

**Executive**

**Open report on behalf of Tony McArdle, Chief Executive**

Report to:	<b>Executive</b>
Date:	<b>05 January 2016</b>
Subject:	<b>Greater Lincolnshire Devolution – Interim Governance Proposal</b>
Decision Reference:	<b>I010532</b>
Key decision?	<b>No</b>

**Summary:**

This report

- updates the Executive on the progress made in the development of the Devolution proposal by the ten local authorities in the Greater Lincolnshire area;
- presents the latest elements of the devolution proposal;
- details the indicative process for the next stages in the devolution programme; and
- seeks approval for the carrying out of a governance review as the next formal stage of the process and the establishment of a formal joint committee to oversee the development of the governance review.

**Recommendation(s):**

That the Executive

- 1 approves the carrying out of a governance review, as described in the Report, to commence no sooner than January 2016 such review to be conducted, to the fullest extent envisaged by the Act, as a formal governance review under section 108 of the Local Democracy, Economic Development and Construction Act 2009.
- 2 subject to the outcome of any governance review, supports in principle the establishment of a combined authority for the Greater Lincolnshire geography if that is the most effective and efficient means of securing strategic economic (and related) growth.

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|---|---|
| 3 | endorses the principles set out in Appendix C to the document at Appendix 1 to this Report as those that should underpin and inform the establishment of any formal governance arrangements between the ten Councils.   |
| 4 | to the extent that the functions to be exercised are not wholly executive functions agrees to the appointment, in any event, of a joint committee under section 102(1(b)) of the Local Government Act 1972, to exercise the functions and responsibilities referred to in this report and operating as the Greater Lincolnshire Leadership Board. |
| 5 | delegates to the Chief Executive in consultation with the Leader of the Council authority to approve the final scope and form and commencement of the governance review referred to in recommendation 1   |

## 1. Background

- 1.1. The full Council received the Greater Lincolnshire Devolution Expression of Interest document at its meeting on 18 September. It endorsed the proposal and noted the future work required.
- 1.2. Since that meeting there has been extensive work undertaken to develop the expression of interest into a Deal document. Attached to this report at Appendix 1 is a summary of the progress to date and proposals on how to take forward the work required if the devolution bid is successful.
- 1.3. This is a position statement of where the process has reached. There are continuing discussions at Leader and Chief Executive level for all ten Greater Lincolnshire councils. Each council has received the document at Appendix 1 for consideration by its Full Council before the end of December 2015. It was considered by the full County Council on 18 December 2015.
- 1.4. The legal context in which this work must progress is complex and this has influenced the form of the two main recommendations in this Report.

### *Commencement of a Formal Governance Review*

- 1.5. This is the first stage in the establishment of a Combined Authority as described in Appendix 1. If any two authorities that have undertaken a governance review conclude that the establishment of a combined authority would be likely to improve the exercise of statutory functions relating to, or the efficiency and effectiveness of transport or the economic development and regeneration of the area they may prepare and publish a scheme for the establishment of a combined authority. If having considered that scheme, the Secretary of State in turn considers that a combined authority is likely to improve those matters, he may make an order establishing a combined authority
- 1.6. As can be seen, the present remit of a statutory governance review and resulting scheme and order is limited by section 108 of the Local Democracy, Economic Development and Construction Act 2009 to the

efficiency and effectiveness of transport and the efficiency and effectiveness of arrangements to promote economic development.

- 1.7. The Cities and Local Government Devolution Bill currently going through Parliament will amend the relevant sections of the 2009 Act and widen the scope for such a review, scheme and order to the exercise of any statutory functions in relation to the area. Given the scope of the Greater Lincolnshire devolution deal it would be prudent to make the scope of the governance review as wide as necessary to encompass the functions covered by the deal document.
- 1.8. This can be done legally as the limited scope of section 108 does not prevent local authorities coming together to review their other functions. The aim would be that, as and when the Cities and Local Government Devolution Bill becomes law, the governance review will fall within the new wider section 108 and permit the making of a scheme and order that reflects the full extent of Greater Lincolnshire's ambitions.
- 1.9. The law is also in a state of change in relation to the authority to approve involvement in a combined authority. Under the Local Authorities (Functions and Responsibilities) Regulations 2000, approval of a governance review lies with the Executive and this Report therefore invites the Executive to approve the commencement of such a review.
- 1.10. Under draft Regulations currently being considered by the government the Regulations would be amended to make it clear that although the Executive would have authority also to approve the preparation of a scheme as referred to above the final approval of a scheme's publication and a decision to be part of a combined authority would be a decision for full Council.

#### *Appointment of a Joint Committee*

- 1.11. There are specific rules governing who has the authority to appoint a joint committee depending on what type of functions (executive or non-executive or both) are being exercised by the proposed joint committee. In short the position is:-
  - If the joint committee is exercising purely non-executive functions, then only the Council can appoint it
  - If the joint committee is exercising purely executive functions, then the Leader is authorised by Regulations to appoint it
  - If one or more but not all of functions of the joint committee are executive functions, then the Council must appoint it but only with the agreement of the Executive.
- 1.12. The joint committee proposed in the document at Appendix 1 is considered to be exercising executive functions and therefore the appointment falls to the Leader of the Council. However, should it become clear at any time in the course of fulfilling the role set out in Appendix 1 that the joint committee needs to exercise Council functions the Joint Committee would have to be appointed by the full Council but the Executive would need to agree. Recommendation 4 gives the necessary agreement.

## ***Equality Act 2010***

- 1.13 The Council's duty under the Equality Act 2010 needs to be taken into account by the Executive when coming to a decision.
- 1.14 The Council must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).
- 1.15 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 1.16 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 1.17 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.
- 1.18 Compliance with the duties in this section may involve treating some persons more favourably than others.
- 1.19 A reference to conduct that is prohibited by or under this Act includes a reference to:
- (a) A breach of an equality clause or rule
  - (b) A breach of a non-discrimination rule

- 1.20 It is important that the Executive is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Leader. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.
- 1.21 To discharge the statutory duty the Executive must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.
- 1.22 An impact analysis has not been undertaken for this decision. The decision to undertake a governance review or agree to a Joint Committee as a governance mechanism for overseeing it is not considered in itself to have the potential to impact on people with a protected characteristic differently to those people who do not have a protected characteristic. However in determining the efficiency and effectiveness of the way functions are exercised as part of the review equality impacts will need to be considered.

### ***Child Poverty Strategy***

- 1.23 The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.
- 1.24 In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.
- 1.25 The Strategy has been taken into account in this instance and there are not considered to be any direct impacts of the decision to undertake a governance review or agree to a Joint Committee as a governance mechanism for overseeing it. However, the devolution proposal and the governance review cover areas with a significant potential to impact on child poverty and these impacts will need to be assessed as part of the ongoing work.

### ***Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy***

- 1.26 The Council must in the carrying out of its functions have regard to the JSNA and the JHWS.

- 1.27 Both have been taken into account in this instance and there are not considered to be any direct impacts of the decision to undertake a governance review or agree to a Joint Committee as a governance mechanism for overseeing it. However, the devolution proposal and the governance review cover areas with a significant potential to impact on health and wellbeing and these impacts will need to be assessed as part of the ongoing work.

## **2. Conclusion**

- 2.1. The council is involved in developing the devolution deal. The deal document continues to change as detailed discussions continue with civil servants about the asks in the document.
- 2.2. The council will need to assess whether the opportunities and freedoms that devolution can bring will be delivered by the final negotiated deal.
- 2.3. Withdrawal at this stage will lose the Council the opportunity to explore the benefits of the devolution process and may risk access to future government resources and the local determination of policy and spending priorities.
- 2.4. If momentum is to be maintained and early advantage taken of any opportunities it is considered that the local authorities need to commit to the carrying out of a governance review to meet current statutory requirements for the first stage of moving to a combined authority. Without progressing to that stage of consideration devolution cannot be achieved. The governance review in itself however does not commit any of the Councils.
- 2.5. It is further considered that a formalising of the governance arrangements through a joint committee will strengthen the governance of the review phase whilst helping to build further on the relationships formed from the work undertaken so far.

### **3. Legal Comments:**

The legal issues arising out of the Report are dealt with in detail in the Report.

The recommendations are within the remit of the Executive.

### **4. Resource Comments:**

There are no immediate material financial consequences from acceptance of the recommendations in this report. Should the ultimate consequence of these proposals be the creation of a combined authority any financial consequences then arising will be dealt with through the normal budget cycle.

## 5. Consultation

### a) Has Local Member Been Consulted?

### b) Has Executive Councillor Been Consulted?

### c) Scrutiny Comments

The decision has not undergone pre-decision scrutiny but was considered by full Council on 18 December 2015.

### d) Policy Proofing Actions Required

N/A

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Greater Lincolnshire Devolution – Interim Governance Arrangements

## 7. Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Document title	Where the document can be viewed
Devolution - Report to full Council 18 September 2015	Democratic Services
Devolution - Report to full Council 18 September 2015	Democratic Services

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Greater Lincolnshire  
A Place to Grow

# Greater Lincolnshire Devolution

## Interim Governance Proposal

**Version 1.0**

**As at 6<sup>th</sup> November 2015**



## **Progress on achieving a Greater Lincolnshire Devolution Deal**

A report by the Chief Executives of the ten Local Authorities of  
Greater Lincolnshire

### **1.0 Introduction**

In the Spring of this year a ground-breaking deal was struck between the Government and the ten Local Authorities that make up the Greater Manchester Metropolitan Area. It was agreed that a significant range of powers, with associated funding, would transfer from Westminster to the Greater Manchester Combined Authority; this to be headed by a newly created and directly-elected Mayor. The declared purpose of the deal was to drive economic growth, with the Government expressing confidence that this should be better enabled throughout the country via the localisation of key decision making.

Shortly afterwards, the Government announced a major deal for Cornwall, with extensive transfer of powers and funds to that area.

The two areas are very different, as is the way in which they are currently governed, and will be governed in the future. The deals are different as a consequence – there is to be no Mayor for Cornwall, for example. What is similar is the scale of transfer of powers from Central Government to Local Government brought about through striking a negotiated 'deal' between the two.

From these forerunners, the Chancellor of the Exchequer announced on 21 July 2015 that he wished to negotiate further devolution deals with other parts of England that had an appetite for them. He set a deadline of 4 September for areas interested in moving quickly to submit their proposals.

A total of 38 responses, covering 80% of the country, were submitted. Some have since been concluded, one of these being for the North East of England. This is striking in particular for the geographic scale of the area involved, encompassing as it does five Metropolitan Authorities and two County Councils, with a total population of 2m people. Other areas include the Tees Valley and the Sheffield City Region.

Greater Lincolnshire submitted an expression of interest on 4 September. It was signed by the Leaders of the ten Local Authorities in the area and the Chair of the GLLEP, and was supported by a range of other local public sector bodies. The submission expressed strong ambitions for the area, and invited the Government to enter into negotiations over a package of devolved powers and funds that could be used to deliver that ambition.

### **2.0 Summary of our submission**

A summary of our submission, drawing out what we are seeking from the Government and giving an indication what we would offer in return is attached in Appendix A.

The salient points around governance and leadership are as follows:-

We believe that bringing the risks of commissioning and delivery to the local place enables them to be best managed.

We rule nothing out in terms of new governance in seeking to deliver our new agenda for growth.

We anticipate that the range of powers and funding sought in this expression of interest may require governance arrangements that would be no less than a Combined Authority. We wish to enter into discussions with the Government over the precise governance arrangements to fully secure the scale of devolution that we seek.

Our approach to governance will be to enable people do things for themselves, encourage private, public and third sector organisations to align their activities with our ambitions.

We recognise that for many activities political boundaries are crossed and we will continue to interact with our neighbours and work collaboratively with those organisations that share many similar characteristics and operate beyond our area.

### **3.0 Subsequent events**

Discussions have begun between Civil Servants from relevant Government Departments and the ten Council Chief Executives, each reporting to a Council Leader nominated to lead on a distinct theme within the submission (Appendix B). It is clear from these early contacts that there is potential for common ground to be found in respect of many of the things that we are seeking. Some of these are similar to proposals made in other areas, some are unique. Detailed work is underway to cost the proposals and to clarify the opportunities.

On 28 October, the Parliamentary Undersecretary of State (Minister for Local Government), Marcus Jones MP invited a representative group of five of our Leaders, together with the Chair of the LEP to a meeting in London in order to explore the case for Greater Lincolnshire.

The Minister welcomed the scale of the area's ambitions, indicated the Government's intent to pursue such a deal and invited further purposeful negotiations to bring it about. He also made it clear that a fundamental component of the deal would be the creation of a governance arrangement that could receive the powers and funding from the Government and which could arrange for these to be exercised.

In this respect a Combined Authority would be the minimum requirement set by the Government. This had been expected by the signatories to the submission document, and the anticipation of such a governance requirement was accepted in that document.

There is a defined process for potentially bringing about the creation of a Combined Authority. The process of reviewing governance options – a 'Governance Review' - takes some time, not least as it requires parliamentary approval before it can be implemented. It will be necessary to get the process under way as soon as possible.

The process itself is explained in detail in the following section.

In order to give the Government confidence that the intent to create new governance arrangements is sufficiently strong as to warrant undertaking all of the work necessary to

prepare for the devolution of powers and responsibilities, it is proposed that a formal arrangement is entered into by all of the Authorities for the purposes of conducting the negotiations and that this be put in place as soon as possible.

It is suggested that this can be most readily effected through the setting up of a Joint Committee, which could operate until such time as the Governance Review is completed and the Combined Authority or any other arrangement that may emerge can be formed.

Any recommendations for putting in place future governance arrangements, as well as the contents of any proposed deal will of course have to be debated and accepted by all of the constituent Authorities through the appropriate decision-making processes before they can be implemented.

## **4.0 Governance review and joint committee / shadow arrangements**

It is clear from the engagement to date with Government that in order to receive and discharge a meaningful degree of devolved responsibilities there is a minimum expectation that local authorities will seek to form a combined authority.

It should be noted positively that owing to the depth, quality and breadth of the "Asks" developed thus far, Government's expectations and lines of enquiry regarding governance are at the forefront of discussions.

It is essential, in any event, to put in place arrangements that will ensure a strategically coherent approach to the leadership of the sub-regional economic growth and related agenda, bearing in mind the particular need to effectively manage the interdependencies between two Unitary authorities, seven District councils and a County Council. The current loose and informal arrangements are not fit for purpose in that regard.

Section 108 of the Local Government, Economic Development and Construction Act 2009 provides that, as a prelude to forming a combined authority (which does not replace the local authorities) a statutory governance review must be undertaken.

The purpose of a governance review is:

- to determine whether the area covered by the local authorities concerned, in this instance the Greater Lincolnshire geography, constitutes a functional economic area ; and
- to determine if any existing arrangements for economic development, regeneration and transport are efficient and effective or would benefit from changes, specifically, whether the establishment of a Combined Authority is likely to improve the following (the "four statutory tests")
  1. the exercise of statutory functions relating to transport in the area
  2. the effectiveness and efficiency of transport in the area,
  3. the exercise of statutory functions relating to economic development and regeneration in the area, and
  4. economic conditions in the area

The Governance Review will examine the various options available, and consider the feedback from public consultation.

Subject to the approval of each of the 10 local authorities, it is proposed to launch the Governance Review including a formal consultation process over a two month period from January 2016. In the meantime and in order to ensure effective strategic oversight of the process, it is proposed to establish a joint committee of the local authorities to operate as a de facto shadow combined authority. It is proposed that the joint committee is established using existing powers set out in the Local Government Acts 1972 and Regulations made under the Local Government Act 2000. The remit of the joint committee will be four-fold:

- to enhance and further develop, within a formal setting, the working relationship between the local authorities
- to have oversight of the continuing devolution engagement with Government
- to lead and maintain oversight of the governance review process, its outcome and to formulate recommendations in due course
- to operate as the "Greater Lincolnshire Leadership Board" , focused on leading the accelerated growth agenda , in partnership with the Greater Lincolnshire LEP and such other bodies deemed appropriate from time to time.

## Appendix A

### Summary of our submission

A summary of our submission, drawing out what we are seeking from the Government and giving an indication what we would offer in return is as follows:-

**Ambition** -We can achieve growth more quickly than anywhere else in the UK, enhance our collective financial resilience and establish a sustainable platform for our area to thrive, adapt and innovate. We will grow the value of the Greater Lincolnshire economy by £8bn; create 29,000 new jobs; deliver 100,000 new homes and redesign local services for the administration of justice, health and social care, flood and water management and public safety.

**Accelerated Growth** – *We have the largest and busiest port in the UK (by tonnage), the largest Ro-Ro facility on the East Coast and the biggest undeveloped deep-water estuary in Europe. Southern Lincolnshire is growing fast; with the most affordable housing area within an hour's commute of London acting as a strategic gateway into Greater Lincolnshire. We plan to double the value of the visitor economy to £2bn over the next 5 years by capitalising on our heritage and environment assets.*

#### We offer to...

- grow the area's three defining and most competitive sectors; **agri-food, manufacturing and engineering** and the **visitor economy**;
- become the renewable **energy and offshore wind** capital of Europe;
- implement the GLLEP Care Sector plan for **health and care**
- **drive growth** by putting expansion into new markets, modern telecommunications, infrastructure improvements and the skills of individuals and business owners;
- be an active contributor to the Northern Powerhouse and Midlands Engine and to join in the Midlands Connect programme in order to encourage cohesion across the Midlands region;
- grow the economy more quickly
- deliver the Government's Rural Productivity Plan.

#### In order to do this we seek...

- **a pilot scheme for statutory agencies**
- **alignment with the local Growth Plan of business support budgets**
- **appropriate share of Single Local Growth Fund monies,**
- **devolution of the management of our EU**
- approval for **enterprise zones**
- **development of a strategic land use plan**

**Transport** – *Business leaders have consistently identified connectivity, including high speed telecommunications, as a significant enabler for prosperity. Accessibility through transport is usually cited as the highest priority. Many of our growth sectors rely on good transport.*

**We offer to...**

- utilise the planning process and local investment funding (matched with LGF) to facilitate enhanced growth around the A1 and East Coast Main Line corridor, and other strategic routes.
- invest in transport and housing through a local infrastructure delivery plan,

**In order to do this we seek...**

- **amendment to the Highways England programme;**
- commitment from the Department for Transport to allocate funding within its second Roads Investment Strategy for 2020;
- **recognition that the road corridors within Greater Lincolnshire fulfil a national role**
- rationalisation of the appraisal process for transport projects;
- powers to adopt bus service franchise powers to be applied in appropriate areas;
- powers to apply a discounted fuel duty scheme to support transport in rural areas;
- phased implementation of the GLLEP's rail strategy, which supports the Midlands Engine
- support for the development of a new investment model with ABP to facilitate pump – priming investment in underutilised port land or other assets of economic potential
- a long term commitment to Government subsidies for the offshore wind sector beyond 2020 to create developer certainty and accelerate private investment

**Skills** - *Greater Lincolnshire has a comparatively low skills base and is often described as a low wage, low productivity economy, with consequent lower GVA than the UK average. This proposal promotes a pioneering approach to integrated skills development across the shared economic geography. We want to develop a workforce who will drive the local economy and share in its prosperity.*

**We offer...**

- faster business growth, and lower unemployment with lower youth unemployment and fewer NEET (not in employment, education or training)
- greater value for money – reducing wasteful duplication;
- strong support for an 'area review' of the post-16 education and skills system;
- to re-shape the Further Education (FE) provision with governance to ensure that it delivers people with the right skills and create a seamless transfer from learning to work;

- to create a local workforce that can fill the job vacancies predicted over the next ten years;
- working closely with employers, the National Careers Service, and the Careers and Enterprise Company to shape their provision in line with our jobs and skills forecasts. We will also work closely with our SMEs in order to create more apprenticeship;
- eradicating the very low HE participation rate locally;
- new models of delivery for technical and professional skills to meet the specific needs of the related industries with support to schools, UTC and college leaders so that they can develop curricula which meet the priorities aligned to the council's strategy framework for education;
- changing the landscape of education and skills development across the health and care sector and support to establish a Career College and a Post-Graduate Medical School followed by a Graduate Medical School and enable flexible routes to medical, nursing and care professions;
- educating and retaining high quality skilled graduates, and utilising the skills of the RAF personnel leaving the forces and settling in the area to contribute to local economic growth.

In order to do this we seek...

The powers to give strategic direction to education and skills funding streams which maximise the potential of the GLLEP Skills Strategy and achieve skills development through devolving:

- **power to reshape and re-structure Further Education (FE) provision ;**
- **funding streams of Post 16 Education Funding Agency and Skills Funding Agency (SFA) budgets;**
- responsibility for all of the **funding relating to career information, advice and guidance (CIAG)** for adults and young people, including a new Career & Enterprise Company and the transfer of the duty on schools around career information, advice and guidance (CIAG), to the GLLEP;
- responsibility for commissioning part of the Adult Skills & the Skills Infrastructure budgets and to be an integral part of the area reviews of post-16 provision;
- **responsibility for identifying and managing the expansion of apprenticeships** in food farming and tourism, in line with the commitment in the RPP, and in engineering and renewables;
- **devolved commissioning to the local level of the Youth Contract** supporting 16/17 year olds into education or employment;
- **decision making for local school funding;**
- control over the incentives on providers in order to provide more flexibility over who is entitled to receive support;
- for FE providers in Greater Lincolnshire to be given a duty to co-operate with the GLLEP's new joint skills board, and an SFA procurement regime that mirrors the LEP's strategies;

- devolution of the responsibilities and resources of Health Education England, Skills for Health and Skills for Care and the power to reshape commissioning health and care education opportunities;
- **to commission locally adult universal benefits integrated with Council Tax benefits**, commission the next phase of the Work Programme; and to discuss joint accountability with DWP for the work of Jobcentre Plus.

**Housing** - *With house prices eight times the average salary, pricing many people out of the housing market, there is a need to fix the housing market in Greater Lincolnshire if aspirations for economic growth are to be realised. The volume of housing required allows for the pressure created as a consequence of the ageing population not releasing the housing stock in the face of requirements to house the growing workforce. We wish to minimise the time taken from allocation to build.*

We offer to...

- deliver 100,000 new homes (consistent with the Greater Lincolnshire Strategic Economic Plan and emerging Local Plans), with an appropriate proportion of affordable housing and starter homes supported by appropriate infrastructure and our local public assets;
- develop and co-ordinate 'Right to build' schemes by the community;
- develop a Greater Lincolnshire Housing Partnership of registered providers, developers, and land owners together with HCA, LEP and Councils in the area.

In order to do this we seek...

- **enhanced powers to allow councils to use short hold assured tenancies**, to remove borrowing caps and allow councils and Registered Providers (RPs) to use prudential borrowing, and to allow financing through a council's general fund.
- to increase and improve the quality and affordability of housing supply through
  - the One Public Estate approach for land including control over nationally held public assets such as surplus MOD land and Network Rail land.
  - freedom to develop local housing rules on right to buy and housing stock financing and management;
  - **the pooling and devolution of central government and HCA resources** into a Housing Investment Fund;
  - devolved power for both Registered Providers and Local Authorities to set rents and retain right to buy receipts;
  - to explore a unique deal that specifically tackles the underlying causes of in- work poverty

**Water** - *We have a long and highly vulnerable coastline. No other part of Britain faces the scale of significant inundation from the sea as does Greater Lincolnshire. A serious coastal flood in Greater Lincolnshire would seriously compromise the UK's capacity to produce high grade crops for up to seven years. Our action on this is acknowledged as one of the leading areas for collaboration to address flood risk but more is needed. We wish to*



*incentivise investment in water management and realise the potential for substantial private contributions to flood defence.*

We offer to utilise...

- delegated powers and funding to deliver a 30% efficiency in developing projects currently subject to Defra's funding controls and approval processes;
- the GLLEP's Water Resources study recently to devise means of applying spatial planning priorities and infrastructure funding and provide water resources for an expanding manufacturing sector and a growing population and to manage flood risk as well as a range of coastal flood defence investments and other minor local schemes.

In order to do this we seek...

- delegation of decision-making powers over flood risk management priorities (including large-scale coastal management schemes) and resources in the Medium Term Programme (MTP) to the local level;
- **tax incentives for agri-food businesses and the steel industry** to develop water resources or water efficiency measures on their sites;
- **freedom to extend the arrangements for tax relief for businesses** contributing to flood relief schemes benefitting from national funding to include privately proposed and funded schemes meeting the Local Flood Risk Management Strategy and the LEP Growth Strategy;
- **devolution of the EA powers around flood risk operations** and use of the capital funding within the Medium Term Programme (MTP).

**Health** - *Our acute health sector faces significant issues in respect of both performance and financial viability. We have above average growth in our elderly population. We have plans across our area which reflect the NHS 5-year view in seeking an integrated strategic approach to health and social care reform which incorporates the priorities of the full range of NHS and social care stakeholders, including acute trusts.*

We offer to deliver...

- a substantially more integrated approach to health and care service planning and delivery in Greater Lincolnshire; including further development of neighbourhood based services including a significant increase in care delivered closer to home and improved outcomes;
- greater support to people with physical and mental health issues to be active in the workplace;
- a model for emergency care, urgent care and planned care services that delivers safe, high quality services which are affordable and sustainable;
- a substantial increase in physical activity levels and engagement in arts and cultural activity to improve health outcomes and reduce demand on acute NHS services.

In order to do this we seek...

- **devolution of the range of commissioning resources that support the health and wellbeing** including the resources of Public Health England, NHS England and Health Education England;
- greater coordination of Local NHS and Social Care Commissioners with a devolved place-based health & social care budget with a minimum four year settlement;
- **integrated commissioning of all community services.** This includes health and social care delivered services;
- joint commissioning of DCMS sports, physical activity, culture and arts programmes to align with local health and wellbeing strategies.

**Public protection** - *Crime is local. Altogether 92% of prisoners from Lincolnshire reside in Lincolnshire prisons but the drivers of crime and anti-social behaviour lie in our communities, and solutions are also to be found there. There are proposals, which we can assist with, to provide better access to Magistrates Courts services through reducing the estate and re-investing savings.*

We offer to deliver...

- improved access to justice and savings with the integration of courts with the local public estate;
- reduced re-offending rates through integration of Offender Management with Community Safety, Health and Safeguarding programmes.

In order to do this we seek...

- **transfer of the commissioning of Prison Services to local political control;**
- **transfer of the administration of HMCTS and the MoJ estate** to the area's local authorities.

**Our leadership** - We believe that bringing the risks of commissioning and delivery to the local place enables them to be best managed. We rule nothing out in terms of new governance in seeking to deliver our new agenda for growth.

**We anticipate that the range of powers and funding sought in this expression of interest may require governance arrangements that would be no less than a Combined Authority. We wish to enter into discussions with the Government over the precise governance arrangements to fully secure the scale of devolution that we seek.**

Our approach to governance will be to enable people do things for themselves, empower community partners at a local level, encourage private, public and third sector organisations to align their activities with our ambitions and for the devolution partners to identify gaps, prioritise and utilise the devolved powers and resources in the delivery of our ambitions. Whilst this prospectus requests devolved powers we in turn will distribute powers differently.

We recognise that for many activities political boundaries are crossed and we will continue to interact with our neighbours and work collaboratively with those organisations that share many similar characteristics and operate beyond our area.

It is also hoped the Government will accept the arguments for a more flexible approach to the current council tax referendum limits and processes nationally.

#### We offer...

- a governance arrangement providing transparent democratic accountability and an effective interface for ministers whilst ensuring that specialists such as clinical commissioners maintain a strong voice;
- integrated democratic leadership of local authorities working with elected bodies including the PCCs bringing these elected leaders together with the NHS leadership and the Chair of the LEP.

#### In order to do this we seek...

- potential flexibilities around the local element of business rates. We wish to explore flexibilities around use of capital receipts and borrowing powers for critical infrastructure investment. We recognise that any package of freedoms and developments over the medium term will need overall fiscal neutrality for the Greater Lincolnshire partners and HM Treasury;
- **Government to review the funding allocation formula for Greater Lincolnshire** to ensure it matches the actual needs profile of our population;
- power to acquire nationally held local public sector land, including non-operational MOD land – thereby giving improved and effective strategic planning for enterprise, housing, growth and infrastructure. We would want to keep any capital receipt for the sale of any land in our control.

## **Definitions**

**Midlands Engine** - The midlands is increasing being recognised and positioned as the engine for growth for the Country. The Midlands Engine is a government led initiative to stimulate growth across the East and West Midlands. It is likely that announcements of government finance for growth and productivity will be focused around initiatives such as innovation, skills, transport (Midlands Connect), and promotion. It is important that Greater Lincolnshire plays a full role in the initiative. Partners across the Midlands are working on a prospectus which will be launched in early December with the BIS Secretary of State.

**Northern Powerhouse** - The Northern Powerhouse is an initiative to boost economic growth in the North of England led by HMG. The proposal is based on urban agglomeration and aims to rebalance the UK economy away from London and the South East. The ambition is to redress the North-South economic imbalance, and to attract investment into northern cities and towns. While the capital is perceived to be driven by financial services, northern economies boast strong manufacturing, science, technology and service sectors.

**Midlands Connect** - Midlands Connect is a collaboration of Midlands-wide local enterprise partnerships, Network Rail, the Highways Agency, local authorities and the business community which has been formed to champion strategic transport investment across the East and West Midlands.

## Appendix B

### Lead Councillors and Chief Executive Sponsors for the devolution themes

*The lead and sponsor roles does not preclude chief executives of council leaders from offering contributions.*

<b>Theme</b>	<b>Sub theme</b>	<b>Lead Officer (CX)</b> <i>Technical spokesperson</i>	<b>Lead Councillor</b> <i>Political spokesperson</i>
Accelerated Growth	agri-food	A Graves	<b>Cllr Ray Oxby</b> <i>Cllr Dave Watson</i>
	Manufacturing	R Walsh	
	Visitor Economy	S Davy	<b>Cllr Bob Adams</b>
Transport		S Driver	<b>Cllr Martin Hill</b>
Skills		B Agass	<b>Cllr Marion Brighton</b>
Housing		M Gill	<b>Cllr Ric Metcalfe</b> <i>Cllr Rob Waltham</i>
Water		P Drury	<b>Cllr Jeff Summers</b>
Health		I Fytche	<b>Cllr Craig Leyland</b>
Public Protection		T McArdle	<b>Cllr Peter Bedford</b>
Finance		A Andrews	<b>Baroness Redfern</b>
Governance		R Walsh	<b>Baroness Redfern</b>

## Appendix C

### Governance Principles

- (i) all agreements will be created within the framework of the emerging legislation (Cities and Local Government Devolution Bill)
- (ii) all partners recognise that major devolution asks will come with Government expectations regarding models of governance
- (iii) the partner Councils commit to the principle of establishing a combined authority as an appropriate form of governance.
- (iv) equality and inclusion must pervade any model, "One Authority one vote".
- (v) conditional voting systems will be fair and balanced.
- (vi) subject to any conditional voting system, any decisions will be resolved with the majority vote of ten partners.
- (vii) no powers will be delegated upwards unless agreed by the relevant constituent authority(ies); there will be no loss of sovereign local area "representative mandate"
- (viii) the overlap of each housing authority, transport authority and planning authority will be understood and factored into the strategic decision making framework.
- (ix) full board consideration will be given to any potential widening of membership.
- (x) associate membership, including the role of LEPs will be included across the agreed geographic footprint.
- (xi) the final model will reflect the scale of ambition for accelerated economic growth across the agreed geographic footprint demonstrating key linkages to (and support for) the Northern Powerhouse and the Midlands Engine.
- (xii) the principles of transparency, equality and local democratic legitimacy will underpin all and any formal arrangements established
- (xiii) A shadow arrangement (ie. a joint committee) of the preferred model will be established In any event to formalise and develop the working arrangements and partnership between the partner Councils
- (xiv) All partner Councils and any associate members will follow the Seven Principles of Public Life.

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