

UK Government consultation: Proposal to use a Legislative Reform Order to give local authorities greater flexibility in forming a combined authority or economic prosperity board.

Response from Nottinghamshire County Council

Q1: do you agree that the proposal to enable local authorities that do not have contiguous boundaries to form combined authorities and economic prosperity boards will reduce a burden to collaboration? Why?

The County Council reiterates its response to the Government's earlier consultation on this issue; namely that it is not clear how non-contiguous areas will be able to evidence how they are part of the same functional economic area. Manipulation of economic data to prove the latter will not, in the longer term, be in the interests of any of the constituent members of a combined authority or economic prosperity board.

Further, the County Council is not convinced that enabling non-contiguous areas to form combined authorities will reduce burdens to collaboration. In two-tier areas, the implications for district and county councils could in fact be quite the opposite. This would particularly be the case for county councils if they are to be expected to be constituent members of more than one combined authority. In addition, the Government's consultation fails to consider the implications of this proposal for local business communities. Nottinghamshire County Council's view is that enabling non-contiguous and / or 'doughnut' type combined authorities or economic prosperity boards will have negative implications for the business community who may already find it difficult to navigate the partnership landscape for economic development and transport related matters.

Q2: do you agree that the proposed safeguards are necessary and sufficient? Why?

Yes, notwithstanding the comments above about the desirability of a change in the first instance.

Q3: do you agree that the proposal to enable a county council to delegate its function to a combined authority for part of the county council's area will reduce a burden to collaboration? Why?

Nottinghamshire County Council challenges the assertion that delegation of county council functions for part of a county council's area will reduce a burden to collaboration. The Government's intent through this proposed change to the legislation is not clear but in any event, partial delegation of powers could lead to the fragmentation of services and reductions in efficiencies and economies of scale. The strategic role of a county council in determining matters relating to transport in

its area would also be fundamentally undermined if such a change were enabled through legislative reform.

It is not clear whether the Government intends for this proposal to enable county councils to be constituent members of more than one combined authority. Even if this were the case, the reduction of burdens to collaboration would be difficult to deliver as some councils would then be required to actively participate in the governance and delivery arrangements of more than one combined authority and this would be a resource and leadership challenge. Nottinghamshire County Council has experience of this through the LEP overlap issue in its area.

Q4: do you agree that the proposal to remove the review and scheme requirements for changes to a combined authority's or economic prosperity board's constitution, functions or funding will reduce a burden to collaboration?

Nottinghamshire County Council agrees that the current system is overly burdensome where changes to operational aspects of a combined authority or economic prosperity board are concerned. The proposed changes will enable combined authorities to evolve naturally over time to reflect new ambitions and opportunities as confidence amongst partners strengthens.

Q5: do you agree that the three proposed changes meet the preconditions for use of a Legislative Reform Order as set out above, in particular:

- *Do you have views regarding the expected benefits of the proposals as identified in Chapter 3 of this consultation?*

As noted above, the County Council does not agree that the proposed changes will result in a reduction of burdens to collaboration. The County Council requests that the Government should outline for whom it considers that burdens to collaboration will be reduced. From a county council perspective, the changes proposed in paragraphs 38-45 and paragraphs 50-51 will potentially have a detrimental impact in terms of efficiency and effectiveness of working arrangements and on alignment with strategic objectives for the area.

- *Is there any empirical evidence that you are aware of that supports the need for these reforms? Please provide details*

No response.

- *Are there any non-legislative means that would satisfactorily remedy the difficulty which the proposals are intended to address?*

No response.

- *Are the proposals put proportionate to the policy objective?*

The policy objective could reasonably be clarified. If it is to reduce burdens to collaboration then the County Council's view would be that the proposals may be proportionate but they will not deliver the objective.

- *Do the proposals taken as a whole strike a fair balance between the public interest and any person adversely affected by it?*

No response.

- *Do the proposals remove any necessary protection?*

No response.

- *Do the proposals prevent any person from continuing to exercise any right or freedom which he might reasonably expect to continue to exercise? If so, please provide details*

No response.