

**Teignbridge District Council
Full Council
27 February 2024
Part i**

Proposed withdrawal and dissolution of the Heart of the South West Joint Committee

Purpose of Report

1.1 This report follows a steer from the Leaders / senior members of several Constituent Authorities for proposals to be brought forward to all Constituent Authorities to consider their withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee (the Joint Committee).

1.2 The proposals in this report specifically relate to the Joint Committee's governance arrangements only and do not cover the HotSW Local Enterprise Partnership or the associated HotSW Joint Scrutiny Committee.

1.3 The review of the role and functions of the Joint Committee has taken account of the legal framework within which the Joint Committee operates.

Recommendation(s)

That Council approves the service of a notice of withdrawal on the constituent authorities and the Heart of the South West Joint Committee to be effective as soon as practical.

Reasons for the recommendation:

Changes in Government policy over the last five years, the development of the Devon and Torbay devolution deal and forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the HotSW Joint Committee has largely been superseded and other existing partnership arrangements between the Constituent Authorities can deliver their aims. The HotSW Joint Committee is therefore considered to be superfluous and not adding value to the Constituent Authorities.

Financial Implications

There are no financial implications for Council to consider.

Martin Flitcroft – Chief Finance Officer and Head of Corporate Services
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Legal Implications

The HotSW Joint Committee is established under Sections 101 to 103 of the Local Government Act 1972. In particular, section 102 of the Act allows for the discharge of a local authority's functions through a joint committee. This report seeks authority to dissolve the arrangements.

The recommendations in this report raise no issues for the Monitoring Officer.

Paul Woodhead – Head of Legal Services and Monitoring Officer

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Risk Assessment

The key risk is continuing with the Joint Committee and duplicating the work of existing partnership arrangements without adding any value. The recommendations in this report mitigate that risk.

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Environmental/ Climate Change Implications

No specific implications have been identified in relation to the proposed recommendations.

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Executive Member

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Appendices/Background Papers

None

Committee

Date of meeting

1. Introduction/Background

In 2015 the HotSW partnership (17 local authorities, two National Parks, the LEP and three clinical commissioning groups) submitted a devolution “statement of intent” to Government and began negotiations about a devolution deal. However, following the EU referendum in 2016, devolution was no longer a government policy priority and the HotSW partnership developed a Productivity Strategy. In March 2018 the partnership formalised the arrangements to establish the HotSW Joint Committee. Following the establishment of Somerset Council, the HotSW Joint Committee Constituent Authorities are now:

- Dartmoor National Park Authority;
- Devon County Council;
- East Devon District Council;
- Exeter City Council;
- Exmoor National Park Authority;
- Mid Devon District Council;
- North Devon Council;
- Plymouth City Council;
- Somerset Council;
- South Hams District Council;
- Torbay Council;
- Teignbridge District Council;
- Torridge District Council;
- West Devon Borough Council

The Heart of the SW LEP and the NHS are co-opted members of the HotSW Joint Committee.

The Joint Committee was seen a partnership vehicle to provide a single forum for local authority engagement with the Heart of the South West Local Enterprise Partnership and Government.

The specific objectives of the HotSW Joint Committee in its Terms of Reference are to:

- (a) Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
- (b) Increase our understanding of the economy and what needs to be done to make it stronger;
- (c) Improve the efficiency and productivity of the public sector;
- (d) Identify and remove barriers to progress and maximise the opportunities / benefits available to the area from current and future government policy.

Since its inception, the Joint Committee’s work has worked on issues covering the HotSW area as a whole such as: Local Industrial Strategy, Coastal Productivity Plan, Housing Task Force and regional imbalances.

The Joint Committee currently has a meeting cycle of two formal meetings a year and it is directly supported by Somerset Council.

The case for change

Changes in Government policy over the last five years, the development of the Devon and Torbay devolution deal and forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the Joint Committee has largely been superseded and other partnership arrangements between the Constituent Authorities can deliver their aims with reduced duplication.

In relation to withdrawal from/dissolution of the Joint Committee, the inter-authority agreement states that:

- A Constituent Authority wishing to withdraw from the Joint Committee shall give a minimum of 6 months' notice in writing to the other Constituent Authority via the Administering Authority. The Constituent Authorities shall co-operate with any such request.
- If two or more Constituent Authorities give notice of withdrawal from membership of the Joint Committee in the same Financial Year, the Joint Committee shall consider and make recommendations to the remaining Constituent Authorities as to the future operation of the Joint Committee and, if appropriate, recommend any necessary amendments required to the Joint Committee's functions and operating arrangements.
- Where a majority of the Constituent Authorities at any time agree (via formal resolutions) that the Joint Committee should be dissolved or terminated on a specified date then the Joint Committee shall cease to exist from that date.

In December 2022, the scheduled meeting of the Joint Committee was adjourned as it was not quorate due to low attendance by Constituent Authorities. On 27 October 2023, the scheduled meeting of the Joint Committee was also not quorate and able to proceed due to only four of the fourteen Constituent Authorities attending the meeting.

Proposals have already been brought forward by a number of the Constituent Authorities in November and December for their councils to agree to serve notice and recommend the dissolution of the Joint Committee. It is required that given the committee is to be dissolved the Council should formally resolve to also request dissolution of the Joint Committee.

2. Implications, Risk Management and Climate Change Impact

2.1 Financial - none – see section 1 above

2.2 Legal – as above

2.3 Risks – none – see section 1

2.4 Environmental/Climate Change Impact – none

3. Alternative Options

The alternative option is that the Council does not agree to serve notice and continues to be a member of the Joint Committee. However, if the majority of Constituent Authorities serve notice then the Joint Committee will be automatically dissolved. As stated previously it is considered that the Joint Committee is superfluous and adds duplication to existing arrangements.

4. Conclusion

The Joint Committee no longer has a purpose for the reasons set out above therefore it is recommended the Council serves notice of the intention to withdraw.