

Policy Committee

Thursday, 24 March 2022 at 10:30

County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- 1 Minutes of the last meeting of Policy Committee held on 10 February 2022 3 - 6
- 2 Apologies for Absence
- 3 Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary)
- 4 Joint Working and Devolution Programme and Levelling Up White Paper Update 7 - 14

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 977 2590) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting POLICY COMMITTEE

Date Thursday 10 February 2022 (commencing at 10.30 am)

membership**COUNCILLORS**

Ben Bradley MP (Chairman)
Bruce Laughton (Vice-Chairman)

Chris Barnfather
Anne Callaghan
Neil Clarke MBE
John Cottee
Jim Creamer
Boyd Elliott
Kate Foale
Glynn Gilfoyle
Keith Girling

Richard Jackson
Francis Purdue-Horan
Philip Owen
David Shaw
Helen-Ann Smith – Apologies
Tracey Taylor
Michelle Welsh
Gordon Wheeler
Jason Zadrozny - Apologies

SUBSTITUTE MEMBERS

Councillor John Wilmott substituted for Councillor Jason Zadrozny

OTHER COUNCILLORS IN ATTENDANCE

None

OFFICERS IN ATTENDANCE

Anthony May
Abi Burgoyne
Heather Dickinson
Keith Ford
Michael Higginson
Phil Rostance
Marjorie Toward

Chief Executive's Department

Colin Pettigrew

Children, Families and Cultural Services Department

Adrian Smith
Derek Higon

Place Department

OTHERS IN ATTENDANCE

Peter Ware

Browne Jacobson

1 MINUTES

The Minutes of the last meeting of Policy Committee held on 2 December 2021, having been previously circulated, were confirmed and signed by the Chairman.

2 APOLOGIES FOR ABSENCE

Councillor Helen-Anne Smith – other reasons

Councillor Jason Zadrozny – other reasons

3 DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None.

4 SCHOOLS AND EARLY YEARS FUNDING – AGREEMENT OF THE LOCAL FUNDING FORMULA FOR 2022-23

RESOLVED: 2022/001

That the recommendations of the Schools Forum to distribute available funding between Nottinghamshire schools, academies and early years providers in 2022-23, as outlined in Appendix 1 to the committee report, be approved.

5 NOTTINGHAM AND NOTTINGHAMSHIRE CASE FOR DEVOLUTION RESOURCING REQUIREMENTS

RESOLVED 2022/002

- 1) That the approach outlined in the committee report to celebrate the Queen's Platinum Jubilee and Nottinghamshire Day 2022.
- 2) That funding of up to £100,000 be approved to deliver The Queen's Platinum Jubilee and Nottinghamshire Day celebrations in 2022 (with potential external sponsorship contributions to be pursued to cover elements of these costs) and that the Section 151 Officer be requested to seek approval from the Finance Committee for an allocation of £100,000 from the General Contingency to cover this funding.
- 3) That further updates be shared with Members as appropriate.

6 ATTENDANCE AT LOCAL GOVERNMENT ASSOCIATION (LGA) ANNUAL CONFERENCE AND EXHIBITION 2022

RESOLVED 2022/003

That approval be given for the Leader, Deputy Leader, a member of the Main Minority Group and the Chief Executive to attend the LGA Annual Conference and Exhibition on 28-30 June 2022 in Harrogate.

7 COUNTY COUNCILS NETWORK (CCN) CONFERENCE – NOVEMBER 2021

RESOLVED 2022/004

That the contents of the report and the availability of further details of the speeches and presentations via the CCN website be noted.

8 USE OF URGENCY PROCEDURES

RESOLVED 2022/005

That no further information or actions were required in relation to the Council's urgency procedures in the latest monitoring period of July 2021-December 2021.

9 BROXTOWE COMMUNITY GOVERNANCE REVIEW – STAGE 2 CONSULTATION RESPONSE

RESOLVED 2022/006

That the Chief Executive be authorised to submit the letter attached at Appendix A to the committee report as Nottinghamshire County Council's response to the consultation on the final draft proposals of the Broxtowe Borough Council Community Governance Review.

10 EAST MIDLANDS FREEPORT FULL BUSINESS CASE SUBMISSION

RESOLVED 2022/006

- 1) That the current draft of the East Midlands Freeport Full Business Case be approved in principle.
- 2) That authority be delegated to the Deputy Chief Executive (or the Service Director Investment and Growth, acting as his nominee) to endorse the submission of the final draft of the Full Business Case to Government subject to the following conditions having been met:
 - a. satisfaction that the final draft Full Business Case does not increase the risk or financial exposure of the Council beyond the parameters set out in this report; and

- b. sufficient detail of the governance structure for the Freeport company and associated safeguards being agreed between the parties to protect the Council's interest prior incorporation of the company, including setting the amount of any contributions to a contingency reserve for the Freeport or its general funding.

11 WORK PROGRAMME

RESOLVED: 2022/007

That no amendments were required to the work programme.

12 EXCLUSION OF THE PUBLIC

RESOLVED: 2022/008

That the public be excluded for the remainder of the meeting on the grounds that the discussions were likely to involve disclosure of exempt information described in Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

13 EAST MIDLANDS FREEPORT FULL BUSINESS CASE SUBMISSION – EXEMPT APPENDIX

RESOLVED: 2022/009

That the contents of the East Midlands Freeport Full Business be noted.

The meeting closed at 12.45pm.

CHAIRMAN

REPORT OF THE LEADER OF NOTTINGHAMSHIRE COUNTY COUNCIL**JOINT WORKING AND DEVOLUTION PROGRAMME AND LEVELLING UP
WHITE PAPER UPDATE****Purpose of the Report**

1. To inform Committee on the progress of the Joint Working and Devolution Programme and to update on the Levelling Up White Paper.
2. To seek approval to continue negotiations with Government about a devolution deal.
3. To seek endorsement for the continuing inclusion of Nottinghamshire's District and Borough Councils in the ongoing discussions about devolution.

Information**Background**

4. As detailed in the update to Policy Committee in December 2021, following an invitation from Government for expressions of interest in a new type of devolution deal, Nottingham and Nottinghamshire Councils (City, County, Districts and Boroughs) have been working together on a [Case for Devolution](#). This document was approved by the joint Economic Prosperity Committee in October 2021 and work has continued in partnership to develop detailed scopes for the six initial priority themes:
 - Enabling and supporting young people through their journey to adulthood
 - Education and Skills
 - Environment
 - Economy
 - Connectivity and Infrastructure
 - Land and Housing
5. In addition to the above priority themes, our Case for Devolution includes a further "long list" of priorities, including:
 - Health and social care
 - Visitor economy, heritage and culture
 - Community safety, cohesion and reducing reoffending

- Public sector reform

Levelling Up White Paper and Progress

6. 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
7. Page 140 of the Levelling Up White Paper sets out a Devolution Framework, 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 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
8. Discussions are underway across the 9 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. 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. 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. This geography is an accepted Functional Economic Area, currently covered by the D2N2 Local Enterprise Partnership. 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 will be negotiated with Government and regular updates will be provided as the situation develops.
9. In support of the approach outlined in paragraph 8 above, work is underway to align activity across all Nottinghamshire and Derbyshire Councils into a single, coherent devolution offer. Alongside discussions locally and with Government, work continues to develop the priority themes outlined in paragraphs 4 and 5 above. The excellent collaborative work taking place in partnership with city, district and borough councils across Nottinghamshire has the potential to secure better outcomes and value for money for local taxpayers through public sector reform and efficiencies.

Next Steps and Resources

10. 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.

11. In respect of the Government 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 the County Council to a single course of action. An update on progress with the template will be given at the Policy Committee meeting on 24 March 2022.

12. In line with paragraphs 10 and 11, approval is sought from Policy Committee to continue negotiations with Government. Regular updates will be provided to Policy Committee (or Cabinet should the proposed change to Executive Arrangements be agreed by Full Council on 31 March 2022) as negotiations progress and any final devolution deal will be brought to Full Council for consideration and approval. In seeking this approval, committee is also asked to endorse the continuing inclusion of Nottinghamshire's District and Borough Councils in discussions about devolution.

13. The recruitment of the previously approved programme team (funded from the shared National Non-Domestic Rates (NNDR) Pool Reserve) is progressing well, with many of the roles now filled. To provide the best opportunity to secure the benefits offered by the Levelling Up White Paper and the pre-existing partnership working between Local Authorities, additional resources may be required. Subject to next steps, there could be an intensive period of negotiations with Government. Work is underway with partners to map existing skills and capacity and to identify gaps, which could be filled by a combination of secondments from within the Local Authority partnership, new jointly funded posts and / or commissions for expert support from external agencies. Provision has been made within existing Place budgets to fund additional capacity and expertise over and above the resources from the NNDR pool reserve.

Other Options Considered

14. Do Nothing – We 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

15. The right devolution deal would deliver economic and social prosperity across the region.

Statutory and Policy Implications

16. 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

17. Nottingham and Nottinghamshire's Economic Prosperity Committee approved an annual budget of £450k for the Devolution and Joint Working Programme on 29th October 2021. There are no additional financial implications detailed in this report.

Implications for Service Users

18. The Case for Devolution 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

19. 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 Joint Working and Devolution Programme and the update on the Levelling Up White Paper.
- 2) Gives approval to the Leader of the Council and the Chief Executive to continue negotiations with Government, about a potential Level 3 devolution deal across Nottingham, Nottinghamshire, Derby and Derbyshire.
- 3) Endorses the continuing inclusion of Nottinghamshire's District and Borough Councils in the ongoing discussions about devolution.

Councillor Ben Bradley MP
Leader of Nottinghamshire County Council

**For any enquiries about this report please contact:
Anthony May, Chief Executive Nottinghamshire County Council, Tel: 0115 9773582**

Constitutional Comments (EP 11/03/2022)

20. Policy Committee is the appropriate body to consider the contents of this report and the recommendations are within the remit of the Policy Committee by virtue of its terms of reference.

Financial Comments (SES 04/03/2022)

21. There are no specific financial implications arising directly from this 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.

- [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](#)
- [Government unveils levelling up plan that will transform UK - GOV.UK \(www.gov.uk\)](#)

Electoral Division(s) and Member(s) Affected

- All

Table 2.3 Devolution Framework

Level 3 – A single institution or County Council with a directly elected mayor (DEM), across a FEA or whole county area

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

Function	Detail	L1	L2	L3
Strategic role in delivering services	Host for Government functions best delivered at a strategic level involving more than one local authority e.g. Local Nature Recovery Strategies	✓	✓	✓
	Opportunity to pool services at a strategic level	✓	✓	✓
	Opportunity to adopt innovative local proposals to deliver action on climate change and the UK's Net Zero targets	✓	✓	✓
Supporting local businesses	LEP functions including hosting strategic business voice		✓	✓
Local control of sustainable transport	Control of appropriate local transport functions e.g. local transport plans*		✓	✓
	Defined key route network*			✓
	Priority for new rail partnerships with Great British Railways – influencing local rail offer, e.g. services and stations			✓
	Ability to introduce bus franchising		✓	✓
	Consolidation of existing core local transport funding for local road maintenance and smaller upgrades into a multi-year integrated settlement			✓
Investment spending	UKSPF planning and delivery at a strategic level		✓	✓
	Long-term investment fund, with an agreed annual allocation			✓
Giving adults the skills for the labour market	Devolution of Adult Education functions and the core Adult Education Budget		✓	✓
	Providing input into Local Skills Improvement Plans		✓	✓
	Role in designing and delivering future contracted employment programmes			✓
Local control of infrastructure decisions	Ability to establish Mayoral Development Corporations (with consent of host local planning authority)			✓
	Devolution of locally-led brownfield funding			✓
	Strategic partnerships with Homes England across the Affordable Housing Programme and brownfield funding			✓
	Homes England compulsory purchase powers (held concurrently)		✓	✓
Keeping the public safe and healthy	Mayoral control of Police and Crime Commissioner (PCC) functions where boundaries align^			✓
	Clear defined role in local resilience*		✓	✓
	Where desired offer MCAs a duty for improving the public's health (concurrently with local authorities)			✓
Financing local initiatives for residents and business	Ability to introduce mayoral precepting on council tax*			✓
	Ability to introduce supplement on business rates (increases subject to ballot)			✓

* refers to functions which are only applicable to combined authorities

^ refers to functions which are currently only applicable to mayoral combined authorities

