



Open Report on behalf of Debbie Barnes OBE, Chief Executive

Report to:	County Council
Date:	11 December 2020
Subject:	Greater Lincolnshire Joint Strategic Oversight Committee

Summary:

This report invites full Council to indicate whether they support the formation of a joint committee with North Lincolnshire Council and North East Lincolnshire Council. The committee would be tasked with looking at opportunities to work together on strategic matters in the exercise of executive functions.

Recommendation(s):

That the Council supports the creation of a joint committee under section 102(1(b)) of the Local Government Act 1972, to exercise the executive functions and responsibilities referred to in this report and operating as the Greater Lincolnshire Joint Strategic Oversight Committee.

Alternatives Considered:

Joint working arrangements could be explored informally, or purely through the development of proposals to reform local government in Greater Lincolnshire. However, this could delay the benefit of working closely together until a point where the government is ready to consider the arrangements in Greater Lincolnshire in more detail. The recommended approach enables earlier benefits to be delivered, whilst still enabling reform on a larger scale, if appropriate, in the future. To put in place a greater degree of formality will ensure greater structure and visibility to the arrangements.

Reasons for Recommendation:

For Greater Lincolnshire to reach its full potential there is a need for improved alignment of services and more collaborative working across the public sector. There are opportunities to strengthen partnership working across the upper tier authorities. The recommendation within this report helps to further the interests of the residents and businesses of Greater Lincolnshire. Exploring opportunities to work strategically together has the potential to enable funding to be better utilised, service quality to be improved and greater outcomes to be delivered.

The recommendation builds on existing relationships and seeks to place a greater degree of structure, formality and visibility around them.

1. Background

- 1.1 We want Greater Lincolnshire to be an even greater place to live, work, visit and to bring up a family.
- 1.2 We want all of our residents to enjoy a good job, have the skills and education to grasp new opportunities and to be able to enjoy the wonderful heritage and tourism offer in our area. We want considered growth for Greater Lincolnshire so communities are connected through well planned infrastructure, enabling communities to be resilient and self-sufficient. We also want our business to thrive. We have unique businesses opportunities in our area which offer many benefits to us and to the Country. With greater alignment of investment we can maximise their potential and make Greater Lincolnshire even greater.
- 1.3 Greater Lincolnshire is an economic powerhouse and an integral part of UK Plc. It is a major gateway to Europe and has the opportunity to play an increasingly important role in the future of the UK. Now more than ever, Lincolnshire needs to achieve growth at a level that has never been achieved before if we are to capitalise on the opportunities for our region.
- 1.4 Collective focus must be given to how we ensure and deliver economic growth, improve connectivity and transport systems, level-up our economy to provide skills and opportunity to all and accelerate the delivery of new homes and sustainable communities. This is something that would be best achieved by working closely with others. Now is the time to work closely with those who can best help us to deliver growth and prosperity for Greater Lincolnshire. We need to collaborate to ensure there are high levels of strategic alignment and that any operational opportunities are fully explored and considered.
- 1.5 A joint committee has already been established in December 2015 consisting of all the local authorities in Greater Lincolnshire to have oversight and engagement of any future government policy changes for local government including devolution.
- 1.6 Lincolnshire County Council has already been working with North Lincolnshire Council and North East Lincolnshire Council to explore the benefits of local government reorganisation. Whilst it is positive that the government will consider proposals for the region in due course, there are opportunities now to improve the way that services are delivered to those that we represent.
- 1.7 Subject to the executive level approval of each of the three local authorities, it is proposed to establish a Joint Strategic Oversight Committee for Greater Lincolnshire. 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 (or the Executive/Cabinet) 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/Cabinet.

- 1.8 The joint committee proposed in the document at Appendix A is considered to be exercising purely executive functions and therefore the appointment falls to the Leader of the Council. It is also for the Leader of the Council to decide the number of members to be appointed and their terms of office. However it is appropriate that the proposal be considered by the full Council and this report invites the Council to consider the proposals and indicate whether they support the Leader to approve the appointment of such a Joint Committee.
- 1.9 The formation of the committee would enable the three organisations to work collaboratively. The committee will seek to identify and develop opportunities for closer working on both strategy and policy.
- 1.10 The governance arrangements for the committee are set out in Appendix A. It is important to note that decision making authority is retained by each organisation. Any proposals that are developed by the oversight committee will be considered through existing scrutiny and decision-making processes. This is not a decision making body, but will explore and promote greater levels of collaboration, alignment and integration of upper tier services for the benefit of Greater Lincolnshire.
- 1.11 It is proposed that the committee will consist of two Executive Member representatives from each of the three authorities. It is for the Leader of each Council to determine the respective Executive Councillor nominations for committee membership. The Chief Executive of each authority, or a nominated substitute, will also be in attendance. It will be chaired on a rotating basis across the three authorities. There will also be attendance at meetings of the Committee by a representative from the Greater Lincolnshire Local Enterprise Partnership (GLLEP). The involvement of a representative from the GLLEP ensures the committee takes account of the needs of businesses within Greater Lincolnshire, as well as bringing a detailed understanding of the Greater Lincolnshire region.
- 1.12 The attendance by Executive Members will ensure the necessary strategic oversight and direction to the exercise of executive functions for each of the organisations. It is essential that arrangements are put in place to ensure that there is a strategically coherent approach to the design and delivery of

upper tier services and the leadership of Greater Lincolnshire to help to ensure it becomes an even greater place to live, work, visit and bring up a family.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.

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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker 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.

An impact analysis has not been undertaken for this decision. The decision to establish a joint committee as a particular governance mechanism to develop strategic and operational proposals is not considered to have the potential to impact on people with a protected characteristic differently to those people who do not have a protected characteristic. Any proposals that are developed by the Greater Lincolnshire Joint Strategic Oversight Committee will take account of the requirements of the Act with equality impact assessments being completed as necessary.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

The establishment of a joint committee as a particular governance mechanism to develop strategic and operational proposals for the exercise of upper tier functions will enable a focus on health and wellbeing across a wider geography and potentially enable the pursuit of initiatives which will enhance health and wellbeing

The Council will further have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to any decisions that relate to proposals developed by the joint committee.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The report has no direct impact on the requirements under section 17 of the Crime and Disorder Act 1998. Due consideration will need to be given to these requirements for any proposals that are developed within the joint committee and presented back to Lincolnshire County Council.

3. Conclusion

It is considered that establishing a joint committee exercising executive functions with North Lincolnshire Council and North East Lincolnshire Council will support the on-going strengthening of relationships across Greater Lincolnshire and enable proposals to be developed to further improve the opportunities across the region.

4. Legal Comments:

The law governing the establishment of a joint committee to exercise executive functions is set out in the Report.

Although the decision rests with the Leader of the Council the Report invites the full Council to indicate whether it supports the establishment of such a committee in relation to the exercise of executive functions with the executives of North Lincolnshire and North East Lincolnshire Council's

5. Resource Comments:

There are no immediate material financial consequences from acceptance of the recommendations in this report. The financial consequences of any proposals that are developed by the joint committee will be considered at the appropriate point in time.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

N/A

d) Risks and Impact Analysis

The proposed joint committee is not a decision making body. It will develop proposals that will be scrutinised through existing governance arrangements at each local authority. This will ensure that all risks are appropriately considered as necessary.

7. Appendices

These are listed below and attached at the back of the report

Appendix A	Greater Lincolnshire Joint Strategic Oversight Committee - Terms of Reference
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8. 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
Report to County Council dated 18 December 2015 "Greater Lincolnshire Devolution – Interim Governance Proposal	Democratic Services
Report to the Leader of the Council dated 5 January 2016 "Greater Lincolnshire Devolution – Interim Governance Proposal	Democratic Services

This report was written by Lee Sirdifield, Assistant Director – Corporate who can be contacted on 07500813650 or lee.sirdifield@lincolnshire.gov.uk.

Summary of Greater Lincolnshire Joint Strategic Oversight Committee arrangements

The core functions of the Greater Lincolnshire Strategic Oversight Committee are to:

1. Facilitate cooperation and collaboration between Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council in so far as it relates to their executive functions on the following themes:
 - a) The development and application of strategy across the Greater Lincolnshire economic region
 - b) The development of opportunities to gain greater strategic alignment across and for Greater Lincolnshire where scale and scope are required and can enhance upper tier functions
 - c) The strategic alignment of investment across Greater Lincolnshire
2. Consider strategic use of public funds across the common functions and activities of the Councils to benefit the economy and support the collective ambitions of the three councils and the region.
3. Act as a formal link between the three upper tier local authorities in Greater Lincolnshire on activity related to the above themes

Terms of Reference

1. Develop and recommend for consideration by each of the authorities proposals relating to the core functions of the committee.
2. Act as an advocate for investment in the sustainable economic development of Greater Lincolnshire and maintain oversight for delivery arrangements relating to the core functions.
3. Align and make recommendations on capital expenditure programmes that operate across Greater Lincolnshire to ensure the strategic ambitions are effectively delivered in relation to the core functions.
4. Consider reports from sub-regional groups, or other such body or subcommittee/committee and refer recommendations back to the three Councils for further attention.
5. Consider and make recommendations in relation to strategic funding for activities aligned to the core functions.
6. The committee shall comprise of the Leader and one Executive Member from each Council. The committee will be chaired on a rotating basis by the Leader of each of the three local authorities. A co-opted representative from the

Greater Lincolnshire Local Enterprise Partnership and be in attendance as a non-voting member.

7. Any recommendations made by the joint committee must be referred back to each of the three authorities for consideration through existing democratic processes.
8. The Secretariat of the Greater Lincolnshire Joint Strategic Overview Committee is Lincolnshire County Council. Meetings are open to the press and public, and agendas, minutes and papers are published by the Secretariat, in line with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

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