

For Publication

**Derby and Derbyshire Strategic Leadership Board
(LC000)**

Meeting:	Council
Date:	28 February 2024
Cabinet portfolio:	Leader
Directorate:	Corporate

1.0 Purpose of the report

- 1.1 To provide Council with an update on work taking place with Derby and Derbyshire Councils on a revised approach to collaborative and partnership working.
- 1.2 To seek approval from Council to establish and participate in a new Joint Committee of Derby and Derbyshire's councils, the D2 Strategic Leadership Board, to collaborate, co-ordinate and drive forward agendas where it is recognised that more can be achieved by councils working together to improve outcomes for people and places across Derbyshire.

2.0 Recommendations

- 2.1 That Council:
 - 1. Approves proposals for the establishment of the D2 Strategic Leadership Board and delegates functions to this Joint Committee as set out in the Functions and Responsibilities document in Appendix 2.
 - 2. Notes the draft the Terms of Reference, including the Introduction and Context, Functions and Responsibilities, Procedural Rules and Information Procedure Rules for the Strategic Leadership Board as set out at Appendix 2 and the position detailed in those documents regarding scrutiny and co-option.
 - 3. Appoints the Leader as the Council's representative on the D2 Strategic Leadership Board and the Deputy Leader as substitute.
 - 4. Notes the intention that the SLB be the body for the nomination of district and Borough representatives to the East Midlands Combined

County Authority, when established, further noting that this is subject to the CCA's agreement that this be the mechanism.

5. Agrees that Derbyshire County Council will act as the host authority for the Joint Committee.
6. Notes the dissolution of the D2 Joint Committee for Economic Prosperity, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board and recommends to Council that the Constitution is amended accordingly.
7. Notes the dissolution of the Vision Derbyshire Joint Committee, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board and recommends to Council that the Constitution is amended accordingly.
8. Approves the Council's active participation in the D2 Strategic Leadership Board and the associated costs of taking forward the programme of work.
9. Notes that as the functions of the Committee are executive functions, Chesterfield Borough 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.
10. 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 D2 Strategic Leadership Board, and that the Council's existing scrutiny arrangements will apply.

3.0 Reasons for recommendations

- 3.1 To establish the D2 Strategic Leadership Board with robust governance arrangements in place and secure the Council's future involvement and participation in new governance arrangements as they develop and emerge.
- 3.2 To enable Council to commit the financial resources required to support the D2 Strategic Leadership Board and work activity.
- 3.3 To enable the Council to participate fully in all decision making and programme activity that will take place under the remit of the proposed D2 Strategic Leadership Board.

- 3.4 To ensure the Council has appropriate lead Elected Member representation on the proposed D2 Strategic Leadership Board.

4.0 Report details

This report was considered by Cabinet at its meeting on 20 February, 2024 where it was resolved that the report and its recommendations be supported and referred to Council for approval.

- 4.1 Work is progressing towards the establishment of a proposed new East Midlands Mayoral Combined County Authority (EMCCA), which will bring new opportunities to improve outcomes for people and places throughout Derby and Derbyshire. It is important to ensure that Derby and Derbyshire Councils strategic approach to collaborative and partnership working continues, has the flexibility to evolve to meet changing circumstances and is fit for purpose in managing the interface with this new authority, which will have key responsibilities for major investment strategies and programmes for the East Midlands region.

- 4.2 All Derby and Derbyshire's councils will have a stake in these agendas and there is a recognition that shaping these effectively will be made more successful by doing so together.

- 4.3 As well as dovetailing with the new EMCCA, any new county wide governance needs to build on the collaborative working which has been maturing through existing partnership approaches embodied by the Economic Prosperity and Vision Derbyshire joint committees. It is important that the positives of current ways of working are carried forward and that all councils feel they have a full say in decisions as well as safeguards to protect their interests.

- 4.4 Notwithstanding this, there have been ongoing concerns about a proliferation of partnership arrangements with similar or overlapping remits that have led to calls for their rationalisation. This will help to clarify roles and reduce the bureaucratic burden on all authorities moving forward.

- 4.5 The case for a new single leadership board comprising all Derby and Derbyshire's councils, working collectively to tackle the county's challenges and speaking with a collective voice, has been further strengthened by the challenging financial circumstances that many local authorities up and down the country are facing, together with the ever pressing need to collaborate, to create new ways of working, and to be more cost effective in delivering services for places, residents and business.

- 4.6 Reviewing current D2 strategic governance arrangements - Vision Derbyshire

In 2019, Derbyshire Councils came together to explore a future collaborative approach to partnership working in Derbyshire, shaping a shared, ambitious leadership vision focused on achieving the greatest public value for local people and communities.

- 4.7 This approach, Vision Derbyshire, has involved a significant investment of time, hard work and goodwill from participating councils, including Leaders and Officers.
- 4.8 It is now over four years since work on Vision Derbyshire commenced. There have been a number of significant achievements during this time, in particular driving forward the Vision Derbyshire Business Development programme, the development of the Vision Derbyshire Climate Change Strategy and supplementary Planning Policy Guidance and the creation of the Vision Derbyshire Joint Committee.
- 4.9 A light touch review of Vision Derbyshire was undertaken by East Midlands Councils in early 2023, tasked with gathering local councils' views on the current arrangements, challenges and opportunities and ambitions for the future.
- 4.10 A report submitted to the Vision Derbyshire Joint Committee on 28 July 2023 outlined the review's key findings:
- Vision Derbyshire has supported a collegiate, shared understanding of the common challenges facing councils across the county and how collectively these challenges may be addressed
 - Vision Derbyshire provided a helpful platform upon which Derbyshire Councils were able to develop and deliver elements of their collective programme response to the Covid-19 pandemic
 - The fulcrum for activity has likely accelerated the delivery of joint programmes and has been of benefit to wider work in Derbyshire
 - However, only a limited number of councils are full contributory members
 - The absence of some councils inhibits the ability of Vision Derbyshire to be an authoritative and representative partnership of all councils
 - Nevertheless, there is a potential appetite and opportunity to move forward
- 4.11 In particular:
- There is an appetite for refreshed, collaborative activity between councils in Derbyshire, particularly on matters relating to the Combined Authority.
 - There is an appetite to see existing partnership and governance arrangements in Derbyshire simplified and rationalised with a single Derbyshire-wide partnership vehicle comprising all Derbyshire councils.
 - There is recognition that a future partnership approach should specifically align with the proposals for the East Midlands Mayoral Combined County Authority to secure collective influence.

- There is a desire to discuss and share best practice in service delivery though progressing any shared services and procurement initiatives is best implemented through separate arrangements involving the relevant councils.
- There is a consensus that to support a fresh approach, the 'Vision Derbyshire' brand should be 'retired' as partners move to a fresh collaborative arrangement.

4.12 The report's findings were welcomed by members of the Vision Derbyshire Joint Committee, in particular the clear recognition Council's collaborative objectives remain relevant and worthy and that the approach has helped to lock together county, district and borough relationships.

Reviewing current D2 strategic governance arrangements - D2 Joint Committee for Economic Prosperity (D2 EPC)

4.13 In November 2013 the Council approved the establishment, with (Derbyshire County Council, Derby City Council and all District and Borough Councils) in Derbyshire, of a Joint Committee to deliver economic growth and prosperity across the geographical county of Derbyshire.

4.14 The D2 EPC's purpose was to act as the local public-sector decision-making body for strategic economic development at the D2 level and to oversee the planning, alignment, development, and delivery of investment related to economic growth and prosperity for the area, utilising funding from Government, the D2LEP and EU.

The Joint Committee also maintained and supported ongoing dialogue with key strategic partners, relevant bodies whose work impacts of the area, including the D2 business community.

4.15 Key achievements and successes have included:

- Establishment of a D2 investment pipeline
- Leadership of economic recovery from the COVID pandemic
- Targeted work on key sectors such as the rural economy and low carbon transport
- Support to businesses and inward investment activity
- Development of growth, skills and employment and transport strategies
- Delivery of regeneration programmes such as town deals
- Management of the retained business rates pool.

The development of strategic approaches in response to Government initiatives such as the Freeport and HS2 have also occurred through D2 EPC.

During the course of 2023 the Committee agreed that a governance review be undertaken in which the work, purpose and terms of reference of the existing Boards was evaluated:

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- The D2 Joint Committee for Economic Prosperity (D2 EPC)
- The Derbyshire Economic Recovery Board (DERB)
- The Derbyshire Economic Partnership (DEP)

While the review floated the idea of bringing together the EPC, DERB and DEP within what, at that stage, was to be called the D2 Growth Board - with a Business advisory board potentially envisaged as sitting alongside – it was recognised that there needed to be a single decision-making arena that included all Leaders.

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Future strategic governance arrangements for Derby and Derbyshire: The Strategic Leadership Board

Bringing together and informed by the above reviews, the D2 Strategic Leadership Board (D2 SLB) is proposed as the successor to the two existing joint committees, Vision Derbyshire and Economic Prosperity, promising a streamlined, refreshed and fully inclusive approach to collaborative working across existing and new partnership activity.

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The Committee is proposed as offering a single framework for discussion and decision making across agendas incorporating the remits of the Vision Derbyshire Joint Committee and the D2 Economic Prosperity Committee; and, additionally, accommodating the proposed D2 Growth Board alongside the proposed D2 Business Board. This means that the DERB and the DEP would also no longer exist.

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The proposed structure for the new Board can be found at Appendix 1. The draft Terms of Reference, including the Articles, Procedure Rules and Access to Information Procedure Rules are attached at Appendix 2. A short Guide to the D2 SLB is at Appendix 3 and provides a simple, accessible description of the D2 SLB's ambition and functions, and how it will work in practice.

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This new Joint Committee would bring together Derby and Derbyshire's ten councils to:

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- Provide collective leadership for Derby and Derbyshire, ensuring our authorities speak with a single, shared voice at the county, regional and national level.
- Collaborate as partners to develop joined-up approaches to the complex, connected and challenging agendas where our councils share common interests.
- Progress shared ambitions for the people and places of Derbyshire, making decisions together to improve services and co-ordinate resources better and more sustainably.

- 4.23 All local authorities within Derby and Derbyshire would be invited to join D2 SLB as constituent members and to play a full part in co-ordinating and driving agendas where it is recognised and agreed that more can be achieved for all our localities, and for Derby and Derbyshire as a whole, by our councils working together.

Accordingly, D2 SLB's remit would include 'place', regeneration, broader economic development, business and skills, and transport, and wider agendas including climate and the environment, and health and wellbeing.

- 4.24 The Board, on behalf of the participating authorities, would be responsible for improving the delivery of functions already within the remit of local authorities through statute to improve the economic, environmental or social wellbeing of the areas within Derbyshire.
- 4.25 The Board would also provide an opportunity to explore rationalisation and alignment of existing partnership structures and approaches, which will be essential given limited capacity and expertise and reducing public sector resources.
- 4.26 In this context, it would be for the Board to establish any sub committees it chooses to in order to provide support to the Board's work programme and for the Board to determine the membership of these sub committees. Any such sub committees would report into the full Board.
- 4.27 From a legal perspective, the Strategic Leadership Board would be constituted as a 'Joint Committee'. This means that, with decision making powers delegated to it by its constituent member councils, the Board would be empowered to jointly discharge and to exercise functions on their behalf within its agreed remit. (A Joint Committee is one comprising two or more councils established for the joint discharge of any functions of those councils in accordance with the Local Government Act 1972, s101.)
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- 4.29 All local authorities would be encouraged to delegate functions to enable D2 SLB to act as the responsible decision-making body for those functions that participating councils confer upon it and to ensure full collaboration across the range of proposed activities that would form D2 SLB's agenda. The ambition is that through councils' active commitment and participation the Board will mature into a truly authoritative, representative and collaborative partnership of all Derby and Derbyshire councils – while duly acknowledging the sovereignty of participating councils and recognising that each would have separate as well as shared interests in partnership working.

It is proposed that membership and participation be open to all Derby and Derbyshire's councils, including by councils who choose not to confer responsibilities in the way that is envisaged and who instead choose to retain full, separate local control.

Relationship to the proposed EMCCA

- 4.30 Once the East Midlands Combined County Authority is established it is vital that D2 councils come together to manage their interface with this new authority, which will lead the development and delivery of key expenditure programmes all of which will bring benefits to Derby and Derbyshire, including a Devolution Investment Fund ('Gainshare'), the Adult Education Budget and a consolidated transport budget.
- 4.31

All Derby and Derbyshire's councils will have a stake in these agendas and successfully influencing and shaping the CCA's thinking, planning and decision making on local investment priorities is likely to be optimised by doing so together.

- 4.32 Additionally, the Board is envisaged as providing a potentially appropriate mechanism for agreeing formal nominations for district and borough representation on the proposed EMCCA. Under the arrangements establishing the EMCCA, Derbyshire's district and borough councils collectively will be entitled to two seats on the CCA board, with the city and county each having one seat by virtue of being Constituent Member Authorities. It is proposed that the D2 Strategic Leadership Board be designated the formal nominating body for appointments from non-constituent councils to the CCA board. The specific process for nominations will need to be developed and agreed with the EMCCA and is therefore subject to further approvals. However, assuming this is agreeable, it will be for districts and borough to determine their two nominations via the D2 SLB. These non-constituent members will sit on the EMCCA board as representatives of all districts and boroughs and not solely of the district or borough for which they are a councillor.
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If the D2 SLB consents to the designation as a nominating body, the terms of reference of the D2 SLB will need to be amended to include the function of nominating non-constituent representatives to the proposed EMCCA and other associated committee/advisory group representatives as and when requested.

Terms of Reference for the SLB

- 4.34 The draft articles, functions and procedure rules for the proposed D2 SLB Joint Committee are attached at Appendix 2, for consideration and agreement by Council as they include proposed delegations from Councils. These provide a framework for the Joint Committee to operate as the future joint decision-making body for matters where Derby and Derbyshire Councils will work collaboratively. These terms of reference are draft and need to be considered by Councils before they can be ratified by the D2 SLB when it convenes.
- 4.35

The articles set out the main aims of the D2 SLB, which will:

- Provide collective strategic leadership for local government in Derby and Derbyshire
- Drive forward shared ambition and collective priorities for local government across Derby and Derbyshire
- Improve joint working across local government in Derby and Derbyshire
- Form a collective view on matters impacting Derby and Derbyshire
- Ensure the proposed EMCCA is aware of Derby and Derbyshire's collective views and interests and exercise all functions that it agrees to accept from the Combined County Authority, once established
- Enable improved agility, timeliness and effectiveness in decision making

As the Board's role develops, consideration will be given to the Joint Committee taking on additional responsibilities as these emerge and develop. This will be subject to further approval by the Council to delegate those additional functions to the Joint Committee.

- 4.37 Membership of the Board will comprise councillors from participating councils who will each be enabled to appoint one Elected Member and one substitute. While the Board is envisaged as making decisions on the basis of consensus, formally, in order to reserve 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.

- 4.38 Given the role the Council has played in the D2 EPC and developing and reviewing the Vision Derbyshire approach it is recommended that the authority delegate functions to the Joint Committee as set out in this report to enable it to be formed, agreeing the draft governance arrangements as set out in the Terms of Reference Appendix 2.

- 4.39 It is recommended that Council agree that Derbyshire County Council will act as the Strategic Leadership Board host authority. It is also recommended that the Leader be nominated to represent Chesterfield Borough Council on the Joint Committee once it is formed and the Deputy Leader be nominated as substitute.

- 4.40 While it is assumed that Council representation on the Board will be undertaken by the Leader, it is recommended that Council note the Council's position regarding the co-option of members onto the Board and that the Council's existing scrutiny arrangements can review or scrutinise decisions made in connection with the exercise of the functions of the Board.

Host Authority and accountable body

4.41 The Joint Committee is not a legal entity in its own right and therefore to establish and operate the Joint Committee, a host organisation will be required. The host authority will 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 executive team supporting the Committee (the Programme Team). The host authority's Statutory Officers will act as the Statutory Officers for the Joint Committee.

4.42 It is proposed that Derbyshire County Council should act as the Host authority for the Joint Committee and provide the necessary executive support for its administration. The County Council was the Host Authority for the D2 EPC and Vision Derbyshire Joint Committee and therefore has sufficient capacity to assume this role.

Winding up the D2 Joint Committee for Economic Prosperity

4.43 On 14 December 2023 members of the D2 EPC approved to dissolution of the Joint Committee, for the purposes of establishing the D2 Strategic Leadership Board, to be ratified by constituent member councils.

4.44 The D2 EPC has had responsibility for managing the Retained Business Rate pool and resourced a range of successful projects (including capital grant and feasibility schemes, business start-up support and the youth hubs). Following the dissolution of the D2 EPC, £734,449 remains and there are no current commitments for spend, it was agreed in principle this sum be absorbed into the Strategic Leadership Board's responsibilities. Spend against the remainder sum will be aligned to projects and proposals that support economic growth and/or help sustain or increase the generation of business rates in the D2 geography, in line with Government's original criteria for the retained funding. Chesterfield Borough Council has been a recipient of funding via retained business rates in the past, notably £1.05m towards the revitalising the heart of Chesterfield project and £45,000 towards the feasibility study for DRIIVE.

4.45 Council is asked to note the dissolution of the D2 Joint Committee for Economic prosperity and Vision Derbyshire and recommend to Council that the Constitution should be amended accordingly.

Winding up the Vision Derbyshire Joint Committee

On 14 December 2023 members of the Vision Derbyshire Joint Committee approved the dissolution of the Committee, for the purposes of establishing the D2 Strategic Leadership Board, to be ratified by constituent member councils.

- 4.46 As at the time of the dissolution of this Committee no commitments to the Vision Derbyshire budget were made. There are no outstanding financial liabilities and therefore constituent Councils exiting the arrangement have not needed to pay any outstanding amount to cover a share of their liability. Surplus outstanding funding will be returned to the constituent
- 4.47 authorities on the basis from which they paid in. This is £52,350 for the Council.

Council is asked to note the dissolution of the Vision Derbyshire Joint Committee and recommend to Council to amend the Council's constitution accordingly.

4.48 The delivery programme and resource for the D2 SLB

There is agreement across Councils that capacity and capability, through the establishment of a programme team, is needed to support the Board. The Programme Team would be responsible for:

- Overseeing and managing the approach – including servicing meetings/committees
- Work with thematic delivery leads to identify, develop, and deliver programmes and projects across the Boards collectively agreed priorities
- Shape the future programme and support align with the proposed EMCCA, if it is established, to optimise benefits for Derbyshire.

- 4.49
- 4.50 As the host authority, Derbyshire County Council will be responsible for the establishment of the team. The team will be comprised of a number of permanent Programme Team posts, to be agreed by the D2 Strategic Leadership Board when it convenes and on the commitment of the programme budget.

The D2 Strategic Leadership Board, once established will direct the work of the programme team and a number of current funding streams have been identified to support this work, previously attributed to the Vision Derbyshire programme, the D2 EPC and the Derbyshire Economic Partnership. This is outlined in the table below.

4.51	Strategic Leadership Board Funding	£
	County Council Funding (40%)	156,324
	Derbyshire Economic Partnership Funding	135,000
	Business Rate Pool Contribution	99,485
	Total	390,890

- 4.52 The proposals require no immediate additional funding commitments from Chesterfield Borough Council. This proposal will ensure that funding is in place until March 2025. Chesterfield Borough Council currently makes a

funding contribution of £15,000 per annum to the Derbyshire Economic Partnership, this will be sustained.

The current Business Rates Pool stands at £734,449 and how the Board is funded beyond the 2024/25 period, will be a decision to be taken by the Board at an appropriate time.

Next Steps – Taking Forward Proposals

- 4.53 All Derby and Derbyshire Councils are now being asked to agree to join and participate in the D2 Strategic Leadership Board.

- 4.54 Wider engagement with Leadership Teams within participating Councils, both at an Elected Member and Senior Management level, are recognised as being vital to secure shared commitment, including Q&A sessions with Members and development of an accessible 'short guide to the D2 SLB'. It will be important to ensure that the Council is engaged in development of the Board's work programme over the coming months to maximise the collaborative benefits for this authority, local people and communities in Derbyshire.

- 4.55 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 collaborative working will also be important.

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5.0 Alternative options

- 5.1 Existing Joint Committees having been dissolved, the Council could take the option to not create a successor committee. There would still however, need to be an alternative vehicle to make nominations to the CCA when established.
- 5.2 Existing Joint Committees having been dissolved, the Council could take the option to not participate in the D2 SLB once established. This is not

desirable as this report has indicated that the D2 SLB is a merger of two successful Joint Committees to support effective and efficient decision making. There is also significant interest in continuing to work collaboratively with Debry and Derbyshire Councils to work collectively in partnership to tackle the county's challenges and speak as a collective where possible.

6.0 Implications for consideration – Financial and value for money

- 6.1 Following the dissolution of the D2 EPC, the £734,449 remains from Retained Business Rates fund, and responsibility for overseeing the remainder of the spend, be transferred to the new D2 Strategic Leadership Board. Spend against the RRB will need to be aligned to projects and proposals that support economic growth and/ or help sustain or increase the generation of business rates in the D2 geography, in line with Government's original criteria for the retained funding.
- 6.2 The dissolution of the Vision Derbyshire Joint Committee has resulted in the return of £52,350 funding to the Council of unallocated spend based on the Councils previous budget commitment in the 2022/23 period.
- 6.3 The costs and contributions associated with meeting the required budget for the D2 SLB programme team outlined in is outlined below.

Strategic Leadership Board Funding	£
County Council Funding (40%)	156,324
Derbyshire Economic Partnership Funding	135,000
Business Rate Pool Contribution	99,485
Total	390,890

- 6.4 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 the D2 Strategic Leadership Board until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership.
- 6.5 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.

7.0 Implications for consideration – Legal

- 7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 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.
- 7.5 The functions being delegated to the D2 Strategic Leadership Board are all executive functions. Therefore, in accordance with the legislation and the Council's Constitution, the decision to establish the D2 Strategic Leadership Board and determine the number of members to be appointed to the Committee and their terms of office should be made by Council.
- 7.6 As the functions are executive functions, the regulations also require that the members appointed to the D2 Strategic Leadership Board should be members of the Executive.
- 7.7 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.

- 7.8 Any requests for information received by the Board 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 two 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.

8.0 Implications for consideration – Human resources

- 8.1 The host organisation will be responsible for the recruitment and hosting of the Programme Team posts, and this will be in line with standard recruitment and remuneration policies.
- 8.2 The County Council currently employs 2FTE Senior Economic Development Officers who work for the Derbyshire Economic Partnership. Whilst their job description, person profile and line management will not change, they will now be required to support the priorities of the D2 Strategic Leadership Board and its associated work, which would have previously agreed and commissioned by DEP.
- 8.3 As the host authority Derbyshire County Council will also hold a number of proposed additional Programme Team posts, to be agreed by the D2 Strategic Leadership Board in its first meeting and on the commitment of the programme budget. Recruitment to any outstanding posts will be in line with the grading criteria of the host council and their policies and procedures. This will include:
- 1 x Programme Manager
 - 2 x Project Officers
 - 0.5 x Communications Officer
 - 1 x Admin Support
- 8.4 All new posts would be created on permanent basis, and as such, would be subject to the host council's redundancy and redeployment policies and procedures. 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.

9.0 Implications for consideration – Council Plan

- 9.1 Derby and Derbyshire Strategic Leadership Board compliments and enhances Council Plan activity.

10.0 Implications for consideration – Climate Change

- 10.1 These arrangements do not have a direct impact on climate change, however Climate change activity forms part of delivery proposals and it is expected that the programme budget and team will support the delivery of associated programmes of work and projects as they develop and are brought forward.

11.0 Implications for consideration – Equality and diversity

- 11.1 An EIA is not needed as the report relates to an administrative decision rather than an issue of policy. Equality Impact Assessments (EIA's) in relation to specific project and programme activities will form a key part of Derby and Derbyshire Strategic Leadership Board considerations to ensure that appropriate mitigations are developed for potential negative impacts on people with protected characteristics, and positive impacts maximised.

- 11.2 As part of the process of making decisions and changing policy, the D2 Strategic Leadership Board 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.

12.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Inability to recruit to programme team roles	High	Medium	Work will take place to identify the appropriate recruitment opportunities to secure appointments across the team	Medium	Low
Insufficient programme budget to support project delivery	Medium	Medium	This proposal ensures that funding is in place until March 2025. Should additional resources be required this would be the subject of a full business case to the Strategic Leadership Board agreement on the approach to adequately resource identified activity.	Medium	Low

Decision information

Key decision number	1189
Wards affected	All

Document information

Report author	
Chief Executive Service Director – Corporate	
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
None	
Appendices to the report	
Appendix 1	Draft proposed structure for D2 SLB
Appendix 2	Draft articles, functions and procedure rules for the proposed D2 SLB Joint Committee
Appendix 3	A short Guide to the D2 SLB