

To: City Executive Board

Date: 10 September 2014

Report of: Executive Director, City Regeneration and Housing

Title of Report: Oxfordshire Growth Board

Summary and Recommendations

Purpose of report: To approve the terms of reference of the Oxfordshire Growth Board and to make an appointment to it.

Key decision: Yes

Executive lead member: Councillor Bob Price, Board Member for Corporate Strategy, Economic Development and Planning.

Policy Framework: None

Recommendations: That City Executive Board:

1. Approves the City Council becoming a member of the Oxfordshire Growth Joint Board and the draft Terms of Reference appended to this report.
2. Appoints the Leader of the Council as the City Council's representative on the Board and any other Executive Member as substitute, to be determined by the Leader of the Council.

Appendix 1: Draft Terms of Reference for the Oxfordshire Growth Board

Introduction

1. The Oxford and Oxfordshire City Deal was signed in February this year. This provided for £95 million of local and national public sector investment and leverage of £600 million private sector investment, delivering 18,600 new jobs (plus 31,400 construction jobs) and over 500 new apprenticeships.
2. Under the terms of the City Deal, the Local Authority partners, including Oxford City Council, agreed to establish a Joint Committee to act as a City Deal Board. This was a leadership and governance requirement of Government. The City Deal was approved by the City Council and sets out these arrangements. This report seeks approval for the draft terms of reference for the Joint Committee which consolidates the functions

undertaken by the Spatial Planning and Infrastructure Board (SPIP) and the Local Transport Board (LTB) into this Joint Committee.

3. The membership of the Joint Committee for the City Deal, the Spatial Planning and Infrastructure Partnership and the Local Transport Board are substantially the same, with the Oxfordshire Local Authorities being the principal partners. The functions of each of the organisations are closely aligned and often involve directly or indirectly the same projects and programmes. The Local Authorities have concluded that it is more efficient to conduct businesses through a single Board and avoid duplication or confusion.

Oxfordshire Growth Board Terms of Reference

4. The draft Terms of Reference are set out in Appendix 1. The principal terms are summarised below.
 - **Governance:** the Board comprises the Oxfordshire Local Authorities as the voting members, together with non-voting representative bodies, including the universities, science institutes and Government agencies and the Local Enterprise Partnership and Skills Board.
 - **Role:** the primary roles are to enable strategic working across the county and to oversee the City Deal, Local Transport Plan, the Strategic Economic Plan and any future Local Growth programme.
 - **Powers:** all the executive functions held by the individual Local councils are retained by the Authorities and the Board cannot bind them financially or contractually. Decisions made by the Committee will be subject to the scrutiny arrangements of each constituent authority.
5. The Oxfordshire Local Enterprise Partnership sets the priorities and direction for the local economic area and the Growth Board facilitates collaboration between Local Authorities on economic development, strategic planning and growth. There is joint working and reporting between these organisations.

Environmental impact

6. There are no environmental implications arising from this decision.

Equalities impact

7. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. There are no equalities implications arising from this decision.

Financial implications

8. There are no financial implications arising from this decision.

Legal implications

9. The City Council will become a member of a Joint Committee with the shared ability to manage and direct the City Deal, Strategic Economic Plan and Local Transport Plan programmes. The Council retains all its financial and executive powers and cannot be bound by a Joint Committee decision. At any time the City Council can elect to withdraw from these arrangements.

Risk assessment

10. A risk assessment has been undertaken. No significant risks are identified.

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List of background papers: None

Appendix 1:
Oxfordshire Growth Board Joint Statutory Committee
Draft Terms of Reference

1.0 Governance

- 1.1 The Oxfordshire Growth Board (the joint committee) includes the local authorities within the LEP area, namely, Oxfordshire LEP comprising, Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council, West Oxfordshire District Council and Oxfordshire County Council. It will also include co-opted non-voting named members from those organisations listed at 4.4 below. In addition, the HCA has the right to attend the Growth Board as a non-voting investment partners, and, when considering matters that sit under the purview of the Local Transport Board then Network Rail and the Highways Agency will have the right to attend the Growth Board as non-voting investment partners.
- 1.2 The Oxfordshire Economic Growth Board is a Joint Committee under s101 (5), 102 Local Government Act 1972 and s9EB Local Government Act 2000 and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 1.3 The Committee will be hosted under local government arrangements and this will be rotated in accordance with the arrangements for the Chairman (see Section 8.1).

2.0 Accountable Body

- 2.1 The Accountable Body for the Growth Board is Oxfordshire County Council which will provide Section 151 and Monitoring Officer roles to the Committee.
- 2.2 The County Council's Chief Finance Officer (Section 151 Officer) in conjunction with the LEP Chief Executive will provide the Growth Board with a quarterly financial and programme performance report. This report will provide the Board with an overview of the funds spent, funds committed against funds allocated, milestones and outcomes achieved and where necessary, ensure that action plans are put in place to address any concerns.
- 2.3 For those programmes and funding streams where another local authority is the Accountable Body, e.g. the Enterprise Zone, the relevant Section 151 Officer will provide the financial and programme performance information to the County Council's Chief Finance Officer to enable a complete picture to be presented to the Growth Board.
- 2.4 The Local Transport Board Assurance Framework will be the basis on which the appraisal, assessment and prioritisation for proposed Local Growth Fund projects and future growth programmes will be undertaken, which may be revised by the Growth Board as wished, subject to approval by the DfT.

3.0 Purpose of the Oxfordshire Growth Board

- 3.1 To facilitate and enable collaboration between local authorities on economic development, strategic planning and growth.
- 3.2 To deliver cross-boundary programmes of work including City Deal, Strategic Economic Plan and Local Transport Board programmes, within government timescales, including agreeing the detailed contents of specific priorities, plans, projects and programmes.
- 3.3 To approve and monitor the implementation of a detailed work programme as laid out in the City Deal, Strategic Economic Plan and Local Transport Board programmes together with any future Growth Deals or other programmes as agreed.
- 3.4 To bid for the allocation of resources to support the above purposes.
- 3.5 For the avoidance of doubt these terms of reference are not to be read as incorporating any non-Executive functions and each constituent Authority shall retain the capability to exercise all executive functions generally and specifically in relation to economic development, strategic spatial planning and strategic transport planning. Further, these terms of reference are not to be read as entitling the Board to bind, either financially or contractually, any constituent Authority.”

4.0 Membership

- 4.1 As the Joint Committee is discharging executive functions then the appointed person must be from the Executive. There should be one member from each constituent authority.
- 4.2 Each constituent authority shall appoint a substitute (also being an executive member). The substitute member shall have the same rights of speaking and voting at the meetings as the member for whom the substitution is made.
- 4.3 Subject to the legal right of the Joint Committee to appoint a Chairman and Vice Chairman of its choice each year the proposed protocol is that there will be a rotating Chairman and Vice Chairman as set out in table 8.2 below.
- 4.4 Other non-voting members as required for good linkages with the Local Enterprise Partnership shall be a single named-position representative from the bodies as detailed below:
 - Oxford University.
 - Oxford Brookes University.
 - Oxfordshire Local Enterprise Partnership.
 - STFC Harwell
 - UKAEA Culham
 - Oxfordshire Skills Board

4.5 When considering matters that sit under the purview of the Local Transport Board then a single representative of Network Rail and the Highways Agency will have the right to attend the Growth Board as non-voting investment partners.

5.0 **Voting**

5.1 One member one vote for each constituent authority member although members intend to agree matters on a unanimous basis where possible.

5.2 Normal rules as to declarations of interest to be applied to local authority members in accordance with the respective Council's Code of Conduct.

6.0 **Quorum & Safeguard**

6.1 The quorum for a meeting shall be four voting members.

6.2 Where the effect of a particular proposition, if adopted by the Committee, would be to give rise to contractual or financial implications for any constituent authority, then a protocol will be established where the expectation would be that the vote of the member appointed by that constituent authority, in favour of the proposition, would be required. In respect of other matters, all other voting will be on a normal majority basis.

6.3 When considering matters that sit under the purview of the Local Transport Board, this protocol will apply to the vote of the member appointed by the County Council.

7.0 **Functions**

7.1 The opportunity provided by establishing the Growth Board and aligning the strategic meetings including SPIP and the LTB is to streamline the governance arrangements and incorporate the combined terms of reference under a single governing body:

From the Spatial Planning & Infrastructure Partnership

- To provide a forum for partnership working and collaboration on spatial planning, economic development, housing, transport, and general infrastructure issues arising at regional and sub-regional level;
- To lead and co-ordinate liaison with the Local Enterprise Partnership on Oxfordshire wide issues and support the LEP in the identification of priorities and development of investment strategies and economic plans for Oxfordshire;
- To lead and co-ordinate liaison with the Homes and Communities Agency (HCA) to develop plans to enhance Oxfordshire share of HCA development programmes and contribute to any related interaction with Government agencies;

- To lead on production of joint work on cross border issues to ensure partners meet the requirements of the Duty to Cooperate and wider national policy;
- To lead and coordinate the Homes and Communities Agency (HCA) process on regeneration and housing issues leading to the production of the Local Investment Plan (LIP) and contribute to any related interaction with Government agencies;
- To seek agreement on local priorities and targets and advise partners on matters of collective interest in the fields of activity listed above;
- To seek agreement on alignment between national and regional and local funding streams in the fields of activity listed above and prioritise competitive funding bids;
- To assess whether spatial planning, infrastructure and public services are integrated and make recommendations to encourage this.

From the Local Transport Board

- To have the role of prioritising transport schemes to be funded from devolved funding sources, not already within the remit of the Local Transport Authority, to ensure that decisions are made in one place and supported by all relevant partners and stakeholders;
- To have the ability to comment on wider consultations, such as the Local Transport Plan, and funding investment decisions from national agencies, e.g. Network Rail, Highways Agency, where these have a strategic impact on the local transport network;

From the City Deal Programme

- To oversee the delivery of all of the local government aspects of City Deal and to have oversight of the LEP Work Programme;
- Prioritisation of the investment in the Escalator Hubs, the allocation of funding from City Deal and the accountable body for each project;
- Establishing the City Deal infrastructure programme and agreement of the contribution level from either retained business rates or the proposed funding streams;
- Responsible for prioritising the delivery of schemes to be funded through the City Deal infrastructure fund, for transport, housing or economic development schemes;
- Agreement to the work programme for the City Deal and in support of the LEP Growth Strategy.

8.0 Meetings

- 8.1 The Chairman and Vice-Chairman of the Growth Board will be elected at the first meeting but are expected to follow the arrangements as set out in paragraph 8.2.
- 8.2 The lead authority for convening meetings will be that of the elected Chairman and it will provide Secretary/Clerk support to the Board. Meetings shall be held on a bi-monthly basis, meetings may be called as and when required to ensure that critical timescales are met.

Year	Chairman	Vice chairman
2014/15	West Oxfordshire District Council	Cherwell District Council
2015/16	Cherwell District Council	Oxfordshire County Council
2016/17	Oxfordshire County Council	Oxford City Council
2017/18	Oxford City Council	South Oxfordshire District Council
2018/19	South Oxfordshire District Council	Vale of White Horse District Council
2019/20	Vale of White Horse DC	West Oxfordshire DC

9.0 Secretariat and Support

- 9.1 The secretariat and support will be provided by the existing SPIP Executive Officer Group. Other investment partners will be involved as appropriate, e.g. Homes and Communities Agency, Environment Agency, Highways Agency, Network Rail; to advise on the investment and work programme.
- 9.2 The Group will be chaired by the lead authority (as in previous SPIP arrangements). In the first instance this will be West Oxfordshire.

10.0 Scrutiny Arrangements

- 10.1 Decisions made by the Committee shall be subject to the scrutiny arrangements of each constituent authority.

Protocol

This protocol has been incorporated into the Terms of Reference for Oxfordshire Growth Board, a statutory Joint Committee.

The Parties to this Protocol are those referred to in the Terms of Reference.

The Parties wish to record the basis on which they propose to undertake their decision making function as a Joint Committee.

General principles

The Parties agree to support the purposes of the Joint Committee by ensuring that in their decision making, they:

- Collaborate and cooperate with each other
- Are open and accountable to each other
- Adhere to all relevant statutory requirements
- Deploy appropriate resources
- Act in good faith

Voting arrangements

1. Only Joint Committee Members (or their substitutes) shall be designated as Voting Members and shall be entitled to one vote on items of business considered by the Joint Committee.
2. Every question shall be determined by the voices of those Voting Members present, provided that if there is a Voting Member who indicates dissent to this procedure than a vote by show of hands shall take place. A simple majority shall be required.
3. In the event there being an equal number of votes for and against a particular proposition, the Chairman shall have a casting vote.
4. Where the effect of the particular proposition, if adopted by the Joint Committee, would be to give rise to contractual or financial implications for any part of one of the Parties, then in addition to the normal requirement for a simple majority of votes, the Parties will seek to ensure that the vote of the Member of the effected Party, in favour of the proposition, will be obtained.

Status

This protocol is not intended to be legally binding, and no legal obligations or rights shall arise between the Parties from this protocol.

Oxfordshire Governance Structure

