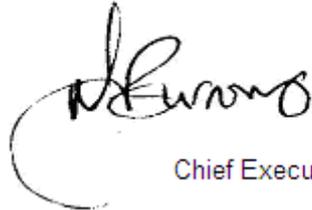




SUMMONS TO COUNCIL

date Thursday, 15 January 2015 venue County Hall, West Bridgford,
commencing at 10:30 Nottingham

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.



Chief Executive

- | | | |
|-----------|--|---------|
| 1 | Minutes of the last meeting held on 20 November 2014 | 5 - 14 |
| 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 | Chairman's Business | |
| 4a | Ollerton By-Election Result | 15 - 16 |
| 4b | Presentation of Awards/Certificates (if any) | |
| 5a | Presentation of Petitions (if any) (see note 5) | |
| 5b | Response to Petitions Presented to the Chairman of the County Council on 18th September 2014 | 17 - 24 |

6	Questions	
6a	Questions to Nottinghamshire and City of Nottingham Fire Authority	
6b	Questions to Committee Chairmen	
7	Clarification of Committee Meeting Minutes published since the last meeting	25 - 26
8	Appointment of the Chief Executive	27 - 30
9	Members allowances	31 - 32
10	Appointment of Committee Chairmen	33 - 34
11	Establishment of the Nottingham and Nottinghamshire Combined Authority	35 - 86

12 NOTICE OF MOTION

" In view of the widespread failures of Nottinghamshire County Council's gritting operation between Christmas and New Year, this Council calls for an urgent review of all aspects of the winter maintenance programme, with a report to be brought to the February meeting of Policy Committee."

13 **Councillor Richard Jackson** **Councillor John Cottee**
 ADJOURNMENT DEBATE
 (If any)

NOTES:-

(A) For Councillors

(1) Members will be informed of the date and time of their Group meeting by their Group Researcher.

(2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.

(3) (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the

declaration.

(b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given my members and others in turn, to enable the Team Manager, Democratic Services to record accurate information.

(4) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.

(5) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(6) Commonly used points of order

32 - Supplementary Questions must be on the same matter

46 - The Member has spoken for more than 20 minutes

48 - The Member is not speaking to the subject under discussion

51 - The Member has already spoken on the motion

56 - Points of Order and Personal Explanations

75 - Disorderly conduct

(7) Time limit of speeches

Motions

46 - no longer than 20 minutes

Petitions

23 - up to one minute

Questions to Committee Chairmen

28 - up to 60 minutes allowed

Adjournment Debates

70 - Mover has up to 5 minutes

71 - any other Councillor has up to 30 minutes

(B) For Members of the Public

(1) 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.

(2) The papers enclosed with this agenda are available in large print if required. Copies can be requested in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.

(3) This agenda and its associated reports are available to view online via an online calendar -

<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting COUNTY COUNCIL

Date Thursday, 20th November 2014 (10.30 am – 6.44 pm)

Membership

Persons absent are marked with `A`

COUNCILLORS

Pauline Allan (Chairman)
Sybil Fielding (Vice-Chairman)

	Reg Adair		Darren Langton
	Roy Allan		Bruce Laughton
	John Allin		Keith Longdon
	Chris Barnfather		Rachel Madden
	Alan Bell		Diana Meale
	Joyce Bosnjak		John Ogle
	Nicki Brooks		Philip Owen
	Andrew Brown		Michael Payne
	Richard Butler		John Peck JP
	Steve Calvert		Sheila Place
A	Ian Campbell		Liz Plant
	Steve Carr		Darrell Pulk
	Steve Carroll		Alan Rhodes
	John Clarke		Ken Rigby
	John Cottee		Tony Roberts MBE
	Jim Creamer		Mrs Sue Saddington
	Mrs Kay Cutts MBE		Andy Sissons
	Maureen Dobson		Pam Skelding
	Dr John Doddy		Martin Suthers OBE
	Boyd Elliott		Parry Tsimbirdis
	Kate Foale	A	Gail Turner
	Stephen Garner		Keith Walker
	Glynn Gilfoyle		Stuart Wallace
	Kevin Greaves		Muriel Weisz
	Alice Grice		Gordon Wheeler
	John Handley		John Wilkinson
	Colleen Harwood	A	Jacky Williams
	Stan Heptinstall MBE		John Willmott
	Tom Hollis		Yvonne Woodhead
	Richard Jackson		Liz Yates
	Roger Jackson		Jason Zadrozny
	David Kirkham		
	John Knight		

HONORARY ALDERMEN

Terry Butler
John Carter

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis–Ward	(Policy, Planning and Corporate Services)
Jon Wilson	(Adult Social Care, Health & Public Protection)
Anthony May	(Children, Families and Cultural Services)
Tim Gregory	(Environment and Resources)
Nigel Stevenson	(Environment and Resources)
Sara Allmond	(Policy, Planning and Corporate Services)
Carl Bilbey	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Sally Dury	(Policy, Planning and Corporate Services)
Keith Ford	(Policy, Planning and Corporate Services)
Catherine Munro	(Policy, Planning and Corporate Services)
Anna Vincent	(Policy, Planning and Corporate Services)
Chris Kenny	(Public Health)

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman.

COUNTY COUNCILLOR STELLA SMEDLEY MBE JP

Members stood in silence in remembrance of County Councillor Stella Smedley MBE JP

1. MINUTES

RESOLVED: 2014/045

That the Minutes of the last meeting of the County Council held on 18th September 2014 be agreed as a true record and signed by the Chairman, with an amendment to item 14 – Youth Justice Plan 2014/15 which was seconded by Councillor Liz Plant not Councillor Liz Yates as printed in the Council Book.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Gail Turner (other reasons)
Councillor Jacky Williams (Medical/Illness)

3. DECLARATIONS OF INTEREST

Councillor Steve Carr declared a Private Interest in item 9 – Treasury Management Mid-Year Report 2014/15 as he was an employee of the Royal Bank of Scotland.

4. CHAIRMAN'S BUSINESS

Stonewall Education Equality Index Award

Councillor John Peck JP introduced the Stonewall Education Equality Index Award. Having entered Stonewall's Education Equality Index for a second year, Nottinghamshire was the most improved local authority, climbing more than twenty places on the previous year. The Chairman received the award from Councillor Greaves and presented it to Sarah Lee – Team Manager for the Achievement and Equality Team and Lorna Naylor – Anti-bullying Co-ordinator.

Highways Excellence Award for Road Safety Project of the Year

Councillor Kevin Greaves introduced the Highways Excellence Award for Road Safety Project of the Year which had been won for the Council's work to reduce the number of people killed or seriously injured on the A614. The Chairman received the award from Councillor Greaves and presented it to Sonya Hurt – Team Manager.

Mansfield Bus Station – National RICS Awards 2014 'Community Benefit' Building of the Year

Councillor Kevin Greaves introduced the National RICS Awards 2014 'Community Benefit' Building of the Year which was won by the Mansfield Bus Station. Councillor Greaves presented the award to the Chairman.

County Councillor Stella Smedley MBE JP

The Chairman, Councillor Alan Rhodes, Councillor Mrs Kay Cutts MBE, Councillor Jason Zadrozny, Councillor Stephen Garner, Councillor Martin Suthers OBE, Councillor Stan Heptinstall MBE, Councillor John Allin, Councillor Bruce Laughton, The Vice Chairman, Councillor Steve Carr, Councillor Parry Tsimbiridis, Councillor Keith Walker, Councillor John Wilmott, Councillor Ken Rigby, Councillor John Peck JP, Councillor Tom Hollis, Councillor David Kirkham, Councillor Steve Carroll, Councillor Steve Calvert, Councillor Nicki Brooks, Councillor Muriel Weisz, Councillor Kevin Greaves, Councillor Colleen Harwood, Councillor John Knight and Councillor Joyce Bosnjak all spoke in memory of County Councillor Stella Smedley MBE JP.

5a. PRESENTATION OF PETITIONS

The following petitions were presented to the Chairman as indicated below:-

- (1) Councillor Diana Meale requesting the removal of road humps on Ladybrook Lane, Mansfield
- (2) Councillor John Wilkinson requesting the improvement of pedestrian safety at the top of Duke Street and Woodstock Street, Hucknall
- (3) Councillor Maureen Dobson regarding parking on Barnby Gate, Newark
- (4) Councillor Sue Saddington regarding parking outside Muskham Primary School
- (5) Councillor David Kirkham petition to save the Stagecoach evening, Sunday and Bank Holiday return bus service from Sutton-in-Ashfield
- (6) Councillor Muriel Weisz regarding consideration of traffic lights at the junction of Breck Hill and Woodborough Road
- (7) Councillor Roy Allan requesting a residents parking scheme on Gedling Road, Arnold

RESOLVED: 2014/046

That the petitions be referred to the appropriate Committees for consideration in accordance with the Procedure Rules, with a report being brought back to Council in due course

5b. PETITIONS RESPONSES REPORT FROM TRANSPORT & HIGHWAYS COMMITTEE

RESOLVED: 2014/047

That the contents of the report and the actions detailed within be noted.

6. QUESTIONS

(a) QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

No questions were received

(b) QUESTIONS TO COMMITTEE CHAIRMEN

Three questions had been received as follows:-

- (1) from Councillor Richard Butler regarding household bins in Bassetlaw (Councillor Alan Rhodes replied).
- (2) from Councillor Philip Owen concerning Traffic Penalty Tribunal appeals in relation to the Nuthall Bus Gate (Councillor Kevin Greaves replied).
- (3) from Councillor Tom Hollis about the plans for the new visitors centre at Sherwood Forest (Councillor John Knight replied).

The full responses to these questions are set out in Appendix A.

Council was adjourned from 12.33pm to 1.20pm following question one.

7. CLARIFICATION OF MINUTES

The report provided Members with the opportunity to raise any matters of clarification in the Minutes of Committee meetings published since the last meeting.

8. NOTTINGHAMSHIRE COUNTY: TOBACCO CONTROL

Councillor Joyce Bosnjak introduced the report and moved a motion in terms of resolution 2014/048 below.

The motion was seconded by Councillor Glynn Gilfoyle.

RESOLVED: 2014/048

- 1) That the Local Government Declaration on Tobacco Control be signed by the Council;
- 2) That the decision of the Health and Wellbeing Board to the signing of the Nottinghamshire County and Nottingham City Declaration on Tobacco Control be noted and endorsed;
- 3) That it be agreed that an action plan, in support of the implementation of the Declaration be agreed and that responsibility for that action plan be devolved to the Public Health Committee;
- 4) That it be agreed to continue to work in partnership with other organisations and communities to reduce smoking prevalence and prevent the uptake of smoking amongst children and young people.

9. TREASURY MANAGEMENT MID-YEAR REPORT 2014/15

Councillor David Kirkham introduced the report and moved a motion in terms of resolution 2014/049 below.

The motion was seconded by Councillor Darren Langton.

RESOLVED: 2014/049

That the Council's treasury management activities for the first half of 2014/15 be noted.

10. NOTICE OF MOTION

Motion One

A motion as set out below was moved by Councillor Bruce Laughton and seconded by Councillor Stuart Wallace:-

"This Council recognises its duty to protect services to Nottinghamshire residents, which includes saving day centres, youth clubs, and household waste recycling centres from unnecessary closure. This Council agrees to transfer from reserves (where necessary) the funds required to:-

- a) Restore young people's centre services in Arnold, Bingham, Collingham and Southwell (4 nights);
- b) Restore day services in Southwell and West Bridgford, and keep open the Whitewater day service in Ollerton beyond 2016;
- c) Ensure that the Middle Street Resource Centre in Beeston remains open for community use;
- d) Retain the household waste recycling service in Langar and re-open the service in Fiskerton;
- e) Reverse the decision to close (next year) the Kingsbridge Way Short Break Service in Chilwell;
- f) Reverse the recent bus service cuts that have caused the greatest concern to our communities (with extra funding up to £800,000 between now and 2016);
- g) Increase the Supporting Local Communities Fund (SLCF) from £0.5 million to £1.5 million from 2015/16"

Following a debate, the motion was put to the meeting and after a show of hands the Chairman declared it was lost.

The requisite number of Members requested a recorded vote and it was ascertained that the following 30 Members voted '**For**' the motion:-

Reg Adair	Bruce Laughton
Chris Barnfather	Keith Longdon
Andrew Brown	Rachel Madden
Richard Butler	John Ogle
Steve Carr	Philip Owen
John Cottee	Ken Rigby
Mrs Kay Cutts MBE	Tony Roberts MBE
Dr John Doddy	Mrs Sue Saddington
Boyd Elliott	Andy Sissons
Stephen Garner	Martin Suthers OBE
John Handley	Keith Walker
Stan Heptinstall MBE	Stuart Wallace
Tom Hollis	Gordon Wheeler
Richard Jackson	Liz Yates
Roger Jackson	Jason Zadrozny

The following 32 Members voted '**Against**' the motion:-

Pauline Allan	David Kirkham
Roy Allan	John Knight
John Allin	Darren Langton
Alan Bell	Diana Meale
Joyce Bosnjak	Michael Payne
Nicki Brooks	John Peck JP
Steve Calvert	Sheila Place
Steve Carroll	Liz Plant
John Clarke	Darrell Pulk
Jim Creamer	Alan Rhodes
Sybil Fielding	Pamela Skelding
Kate Foale	Parry Tsimbirdis
Glynn Gilfoyle	Muriel Weisz
Kevin Greaves	John Wilkinson
Alice Grice	John Wilmott
Colleen Harwood	Yvonne Woodhead

There were no abstentions

The Chairman declared that the motion was lost.

During consideration of this item the meeting was adjourned from 4.03pm to 4.23pm.

During consideration of this item Councillors Maureen Dobson and Ken Rigby left the meeting and did not return.

Motion Two

A motion as set out below was moved by Councillor Jason Zadrozny and seconded by Councillor Tom Hollis:-

“This Council welcomes the impact that free school meals for infants has brought to Nottinghamshire. It recognises that the 12,000 extra meals for 5-7 year olds that our County are providing for our youngsters is also ensuring a huge economic boost for Nottinghamshire. The Council congratulates the Liberal Democrats, who in Government are making a real difference, not just to our young people but also to numerous businesses in our County ensuring a stronger economy in a fairer society.”

An amendment to the motion as set out below was moved by Councillor Sheila Place and seconded by Councillor Kate Foale:-

“This Council welcomes the impact that free school meals for infants has brought to Nottinghamshire. It recognises that the 12,000 extra meals for 5-7 year olds that our County are providing for our youngsters is also ensuring an huge economic boost for Nottinghamshire. The Council congratulates and thanks the Liberal Democrats School Meals Service, who in Government are making a real difference, not just to our young people but also to numerous businesses in our County ensuring a stronger economy in a fairer society.”

The amendment was not accepted by the mover of the motion.

Following a debate, the amendment was put to the meeting and after a show of hands the Chairman declared it was carried so the amendment became the motion.

An amendment to the motion as set out below was moved by Councillor Stan Heptinstall MBE and seconded by Councillor Tom Hollis:-

“This Council welcomes the impact that free school meals for infants has brought to Nottinghamshire. It recognises that the 12,000 extra meals for 5-7 year olds that our County are providing for our youngsters is also ensuring an economic boost for Nottinghamshire. The Council congratulates and thanks all those~~the~~ School Meals Service, who are making a real difference to our young people.”

The meeting was adjourned from 5.37pm to 5.52pm to enable consideration of the amendment.

The amendment was not accepted by the mover of the amended motion.

The amendment was put to the meeting and after a show of hands the Chairman declared it was lost.

The motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried.

The requisite number of Members requested a recorded vote and it was ascertained that the following 32 Members voted '**For**' the motion:-

Pauline Allan	David Kirkham
Roy Allan	John Knight
John Allin	Darren Langton
Alan Bell	Diana Meale
Joyce Bosnjak	Michael Payne
Nicki Brooks	John Peck JP
Steve Calvert	Sheila Place
Steve Carroll	Liz Plant
John Clarke	Darrell Pulk
Jim Creamer	Alan Rhodes
Sybil Fielding	Pamela Skelding
Kate Foale	Parry Tsimbiridis
Glynn Gilfoyle	Muriel Weisz
Kevin Greaves	John Wilkinson
Alice Grice	John Wilmott
Colleen Harwood	Yvonne Woodhead

The following 22 Members voted '**Against**' the motion:-

Reg Adair	Roger Jackson
Chris Barnfather	Bruce Laughton
Andrew Brown	John Ogle
Richard Butler	Tony Roberts MBE
John Cottee	Mrs Sue Saddington
Mrs Kay Cutts MBE	Martin Suthers OBE
Dr John Doddy	Keith Walker
Boyd Elliott	Stuart Wallace
John Handley	Gordon Wheeler
Stan Heptinstall MBE	Liz Yates
Richard Jackson	Jason Zadrozny

There were no abstentions.

The Chairman declared that the motion was carried and it was:-

RESOLVED: 2004/050

That this Council welcomes the impact that free school meals for infants has brought to Nottinghamshire. It recognises that the 12,000 extra meals for 5-7 year olds that our County are providing for our youngsters is also ensuring an economic boost for Nottinghamshire. The Council congratulates and thanks the School Meals Service, who are making a real difference to our young people.

Motion Three

The motion was withdrawn.

11. ADJOURNMENT DEBATE

None

The Chairman declared the meeting closed at 6.44 pm.

CHAIRMAN

REPORT OF THE CHIEF EXECUTIVE

OLLERTON BY-ELECTION RESULT

Purpose of the Report

1. To report on the outcome of the by-election held in the Ollerton Division on 18th December 2014 and on the implications for the overall political balance of the Council.

Information and Advice

2. I am able to report that at the by-election in the Ollerton Division held on 18th December 2014 Mike Pringle was elected County Councillor for that Division. Councillor Pringle is a member of the Labour Group on the Council.
3. The overall political balance of the Council due to this election result, is now:-

Labour Group	33
Conservative Group	21
Liberal Democrat Group	8
Independent Group	3
Independent Members	<u>2</u>
	67

4. The allocation of Committees and Sub-Committees has been reviewed and no change to the proportionality is required as a result of this.

Other Options Considered

5. None

Reason for Recommendation

6. To inform the Council on the outcome of the Ollerton by-election.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications

are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) That the outcome of the by-election held in the Ollerton Division be noted.

Report of the Chief Executive

For any enquiries about this report please contact:

Sara Allmond
0115 9773794

Constitutional Comments

8. Because this report is for noting only no Constitutional Comments are required

Financial Comments (PM 31/12/14)

9. Because this report is for noting only no Financial Comments are required.

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.

- Political proportionality calculations table

Electoral Division(s) and Member(s) Affected

- All



**REPORT OF THE CHAIRMAN OF THE TRANSPORT AND HIGHWAYS
COMMITTEE**

**RESPONSE TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE
COUNTY COUNCIL ON 18TH SEPTEMBER 2014**

Purpose of the Report

1. The purpose of this report is to inform Council of decisions made by the Transport & Highways Committee concerning issues raised in petitions presented to the Chairman of the County Council at the Council meeting on 18th September 2014.

Petition Regarding Service 22 Nottingham – Cotgrave – Cropwell Bishop (Ref 2014/080)

2. A 212 signature petition was presented to the 18th September meeting of the County Council by Councillor Richard Butler requesting that Service 22 be restored.
3. Until August this year Service 22 provided an all-day service between Nottingham – Cotgrave – Cropwells and villages in the Vale of Belvoir.
4. From August, Service 22 was integrated into Trentbarton's new commercial Rushcliffe Green network which services Radcliffe-on-Trent – Bingham – East Bridgford and villages in the Vale of Belvoir. This new service provides a 30 minute frequency from all destinations throughout the day. In addition Service 22 provides two morning and one afternoon peak service to and from Cropwell Bishop. The new services also provide better bus services to other villages in the area.
5. It should be noted changes to the bus services as outlined above were made as part of a competitive tendering process and achieved savings of approximately £300k a year.
6. Monitoring of the new service is taking place and all the services will be reviewed in liaison with the operator to see if any future changes are necessary to improve the service. Any changes will need to be considered in the context of wider review of the entire network and future funding decisions by the County Council. Accordingly, there are no immediate plans to restore the rest of Service 22.

Petition Requesting A Speed Restriction And Enforcement On Oxton Road, Calverton (Ref: 2014/078)

7. A petition was presented to County Council on 18 September 2014 by Councillor Boyd Elliot on behalf of 28 residents of the B6386 Oxton Road, Calverton. The petition requested a reduction in the speed limit from de-restricted to 40mph along with the introduction of speed cameras to improve road safety.
8. Initial investigations have been carried out into the reported injury accidents that have occurred along this road. However, further detailed surveys will need to be undertaken to determine whether a reduction in the speed limit would be effective. Officers have also arranged a meeting with Councillor Elliot and community representatives to discuss their concerns and potential solutions.
9. Any proposed scheme would be subject to the necessary consultation, statutory undertakings and other issues arising from feasibility studies, detailed scheme investigation and design, as well as value for money assessments.

Petition Requesting Road Safety Improvements On Wood Lane/Carr Road, Gringley On The Hill (Ref: 2014/081)

10. A petition was presented to County Council on 18 September 2014 by Councillor Liz Yates.
11. To maximise accident savings the County Council's investment in road safety measures is prioritised at sites with a record of injury accidents. Between 1 January 2011 and 31 May 2014 there has been only one reported slight injury accident on Wood Lane/Carr Road, at the Wood Lane/West Wells Lane junction. The accident involved a pedal cyclist entering the carriageway from the footpath and there is no indication that speed was a contributory factor to the accident. Given the low number of road traffic casualties on Wood Lane/Carr Road it is not recommended that engineering measures to address accidents is promoted at this time. Reported casualties will, however, continue to be monitored.
12. In July 2014, following community concerns, a speed survey was undertaken on Wood Lane near its junction with West Wells Lane. The survey recorded 85th percentile speeds of 29.5mph and therefore neither the traffic speeds nor the level of accidents meet the criteria to enable us to undertake mobile speed enforcement in the area.
13. Officers have, however, recently met with Councillor Yates, the parish council and local employers who use Wood Lane/Carr Road. The meeting included discussions about the perceptions that both Wood Lane and Carr Road are narrow and vehicles are travelling too fast, as well as HGVs use of the road. The County Council is also planning to install additional HGV direction signing during the current financial year.

Petition Concerning Road Traffic Issues On A60 Loughborough Road, Ruddington (Ref: 2014/083)

14. On 18th September 2014 a petition from 55 Ruddington residents was presented to the County Council by Councillor Reg Adair. The petition concerned the increase in lorry traffic noise, the speed of vehicles and the poor condition of the road in places on the A60 Loughborough Road, Ruddington.

15. The A60 Loughborough Road, between Easthorpe Street and Ashworth Avenue has been identified as requiring inlay surfacing and therefore is included in the provisional 2015/16 capital maintenance programme which was approved at Transport & Highways Committee on 9 October, 2014. Speed surveys undertaken on A60 near Ashworth Avenue recorded the 24 hour 85th percentile speed as 43.5mph, within the ACPO guidelines for tolerance (46mph in a 40mph speed limit). The proposed resurfacing scheme will improve the condition of the road surface and therefore should reduce the level of noise being generated by the traffic at all times of the day.

Petition Requesting The Extension Of On-Street Waiting Times In Eastwood (Ref: 2014/087)

16. A 368 signature petition was presented to County Council on 18 September 2014 by Councillor Keith Longdon. The petition requests the extension of 30 minute short-stay waiting times to 1 hour in Eastwood.

17. The County Council reviewed the current short-stay parking arrangements in the whole of Eastwood during 2013 and the review included the consideration of extending existing 30 minute on-street waiting time to 1 hour. Currently there are 30 minute waiting restrictions in force close to Mansfield Road and Nottingham Road in Eastwood town centre and on Nottingham Road, Hilltop.

18. At both the Mansfield Road and Nottingham Road locations there is a demand for very short-stay spaces (30 minutes) as there is plenty of longer-stay nearby off Nottingham Road (both off-street parking and 1 hour on-street parking). The current mix of very short-stay parking of 30 minutes in areas of peak demand – where the nearby shops benefit from a quick turnover of vehicles parking – supplemented by longer-stay parking nearby provides the best balance between demand and supply and makes the most effective use of available highway parking in the town centre.

19. The Eastwood parking review did, however, highlight that, given the types of shops on Nottingham Road, Hilltop, there may be benefits from extending the existing on-street short-stay parking at this location from 30 minutes to 1 hour. A scheme to extend the on-street waiting restrictions on Nottingham Road, Hilltop during the current financial year was approved at the 13 February 2014 Transport & Highways Committee and is currently due to be implemented by 31 December 2014.

Petition Concerning Road Condition Of The A6005 Queens Road, Beeston (Ref: 2014/084)

20. On 18th September 2014 a petition of 263 names was presented to Full Council by Councillor Kate Foale concerning the number of potholes, the general state of the road and the volume of traffic on the A6005 Queens Road, Beeston.

21. The A6005 Queens Road, between Station Road and Meadow Road has been identified as requiring resurfacing and features in the Provisional Integrated Transport & Highway Maintenance Capital Programme 2015/16 which was approved at Transport & Highways Committee on 9th October, 2014. This scheme will improve the road surface. Part of the increased volume of traffic is associated with road works around Beeston connected with phase 2 of the Tram Network expansion and are expected to reduce when the works are complete.

Petition Requesting Pavement Reinstatement On Lower And Fletcher Roads, Beeston (Ref: 2014/086)

22. On 18th September 2014 a petition of 91 names was presented to Full Council by Councillor Kate Foale requesting the reinstatement of the pavement on Lower and Fletcher Roads, Beeston.
23. It is the responsibility of the principal contractor to reinstate the footways along the route and it will do so as previously agreed. The decision to use tarmac to finish the footways is in keeping with previously made commitments in respect of the whole route and as included in material supporting the public inquiry.
24. This position has the support of both local highway authorities and is in keeping with each of their respective current practices to relay tarmac on footways. The use of tarmac is more cost effective in terms of ongoing maintenance.
25. As recognition of the difficult circumstances which the residents of Lower Road and Fletcher Road have faced for several months the County Council has some funds available through the Local Transport Plan to carry out environmental improvement in the area. These funds were allocated as part of the 2014/15 budget setting process and residents have been asked to consider what improvements it would like to see take place. Suggestions include such as information boards detailing local history or possibly a gateway feature.
26. Officers will continue to work with the local County Councillor and residents over winter with a view to installing improvements in spring 2015.

Petition Regarding Car Parking In Beeston (Ref: 2014/085)

27. A petition signed by 35 Beeston residents was presented to County Council on 18 September 2014 by Councillor Kate Foale. The petition raises concerns about volume, frequency, and nature of cars parking in the Dovecote Lane area; the speed and volume of traffic using Dovecote Lane; the potential impact of tram and train customers parking in the area; and the lack of reasonably priced car parking in the area.
28. An area wide parking study was undertaken in 2012 from which a number of local restrictions were introduced ahead of any more strategic measures arising from major developments. Those Traffic Regulation Orders resulted only in waiting restrictions to address parking on particularly narrow stretches of road or those with poor visibility etc. As part of the consultation process a resident requested a residents' parking scheme on Dovecote Lane. The County Council has therefore recently carried out a parking survey on Dovecote Lane north of Queens Road to determine the current levels of commuter/non-commuter parking. The County Council has also commissioned a survey to determine traffic speeds and volumes on Dovecote Lane. Once all the surveys have been undertaken and their results analysed, the County Council will be able to determine what scheme (if any) would best address the issues raised, and any proposals will be discussed with the local residents. Any proposals would be subject to achieving the required levels of public support and the availability of funding.
29. Parking restrictions in and around Beeston and Chilwell are currently under review by the County Council, particularly relating to potential impacts of NET Phase 2. To that end before the tram works started surveys were undertaken to establish the current levels of

parking so that we can determine changes in parking patterns once NET Phase 2 becomes operational.

30. The experience of NET line 1 has shown that parking at local tram stops is not a major issue as access to the intermediate stops is not as attractive as the free park and ride car parks where there is better security. Having said this it may be that parking patterns are different on NET Phase 2 and therefore the County Council has in addition undertaken pre tram-works parking surveys near all of the proposed NET stops, including Dovecote Lane. The County Council also intend to undertake post tram-opening surveys on which to base any assessment of the level of parking potentially caused by tram users or other road users and should the need arise the 2015/16 funding allocated for parking improvements will be prioritised to address parking issues arising from NET Phase 2.
31. Broxtowe Borough Council is responsible for off-street car parks in Beeston, including the level of parking charges. A copy of the submitted petition has therefore been passed to Broxtowe Borough Council so that they can consider the comments made about parking charges in Beeston and the County Council will discuss the overall parking provision in the area with them.

Petition Requesting Measures To Improve Parking Conditions On Peveril Road, Beeston (Ref: 2014/077)

32. A petition was presented to County Council on 18 September 2014 by Councillor Steve Carr on behalf of residents of Peveril Road and Kenilworth Street, Beeston. The petition states that the introduction of parking charges in Beeston and the workplace parking levy has significantly worsened parking conditions on Peveril Road.
33. As in many locations, the County Council has an on-going programme of review and proposed changes to on-street parking restrictions in Beeston and Chilwell. This has resulted in several schemes being introduced to address existing parking issues such as new residents' parking schemes on Endsleigh and Muriel Gardens and Glebe Street, as well as junction improvements to Coventry Rd/Humber Rd junction in Beeston and parking restrictions near Attenborough train station.
34. We are also currently monitoring several sites following requests for parking schemes due to current levels of parking (e.g. Coventry Road, Dallas York Street, and Grove Street/Barton Street). A number of streets close to NET stops (including Peveril Road) are also being monitored in case there are parking impacts when NET Phase 2 becomes operational.
35. As it can be seen the Council is already responding to the many parking issues across Beeston and Chilwell. Peveril Road and Kenilworth Street will, however, be monitored and if necessary considered for an appropriate parking scheme in a future years' integrated transport programme. It should be noted that if the need arises the 2015/16 funding allocated for parking improvements will be used to address parking issues arising from NET Phase 2 and therefore a scheme may be considered on these roads should they be affected by NET related parking.

Petition Requesting A Residents Parking Scheme On Cator Lane North, Chilwell (Ref: 2014/079)

36. A petition was presented to County Council on 18 September 2014 by Councillor Richard Jackson on behalf of residents requesting a residents' parking scheme.

37. As in many locations, the County Council has an on-going programme of review and proposed changes to on-street parking restrictions in Beeston and Chilwell. This has resulted in several schemes being introduced to address existing parking issues such as new residents' parking schemes on Endsleigh and Muriel Gardens and Glebe Street, as well as junction improvements to Coventry Rd/Humber Rd junction in Beeston and parking restrictions near Attenborough train station.
38. We are also currently monitoring several sites following requests for parking schemes due to current levels of parking including Coventry Road, Dallas York Street, and Grove Street/Barton Street (relating to parking from the train station).
39. As it can be seen this Council is responding already to the many parking issues across Beeston and Chilwell.
40. Residents parking schemes are usually introduced in locations where availability of parking is restricted for local residents but this is not the case on Cator Lane North as all of the properties along the road have off-street parking. Cator Lane North will, however, be monitored and if necessary considered for an appropriate parking scheme in a future years' integrated transport programme if funding permits. It should also be noted that should the need arise the 2015/16 funding allocated for parking improvements will be used to address parking issues arising from NET Phase 2.

Other Options Considered

41. Each petition response sets out any other options that may be considered.

Statutory and Policy Implications

42. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Recommendation

It is RECOMMENDED that the contents and actions be noted.

Report of the Chairman of the Transport & Highways Committee

For any enquiries about this report please contact: Andrew Warrington

Background Papers and Published Documents

Minutes of County Council meeting 18th September 2014

Electoral Division(s) and Member(s) Affected

Beeston North, Calverton, Chilwell and Toton, Cotgrave, Misterton, Ruddington, Beeston South and Attenborough, Eastwood.

REPORT OF THE CHIEF EXECUTIVE
Clarification of Minutes of Committee Meetings published since the last meeting on 20th November 2014
Purpose of the Report

1. To provide Members the opportunity to raise any matters of clarification on the minutes of Committee meetings published since the last meeting of Full Council on 18th September 2014.

Information and Advice

2. The following minutes of Committees have been published since the last meeting of Full Council on 18th September 2014 and are accessible via the Council website:-
<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Committee meeting	Minutes of meeting
Adult Social Care and Health Committee	3 rd November, 1 st December
Appeals Sub-Committee	None
Audit Committee	3 rd September
Children & Young People's Committee	10 th November, 8 th December
Community Safety Committee	11 th November
Corporate Parenting Sub-Committee	22 nd September
Culture Committee	21 st October, 2 nd December
Economic Development Committee	18 th November
Environment and Sustainability Committee	9 th October, 27 th November
Finance and Property Committee	17 th November, 15 th December
Grant Aid Sub-Committee	None
Health Scrutiny Committee	29 th September
Health & Well Being Board	3 rd December
Joint City/County Health Scrutiny Committee	7 th October, 9 th December
Joint Committee on Strategic Planning and Transport	26 th September
Nottinghamshire Pensions Fund Committee	16 th September
Pensions Investment Sub-Committee	4 th September
Pensions Sub-Committee	None
Personnel Committee	15 th September, 26 th November*
Planning & Licensing Committee	18 th November, 16 th December
Police & Crime Panel	10 th November
Policy Committee	12 th November, 10 th December

Committee meeting	Minutes of meeting
Public Health Committee	11 th September, 26 th November, 11 th December*
Transport and Highways Committee	13 th November, 11 th December

* Minutes expected to be published before 15th January 2015, but not yet approved by the relevant Committee.

Mick Burrows
Chief Executive

REPORT OF THE LEADER OF THE COUNTY COUNCIL

APPOINTMENT OF THE CHIEF EXECUTIVE

Purpose of the Report

1. To seek the approval of Full Council to the appointment to the post of Chief Executive, the Council's Head of Paid Service.

Information and Advice

Background

2. The Council's current Chief Executive has been in post since April 2008 and is intending to retire in 2015.
3. At the meeting of Full Council on 18 September 2014 approval was given to the recruitment to the post of Chief Executive, as Head of Paid Service. Approval was also given to reduce the salary attached to the post by £14,410 to a fixed annual salary of £170,000 annum.

Process

4. In order to ensure that the right person was appointed to this key role a robust national recruitment process was undertaken and external recruitment consultants, Penna, were engaged through due procurement process to work with the Council to provide support to the recruitment process.
5. Following external advertisement and professional candidate search conducted by Penna, Members on the Senior Staffing Sub Committee long-listed applicants for the post on 31st October 2014.
6. The Sub Committee sat again on 26th November to consider independent technical assessments undertaken on each long-listed candidate and arrive at a shortlist to be taken through to further assessment and interview.
7. As part of the overall assessment process, panels of key public, commercial and voluntary/ community sector stakeholders engaged with the 5 shortlisted candidates on 3rd December.

8. Feedback from these panels, references and psychometric assessments were made available to Members to inform their decision making when shortlisted candidates were formally interviewed by the Senior Staffing Sub-Committee on 4th December 2014.

Outcome:

9. From the original 14 applications received, 8 individuals were long-listed and 5 candidates were subsequently shortlisted. Following the withdrawal of 1 candidate, 4 were taken forward to final interview with the Senior Staffing sub-Committee.
10. The decision of the Senior Staffing Sub – Committee was to make a provisional offer of appointment to the post of Chief Executive of Nottinghamshire County Council to Anthony May, the Council's current Deputy Chief Executive and Corporate Director of Children, Families and Community Services, subject to Full Council approval

Other Options Considered

11. The decision was made by Council in September to recruit to the post of Chief Executive and Head of Paid service at a reduced salary.

Reason/s for Recommendation/s

12. The recommendations set out in this report will fulfil the County Council's constitutional requirement for Full Council to make a formal decision about the appointment to the post of Chief Executive as Head of Paid Service.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Human Resources Implications

Appointment to the most senior posts with the Council, including that of Chief Executive, are made in compliance with the principles set out in Council's agreed Recruitment and Selection policy by Elected Members through the Senior Staffing Committee as a Sub Committee of the Personnel Committee.

Public Sector Equality Duty implications

The Council's policies on pay and terms and conditions apply equally to employees at all levels of seniority across the authority.

RECOMMENDATION/S

It is recommended that Full Council approve the appointment of Anthony May to the post of County Council Chief Executive and Head of Paid Service on the retirement of the current post holder, Mick Burrows.

Councillor Alan Rhodes
Leader of the County Council

For any enquiries about this report please contact:

Claire Gollin, Group Manager HR on 0115 9773837 or Claire.gollin@nottscc.gov.uk

Constitutional Comments (GR 9/12/14)

14. Pursuant to the County Council's constitution the Council has the authority to confirm the appointment of the County Council's Chief Executive.

Financial Comments (NS 9/12/14)

15. The salary of the new Chief Executive will be £170,000 per annum.

HR Comments (GE 24/12/14)

16. The recruitment to the post of Chief Executive has taken place in line with the provisions set out in the Council's Constitution and Recruitment and Selection policy and procedures.

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.

- Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – DCLG 17th February 2012 (published)
- Localism Act 2011 – Chapter 8 “Pay Accountability” – 15th November 2011 (published)

Electoral Division(s) and Member(s) Affected

- All



REPORT OF THE CHIEF EXECUTIVE

MEMBERS ALLOWANCES

Purpose of the Report

1. To note the uprate to members allowances in accordance with the current scheme.

Information and Advice

2. The Nottinghamshire County Council Members Allowances scheme was approved by the Council in May 2012 following the recommendations of the Independent Remuneration Panel.
3. The scheme states that allowances will be uprated annually in line with the pay award for Local Authority staff.
4. The National Pay Award agreed in November 2014 is for 2.2% effective from January 2015.

Other Options Considered

5. Members could decide individually or collectively not to accept the uprate.

Reason/s for Recommendation/s

6. The members allowances scheme requires that each annual increase to be reported to the County Council for information at the earliest opportunity.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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

8. The additional cost of the increase in allowances can be contained within the current budget.

RECOMMENDATION/S

- 1) That the uprate in members allowances in accordance with the current scheme is noted.

Mick Burrows
Chief Executive

For any enquiries about this report please contact: Jayne Francis-Ward

Constitutional Comments

9. As this report is for noting only, Constitutional Comments are not required.

Financial Comments (SEM 5/1/15)

10. The financial implications are set out in 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.

- 'Members allowances Scheme 17th May 2012

Electoral Division(s) and Member(s) Affected

- ALL

REPORT OF THE CHIEF EXECUTIVE

APPOINTMENT OF COMMITTEE CHAIRMEN

Purpose of the Report

1. To make an appointment of Committee Chairman for the Nottinghamshire Pensions Fund, Pensions Investment Sub-Committee and Pensions Sub-Committee.

Information and Advice

2. Under the Council's Constitution, the appointment of Committee Chairmen is reserved to Full Council.
3. The Chairman's position on the Nottinghamshire Pension Fund, Pensions Investment Sub-Committee and Pensions Sub-Committee are currently vacant following the recent death of the previous Chairman Councillor Stella Smedley MBE JP
4. It is proposed that Councillor Darren Langton is appointed to the position of Chairman of the Pension Committee and its sub committees.

Other Options Considered

5. None. The Council is required to appoint a Chairman for these Committees.

Reason for Recommendation

6. The appointment of Chairmen and Vice Chairmen is the responsibility of Full Council.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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

8. The appointment will result in a saving of £3,545 in 2014/15 as a Member can only claim one Special Responsibility Allowance. Councillor Langton is already in receipt of an allowance as the Vice Chairman of Finance and Property Committee. It is intended that he will retain this Vice Chairmanship in addition to this new appointment.

RECOMMENDATION

That the Council make the following appointments of Chairman and Vice-Chairman until the Annual Meeting of the Council in May 2015:-

Committee	Chairman
Nottinghamshire Pension Fund	Darren Langton
Pensions Investment Sub-Committee	Darren Langton
Pensions Sub-Committee	Darren Langton

Mick Burrows
Chief Executive

For any enquiries about this report please contact:

Sara Allmond
Advanced Democratic Services Officer
Tel: 0115 977 3794

Constitutional Comments (CEH 31/12/14)

9. The recommendation is reserved to the Full Council.

Financial Comments (PM 31/12/14)

10. The financial implications are outlined in section 8 of 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.

- None

Electoral Division(s) and Member(s) Affected

- All

REPORT OF THE LEADER OF THE COUNCIL**ESTABLISHMENT OF THE NOTTINGHAM AND NOTTINGHAMSHIRE
COMBINED AUTHORITY****Purpose of the report**

1. To seek approval for Nottinghamshire County Council to formally join the Nottingham and Nottinghamshire Combined Authority once it is established and for Council to consider and comment on the draft Governance Review and draft Scheme for the establishment of the Nottingham and Nottinghamshire Combined Authority.
2. To approve the submission of responses to two current consultations on Combined Authorities: firstly, the Government's consultation on proposed changes to the legislation on Combined Authorities and secondly, Derby and Derbyshire Councils' consultation on the establishment of a Combined Authority in their area.

Information and advice

3. In September 2014 Policy Committee considered the work of the Nottingham and Nottinghamshire Economic Prosperity Committee which referenced the potential for a new Combined Authority. Since then, significant progress has been made towards the formal establishment of a Nottingham and Nottinghamshire Combined Authority through the Economic Prosperity Committee and a working group chaired by the Chief Executive of Newark and Sherwood District Council. This Council's Economic Development Committee considered a further update on the proposed Combined Authority at its meeting in November 2014 and this was followed by a joint briefing session for Members of the Economic Development and Transport and Highways Committees and Opposition Group Leaders in December 2014.
4. At its meeting on 19th December 2014, the Nottingham and Nottinghamshire Economic Prosperity Committee agreed to *recommend to its Constituent Councils that they pursue a Combined Authority under the relevant provisions of the Local Democracy, Economic Development and Construction Act 2009 (and other such provisions as are necessary to ensure the authority has a range of functions to match expectations)*. Following this decision, the statutory consultation of partners and interested parties on the proposals for the Combined Authority was launched. Copies of the consultation versions of the Governance Review and Scheme are attached to this report as appendices 1 and 2. In addition a Frequently Asked Questions document on Combined Authorities is attached as appendix 3. The Governance Review and Scheme are the statutory documents that will form the basis of the constituent partners' application to the Government for Combined

Authority status. It is important to note that there will be further changes to the Governance Review and Scheme as details are worked through and consultation responses included.

5. The consultation period ends on 6th February 2015. Consultation feedback will be considered by the Economic Prosperity Committee and final versions of the Governance Review and Scheme will be prepared. It is currently proposed that the Nottingham and Nottinghamshire Combined Authority Governance Review and Scheme will be submitted to the Secretary of State for Communities and Local Government by mid February 2015.
6. Discussions with the Department for Communities and Local Government (DCLG) and the Department for Business, Innovation and Skills (BIS) about a Combined Authority for the geographic county of Nottinghamshire have been positive. An indication has been given that provided the necessary consultation has taken place and the Governance Review and Scheme demonstrate how the Combined Authority will positively benefit the area, it is possible that a Combined Authority may be created by Statutory Instrument in September 2015.
7. Members should note that the formal establishment of the Nottingham and Nottinghamshire Combined Authority will not bring about an immediate change to governance or operational arrangements. Negotiations with the Government will need to take place over the powers and functions that will be vested in the Combined Authority. Local negotiations will take place to establish operating protocols across the constituent partners. These will determine when and how the Combined Authority will assume powers that it will share with the constituent partners. There will be a lengthy transition period before any significant changes to decision making powers are enacted.
8. In light of the timescales and the high likelihood of required changes to the statutory documents, Council is asked to delegate sign off of the final Governance Review and Scheme to the Chief Executive in consultation with the Leader of the Council, Opposition Group Leaders and the Chairs of the Economic Development and Transport and Highways Committees.

Vision and ambition

9. One of the key Government tests in considering applications for the establishment of Combined Authorities is the ability of the constituent councils to demonstrate ambition for the area and articulate how a Combined Authority will improve outcomes in economic growth and transport, in particular. Nottinghamshire's Leaders and Chief Executives have agreed a high level vision and ambitions as follows:
 - a. A Combined Authority should enable its member local authorities to address the transport, economic development and regeneration challenges of its communities in a more effective and efficient manner. The immediate context for these challenges is well understood and documented in our Growth Plans and the D2N2 Strategic Economic Plan;
 - b. Our central location in the UK and transport links are important assets which supported the development of our historic industrial strengths and will continue to provide us with an important competitive advantage. Traditional strengths in manufacturing and strong universities with global connections provide us with strong foundations for the development of innovative manufacturing industries;

- c. A Combined Authority should therefore be founded on a vision which harnesses the potential around our location, strengths, knowledge and connections so that Nottingham and Nottinghamshire realise the potential to become a key part of the Midlands economy and a strong contributor to the UK and global economy;
- d. A number of key ambitions have been identified as critical for the future vision for Nottingham and Nottinghamshire. These are:
- **Transport** – create a fully integrated transport system across Nottinghamshire that connects into neighbouring and national networks
 - **Skills and work** – raise skills levels, connect people with work, harness our knowledge and help businesses to grow so that we have a high skill / low unemployment economy
 - **Space to live** – build the number and type of homes that complements our economic needs and enhances our quality of life
 - **Space for industry and enterprise** – plan for and deliver the land, property and infrastructure and quality town and city centres that a strong economy needs
 - **Environment** – reinforce our excellent quality of life through effective management of the environment and waste and through the development of low carbon industries
10. Devolution of powers and funds from central Government to the local area is a further driver for establishing a Combined Authority. Recent deals with established Combined Authorities in Greater Manchester and Sheffield City Region demonstrate that the Government is willing to devolve important powers (e.g. over skills funding, transport policy) and funds (e.g. for business support activity) to areas that have a clear vision and the governance to support their ambitions.
11. In terms of the relationship with the D2N2 Local Enterprise Partnership (LEP), it is intended that the D2N2 LEP will be a lead advisory body to the Combined Authority, bringing private sector voices and providing leadership of particular Combined Authority projects and work-streams. It is recognised that the Combined Authority will need to coordinate its work closely with the equivalent Combined Authority arrangements in Derbyshire in order to ensure that effective governance arrangements can operate across the whole of the D2N2 LEP area. It is therefore proposed that the Combined Authority and its equivalent in Derbyshire will enter into arrangements to achieve this, which are currently being explored.

Powers of the Combined Authority

12. The Combined Authority will have powers relating to the strategic economic development and regeneration of Nottingham and Nottinghamshire. The draft Governance Review and Scheme propose that these powers will be held concurrently with the constituent partners. As noted in paragraph 7 above, there will be no immediate transfer of powers away from the constituent partners to the Combined Authority.
13. The Combined Authority will have the benefit of a General Power of Competence to provide for maximum flexibility in being able to deal with economic development and regeneration issues. The Combined Authority shall exercise any function of the Secretary of State delegated to the Nottingham and Nottinghamshire Combined Authority by the order of the Secretary of State pursuant to Section 86 LTA2008, Section 104(1)(b), LDEDCA and

sections 15 to 19 of the Localism Act 2011. Such functions shall be exercised subject to any condition imposed by the order.

14. In addition to the above, the Combined Authority will have the following specific powers. These are viewed as complementary to the broader powers to address economic development identified above:
- a. The power under section 144 of the Local Government Act 1972 (the power to encourage visitors and provide conference and other facilities)
 - b. The duties under sections 15ZA, 15ZB, 15ZC, 17A, 18A (1) (b), of the Education Act 1996 and the power under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age)
 - c. The duty under section 4 (1) of the Local Government Act 2000 (duty to prepare a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom) and the power under section 4 (2) of the Local Government Act 2000 (power to modify their sustainable communities strategy)
 - d. The duty under section 69 of the 2009 Act (duty to prepare an assessment of economic conditions).
15. These powers will be supplemented by operating “protocols” agreed locally by the Combined Authority and councils. These protocols will include recognition of the strategic role of the Combined Authority and safeguards to ensure that it does not unnecessarily interfere with local decision making and delivery. As detailed in the Governance Review document - councils may, in time, choose to delegate additional powers to the Combined Authority by virtue of Section 101 of the Local Government Act 1972. In all cases, the delegation of such powers would require a decision from each local authority concerned.
16. The Combined Authority will not have any specific planning-related powers. However, using general economic development powers, the Combined Authority may take actions which support, enhance and provide cohesion to local planning frameworks.

Current consultations

17. There are two current consultations relating to Combined Authorities that Nottinghamshire County Council has been invited to respond to. The first is a UK Government consultation proposing final changes to legislation surrounding Combined Authorities following an earlier consultation in the spring of 2014. The proposed changes are to enable a more flexible approach to the creation and operation of Combined Authorities, including enabling areas that are not directly contiguous to join a Combined Authority and relaxing the requirements for statutory reviews if the functions and operations of a Combined Authority are to change. The closing date for consultation responses is 26th January 2015 and the Council’s proposed response is attached to this report at appendix 4.
18. Secondly, as Members will be aware, a similar exercise in terms of establishing a Combined Authority is being undertaken in Derby and Derbyshire. The Government has stated that it will only consider Combined Authority proposals for the D2N2 area simultaneously. Statutory consultation on the Derby and Derbyshire Governance Review and Scheme closes

on 23rd January 2015. Nottinghamshire County Council's proposed response to this consultation is attached as appendix 5.

Other Options Considered

19. Retain the existing Economic Prosperity Committee model. This option was discounted as the Government (and main opposition parties) have expressed a clear preference for more formal joint governance around economic development and transport in the form of Combined Authorities. Feedback from the recent D2N2 Growth Deal process confirmed that the D2N2 area fared comparatively poorly due to perceived weaknesses in local authority governance.

Reason/s for Recommendation/s

20. The Leaders of Nottinghamshire's local authorities have recommended, through the Economic Prosperity Committee, that individual councils pursue a Combined Authority for Nottingham and Nottinghamshire under the relevant statutory provisions. It has also been agreed that an application for Combined Authority status be submitted to the Secretary of State for Communities and Local Government in February 2015, in line with the application from Derby and Derbyshire. Given the cross-cutting implications of establishing a Combined Authority, Council consideration of this proposal is required.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described in the body of the report.

Financial Implications

22. Under the current Economic Prosperity Committee arrangement, each of the constituent councils contributes £3,500 per year towards the secretariat costs. The proposals for the Nottingham and Nottinghamshire Combined Authority have not yet been costed. However the latest version of the scheme proposes that:

The costs of the Combined Authority that are reasonably attributable to the exercise of its functions relating to economic development and regeneration (and any start-up costs) shall be met by the constituent councils. Such costs shall be apportioned between the nine councils on a per capita basis, with county and district authorities apportioning their share of costs on a 75:25 basis. The Combined Authority will agree an annual budget for the purpose of this expenditure.

RECOMMENDATIONS

23. It is recommended that Council:

- a. Approves Nottinghamshire County Council formally joining the Nottingham and Nottinghamshire Combined Authority once this is established;
- b. Comments on the draft Governance Review and Scheme to inform the final drafting of these documents;
- c. Delegates authority for the signing off of the final Governance Review and Scheme to the Chief Executive in consultation with the Leader, Opposition Group Leaders and the Chairs of the Economic Development and Transport and Highways Committees;
- d. Approves the submission of consultation responses to the Government consultation and Derby and Derbyshire Councils' consultation as appended (4 and 5)

Report author: Jayne Francis Ward, Corporate Director Policy Planning and Corporate Services

For any enquiries about this report please contact: Jayne Francis Ward, ext 73478

Constitutional Comments (HD 06.01.2015)

24. Council has the authority to agree the recommendations.

Financial Comments (SEM 06.01.2015)

25. The financial implications are set out in 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.

Establishment of the Nottingham and Nottinghamshire Economic Prosperity Committee; report to Full Council, 16th January 2014, published.

Consultation response: proposal to amend legislation relating to Combined Authorities and Economic Prosperity Boards; report to Policy Committee, 4th June 2014, published.

Economic Development Update: report to Policy Committee, 10th September 2014, published.

Proposals for a Nottingham and Nottinghamshire Combined Authority; report to Economic Development Committee, 18th November 2014, published.

All published reports to the Nottingham and Nottinghamshire Economic Prosperity Committee are available here: <http://committee.nottinghamcity.gov.uk/mgCommitteeDetails.aspx?ID=416>.

Government consultation on final changes to Combined Authority legislation is available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389658/141219_LRO_Con_Doc.pdf

Derby and Derbyshire consultation on the establishment of a Combined Authority: <http://derbyshire.gov.uk/council/partnerships/combined-authority/default.asp?VD=ca>

Electoral Division(s) and Member(s) Affected

All

Scheme for the establishment of a Nottingham and Nottinghamshire Combined Authority

DRAFT – September 2014

DRAFT

Section 1 – Intention to establish a Nottingham and Nottinghamshire Combined Authority

1. Establishment of Authority

A Combined Authority shall be established pursuant to Section 103 of the Local Democracy, Economic Development and Construction Act 2009 (“LDEDCA”).

2. Name of Authority

The name of the Combined Authority shall be the ***Nottingham and Nottinghamshire Combined Authority (“the Combined Authority”)***.

3. Area of Authority

3.1. The Combined Authority area shall be the whole of the following local government areas:

- Ashfield District Council
- Bassetlaw District Council
- Broxtowe Borough Council
- Gedling Borough Council
- Mansfield District Council
- Nottingham Council
- Newark & Sherwood District Council
- Nottinghamshire County Council
- Rushcliffe Borough Council

3.2. The nine councils listed above shall be referred to as the “*constituent councils*”.

4. Membership of Authority

4.1. Membership of the Combined Authority will be drawn from the constituent councils listed in section three.

- 4.2 The constituent councils will appoint nine elected members¹ to the Combined Authority. Each constituent council will appoint one member.
- 4.3 Membership of the Combined Authority will be a decision for each council. The constituent councils shall each appoint another of its elected members to act as a member of the Combined Authority in the absence of the elected member appointed under paragraph 4.2 above (“substitute member”). Each constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the Combined Authority and the constituent member may appoint a replacement member as soon as reasonably practical.
- 4.4 Where a member or substitute member of the Combined Authority ceases (for whatever reason) to be an elected member of the council that appointed them, the elected member shall cease to be a member of the Combined Authority, and the relevant council shall appoint a replacement member as soon as practicable.
- 4.5 The Combined Authority shall, in each year, appoint a Chairman and Vice-Chairman from among its members. The appointments shall be the first business transacted at the first meeting of the Combined Authority. Where, at any meeting of the Combined Authority, the Chairman is absent, the Vice Chairman shall assume the Chairman’s role for that meeting. Where the Chairman and Vice Chairman are not present or are unable to act, the Combined Authority members will elect one of the members present to preside for the meeting or part of the meeting.
- 4.6 No remuneration shall be payable by the Combined Authority to its members other than allowances for travel and subsistence, provided always that a constituent authority may, on the recommendation of its independent remuneration panel, pay a special responsibility allowance to any elected member appointed by it to the Combined Authority in respect of duties and responsibilities undertaken as a member of the Combined Authority.
- 4.7 The Combined Authority may co-opt additional, non-voting representatives.²

5. Voting

- 5.1. The constituent council members of the Combined Authority shall have one vote each.
- 5.2. Subject to paragraph 5.3 below and the provisions of any enactment, all questions coming or arising before the Combined Authority shall be decided by a simple majority of the members of the Combined Authority present and voting. In the case

¹ Note: it is a requirement of LDEDCA that the majority of members are drawn from the constituent authorities of the CA.

² Note: such representation will always be non-voting as such representatives are not members.

of a tied vote on any motion or amendment, the motion or amendment shall be deemed to have been lost. The Chair of the Combined Authority shall not have a second or casting vote. On the requisition of any two members, made before the vote is taken, the voting on any matter shall be recorded so as to show how each member voted and there shall also be recorded any member abstaining from voting.

- 5.3 To be discussed – provisions to enable councils to proceed in “reserved” areas without unanimity or majority eg. transport

6. Executive Arrangements

Executive arrangements (within the meaning of the Local Government Act 2000) shall not apply to the Combined Authority. However, the discharge of the functions of the Combined Authority will be subject to the scrutiny arrangements set out in section 9 below.

7. Scrutiny Arrangements

Constituent authorities may exercise scrutiny functions over the Combined Authority (including, where appropriate, the Combined Authority's committees) through their own overview and scrutiny or committee arrangements.

Anticipated legislation is likely to directly apply overview and scrutiny arrangements to Combined Authorities.

Section 2 – Functions, powers and duties of the Combined Authority

8. The functions of the Combined Authority

- 8.1. The prime purpose of the Combined Authority is to improve the exercise of statutory functions in relation to economic development, regeneration and transport in the N2 area leading to an enhancement of the economic conditions and performance of the Nottingham and Nottinghamshire area.
- 8.2. In pursuit of this aim, the Combined Authority will have the functions set out in sub paragraphs 8.3 to 8.5 in relation to Strategic Economic Development and Transport. These powers will be exercised by the Combined Authority on a concurrent basis i.e. no powers have been “ceded” to the Combined Authority from its members.
- 8.3.
 - Strategic Economic Development.
 - Setting the Economic Strategy
 - Setting the investment strategy for the N2 area
 - Making decisions with regard to the investment strategy for the N2 area
 - Making decisions in relation to the uplift from Enterprise Zone business rates
 - Coordinated inward investment activity.
 - Strategic Planning functions
 - Function in respect of further education provision, co-ordination and funding.

- Functions in respect of the funding and provision of housing in the area of the Combined Authority.
- Functions in respect of provision, co-ordination and funding of initiatives for increasing employment and improving skills.
- Functions in respect of the provision of support and funding for local business initiatives in the area of the Combined Authority.
- The duty under Section 8 (i) of the Housing Act 1985 (duty of local housing authorities to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation).

Transport

- The functions of a local transport authority involving:-
 - Local Transport Plan
 - Local Transport External Funding Bids (including Local Sustainable Transport Fund
 - Strategic Transport Policy (including Rail, Trunk Roads and Local Transport major projects)
 - Transport modelling to develop a consistent approach and enable expansion towards a GVA capital model
 - Travel Planning
- The functions of a Passenger Transport Executive

- 8.4. The Combined Authority will have the benefit of a General Power of Competence to provide for maximum flexibility in being able to deal with economic development and regeneration issues. The Combined Authority shall exercise any function of the Secretary of State delegated to the N2 Combined Authority by the order of the Secretary of State pursuant to Section 86 LTA2008, Section 104(1)(b), LDEDCA and sections 15 to 19 of the Localism Act 2011. Such functions shall be exercised subject to any condition imposed by the order.
- 8.5. In addition to the above, the Combined Authority will have the following specific powers. These are viewed as complementary to the broader powers to address economic development identified above:
- The power under section 144 of the Local Government Act 1972 (the power to encourage visitors and provide conference and other facilities).
 - The duties under sections 15ZA, 15ZB, 15ZC, 17A, 18A(1)(b), of the Education Act 1996 and the power under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age).
 - The duty under section 4(1) of the Local Government Act 2000 (duty to prepare a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom) and the power under section 4(2) of the Local Government Act 2000 (power to modify their sustainable communities strategy).
 - The duty under section 69 of the 2009 Act (duty to prepare an assessment of economic conditions).
- 8.6. These powers will be supplemented by operating “protocols” agreed locally by the Combined Authority and councils. These protocols will include a recognition of the strategic role of the Combined Authority and safeguards to ensure that it does not unnecessarily interfere with local decision making and delivery. As detailed in the Governance Review document - councils may, in time, choose to delegate additional powers to the Combined Authority by virtue of Section 101 of the Local Government Act 1972. In all cases, the delegation of such powers would require a decision from each local authority concerned.
- 8.7. The Combined Authority will not have any specific planning-related powers. However, using general economic development powers, the Combined Authority may take actions which support, enhance and provide cohesion to local planning frameworks.

Section 3 – Funding

9. Funding

- 9.1. The Combined Authority, as a levying body under Section 74 of the Local Government Finance Act 1988, shall have the power to issue a levy to its relevant constituent councils (ie. Nottingham City Council and the Nottinghamshire County Council) in respect of the expenses and liabilities of the Combined Authority which are reasonably attributable to the exercise of its functions relating to transport. The amount to be raised by the levy will be apportioned between the relevant constituent authorities on an agreed basis.
- 9.2. The levy shall be in ten equal instalments payable monthly by the end of the first ten months in the financial year.
- 9.3. The costs of the Combined Authority that are reasonably attributable to the exercise of its functions relating to economic development and regeneration (and any start-up costs) shall be met by the constituent councils. Such costs shall be apportioned between the nine councils on a per capita basis, with county and district authorities apportioning their share of costs on a 75:25 basis. The CA will agree an annual budget for the purpose of this expenditure.

Section 4 – Other arrangements

10. D2N2 Local Enterprise Partnership and Derbyshire Combined Authority

- 10.1. A partnership between the public and private sector, D2N2 LEP's vision is for a more prosperous, better connected and increasingly resilient and competitive economy.
- 10.2. It is intended that the D2N2 Local Enterprise Partnership would be a lead advisory body to the Combined Authority, bringing private sector voices and providing leadership of particular Combined Authority projects and workstreams.
- 10.3. It is recognised that the Combined Authority will need to coordinate its work closely with the equivalent Combined Authority arrangements in Derbyshire in order to ensure that effective governance arrangements can operate across the whole of the D2N2 LEP area. It is therefore proposed that the Combined Authority and its equivalent in Derbyshire will enter into arrangements to achieve this. Other Arrangements
- 10.3. The Combined Authority may establish committees, sub-structures, sub-committees and arrangements for delegating powers and functions as it considers appropriate.

COMBINED AUTHORITIES – FREQUENTLY ASKED QUESTIONS

Updated 05 Jan 2015

1. WHAT IS A COMBINED AUTHORITY?

A Combined Authority is a statutory body created by two or more neighbouring local authorities to lead collaboration on transport, regeneration and economic development. Combined Authorities can, by agreement with their constituent authorities, take on certain powers and functions previously held by constituent authorities.

A Combined Authority is a separate legal body and operates as a public body in a similar way to a council.

2. HOW IS ONE CREATED?

The constituent authorities must conduct a statutory review of current governance arrangements and options and prepare a governance review and scheme outlining their proposals.

The governance review and scheme must demonstrate how the Combined Authority would bring about the following benefits:

- Improve the effectiveness and efficiency of transport in the area
- Improve the exercise of statutory functions relating to economic development, regeneration and transport in the area
- Improve the economic conditions of the area

Once the governance review and scheme are agreed, they are then submitted to the Secretary of State who must consult interested parties and be satisfied that the proposal will deliver the benefits outlined above. The Secretary of State then approves the scheme and a statutory instrument is used to effect the establishment of the Combined Authority.

The entire process is estimated to take at least a year given the requirement for parliamentary approval.

3. WHY ARE THEY BEING CREATED?

Combined Authorities are about better collaboration between local councils on the big strategic issues that they cannot decide alone, such as transport investment or strategies for skills and economic growth. A Combined Authority would enable these decisions to be made more quickly and with more accountability because everyone would know how the decisions were

made and rules relating to governance and transparency similar to those of the Council would apply.

4. HOW WILL YOU DECIDE WHAT AREA THE COMBINED AUTHORITY WILL COVER?

This is a matter for the local councils to agree, but a Combined Authority should cover an area that makes sense economically and at the current time, the whole of a council's area has to be included. It also needs to be big enough to be able to compete and to pull together resources needed to support improved economic outcomes.

5. WOULD THIS MEAN THE LOCAL AUTHORITIES BEING MERGED TO CREATE A UNITARY COUNCIL?

No. The plans would see the constituent councils continuing to exist in their own right and current form with the Combined Authority potentially having a decision making role in relation to strategic economic development, transport, infrastructure and skills.

6. DOES A COMBINED AUTHORITY MEAN THE AREA WOULD HAVE TO HAVE AN ELECTED MAYOR?

No. The Greater Manchester Combined Authority and its ten constituent councils have agreed to have a directly elected mayor as part of a further devolution deal with the Government. However there are no plans to replicate this arrangement elsewhere (and certainly not outside of the major conurbations) and in any event an elected mayor can only happen if local councils agree to it.

7. WOULD A COMBINED AUTHORITY ADD ANOTHER LAYER OF BUREAUCRACY AND MAKE DECISION MAKING MORE REMOTE?

Combined Authorities should make decision making simpler for strategic transport and infrastructure, employment and skills and economic development. The Combined Authority would take decisions for the whole of the area without having to return to the individual councils to have decisions confirmed.

Combined Authorities and councils can hold powers concurrently. This is likely to be the case at the point of establishing the Combined Authority, as the scheme will likely recommend that the role and remit of the Combined Authority is not restricted too much. Extending the role and remit of the Combined Authority once it is established is extremely difficult. Over time, it would be anticipated that the concurrent holding of powers would reduce as the Combined Authority and its constituent authorities reach agreement about where powers and functions are best held.

8. WOULD THE COMBINED AUTHORITY HAVE CONTROL OVER PLANNING DECISIONS AND HOUSING ALLOCATIONS?

No. A Combined Authority can only have influence on land use strategies if all members decide to give it that function. Even then the members could decide that such decisions would need to be unanimous so that any council would effectively have a veto. A Combined Authority cannot take planning decisions on specific sites or approve Local Development Plans – that remains a matter for each individual district or unitary council.

9. WOULD THE UPPER TIER AUTHORITIES RETAIN RESPONSIBILITY FOR ROADS IN THEIR AREAS?

Yes. Local authorities would still be the Highways Authorities with responsibility for repairs and maintenance. The Combined Authority would be a strategic body and would only get involved in strategic transport decisions. However there will be opportunities for closer working on highways issues to drive greater efficiencies across the area.

10. HOW WILL A COMBINED AUTHORITY WORK IN A TWO TIER AREA?

There is no reason why a Combined Authority in a two tier area should not function in a very similar way to one in a metropolitan area. The most significant difference in a two tier area is the lack of an existing Passenger Transport Executive or Integrated Transport Authority.

11. DOES THE COMBINED AUTHORITY HAVE TO REFLECT LOCAL POLITICAL PROPORTIONALITY?

It will be up to the constituent members to decide in the scheme whether and how issues relating to political proportionality will be resolved. It is up to each Council to decide which members to appoint and there is no legislative requirement for political balance across the Combined Authority.

The latest Government consultation on Combined Authorities proposes that each Combined Authority will have to demonstrate effective overview and scrutiny arrangements and that these should, where possible, reflect the political proportionality of the area concerned.

12. HOW WILL VOTING WORK IN THE COMBINED AUTHORITY?

This will depend on how the governance of the Combined Authority is established and there is no set model for constituent authorities to follow. That said, most Combined Authorities have adopted a 'one member, one vote' policy with varying approaches to the requirements for decisions to be unanimous. This latter point could be different within the Combined Authority's governance arrangements (i.e. unanimous votes could be required

for items of strategic importance with significant financial implications whereas less significant issues could be dealt with by simple majority vote).

Once decisions are reached in the Combined Authority they would be binding on all constituent members and would not require further approval by individual councils.

Under the current legislation, all constituent parties would have to implement the decisions made by the Combined Authority. Constituent parties cannot opt in or out of decisions. The Government proposed amendments to the legislation in the spring of 2014 that would have 'allowed combined authorities to exercise their functions on a patchwork basis across their area'. The Government has not yet published its response to the consultation on the amendments and it is therefore not clear whether this proposed change will be implemented.

13. HOW WILL THE COMBINED AUTHORITY RELATE TO THE D2N2 LEP?

A Combined Authority would not replace the D2N2 LEP, which is a recognised part of the economic development and growth partnership infrastructure and which remains the Government's preferred vehicle for business led growth in England. In simple terms, the LEP provides the voice of the private sector and will retain decision making prerogative although this will have to reflect the priorities of the Combined Authority.

The Combined Authority would potentially complement the LEP by securing powers in its own right to exercise in Nottinghamshire which would support and enable the overall objectives of the LEP. The Combined Authority would give the Government the certainty of structure and accountability necessary to devolve more significant resources and powers to the local area – whether that be to the D2N2 LEP or the Combined Authority itself.

The existing Combined Authorities in England are all co-terminous with their LEPs. This would be different in D2N2 where there would be two Combined Authorities based on county geographies sitting underneath the D2N2 Board. It is not yet clear what the implications of this would be for D2N2; however the Government has stated that it expects to see seamless working between Combined Authorities and LEPs.

14. WILL THE COMBINED AUTHORITY COST MORE? WILL IT NEED A CHIEF EXECUTIVE AND STAFF?

The Combined Authority should not have major cost implications. Constituent authorities may be required to contribute limited resources to the secretariat function and possibly toward some communications activities. The Combined Authority in itself will not require a Chief Executive or any officer support,

unless this is the will of the constituent members. The Combined Authority does, however, have to have statutory officers such as Head of Paid Service and Section 151 Officer. However these could be posts that are held concurrently by a Head of Paid Service from one of the constituent authorities.

The Combined Authority should present an opportunity for more formal consideration of shared services in the area, particularly for economic development. This could lead to cost savings and efficiencies in the longer term.

15. HOW WOULD THE COMBINED AUTHORITY BE SCRUTINISED?

This is unclear in Nottinghamshire where constituent councils have a mix of Cabinet and Committee systems of governance. For the County Council and its Committee system, further work would need to be done in terms of how effective scrutiny of the Combined Authority would be undertaken. All existing Combined Authorities have one or more scrutiny committees. The Government has indicated that good practice is for there to be a political balance across the councils involved and has consulted upon putting this in to the legislation, but the results of this consultation are not yet known.

16. HOW WOULD THE COMBINED AUTHORITY AFFECT EXISTING COUNTY COUNCIL COMMITTEES?

The County Council Committees that would be affected by a Combined Authority are Economic Development, Transport and Highways and, to some extent, Policy.

Economic Development Committee would be most affected as decisions on strategic economic development issues would all be taken at the Combined Authority. Operational decisions relating to the County Council's resourcing of economic development activity could still be taken at Economic Development Committee if this were felt to be appropriate.

Transport and Highways Committee would continue to determine the operational priorities of the Council's highways services. Decisions on strategic transport issues such as transport majors funding priorities would be taken by the Combined Authority (these are currently undertaken by the D2N2 Local Transport Body). Local Transport Plans, external funding bids, Strategic Transport Policy, transport modelling and travel planning powers would be held concurrently by the Council and the Combined Authority.

Policy Committee currently considers issues relating to strategic economic development (i.e. approving and monitoring the Nottinghamshire Growth Plan). In all likelihood this role would transfer to the Combined Authority.

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.

Proposed Derby and Derbyshire Combined Authority

Consultation response from Nottinghamshire County Council

Nottinghamshire County Council is strongly supportive of the proposals published by the constituent councils in Derby and Derbyshire for a Combined Authority in the geographic county of Derbyshire. Nottinghamshire County Council has worked closely with Derbyshire County Council in recent months on the proposals for Combined Authorities in both areas and this has resulted in significant synergies in terms of the proposals and also the approach to governance issues in both areas.

Nottinghamshire County Council recognises that there are many overlapping and interdependent economies within the overall geography of Nottinghamshire and that many of our businesses and workers are reliant on supply chains, contracts and jobs in Derbyshire. We will therefore work closely with Derbyshire County Council and the new Derby and Derbyshire Combined Authority on issues that are cross-border, exploring how to deliver greater impact and economies of scale where possible. We have particular shared interests in the economic growth of districts along both sides of the M1 and A52 corridors and around the new HS2 East Midlands Hub and will ensure that we have effective governance and working practice in place to address these major opportunities. Similarly, we will lead a coherent approach and one that is consistent with the Derby and Derbyshire Combined Authority in terms of our relationships with the Sheffield City Region.

The inclusion of a Duty to Co-operate in the proposals for the Nottingham and Nottinghamshire Combined Authority will give a clear footing for work with the Derby and Derbyshire Combined Authority. Nottinghamshire County Council recognises the importance of the relationship with Derby and Derbyshire and our relationships with the D2N2 Local Enterprise Partnership, which will need to function seamlessly and effectively if our Combined Authorities are to deliver their ambitions.

Nottingham and Nottinghamshire

N2 Governance Review

Introduction

- 1.1. This document has been prepared by the local authorities that form the City of Nottingham and Nottinghamshire Joint Economic Prosperity Committee (Ashfield District, Bassetlaw District, Broxtowe Borough, Gedling Borough, Mansfield District, Nottingham City, Nottinghamshire County, Newark & Sherwood District and Rushcliffe Borough Councils). It details the findings of a governance review that has been undertaken under Section 108 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA)¹ and Section 82 of the Local Transport Act 2008.
- 1.2. Section 108 of LDEDCA provides that relevant authorities may undertake a review of the effectiveness and efficiency of transport within the area covered by the review and of the effectiveness and efficiency of arrangements to promote economic development and regeneration within the area covered by the review.
- 1.3. A review may recommend that a new legal body should be established if the creation of one of these bodies would be likely to improve:
 - the exercise of statutory functions relating to economic development, regeneration and transport in the area i.e. the area covered by N2 authorities
 - (for combined authorities) the effectiveness and efficiency of transport in the area;
 - and the economic conditions in the area.
- 1.4. The issues set out in this document are the subject of consultation with all stakeholders including proposed members of the Combined Authority (henceforth referred to as the “Nottingham and Nottinghamshire Combined Authority”); neighbouring authorities; the D2N2 Local Enterprise Partnership and neighbouring LEPs; Nottingham and Nottinghamshire MPs; other public bodies; the Chamber of Commerce; other private sector bodies; regulatory bodies; third sector bodies as well as all relevant government departments.
- 1.5. This document is issued as part of an iterative process of consultation. The findings of this governance review and the ‘scheme’ for the Nottingham and Nottinghamshire Combined Authority will be considered by each of the constituent local authorities. Following the submission of the scheme, the Department for Communities and Local Government will launch a statutory consultation exercise.

2. Executive Summary

- 2.1. The nine local authorities that make up the N2 area have a long history of informal collaboration on matters which impact on the economic success of the area and

¹ See draft statutory guidance <http://www.communities.gov.uk/documents/regeneration/pdf/1457197.pdf>

which contribute to the wider economic geography across the D2N2 area (Derby, Derbyshire and Nottingham, Nottinghamshire).

2.2. This collaboration was formalised through the development of the City of Nottingham and Nottinghamshire Joint Economic Prosperity Committee as well as continuing collaboration on a more informal basis through the Nottinghamshire Leaders Group. The tangible benefits of this collaboration can now be seen in the designation of the Nottingham Enterprise Zone, Nottingham's City Deal, and the recent D2N2 Growth Deal.

2.3. **Figure 1 – the N2 area**

Insert map of N2 area here

2.4. Whilst increased coordination and collaboration is positive and leads to tangible benefits, the governance structures of the N2 area need to be viewed in the context of the scope for exercising devolved powers and resources through strong local governance structures.

2.5. Those authorities in the N2 area recognise the value of leading and shaping the debate on devolution and taking wider responsibility for the economic prosperity of their area. The N2 area will outgrow its existing governance structures and arrangements – which have traditionally been informal, voluntary partnerships with the recent addition of a Joint Economic Prosperity Committee. Accordingly, N2 Leaders have recognised the opportunity to establish a more formal governance structure in the form of a Combined Authority.

2.6. To this end, it was agreed at the Joint Economic Prosperity Committee on 26 September 2014 that this Governance Review should be undertaken under s.108 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA) and under the 2008 Transport Act. In accordance with statutory guidance² the purpose of this Governance Review has been to:

- evaluate the effectiveness and efficiency of existing governance arrangements for economic development, regeneration and transport across the N2 area;
- consider the options available for making changes to these governance structures and arrangements – such as leaving existing governance unchanged, strengthening or restructuring existing governance arrangements, establishing an Economic Prosperity Board (EPB), and establishing a Combined Authority;
- recommend which option is likely to be most beneficial to the N2 area and strengthen the overall governance arrangements across Derbyshire and

²<http://www.communities.gov.uk/documents/regeneration/pdf/1457197.pdf>

Nottinghamshire that contribute to the effectiveness of the D2N2 Local Enterprise Partnership.

- 2.7. The N2 Governance Review has been undertaken in the context of an evolving relationship between the N2 local authorities, with the D2 local authorities and Government. Accordingly, the question for the N2 governance review has not just been whether N2 governance arrangements are sufficient today, but also whether they will be sufficient to deliver the N2 area's medium to long-term ambitions?
- 2.8. This document sets out the N2 Governance Review and concludes that establishing a Nottingham and Nottinghamshire Combined Authority **would improve the exercise of statutory functions in relation to economic development, regeneration and transport and would lead to an enhancement of the economic conditions and performance of the Nottingham and Nottinghamshire area.**

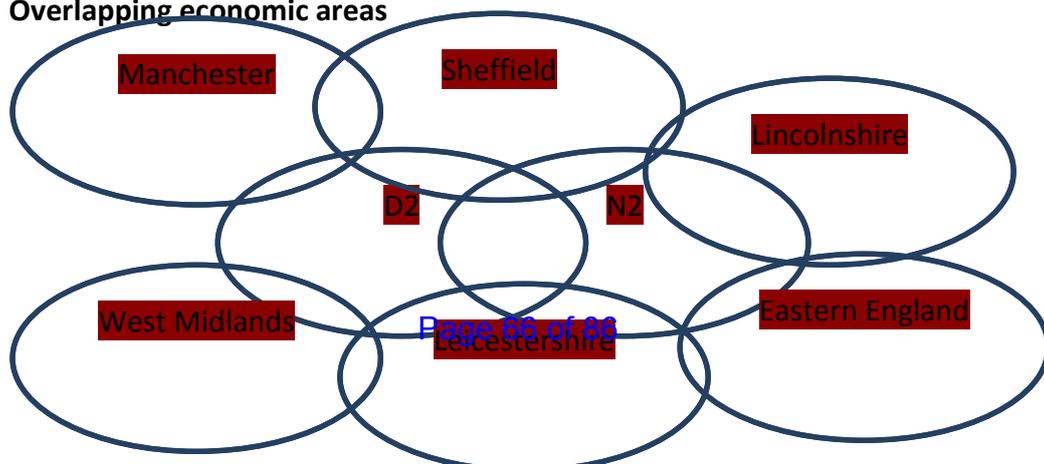
3. Local Enterprise Partnerships

3.1. The D2N2 LEP covers a wide area with many shared economic characteristics. However, there are clear distinctions within the D2N2 area between the D2 and N2 economies. There is a shared strength in manufacturing but with clear differences in the focus and strengths of manufacturing industries. For example, in N2 bioscience and medicine are important whereas in the D2 area transport manufacturing is key. Similarly, in transportation, the challenges of rural connectivity and accessibility in the D2 area differ from the focus in Nottinghamshire on the interplay between national transport corridors and local networks. The nature of the specific challenges and the focus of solutions is therefore different.

3.2. The D2N2 LEP is a key strategic partner for all Nottinghamshire Authorities. However, it has to be recognised that other LEPs and functional economic areas overlap with the area. Sheffield Combined Authority is an example of how these overlapping functional economic areas will be a key consideration in the development of an appropriate governance framework.

3.3.

Overlapping economic areas



- 3.4. The diagram illustrates clearly the challenge that is faced; whereas some combined authorities have worked primarily within defined urban areas with a single LEP the same solution cannot easily apply to the N2 area. As a consequence, consideration of governance will need to take this into consideration and provide the arrangements and capability to integrate with multiple overlapping agendas. Managing this complexity will be the key to harnessing the resources available across these areas to greatest effect.
- 3.5. As shown in the diagram above, the greatest overlap is with the D2 area. Ensuring that the relationship with D2N2 LEP is maintained and strengthened so that there is cohesion around common economic features and challenges across Derbyshire and Nottinghamshire will be central to ensuring robust governance.

D2N2 LEP

- 3.6. It is essential in any consideration of the governance arrangements that consideration is given as to how the arrangements considered will feed into and strengthen our key partnerships
- 3.7. D2N2 LEP is presently seeking to strengthen its own governance arrangements in order to ensure that it is best placed to deliver for both areas. The authorities involved in this review recognise the key importance in having a LEP that has the capacity and the credibility to facilitate work between the public and the private sector in order to deliver growth. Any arrangements for future governance will need to assist in the process.

4. Nottingham and Nottinghamshire's plans for growth

- 4.1. The economy of Nottingham and Nottinghamshire has undergone structural transformation over the last thirty years, moving from an economy reliant on large-scale, traditional heavy industries to one that is much more flexible and diverse. Service industries dominate the economic landscape and provide the bulk of employment opportunities in the city and conurbation. This is balanced out by resurgent manufacturing and energy sectors in the county that are building on the legacy of an area renowned for its ability to generate, make and innovate.
- 4.2. The economic structure of Nottingham and Nottinghamshire is diverse and the spread of sectors reflects issues such as skills levels and type, commuting patterns, availability of land and connectivity to key markets. There is also strong evidence of sector growth on the back of supply chain opportunities, with global companies such as Boots, Rolls Royce and Capital One generating significant added value for the local

economy and driving growth in manufacturing, life sciences and the business and finance sectors.

- 4.3. The 'powerhouse' sectors in GVA terms (excluding public administration, education and health) are distribution, transport; accommodation and food (20.1% of GVA in 2011) and production (14.6%). 74% of production's contribution to GVA is generated by manufacturing. Notable companies and OEMs in these sectors that are based in N2 include Wilkinsons, Boots, Hillarys, British Sugar, Lindhurst Engineering, Brunton Shaw, Speedo, Changan and CenterParcs. These will continue to be important sources of growth and employment into the future, but are also now joined by a whole host of innovative companies in other priority sectors – creative/digital, life sciences/medical, low carbon and logistics.
- 4.4. The public sector is still a major employer in N2, with health and education alone providing 113,700 jobs (24%) in the area in 2012³. Retail remains a significant sector for jobs, employing 55,000 people (or 12%) of the total workforce. These figures at N2 level mask intra-county discrepancies in terms of wage and skills levels, with the boroughs which border the city having higher skills and wage levels than the county average, and parts of the city and northern and western districts showing the opposite.
- 4.5. The population of the N2 area is 1.11million, with a working age population of 715,700⁴. 68% of the working age population is in employment of whom 7% are classed as self-employed. 26% of the working age population are inactive, with the remaining 7% being 'active' in that they are out of work but looking for a job.⁵ These figures mask a significant amount of variation within the patch, for instance Newark and Sherwood's unemployment rate is 2.7%, whereas the unemployment rate in Mansfield is 13.8%.
- 4.6. Skills levels are broadly in line with the East Midlands average, but around 4 percentage points behind the England average at N2 level. There are major differences between skills levels within N2. The % of people with no qualifications at all is higher than the national average in all areas except Gedling and Rushcliffe. The south of the area outperforms national averages in terms of the % of people with degree level qualifications, with over 54% of working age people educated to degree level or above in Rushcliffe and more than 36% in Broxtowe and Gedling.
- 4.7. Analysis by Nottingham City Council suggests that for the unemployed population to reach the same skill level as the employed population around 30,000 unemployed people would need to be up-skilled by the equivalent of at least one NVQ level. The

³ ONS Business Register and Employment Survey 2012

⁴ ONS 2013 Mid Year Population Estimates

⁵ ONS Annual Population Survey April 2013- March 2014

proportion of 16-17 years olds in full time Education and Training is higher than the England average (82.3% - March 2014) in Nottinghamshire at 84.2%, but lower in Nottingham at 80.2%. N2 partners' work on employment and skills is focussed on tackling this gap between areas that rely on the same labour market (that provided by the Nottingham conurbation).

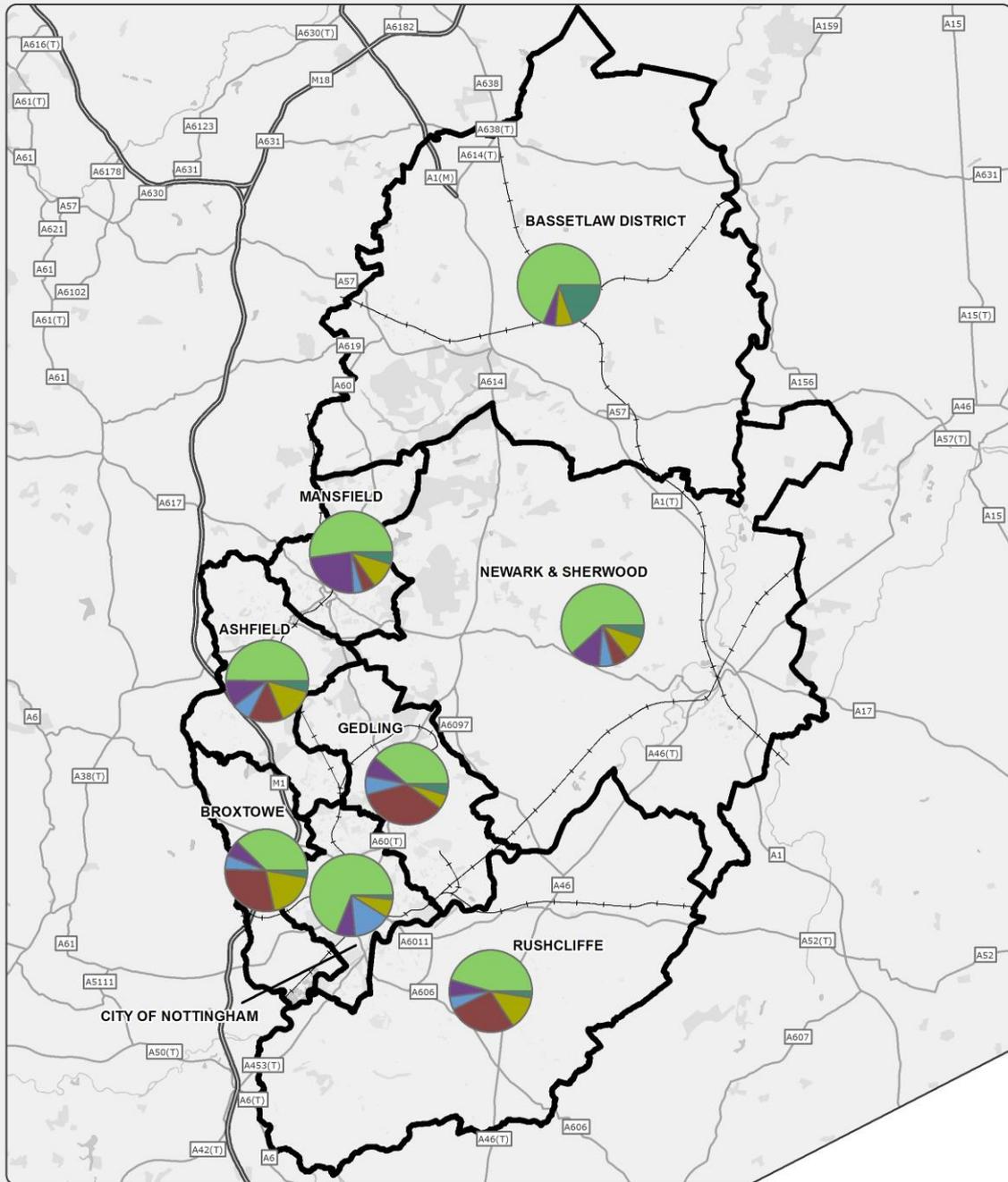
- 4.8. N2 is home to two world class universities bringing over 60,000 students into the area each year⁶. The University of Nottingham is a world leading research university, one of the UK's Russell Group and Nottingham Trent University is the 13th largest university in the UK.
- 4.9. The N2 economy functions in different spatial arrangements, depending on the nature of the local industrial base and the local labour force (see Fig 1 below). Some areas have significant in and out flows in terms of commuting patterns to sub-regional centres. Nottingham City remains a significant employment hub and provides jobs for nearly 90,000 people who commute in from surrounding areas⁷ (this includes cross-border movement from Derbyshire and Leicestershire). Over 55% of this commuter movement is from the borough council areas that immediately adjoin Nottingham, where transport connections are much better (and where the skills of the local population are more likely to match those required by the key sectors in Nottingham). 36% of Gedling residents in work, work in Nottingham City as do similarly high percentages of Broxtowe (29%) and Rushcliffe (27%) residents
- 4.10. There is an 'outflow' of commuting from Nottingham of over 38,500 people with most people travelling to the surrounding districts.
- 4.11. The travel to work patterns vary and, as would be expected, the level of commuting into Nottingham reduces with distance from Nottingham. Bassetlaw has an outflow of commuters to neighbouring South Yorkshire (19%). Mansfield (9%) and Ashfield (12%) have outflows to Derbyshire and Newark and Sherwood has an outflow to Lincolnshire (6%). Nevertheless, each of these districts is much more self-supporting in terms of the employment base and significant majorities of people work in the district itself or in neighbouring Nottinghamshire districts.

⁶ HESA student enrollments 2012/13

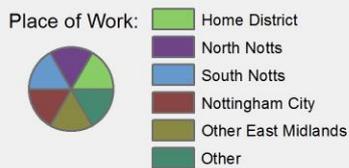
⁷ 2011 Census ONS

4.12. Fig 1.

Nottinghamshire Travel to Work Areas: Place of Work by District of Usual Residence



Key



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L:\GIS\Projects\Cartography\00980 - Notts TTWA Map\Final Outputs\Notts TTWA.mxd Initials Team 09/12/2014



- 4.13. It is important for the area that while recognising the economic coherence across Nottinghamshire we also recognise the cross boundary flows that aid in strengthening our area. Our central location as a hub also needs to be recognised. There is a varying but significant level of functional economic coherence within the N2 area with the communities lying further from Nottingham demonstrating a degree of self-sufficiency and links with overlapping economic areas. The area connects with many overlapping functional economic areas and this position must be recognised through a strong governance structure.
- 4.14. An analysis of the transportation links assists in demonstrating the interconnected nature of the area at the same time as identifying the need for governance arrangements to be agile enough to face multiple directions simultaneously. Rail travel is one illustration with the East of the N2 area looking to the East Coast Mainline, the central areas looking to the Midland Mainline and provision of the new HS2 line station and the West of Derbyshire looking to a HS2 station at Crewe. Airports also illustrate the point with the southern area looking to East Midlands Airport, the north-west towards Manchester and north-east to Doncaster Robin Hood Airport.
- 4.15. With a population of over 1.11 million people and a GVA contribution of over £19 billion **Nottingham and Nottinghamshire is evidently already an area of national economic significance.** However, independent economic forecasts suggest that there is further potential to be developed. One forecast suggests that Nottingham alone *could* deliver an extra 10,000 jobs by 2020.⁸
- 4.16. We can do more. The two Growth Plans that cover the N2 area were drafted concurrently in order to align priorities and investment where possible across the area. There are shared priorities around infrastructure investment (i.e. the widening of the A453; superfast broadband; Nottingham Enterprise Zone; Newark Southern Link Road and Rolls Royce Hucknall) which the area's civic and business leaders promote into the D2N2 Local Enterprise Partnership and to Government. Significant resources (over £66 million) have been secured to support infrastructure activity across the area in the first round of the Growth Deal, with much more to come in future rounds.
- 4.17. Both Growth Plans also feature employment and skills and business growth as core priorities, and N2 partners are working closely together to align this with D2N2 proposals and funding plans. Thus the newly established N2 Skills and Employment Board is developing a framework that will drive future investment in upskilling the local labour force and re-engaging the long-term unemployed in key growth sectors,

⁸ Oxford Economics Economic Projections for Core Cities (November 2013)

and the wider N2 partnership is working with D2N2 on plans for a Growth Hub and new business support and access to finance initiatives.

- 4.18. The public and private sectors in Nottingham and Nottinghamshire have worked in strong, progressive partnerships focused on the economic transformation of the area. Greater decentralisation and autonomy or “earned devolution” is central to our future success. Public and private sector leaders have a detailed understanding of the Nottingham and Nottinghamshire economy, where it is strong and sustainable and where there are challenges that hold the economy back. Stronger governance offers us the opportunity to build on that partnership record, for example, by developing a single coherent growth strategy for the area.
- 4.19. N2 leaders recognise that in order to deliver the N2 economic strategy and to secure greater devolution and autonomy - strong stable, visible and accountable governance will be essential. The question for the N2 governance review has therefore not just been whether N2 governance arrangements sufficient today, but also whether they will be sufficient to deliver the N2 area’s medium to long-term ambitions?

5. The potential to strengthen Nottingham and Nottinghamshire governance

- 5.1. The Nottinghamshire Local Authority Leaders have a long-established collaborative relationship through a regular informal meeting which has maintained a strong focus on economic and transport issues. More recently, the Nottingham and Nottinghamshire Joint Economic Prosperity Committee has been established to provide a formal means of taking shared decisions on strategic economic development and ensuring that aspirations for the N2 area are properly understood and reflected in the priorities of the D2N2 LEP.
- 5.2. The leaders of Nottingham City Council, Nottinghamshire County Council and Newark & Sherwood District Council (representing the Nottinghamshire Districts) are members of the D2N2 LEP Board. The D2N2 LEP’s vision is for a more prosperous, better connected and increasingly resilient and competitive economy. Renowned and well-established businesses like Alliance Boots, Capital One, Speedo, DSG Retail (Currys PC World), DHL, Wilkinson’s, Laing O’Rourke and British Sugar together with an array of innovative small and medium-sized businesses demonstrate the strength of private sector business in Nottingham and Nottinghamshire.
- 5.3. Nottinghamshire County Council and Nottingham City Council are responsible for the strategic direction of transport planning and delivery in the N2 area and are the

bodies responsible for the [Nottinghamshire Local Transport Plan](#) and the [Nottingham City Local Transport Plan](#).

5.4. N2 local authorities have been able to secure significant improvements for economic growth through its collaborative approach including:

- *Securing the Nottingham Enterprise Zone which will grow health and wellness businesses as part of Nottingham's growing cluster of healthcare, bio technology and pharmaceuticals businesses*
- *Developing a shared view on the development of clusters of key business sectors across the N2 area.*
- *Working collaboratively to develop a strong pipeline of projects that can unlock economic growth and enterprise*
- *Securing the potential for investment in key projects through the D2N2 Growth Deal, ESIF programme, Nottingham City Deal, partnership working through cross City and County organisations such as destination management organisation Experience Nottinghamshire, and delivering employment support for young people through (Nottingham and Nottinghamshire) Futures.*

5.5. However, it is recognised that the pace and intensity of work required to realise the full potential of the N2 economy may require greater capacity for strategic planning and decision-making around N2's aspirations and that therefore the current arrangements through the Nottinghamshire Leaders Group and the Nottinghamshire Joint Economic Prosperity Committee may be insufficient for the following reasons:

- As an informal body, the Nottinghamshire Leaders Group is dependent on agreements by or delegations from the constituent authorities. This can slow down the implementation of decisions and can create ambiguity about when decisions are or are not subject to further ratification
- Decision-making in relation to economic development (including inward investment, skills and business support), regeneration, transport and the relationship with strategic Planning is not always effectively coordinated so that decisions affecting N2 are not always aligned in a way that secures maximum economic and social benefit
- A stronger and clearer relationship with the D2N2 LEP would deliver greater transparency and accountability in local decision making and a stronger sense of cohesion with and support for the Strategic Economic Plan
- A single, stable, democratically accountable body established as a permanent feature of local governance would be able to take a strategic and long term view about economic growth, infrastructure and transport.

- 5.6. The ability to secure devolved funding for major transport schemes and to play an active and strongly influential role in shaping major national infrastructure projects including HS2; the development of the East Coast mainline; the delivery of universal superfast broadband, and governance and oversight of delivery bodies which span authorities such as Nottingham Means Business, Experience Nottinghamshire and Futures are all dependent on improved N2 governance. It is recognised that more formal and robust arrangements will lead to a process of “earned devolution” – where greater local autonomy will follow strengthened governance and a track record of local competence. The constituent authorities recognise this important opportunity to secure significant devolution of powers and resources from central government and view the strong governance model of a Combined Authority as an opportunity to ensure this happens.
- 5.7. Creation of a Nottingham and Nottinghamshire Combined Authority therefore supports the N2 authorities’ ambitions for Nottingham and Nottinghamshire.

6. Evaluating the governance options

- 6.1. Good governance matters for two key reasons. The first relates to the need to manage and support economic development in an effective way. Collaboration across boundaries helps to ensure that maximum return on investment is being achieved, and that public policy has a keen impact (OECD 2009). The second reason relates to questions of transparency and accountability for decisions taken. This includes having the mechanisms in place to make tough, binding decisions at a level that reflects the most pragmatic representation of the functional economic geography of an area.
- 6.2. Section 4.5 of this report, establishes that there are strong reasons to strengthen N2 governance. There are four possible governance options that could be implemented in Nottingham and Nottinghamshire:

- 1. Maintain the current Joint Committee arrangements**
- 2. Improve the existing Joint Committee arrangements**
- 3. Establish an Economic Prosperity Board**
- 4. Establish a Combined Authority**

- 6.3. To ensure compliance with the relevant LDED and Local Transport Act legislation, consideration of the available delivery options seeks to establish and evidence which model would bring about an improvement in the area in the following:

*The **exercise of statutory functions** relating to economic development, regeneration and transport in the area;*

*The **effectiveness and efficiency** of economic development (and transport) and;*

*The **economic conditions** in the area.*

- 6.4. The Review considers the above statutory tests against the options, notwithstanding the absence of a clear definition of 'economic development and regeneration'. Government guidance on undertaking governance reviews under the Local Transport Act has been available for some time. DfT has confirmed it is looking for the following headline issues to be addressed in the formulation of governance arrangements in order to be accountable for devolved major transport scheme funding:

Effective alignment between decision making on transport and decisions on other areas of policy such as land use, economic development and wider regeneration

Robust and streamlined decision making arrangements which allow necessary decisions to be taken on complex and difficult issues in a timely and transparent manner

A real enhancement of delivery capability and capacity by taking a coherent and integrated approach to managing currently fragmented transport planning and delivery skills and capacity.

- 6.5. There are limits to comparisons between the options. The existing N2 Joint Committee arrangement is fit for purpose within the current N2 operating environment and the nature of relationships with adjacent LEP areas. However, firmer and stronger local governance arrangements will enhance our ability to deliver, bring cohesion and pace to decision-making and improve opportunities to acquire new powers and investment.
- 6.6. Creating appropriate governance structures alone will not achieve our ambitions for the N2 area. Issues around policy development, organisational culture and values and recognising/ maintaining the importance of local identity within geographies will also be key factors.
- 6.7. Any resulting governance model will also need to:

Create the capacity for clear agreement to be reached on the most challenging strategic issues; and

Create the space for debate that national politicians find difficult to manage - thereby demonstrating the confidence in the scope for greater devolution of responsibility in future.

- 6.8. Analysis of the four possible options has been undertaken objectively and within the context of existing challenges. It also takes into account the potential opportunities around enhanced freedoms, flexibilities and powers and the scope for further devolution in the medium term.

- 6.9. **Maintain the current Joint Committee arrangements.** The nature of current arrangements is set out below.
- 6.10. The N2 Joint Economic Prosperity Committee is tied to the broader governance structure of the LEP and aims to work closely with the D2 Joint Committee for Economic Prosperity and other neighbouring authorities including the Sheffield City Region Combined Authority (SCRCA) to ensure fully effective arrangements for the purpose of progressing economic development, regeneration and transport.
- 6.11. The D2N2 Board considers it is best placed to take the strategic lead in delivering the D2N2 programme including identifying the priorities, activities, schemes, programmes and projects that best meet the economic needs and ambitions of the D2N2 area and delivering the objectives of the Strategic Economic Plan and the EU Structural and Investment Fund Strategy. D2N2 will take an active role in managing the delivery of the 2014-2020 programme, working with both Joint Committees and the Accountable Body to:

Take decisions about what is procured, when it is procured and how it is procured.

Engage with the 'provider' market to inform the development of propositions of the appropriate scale, impact and strategic fit.

Pursue a balance of commissioning and calls for projects with a blend of collaboration, LEP wide and local programmes and activities, to deliver the outputs and outcomes required.

Undertake strategic assessments of applications, programme or project proposals, expressions of interest or any other relevant application for EU SIF funding from the D2N2 allocation.

Oversee and manage the performance of the programme and delivery partners to ensure that the programme meets its mid-term performance criteria.

Review the overall direction, governance and delivery of the programme to ensure that it remains responsive to local needs and opportunities.

- 6.12. The Board takes overall responsibility for the LEP's activities in developing and managing delivery of the SEP. A lean governance structure draws on the support and takes account of the input of the D2 and N2 Joint Committees, other panels/ boards and the advice of the Accountable Body to ensure decision-making is informed by local priorities and compliance with relevant regulations.
- 6.13. The relationship with the N2 Joint Committee is recognised as a key part of the D2N2LEP governance and delivery framework, in its aspiration to maximise local

strategic engagement in decision-making. The LEP anticipates that the Joint Committee will fulfil a role and purpose as set out in the Government's Growth Deal guidance which is to:

Demonstrate wider commitment to growth;
Align and pool local authority capital and revenue spending on growth;
Provide effective collaboration on economic development activities;
Develop synergy with local growth programmes.

6.14. In practice, this system of governance has exposed some challenges and problems in terms of:

the extent to which the N2 Joint Committee is an advisor, influencer or co-decision-maker in any key decision;

the extent to which N2 strategic aspirations have been reflected in decision-making by the D2N2 LEP;

the transparency of and accountability of decision-making.

Securing investment, whether that is through 'growth deals' with Government or by encouraging private investment, requires local authority partners in the N2 area to be able to act with agility and pace, to coordinate efforts with D2 partners and to engage positively with the D2N2 LEP. Current arrangements have proved to be sub-optimal in these respects because of timing delays and a lack of clarity in the decision-making relationships.

6.15. In summary, the current Joint Committee arrangement:

Supports the LEP-wide delivery programme,

Assesses projects and proposals and provide recommendations to the Board,

Provides advice on a range of activities around local priorities and programmes,

Develops of a 'pipeline' of delivery projects and programmes

but

demonstrates some ambiguity and inefficiency in decision-making and strategic alignment

and

is deficient in transparency and clarity of accountability.

- 6.16. **Improve the existing Joint Committee arrangements.** This option involves extending the scope and functions of the current Joint Committee.
- 6.17. There is potential to consider adding additional oversight of the strategic elements of functions such as strategic planning, transport and housing as well as seeking to integrate some strategic and operational aspects of economic development, transport and infrastructure work. It would also be possible to extend the working arrangements of the Committee itself – perhaps through discussion with the LEP around matters of delegation and delivery.
- 6.18. Establishing clear priorities for growth within the N2 area which contribute to the overall D2N2 SEP priorities will help to ensure that the Joint Committee’s influence in shaping the SEP and its delivery activities is strengthened. A clear agreement on how the Joint committee’s governance systems dovetail with the LEP and the implications for the ways in which decisions are taken and influenced would be an important goal in improving the current Joint Committee arrangements.
- 6.19. The underlying principles of the operation of the Joint Committee would, however, remain the same (see 6.14 and 6.15 above) with its inherent advantages and disadvantages.
- 6.20. **Establish an Economic Prosperity Board (EPB).** There is no legal definition of ‘economic development and regeneration’ nor the functions that relate to these activities. Legislation allows for any function of the participating local authorities to be granted to an EPB. It is for local authorities to put forward and make a case for the functions for inclusion in an EPB. In the overall ‘hierarchy’ of options, this is the first of the more formal vehicles. An EPB is a legal entity and statutory body – created for purpose of promoting the sustainable economic development and regeneration of its area (it is a body corporate). Its functions should be those that allow it to fulfil this role and should be responsive to local conditions.
- 6.21. An EPB is an ‘accountable body’ and therefore can have devolved powers and hold funding. An Integrated Transport Authority and an EPB can co-exist.
- 6.22. Previous documentation, *Transforming Places; Changing Lives: Taking Forward the Regeneration Framework* set out the Government’s three priority outcomes for regeneration:

Improving economic performance and tackling worklessness, particularly in deprived areas

Creating the right conditions for business growth which could include investment in infrastructure, land use, and a better public realm; and

Creating sustainable places where people want to live and can work and businesses want to invest.

Any proposal needs to have regard to these outcomes in considering what functions should be granted to an EPB.

- 6.23. An EPB attracts additional potential in relation to funding (the basis by which the contribution of each participating council will be determined is not specified in the Act and needs to be agreed locally when drawing up proposals):

The Secretary of State may give funding to EPBs under section 31 of the Local Government Act 2003, although it is not likely that Government will provide any additional funds to EPBs over and above what would already be provided to their area for the activities they will be carrying out

EPB's do not have any tax raising powers

EPB's do not have power to issue a levy to constituent authorities

EPB's do not have the power to borrow.

- 6.24. An EPB therefore addresses the weaknesses identified with the Joint Committee in that there is clarity and transparency in decision-making as the EPB is a formal legal entity with powers to act as an accountable body and can therefore align strategy and resources more effectively. However, an EPB does not encompass strategic transport and, given the importance of connectivity in N2's aspirations, it is unlikely that an EPB would satisfy the issues set out in Paragraph 5.4.

- 6.25. **Establish a Combined Authority.** A combined authority is the most comprehensive vehicle for delivering economic regeneration. Combined authorities may be given functions of the constituent local authorities in the same way as EPBs and it is for local authorities to propose the functions the new body will need and to justify this decision.

- 6.26. In addition, combined authorities may be delegated functions of local authorities and the Secretary of State, and have powers and functions of ITAs transferred to them under the provisions of chapter 2 of part 5 of the Local Transport Act 2008. They also have certain functions and powers in their own right, such as a general power of competence.
- 6.27. Like EPBs, combined authorities provide strong governance arrangements and therefore attract funding freedoms and flexibilities. The Act provides them with similar financial powers to those available to ITAs, including the power to borrow and the power to levy relevant constituent authorities. Powers will only apply in relation to transport functions. Combined authorities can therefore levy relevant constituent authorities to meet costs that are attributable to transport activities and to fund transport projects and can borrow for transport purposes.
- 6.28. A combined authority can't fund any activity whose overarching purpose is not to deliver transport objectives or functions by means of the levy or through borrowing. These other costs will need to be met by constituent councils according to an agreed formula, as is the case for EPBs. The Secretary of State has the power to give section 31 funding to a combined authority, but does not expect to use this power to provide a level of funding over and above the level previously awarded to the constituent local authorities for the activities that the combined authority carries out.
- 6.29. A combined authority therefore meets the first test set out in paragraph 5.3 in that it permits the efficient discharge of statutory economic growth and strategic transport duties, and does so to a much greater extent than an EPB.
- 6.30. The second test is around improvements to the effectiveness and efficiency of economic development and transport and the CA model provides a governance mechanism through which strategic issues and challenges can be coordinated and decisions can be taken.
- 6.31. The combined authority will also meet this element of the test (and arguably the third and final element below) through an improved contribution to both the D2N2 LEP and those others such as Sheffield City Region Combined Authority. In particular arrangements an N2 Combined Authority would be able to provide a clear contribution to stronger governance arrangements for the LEP as a whole. Strengthening decision-making also paves the way for greater collaboration in aligning current resources and capacity.
- 6.32. The final (and arguably most important) test is the impact on economic conditions in the area. A combined authority is the only governance vehicle which has the potential to address the challenges set out in paragraphs 5.5 and 5.6 of this report and to create the conditions in which a substantial growth in jobs and GVA can be achieved.
- 6.33. The **Maintain the current Joint Committee arrangements** option is discounted on the basis of:

Failure to strengthen N2 governance will compromise the medium to long-term ambitions of the area and therefore be detrimental to the future economic performance.

Failure to formalise N2 governance will not address current weaknesses and ambiguities in decision-making and transparency

An opportunity would be missed to better align decision-making around strategic economic development, transport and regeneration.

- 6.34. The second option, **Improve the existing Joint Committee arrangements**, is also discounted on the grounds that there are limits to what can be achieved through a less formal partnership. It is likely that decision-making would be slower because of the need to ratify decisions at constituent authority level. This option would not satisfy the Government’s requirement for stronger governance and therefore would not open up opportunities for greater devolution of powers and resources with the consequent implications for outcomes for local economic growth.
- 6.35. N2 Leaders recognise that only a statutory body with a legal personality in its own right will be strong enough to lead the collaboration between N2 local authorities and form the necessary legal relationships required going forward. Having considered the tests set out in LEDEDCA, a Combined Authority is considered to be the optimal legal model for N2. The Combined Authority model is preferred to an Economic Prosperity Board because of the **overwhelming benefits of aligning decision making in relation to strategic economic development and transport under one strategic body**. The Combined Authority model is also more likely to secure the benefits of “earned devolution”.
- 6.36. The rationale for the Nottingham and Nottinghamshire Combined Authority is underpinned by **three key findings** of the N2 Governance Review:
- the N2 area is an ambitious and diverse sub-regional economy including the core city of Nottingham and with complex economic overlaps with Derbyshire, the Sheffield City Region, Lincolnshire and Leicestershire, with some **untapped economic potential** and clear plans for growth;
 - there is **the potential to strengthen N2 governance** both in term of the efficacy of decision making and in terms of transparency and accountability;
 - having considered the various options available (including maintaining the current Joint Committee option), establishing the Nottingham and Nottinghamshire Combined Authority is the option **most likely to deliver sustained economic and social benefits** to the N2 area.

- 6.37. **The headline recommendation of the N2 Governance Review is therefore that establishing the Nottingham and Nottinghamshire Combined Authority is the optimal solution to the issues and opportunities set out in this document.**

Specific detail relating to the Nottingham and Nottinghamshire Combined Authority including: the area it will cover; its membership; voting and any executive arrangements; its functions and the way in which it will be funded are set out in the ***Scheme for the establishment of a Nottingham and Nottinghamshire Combined Authority***. As detailed in the scheme, the recommendation of the N2 Governance Review is that the Nottingham and Nottinghamshire Combined Authority should be established according to the following principles:

*The Nottingham and Nottinghamshire Combined Authority should be **lean, streamlined and focussed**. The purpose of the CA will be to provide strong, stable governance and support the Nottingham and Nottinghamshire area to fulfil its huge potential. The delivery of this vision will be facilitated by attracting new powers, duties and funding to the Nottingham and Nottinghamshire Combined Authority.*

*In addition to this, the CA will be a mechanism by which Nottingham and Nottinghamshire is able to formalise arrangements where there is already effective collaboration (e.g. skills and inward investment). **Decisions on these matters will be made in one place, by elected Leaders** who are responsible for strategic direction and underwriting any risks.*

- 6.38. The Nottingham and Nottinghamshire Combined Authority will, so far as is practicable, reflect the functional economy of the Nottingham and Nottinghamshire area. It is recognised that economic interdependence and cohesion varies across the area and is less pronounced for communities that lie further from Nottingham. Therefore, our understanding of the functional economy takes into account the need to ensure that there are strong collaborative mechanisms in place for ensuring that the overlapping economic interests with neighbouring areas are properly addressed. Specifically, this means ensuring there are strong relationships with the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Sheffield City Region), the proposed Combined Authority for Derby and Derbyshire (D2N2 LEP area), Lincolnshire local authorities and the Lincolnshire LEP, and Leicester and Leicestershire local authorities and the LLEP. This is the optimal deliverable solution for the N2 area.
- 6.39. The governance arrangements need to recognise the challenges outlined in paragraph 3 above. N2 are clear that this unique set of challenges faced in the creation of this body need explicit recognition and that this can be achieved through a **duty to**

cooperate. The adoption of such a duty by the proposed Combined Authority will give a clear footing for work with D2. The special relationship with D2 through the LEP will be given particular attention in the design of the governance arrangements to ensure that the strength of working as a whole is retained while at the same time providing the agility needed in order to deal with the complexity of the functional economic arrangements referred to above. This flexibility internally will be key to addressing the challenges set out in paragraphs 5.6 and 5.7 above.

- 6.40. Arrangements with others such as the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority would be supported by the creation of Memoranda of Understanding with these partners to ensure that such integration has a clear framework. The arrangements would be strengthened if other areas were also to have such a duty. However, we accept that this is a matter for them.
- 6.41. Under current legislation, a combined authority must hold the same responsibilities relating to transport, regeneration and economic development across the whole of its area. Therefore a combined authority including Nottinghamshire County Council must hold the same transport, regeneration and economic development responsibilities for all of the districts in the county. Under the current statutory requirements, therefore, a Nottingham and Nottinghamshire Combined Authority would include all of the constituent authorities in this review.
- 6.42. The involvement of constituent authorities in neighbouring combined authorities is positively encouraged through these arrangements as this can only aid understanding and cooperation between areas to the advantage of both. Specifically, for the Nottingham and Nottinghamshire Combined Authority, Bassetlaw District Council's continuing membership as a non-constituent member of the Sheffield City Region Combined Authority is seen as a key strength.
- 6.43. Strategic Powers will be held concurrently by the Nottingham and Nottinghamshire Combined Authority and the constituent authorities. Decision making will take place based upon the principle that the Nottingham and Nottinghamshire Combined Authority would be responsible for the strategic direction of the N2 area (within the context set out by D2N2's Strategic Economic Plan and the EU Structural and Investment Fund Strategy). The N2 constituent authorities will wish to continue making local decisions. The constituent authorities will agree where precisely the balance between strategic and local decision making sits as the Combined Authority develops.
- 6.44. Whilst the possible legislative changes might lead to future reviews of the governance arrangements for the N2 area, any changes would need to be considered against the statutory tests and government expectations set out in paragraphs 5.3 and 5.4 of this report.

- 6.45. The Nottingham and Nottinghamshire Combined Authority will have nine members – Ashfield District, Bassetlaw District, Broxtowe Borough, Gedling Borough, Mansfield District, Nottingham City, Nottinghamshire County, Newark & Sherwood District and Rushcliffe Borough Councils. The voting rights of all members will be defined in the ***Scheme for the establishment of a Nottingham and Nottinghamshire Combined Authority***.
- 6.46. As detailed in the ***Scheme for the establishment of a Nottingham and Nottinghamshire Combined Authority*** the Nottingham and Nottinghamshire Combined Authority shall have the power to issue a levy to the relevant constituent councils in respect of the expenses and liabilities of the CA which are reasonably attributable to the exercise of its functions relating to transport. The amount to be raised by the levy shall be apportioned between the relevant constituent councils on an agreed basis. Non-transport functions will be funded from a budget agreed annually by CA members and apportioned as above. The constituent councils intend to include scope to allocate finances such as surpluses from the NDR pool to support the work of the Nottingham and Nottinghamshire Combined Authority.
- 6.47. The Nottingham and Nottinghamshire Combined Authority will need support from a small executive function. N2 local authorities are committed to reviewing policy and delivery functions for economic development and to ensure that links are made where appropriate and to drive out efficiencies in the delivery of common functions.
- 6.48. As detailed in the ***Scheme for the establishment of a Nottingham and Nottinghamshire Combined Authority***, the Nottingham and Nottinghamshire Combined Authority will have powers in relation to strategic Economic Development and Transport. As noted above, it is the intention of all partners that the Nottingham and Nottinghamshire Combined Authority remains a streamlined and focussed strategic commissioning body. Accordingly, powers and duties outlined in the scheme will be taken up as and when necessary by agreement between the constituent authorities.
- 6.49. Strategic Economic Development will include collaboration around functions such as economic policy and strategy, skills, inward investment, major infrastructure and housing investment decisions and decisions relating to other economic assets.
- 6.50. In time, and by local resolution, partners may choose to take-up additional powers which become available to the Nottingham and Nottinghamshire Combined Authority. The transfer of any powers from constituent authorities would require a decision from each constituent local authority.
- 6.51. The Nottingham and Nottinghamshire Combined Authority, as a legally independent body, should act as the accountable decision-making body for matters of significance (where N2-level collaboration is desirable and adds value), delegating powers and duties to sub-committees as appropriate. The Nottingham and Nottinghamshire

Combined Authority should also act as the Accountable Body for N2 funds and investments. It is recognised that this will need to be carefully co-ordinated with D2 to ensure consistency and efficiency across the LEP area and this will be done through joint arrangements to enable agility in decision making across the LEP area that is not a characteristic of the present arrangements.

- 6.52. Finally, it should be noted that many partners agree that this approach will deliver the best outcomes from the area and enable a step change in the way strategic issues are tackled across the area. For example, the Great Nottingham Debate 2014 came to the same conclusion as this review, approaching the consideration from a practical consideration of what will work for the N2 economic area.

7 Recommendation

- 7.1 Our Governance Review concludes that establishment of an N2 Combined Authority **would improve the exercise of statutory functions in relation to economic development, regeneration and transport and would lead to an enhancement of the economic conditions and performance of the Nottingham and Nottinghamshire area. We therefore recommend to the nine constituent authorities that a submission should be made to the Secretary of State for Communities and Local Government for the establishment of a combined authority for Nottingham and Nottinghamshire, including Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark & Sherwood and Rushcliffe.**

