved, then any outstanding balance would be returned proportionally to each of the Constituent Authorities on the same percentage basis that they made contributions. Work will be undertaken to quantify the amount of any contributions to be returned and this will be reported to the next Joint Committee meeting.

5. Equalities Implications

5.1 There are no equalities implications associated with the recommendations.

6. Other Implications

6.1 Legal:

The review of the role and functions of the Joint Committee have taken account of the legal framework within which the Joint Committee operates.

6.2 Financial:

As stated in the report.

6.4 Risk

The key risk to the Constituent Authorities is ensuring the Joint Committee continues to deliver the benefits that were envisaged and to address any inefficiencies through its arrangements.

7. Background papers

7.1 Heart of the South West Joint Committee – establishment report to all Constituent Authorities in November and December 2017

Heart of the South West Joint Committee Governance Arrangements – 27 September 2019 and Budget Update report in October 2020

Heart of the South West Constitution and Inter-Authority Agreement

Note: For sight of individual background papers please contact the report author.