

18 March 2022

Agenda Item: 4

REPORT OF THE CHIEF EXECUTIVE OF NOTTINGHAMSHIRE COUNTY COUNCIL

JOINT WORKING AND DEVOLUTION PROGRAMME UPDATE

Purpose of the Report

1. To update Committee on the progress of the Joint Working and Devolution programme and the Levelling Up White Paper.
2. To seek approval for next steps for the programme.

Information

Levelling Up White Paper

3. The [Levelling Up White Paper](#) was published on 2 February 2022 and includes an invitation for nine county areas to begin negotiating devolution deals, including Nottingham and Nottinghamshire as well as other areas across the East Midlands. Government's aim is for a number of these deals to be agreed by Autumn 2022. In addition, the white paper commits that by 2030 every part of England that wants one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement. Trailblazer deeper devolution deals are to be progressed with the West Midlands and Greater Manchester
4. Page 140 of the Levelling Up White Paper sets out a Devolution Framework (**see Appendix A**), which details the types of powers and functions that will be considered for devolution at three levels, defined by the criteria set out below. Level 3 deals offer the opportunity to devolve the greatest level of powers, flexibilities and funding from Government to our local area, please see Appendix A for details:
 - **Level 3:** A single institution or County Council with a directly elected mayor (DEM), across a Functional Economic Area (FEA) or whole county area Level
 - **Level 2:** A single institution or County Council without a DEM, across a FEA or whole county area
 - **Level 1:** Local authorities working together across a FEA or whole county area e.g. through a joint committee

5. Discussions are underway across the nine areas named in the White Paper, including here in the East Midlands, to confirm next steps and to agree the preferred form and geography of the devolution deals that will be negotiated with Government. In our case, there have been discussions between Nottinghamshire County Council, Nottingham City Council, Derbyshire County Council and Derby City Council and Government officials to explore the potential for a Level 3 Mayoral Combined Authority (MCA) across this geographical footprint. The excellent collaborative work this Committee is leading between city, county, district and borough councils is integral to Nottingham and Nottinghamshire's devolution ambitions, and any wider discussions with Derby and Derbyshire. Government has been clear that deals will be negotiated with upper tier councils, but they expect meaningful engagement with all councils.
6. Joint working across this wider area is being explored because a level 3 deal in collaboration with partners could bring significant benefits to local people. A Mayoral Combined Authority of this scale would compare with areas such as Greater Manchester and the West Midlands, increase our influence nationally and could secure greater powers and funding. The East Midlands has received proportionally less government funding and private sector investment for a number of years. It is incumbent upon local partners to explore opportunities to redress this imbalance. It is too early to say what form of devolution deal will be negotiated with Government and regular updates will be provided.

Priority themes

7. Following EPC approval in December 2021, draft outline business cases have been developed for the six priority themes listed below:
 - Enabling and supporting young people through their journey to adulthood
 - Education and Skills
 - Environment
 - Economy
 - Connectivity and Infrastructure
 - Land and Housing
8. Scoping of the business cases has been undertaken jointly by Nottingham and Nottinghamshire Councils, with input from Members and Officers, and supported by partners such as Nottinghamshire's Universities, the National Youth Agency and the Police and Crime Commissioner. Listening to young people's voices and including their ideas will be vital. Strong participation of young people is forming a unique and innovative element of our collaborative work programme.
9. Government's selection of Nottingham and Nottinghamshire as one of the first nine areas invited to begin devolution talks is recognition of the progress achieved together since Summer 2021. The changing context outlined in paragraphs 3 to 6 requires the work programme to be refreshed, building on this strong foundation of collaboration. Work under the priority themes is being reviewed to ensure that the implications of the Levelling Up White Paper and devolution negotiations with Government are reflected, and that assumptions remain valid. We are working across Derby and Derbyshire to identify shared priorities and ambitions considering the ongoing discussions regarding a potential Level 3 MCA on a wider geography.
10. Collaborative work across Nottingham and Nottinghamshire will continue regardless of the form of any future devolution deal. District, borough, city and county chief executives met on

2 March 2022 to discuss potential governance options, how best to progress work under the priority themes and next steps for the programme. A priority issue identified by the chief executives was how best to meaningfully include district and borough councils and other stakeholders in the co-development of a devolution deal, regardless of the geographical footprint.

11. In addition to the above priority themes, as discussions with Government progress consideration will be given to the other themes on the previously agreed “long list” of priorities:
- Health and social care
 - Visitor economy, heritage and culture
 - Community safety, cohesion and reducing reoffending
 - Public sector reform

Governance

12. A working group led by Ruth Hyde, Chief Executive of Broxtowe Borough Council, began a review of governance options prior to the white paper’s publication. Discussions are ongoing in pursuit of an inclusive governance arrangement for a mayoral combined authority on a wider footprint, and how this might relate to the EPC. Further details will be brought to the EPC as soon as possible.

Resources

13. The recruitment of the previously approved programme team is progressing well as outlined below:
- A Programme Manager was appointed in December 2021 following a multi-partner interview process
 - Interviews for four Project Officer roles were held in January 2022. Two posts have been successfully filled. One Project Officer started on 14 February 2022, with the other successful candidate due to start on 25 April 2022. The two remaining Project Officer posts have been readvertised and interviews are scheduled for the third week of March 2022. Should one or both not be recruited to, alternative approaches to resourcing and budget allocation will be considered
 - A Business Support Administrator will be joining the team on 21 March 2022, following a successful interview process in January 2022
 - Interviews for the Senior Communications Business Partner are scheduled for the third week in March, with a multi partner interview panel.
14. Interim programme arrangements remain in place whilst recruitment is completed, including support from officers of all nine of Nottingham and Nottinghamshire’s Councils. In addition to this, a bid has been submitted to Nottinghamshire County Council’s graduate scheme which will provide additional capacity at no cost to the programme budget. In the longer term, consideration will need to be given to resourcing requirements as devolution negotiations with Government progress. Work is underway with partners to map existing skills and capacity and to identify gaps.

Communications

15. Communication leads across the councils continue to work closely together including on how best to communicate a deal negotiated on a wider footprint. Recently, this has included the

initial response to the publication of the Levelling Up White Paper. Recruitment of the Senior Communication Business Partner will provide the capacity and expertise to deliver a proactive communication strategy, keeping stakeholders engaged and up to date and taking advantage of opportunities to achieve media coverage of our objectives and priorities for devolution.

Next Steps

16. The next steps for the programme are to:

- progress political discussions locally regarding our response to the Levelling Up White Paper;
- work collaboratively across Nottingham, Nottinghamshire, Derby and Derbyshire to identify shared priorities and ambitions that would fall under a potential devolution deal;
- return a devolution deal proposal template to Government by 25 March 2022, this requests information on the level of devolution deal being sought, the geography, the leadership and governance model; powers, functions and flexibilities being pursued from the Devolution Framework and other innovative ideas; and
- complete the recruitment process for all programme team posts by 31 March 2022.

17. In respect of the Government's template, this document allows for devolution proposals to be set out with reference to the devolution framework. It is intended to capture a summary of proposals. Responses will provide the starting point of negotiations for a devolution deal where proposals will be examined in more depth. Submission of this template does not commit any council to a single course of action.

Other Options Considered

18. Do Nothing – Nottingham and Nottinghamshire could choose not to respond to the invitation in the Levelling Up White paper to negotiate a devolution deal with Government. This option has been rejected as it would prevent the benefits and opportunities of devolution from being achieved. Likewise, Government's commitment to progress deeper devolution deals with areas such as the West Midlands and Greater Manchester emphasises the importance of achieving a successful devolution deal for our area, to avoid being left behind.

Reason/s for Recommendation/s

19. The right devolution deal would deliver economic and social prosperity across the city and county.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

21. The financial implications of producing a devolution proposal for government were considered at the 29 October 2021 meeting of this Committee. This report contains no further financial implications.

Implications for Service Users

22. The joint working and devolution programme is ultimately about changing things for the better for local people and giving all our residents and businesses the best possible opportunities and experiences. The programme continues to be developed with this primary objective in mind.

Implications for Sustainability and the Environment

23. Enhancing and protecting the local environment and addressing climate change is a Priority Theme under this programme of work. The intention is to support delivery of existing strategies and cooperation on policy development ahead of the Environment Bill. An ambition is included to accelerate net zero targets for some Councils and assist all to achieve the existing targets set.

RECOMMENDATION/S

It is recommended that Committee:

- 1) Notes progress to date on the devolution and joint working programme and the update on the Levelling Up White Paper
- 2) Notes the ongoing discussions about a devolution deal on a Derby, Derbyshire, Nottingham, and Nottinghamshire footprint
- 3) Agree the next steps listed under paragraph 16

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Chief Executive of Nottinghamshire County Council

For any enquiries about this report please contact:
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Constitutional Comments (EP 10/03/22)

24. The recommendations fall within the remit of The City of Nottingham and Nottinghamshire Economic Prosperity Committee by virtue of its terms of reference.

Financial Comments (RWK 10/03/2022)

25. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- ["East Midlands council leaders consider options for new devolved powers and resources" – Joint Statement 23 February 2022](#)
- [Levelling Up White Paper 2 February 2022](#)
- [The City of Nottingham and Nottinghamshire EPC 17 December 2021 – Joint Working and Devolution Programme Update](#)
- [The City of Nottingham and Nottinghamshire EPC 17 December 2021 – Nottingham and Nottinghamshire Case for Devolution – Development of Priority Themes](#)
- [Policy Committee 2 December 2021 – Nottingham and Nottinghamshire Case for Devolution Resourcing Requirements](#)
- [Policy Committee 2 December 2021 – Appendix 1 Case for Devolution](#)
- [The City of Nottingham and Nottinghamshire EPC 29 October 2021 – Case for Devolution](#)
- [The City of Nottingham and Nottinghamshire EPC 29 October 2021 – Nottingham and Nottinghamshire Case for Devolution Resourcing Requirements](#)

Electoral Division(s) and Member(s) Affected

- All