

Decision Report - Executive Decision

Forward Plan Reference: N/A

Decision Date – 6 December 2023

Key Decision – No



Proposed withdrawal and dissolution of the Heart of the South West Joint Committee

Executive Member(s): Cllr Bill Revans, Leader of the Council and Lead Member for Governance and Communications

Local Member(s) and Division: All

Lead Officer (s): Duncan Sharkey, Chief Executive and Paul Hickson Service Director for Economy, Employment and Planning.

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Summary

1. This report follows a steer from the Leaders / senior members of several Constituent Authorities for proposals to be brought forward to all Constituent Authorities to consider their withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee (the Joint Committee).
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 (LEP) or the associated HotSW LEP Joint Scrutiny Committee.
3. A separate report to the Executive is envisaged in early 2024 concerning the transfer and integration of LEP functions into local authorities, including Somerset Council.

Background

4. 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 Joint Committee 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
- Torridge District Council
- West Devon Borough Council

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

5. The Joint Committee was seen a partnership vehicle to 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.

6. Since its inception, the Joint Committee'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.
7. The Joint Committee currently has a meeting cycle of two formal meetings a year and it is directly supported by Somerset Council.

The case for change

8. 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 Joint Committee has largely been superseded and other partnership arrangements between the Constituent Authorities can deliver their aims with reduced duplication.
9. In relation to withdrawal from/dissolution of the 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.*
10. In December 2022, the scheduled meeting of the Joint Committee was adjourned as it was not quorate due to low attendance by Constituent Authorities. On 27 October 2023, the scheduled meeting of the Joint Committee was also not quorate and able to proceed due to only four of the fourteen Constituent Authorities attending the meeting.

11. It is likely that proposals will be brought forward during November and December 2023 by a majority of the Constituent Authorities for their councils to agree to serve notice and recommend the dissolution of the Joint Committee on 31 December 2023.

12. **Recommendations**

That the Executive recommends to the Council that it agrees to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

Reasons for recommendations

12 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 Joint Committee has largely been superseded and other existing partnership arrangements between the Constituent Authorities can deliver their aims. The HotSW Joint Committee is therefore considered to be superfluous and not adding value to the Constituent Authorities.

Other options considered

13 The alternative option is that the Council does not agree to serve notice and continues to be a member of the Joint Committee. However, if the majority of Constituent Authorities serve notice then the Joint Committee will be automatically dissolved. As stated previously it is considered that the Joint Committee is superfluous and adds duplication to existing arrangements.

Links to Council Plan and Medium-Term Financial Plan

14 The recommendation will help achieve the Council Plan 2023-27 vision and priorities, in particular the priority for a flourishing and resilient Somerset.

15 The proposals will result in a minor saving and refocus of available resources to support the MTFP.

Financial and Risk Implications

- 16 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.
- 17 The Administering Authority (Somerset Council) 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.
- 18 The key risk is continuing with the Joint Committee and duplicating the work of existing partnership arrangements without adding any value. The recommendations in this report mitigate that risk.

Likelihood	4	Impact	3	Risk Score	12
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Legal Implications

- 19 The HotSW Joint Committee is established under Sections 101 to 103 of the Local Government Act 1972.
- 20 The review of the role and functions of the Joint Committee has taken account of the legal framework within which the Joint Committee operates. The proposed recommendations are in accordance with the Inter-Authority Agreement.

HR Implications

- 21 There are no HR implications in agreeing these proposals.

Other Implications:

Equalities Implications

- 22 No specific equalities implications have been identified in relation to the proposed recommendations.

Community Safety Implications

- 23 No specific implications have been identified in relation to the proposed recommendations.

Climate Change and Sustainability Implications

- 24 No specific implications have been identified in relation to the proposed recommendations.

Health and Safety Implications

- 25 No specific implications have been identified in relation to the proposed recommendations.

Health and Wellbeing Implications

- 26 No specific implications have been identified in relation to the proposed recommendations.

Social Value

- 27 The decision is not related to a procurement process.

Scrutiny comments / recommendations:

- 28 The proposed decision has not been considered by a Scrutiny Committee but all elected members will have the opportunity to consider the proposals if the Executive recommend them to Full Council for approval.

Background Papers

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

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	17/11/23
Communications	Not applicable	
Finance & Procurement	Nicola Hix	17/11/23
Workforce	Not applicable	
Asset Management	Not applicable	
Executive Director / Senior Manager	Mickey Green	17/11/23
Strategy & Performance	Alyn Jones	17/11/23
Executive Lead Member	Cllr Bill Revans	17/11/23
Consulted:		
Local Division Members	N/A	
Opposition Spokesperson	Cllr David Fothergill, Opposition Group Leader	Sent 17/11/23
Scrutiny Chair	Cllr Martin Dimery Chair of Scrutiny Committee - Climate and Place	Sent 17/11/23