

APPENDIX: GEGJC report of 3rd June 2020

**UPDATE ON THE GOVERNANCE ARRANGEMENTS FOR
THE GLOUCESTERSHIRE ECONOMIC GROWTH JOINT COMMITTEE**

Meeting	Gloucestershire Economic Growth Joint Committee (GEGJC) 3 June 2020
Report Author	Gillian Parkinson Assistant Director, Legal Services (Gloucestershire County Council) Tel: 01452 328729 e- mail: gillian.parkinson@gloucestershire.gov.uk
Background documents	The partner authorities' decisions to formulate the Joint Committee and appoint Gloucestershire County Council as the administering authority.
Location/Contact for inspection of background documents	Gloucestershire County Council Democratic Services Shire Hall Gloucester
Main Consultees	Senior Officer Group
Planned Dates	September 2020 – completion of agreement for the future operation of the Joint Committee
Purpose of report	To provide an update on the Committee's overall governance arrangements and to propose the continuation of the Joint Committee from September 2020.
Recommendations	<ol style="list-style-type: none"> 1. To note the overall governance arrangements for the Gloucestershire Economic Growth Joint Committee (GEGJC) set out in this report. 2. To request the partner authorities to waive and remove the twelve months notice period set out in the Inter-Authority Agreement dated 4 September 2014, including removing the need for future notice periods, and to agree to the GEGJC continuing to operate from September 2020 for a period of eighteen months.
Reason for recommendations	To allow the GEGJC to continue to operate from September 2020.
Resource Implications	As set out in the body of the report.

1. Background

- 1.1 The Committee was formedⁱ on 4 September 2014 through an Inter Authority Agreement (IAA) between the County Council and Gloucestershire district authorities, which sets out the parameters within which it is to operate and its terms of reference.
- 1.2 Under the IAA, GEGJC has executive powers which are broadly defined, including:

“To do anything it considers likely to achieve the promotion or improvement of the economic wellbeing of the area of Gloucestershire.”

However, these powers are constrained by the following factors:

- Each individual partner retains the right to promote or undertake economic activity within its area (albeit the agreement also requires partners to advise GEGJC before adopting a position that is at odds with that of the Joint Committee);
- GEGJC is required to obtain the prior agreement of each partner(s) before considering a matter for decision in respect of that partner’s area;
- The budget available to GEGJC

2. The GEGJC decision making powers

- 2.1 The GEGJC is empowered to take executive decisions within the scope of its powers, which, as mentioned above, are broad in their definition.
- 2.2 The GEGJC confirmed at its meeting on 21 November 2018 that each member of the Committee will need to be empowered by their relevant Council to enable them to take the decision to be taken at the Committee. This would have been a matter for each partner authority at the time the Committee was established in 2014.

As mentioned above, the requirement set out in the IAA confirms the GEGJC shall not consider a matter for decision in respect of a partner authority’s area without first obtaining the prior agreement of that partner authority.

In other words, in theory a partner can prevent GEGJC from considering a decision, but once it has granted agreement for that decision to be considered, that decision rests with and is subject to a majority vote by GEGJC.

- 2.3 Decisions are to be taken by majority vote of the voting members of the committee (with provisions for a quorum and chair’s casting vote also set out). The Chair of the GFirst LEP and one other member are also members of the committee, although they do not have any voting powers.
- 2.4 The IAA also confirms that the GCC constitution shall apply to the committee. This means that the procedural rules of decision making set out in the GCC constitution apply where the committee is taking executive decisions, including:

- Meetings to be conducted in public
- A forward plan of decisions to be considered by the committee
- Reports to be published 5 days in advance
- Decision notices published following the meeting

2.5 Any decisions taken by GEGJC are subject to the call-in procedures of each of the partner authorities. If one partner calls in a decision, it is subject to the procedures of that partner individually. If more than one partner calls in a decision, it is to be considered jointly by the Joint Economic Growth Scrutiny Committee.

3. **Governance arrangements to support the GEGJC**

3.1 The IAA confirms that Gloucestershire County Council is responsible for the governance of the Committee, as the Administering Authority.

3.2 A Senior Officers Group has been established to support the partnership, but formal governance remains the responsibility of the Administering Authority, in particular:

- GCC's s151 officer acts as the s151 officer for GEGJC.
- GCC's monitoring officer acts as the monitoring officer for GEGJC

4. **GEGJC's Budget Setting process**

4.1 The Senior Officers Group oversees the formation and development of GEGJC's draft budget, essentially negotiating and proposing how much each authority should contribute.

4.2 Each authority's contribution is then taken through the budget-setting cycle as part of its own decision-making processes, referring any proposed amendments to the draft budget back to GEGJC.

Each partner has until 18th February each year to approve any amendments to the draft budget.

The final budget is then approved by GEGJC by 28th February.

4.3 In the event that either partners or GEGJC fails to approve a draft budget by 26th February, the Joint Committee operates within the previous year's budget (adjusted for inflation) until such time as agreement is reached.

5. **Future arrangements for the GEGJC**

5.1 The IAA confirms that the initial term for the GEGJC was for a five year term which is due to end in September 2020. Therefore, arrangements now need to be put in place for the future operation of the Joint Committee. However, currently there are no other joint working arrangements to promote the economy under development in the County. It is proposed to extend the future operation of the Joint Committee for a further eighteen months following the end of the IAA in September 2020.

The IAA recognised that the GEGJC may continue for a further period and

allowed the partner authorities to agree to extend the agreement not less than 12 months before expiry of the agreement. None of the partner authorities have agreed to the extension within this timeframe; however, it is open to the partner authorities to agree to waive and remove such notice period to enable the Joint Committee to continue. Therefore, the proposal is for each partner authority to confirm the future operation of the Joint Committee for the next eighteen months until March 2022.

ⁱ The committee is formed under sections 101 (5) and 102 of the Local Government Act 1972 and under Part 1A chapter 2 section 9EB of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and any other enabling legislation.