

Policy and Resources Committee

Date: **Monday 21 March 2016**

Time: **10am**

Venue: **Edwards Room, County Hall, Norwich**

SUPPLEMENTARY A g e n d a

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Policy and Resources Committee

Item No 7

Report title:	Managing Director's Strategic Update: Devolution for the East Anglia
Date of meeting:	21 March 2016
Responsible Chief Officer:	Dr Wendy Thomson, Managing Director
Strategic impact The Cities and Local Government Devolution Act brought into legislation on January 28 th 2016 the Government's commitment to devolve more power and resources from central government to the cities and regions and England. Greater autonomy over such strategic issues as transport, economic development, housing, flood defence, skills and strategic planning is seen to be a critical lever for boosting economic growth. Norfolk and Suffolk, and latterly Cambridgeshire and Peterborough are working together towards a devolution deal to gain the maximum benefit possible for the area. For Norfolk, a successful deal would, support the achievement of the Council's ambitions.	

1. Executive summary

<p>In the Chancellor's budget statement on March 16th 2016, a devolution deal for East Anglia was announced, with a potential value of £30m a year for 30 years (£900 million), with an additional £175m for the first five years to support housing delivery.</p> <p>The draft devolution agreement provides for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills, which will positively impact on the lives of residents by helping create more jobs, more housing, improving the skills and employment prospects of residents and boosting the productivity of East Anglia.</p> <p>The announcement followed a period of intense discussions involving 23 councils across Norfolk, Suffolk, Cambridgeshire and Peterborough, the two Local Enterprise Councils, senior civil servants and Government Ministers.</p> <p>This report provides further background and summarises the draft agreement. It sets out the next steps and highlights the requirement for the agreement to be taken to each council for debate, and for subsequent consultation with relevant local stakeholders.</p> <p>The report also asks Members to agree the establishment of a project budget to provide the necessary capacity to ensure Norfolk can fully participate in and shape the detailed work to secure robust governance arrangements.</p> <p>Recommendations:</p> <p>Policy and Resources is asked to:</p> <ul style="list-style-type: none">• Recommend that Full Council considers the draft Devolution agreement for East
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Anglia (attached as Appendix 1), and endorses the next steps as set out in section 3.

- Authorise the Leader, with key officers, to continue to represent Norfolk's best interests in the next stages of the process of designing a scheme of governance and business plan.

2. Proposal (or options)

- 2.1. As previously reported, Norfolk and Suffolk have been working collectively on a devolution proposal since early Autumn which culminated in a draft submission to government in November. The devolution submission has previously been presented to Policy and Resources Committee on 30 November 2015 and Extraordinary County Council on 8 October 2015. The submission document has formed the basis of subsequent negotiations.
- 2.2. Discussions with the Government have continued since November. A key development since that last update followed a meeting between Leaders, the Secretary of State for Communities and Local Government and Lord Heseltine on Monday 15th February 2016. An outcome of this meeting was that Cambridgeshire, Norfolk, Peterborough and Suffolk should develop their collective 'big and ambitious asks' of government for a single combined devolution deal.
- 2.3. Work in support of this has drawn on that already undertaken by Norfolk and Suffolk, and by Cambridgeshire/Peterborough working independently. The Government has taken a much more active role in this process with, in particular, Lord Heseltine undertaking activity as a 'critical friend'. The Commercial Secretary to the Treasury, Lord O'Neill, as with other deals, has been a leading figure in negotiations. Meetings have been held locally with Lord O'Neill on 26 February and 8 March 2016.
- 2.4. All of the above culminated in the draft Devolution Deal for East Anglia being announced by the Chancellor in his budget statement on 16 March 2016. The deal document is attached as Appendix 1. It is important to note the opening statement "*The agreement below sets out the current devolution proposal which it is agreed that leaders will take to each council for full debate and consultation with relevant local stakeholders*".
- 2.5. The deal provides for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills, which will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting the productivity of East. In summary:
- 2.6. The draft deal will establish a Combined Authority and introduce a directly elected Mayor, with the first elections in May 2017. The new Mayor will act as Chair to the East Combined Authority and will exercise the following powers and functions devolved from central government:
 - Responsibility for a multi-year, consolidated and, devolved local transport budget
 - Responsibility for a new Key Route Network of local authority roads that will be managed and maintained by the Combined Authority on behalf of the Mayor

- Powers over strategic planning and housing, including £175m ring fenced funding to deliver an ambitious target of new homes, the responsibility to create a non-statutory spatial framework for the East and to develop with government a Land Commission and to chair the East Joint Assets Board for economic assets
- 2.7 The new East Anglia Combined Authority, working with the Mayor, will receive the following powers:
- Control of a new additional £30 million a year funding allocation over 30 years, to be invested to the East Single Investment Fund, to boost growth
 - Responsibility for chairing an area-based review of 16+ skills provision, the outcomes of which will be taken forward in line with the principles of the devolved arrangements, and devolved 19+ adult skills funding from 2018/19.
 - Joint responsibility with the government to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.

3 Next steps

- 3.1 The announcement of the draft agreement is a significant achievement for all involved, and represents a strong vote of confidence in the East Anglian region.
- 3.2 However, the Chancellor's announcement is only the start of what will be a period of intense work and engagement to secure the necessary governance arrangements, the agreement of all parties involved, and the formal Order which has to be put to Parliament.
- 3.3 The current timetable, which may well be subject to change, would see the detailed governance arrangements for the new Combined Authority drafted by the Leaders between the end of March and the end of June. This would be brought to Full Council at the end of June to endorse the deal and governance schedule as a basis for public consultation.
- 3.4 It is expected that the period of public consultation would run over the summer; Full Council would then consider the outcome of consultation, and be asked to agree the final deal and governance arrangements at the end of September. This would allow for an Order to be laid before Parliament in October, and elections for a new Mayor would be timed for May 2017.
- 3.5 To support the development of an effective and sustainable governance scheme, the East Anglia group of councils, LEPs, with Government departments and agencies will draw up a comprehensive business plan for East Anglia. It will build on the diversity of assets across the East Anglian economic areas – ports, energy coastline, universities, research capacity, advanced manufacturing and ICT – to identify ways to grow the economy.
- 3.6 This intention is for the business plan to empower a directly elected mayor with the necessary resources, tools and powers to build a successful and dynamic economy, within the checks and balances of the Combined Authority's governance arrangements.
- 3.7 Members will be kept informed throughout the process and no decisions which bind this Authority will be made without a report being brought to Full Council for

approval. it is clear from the enacting of the Bill that no individual authority could prevent a Combined Authority being formed. This would also need to be detailed and fully understood prior to any decisions being made.

4 National Context

- 4.1 Following introduction of the Cities and Local Government Devolution Bill in May 2015, local areas were invited to submit proposals for devolution as part of central government's consultation on the Spending Review (that closed on 4 September 2015). Government received 38 submissions for devolution from local government that varied from detailed to high-level expressions of interest.
- 4.2 Since the announcement of the Greater Manchester Combined Authority devolution deal in the 2014 Autumn Statement, Government has announced completion of six additional deals, which are:
 - Cornwall (16 July 2015).
 - Sheffield City Region (2 October 2015).
 - North East Combined Authority (23 October 2015).
 - Tees Valley (23 October 2015).
 - West Midlands (17 November 2015).
 - Liverpool City Region (17 November 2015).
- 4.3 The announced deals are similar in content, with a focus on economic growth. Cornwall is currently the only non-metropolitan area to have a deal announced.
- 4.4 The devolution deal documents published at the time of their announcement set out some specific agreements but also signal a direction of travel for further development and negotiation with Government. For example, Cornwall's deal includes the condition: "...partners will work together to...co-design a business plan to progressively move towards integration of health and social care resources".
- 4.5 In addition to those areas listed above that have formally been announced, the chancellor announced new deals for the West of England and Greater Lincolnshire in the budget on March 16th 2016.
- 4.6 Throughout the process government has argued that early mover advantage is key and that central policy attention and resources will move away from devolution after the budget.

5 Financial Implications

- 5.1 The Combined Authority will be in receipt of significant funds. The County Council as a member of the Combined Authority will have to satisfy itself that the appropriate governance and scrutiny is in place to manage the funds effectively.
- 5.2 The initial set-up costs of the new Combined Authority are at this stage being explored. To date the work of officers has been contained within existing budgets, however the extent of detailed work required and the pace at which the process will move may mean additional capacity and officer time is required.

6 Issues, risks and innovation

- 6.1 If the decision is ratified further work will need to be undertaken and the final governance arrangements for a Combined Authority of which Norfolk County

Council would be a member will be the subject of a formal governance review and statutory consultation.

- 6.2 A full risk analysis and Equality Impact Assessment will be undertaken as part of these processes once the detail is known.

7 Recommendations

Policy and Resources is asked to:

- Recommend that Full Council considers the draft Devolution agreement for East Anglia (attached as Appendix 1), and endorses the next steps as set out in section 3.
- Authorise the Leader, with key officers, to continue to represent Norfolk's best interests in the next stages of the process of designing a scheme of governance and business plan.

8 Background

- 8.1 The following papers relate to previous P&R Committees.

- Policy and Resources Committee, 28 September 2015, Item 11 - "Devolution Opportunities for Norfolk and Suffolk Councils - Update on Progress", Page 116.
<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/376/Committee/21/Default.aspx>
- Policy and Resources Committee, 30 November 2015, Item 14a - "Managing Director's Strategic Update: Devolution", Page 213.
<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/378/Committee/21/Default.aspx>

- 8.2 Extraordinary Full Council Meeting 8th October 2015.
<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/539/Committee/2/SelectedTab/Documents/Default.aspx>

- 8.3 The detail of the Cities and Local Government Devolution Act 2016 can be found here <http://www.legislation.gov.uk/ukpga/2016/1/contents/enacted/data.htm>.

- 8.4 The LGA resource hub can be accessed at <http://www.local.gov.uk/devolution>.

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

If you have any questions about matters contained in this paper please get in touch with:

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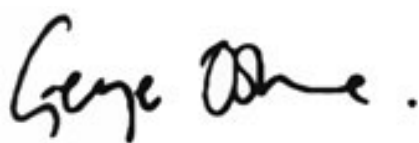
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The East Anglia Devolution Agreement

Implementation of this agreement is subject to the completion of the statutory processes and approval of all local authorities which are party to the deal.

The agreement below sets out the current devolution proposal which it is agreed that leaders will take to each council for full debate and consultation with relevant local stakeholders. This process is to be completed by no later than the end of June. In preparing the secondary legislation, to which all councils to which it applies must consent, and through which the deal will be implemented, the Government will have regard both to this agreement and to any resolutions the councils concerned may pass when considering this agreement. The consenting councils may include additional councils to those which are party to this agreement if such councils decide no later than the end of June (allowing the statutory process to be launched in early July) that they wish to become a party to the deal.



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The Rt Hon George Osborne
Chancellor of the Exchequer



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Rt Hon Greg Clark MP
Secretary of State, Communities and
Local Government



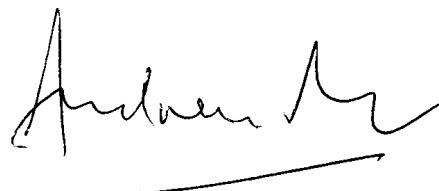
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Commercial Secretary to the Treasury



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Cllr Andrew Proctor
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Cllr Steve Count

Leader, Cambridgeshire County Council



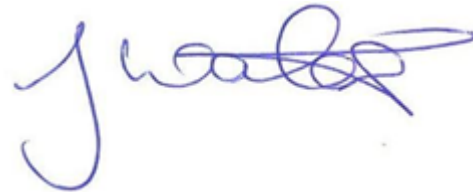
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Cllr James Waters

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Leader, Great Yarmouth Borough Council



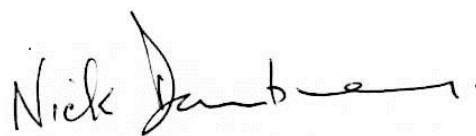
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Cllr David Ellesmere

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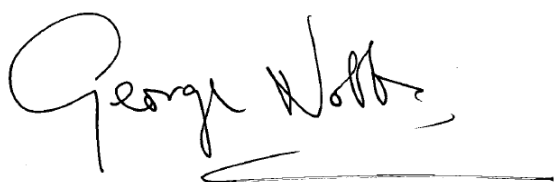
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Mark Pendlington

Chair, New Anglia Local Enterprise Partnership



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Cllr George Nobbs

Leader, Norfolk County Council

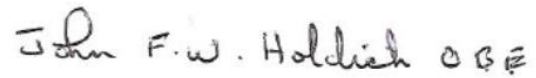


.....
Cllr Tom Fitzpatrick

Leader, North Norfolk District Council



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Cllr Alan Waters
Leader, Norwich City Council



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Cllr John Holdich
Leader, Peterborough City Council



.....
Cllr Ray Manning
Leader, South Cambridgeshire District Council



.....
Cllr John Fuller
Leader, South Norfolk District Council



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Cllr Colin Law
Leader, Waveney District Council



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Cllr John Griffiths
Leader, St Edmundsbury Borough Council



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Cllr Ray Herring
Leader, Suffolk Coastal District Council



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Cllr Colin Noble
Leader, Suffolk County Council

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The East Anglia Devolution Agreement

This document sets out the terms of an enabling document for a proposed agreement between Government, the 22 local authorities covering Cambridgeshire, Peterborough, Norfolk and Suffolk and the New Anglia Local Enterprise Partnership to devolve a range of funding, powers and responsibilities. Building on but separate to the Greater Ipswich City Deal, Greater Norwich City Deals agreed in 2013 and the Greater Cambridge City Deal agreed in 2014 and the New Anglia and Greater Cambridge Greater Peterborough Growth Deals agreed in 2014 and 2015, this Devolution Agreement marks an important next step in the transfer of resources, powers and accountability from central Government to local partners. The agreement below sets out the current devolution proposal which it is agreed that leaders will take to each council for full debate and consultation with relevant local stakeholders. This process is to be completed by no later than the end of June. In preparing the secondary legislation, to which all councils to which it applies must consent, and through which the deal will be implemented, the Government will have regard both to this agreement and to any resolutions the councils concerned may pass when considering this agreement. The consenting councils may include additional councils to those which are party to this agreement if such councils decide no later than the end of June (allowing the statutory process to be launched in early July) that they wish to become a party to the deal. In return for this level of devolution and local control Cambridgeshire, Peterborough, Norfolk and Suffolk will establish a Combined Authority, with a directly Elected Mayor in place by 2017 with interim arrangements in place in 2016/17.

The Opportunity

The Government and the Three Counties of Norfolk, Suffolk and Cambridgeshire and unitary Peterborough recognise a generational opportunity to accelerate growth in the local and national economy whilst improving the life chances and quality of life for every resident in each of the three counties of Norfolk, Suffolk and Cambridgeshire and Peterborough Unitary. Collectively these areas represent East Anglia, a geography that is known locally, nationally and abroad by business, residents & visitors alike. It is a diverse and dynamic area including cities, rural and coastal communities with a globally significant economic offer.

In a short time, Leaders of Councils and the LEP have come together to recognise the potential for a truly ambitious and radical devolution proposal which places economic growth, wealth creation and improving wellbeing at its heart. East Anglia has the ability to grow the UK economy and generate tax receipts in the immediate future and is best placed to continue to be a substantial net contributor to the Exchequer in furtherance of the Government's long-term economic plan.

East Anglia has a phenomenal opportunity of a better connected region, spreading and retaining the wealth generated by the global technology hub of Cambridge to the wider East Anglian area building the rural economy and improving the digital and broadband offer in supporting SMEs. With dramatically improved connectivity between the three counties and city growth nodes of Norwich, Ipswich and Cambridge and Peterborough, the region has set out a compelling vision with the scale and opportunity to exploit local Global Leadership in addressing the grand

challenges facing long-term human, environmental and economic sustainability to make a step change in the local economy.

Delivering on this opportunity

But there is much more to be done and this deal can only be the start. The deal represents an invitation to local Councils and Business to come together and set out a compelling Business Plan of Connected Growth for how this programme can be implemented and identify further reforms and mechanisms for unlocking new avenues of investment.

East Anglia will work with local Councils, LEPs, Government Departments and Agencies on their comprehensive business plan for East Anglia to be drawn up over the next six months. This will build on the diversity of assets across the East Anglia economic area such as it's: ports, all energy coastline, world class universities and research; its leading role in advanced manufacturing and ICT and will identify ways to grow its economy. Central to this model of connected growth East Anglia sets out a number of core initiatives:

- A step change infrastructure delivery with an integrated approach to planning of road, rail and digital connectivity alongside land for new housing and business
- The principle of Double Devolution of powers to local areas working with the Mayor to take responsibility and accountability for housing and infrastructure delivery in their own areas
- Making East Anglia the UK's truly connected region in respect of communications and transport connections. Linking research-based growth in the Cities with even the most rural villages. Improvements to road & rail infrastructure and using smart ticketing will make it easier for residents to participate fully in the economy across transport modes.
- Devising new models of private/public infrastructure & housing funding to fund strategic capital infrastructure
- A new partnership between the universities and FE providers in the region to drive a programme of co-ordinated skills and educational improvement to deliver the knowledge based economy

This business plan will form the basis of a second devolution proposal from East Anglia in the Autumn with the ambition of empowering the directly elected Mayor with the powers, tools and resources to unleash the potential of East Anglia with the main objective to build a successful and dynamic economy in the short term and make a substantial contribution to keeping the United Kingdom in the first economic rank of nations for generations to come. Exploiting these powers at a local level will to make a substantial contribution to this.

This document provides for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills, which will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting the productivity of East Anglia.

Summary of the proposed devolution agreement between government and the leaders of the 22 local authorities with the support of the New Anglia Local Enterprise Partnership.

A new, directly elected Mayor will act as Chair to The East Anglia Combined Authority and will exercise the following powers and functions devolved from central Government:

- Responsibility for a multi-year, consolidated and, devolved local transport budget
- Responsibility for a new Key Route Network of local authority roads that will be managed and maintained by the Combined Authority on behalf of the Mayor
- Powers over strategic planning and housing, including £175m (out to 20/21) ringfenced funding to deliver an ambitious target of new homes, the responsibility to create a non-statutory spatial framework for East Anglia and to develop with government a Land Commission and to chair The East Anglia Joint Assets Board for economic assets

The new East Combined Authority, working with the Mayor, will receive the following powers:

- Control of a new additional £30 million a year funding allocation over 30 years, to be invested to The East Anglia Single Investment Fund, to boost growth
- Responsibility for chairing an area-based review of 16+ skills provision, the outcomes of which will be taken forward in line with the principles of the devolved arrangements, and devolved 19+ adult skills funding from 2018/19.
- Joint responsibility with the government to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.

Further powers may be agreed over time and included in future legislation.

GOVERNANCE

1. Strengthened governance is an essential pre-requisite to any further devolution of powers to any local area. Through this deal East Anglia will establish a Combined Authority and introduce a directly elected Mayor over the Combined Authority's area, with the first elections in May 2017. This takes the next step in transferring resources and powers from central Government to East Anglia. There is no intention for the Combined Authority to take existing powers from local authorities or existing city deal governance structures or funding without agreement.
2. The local authorities of East Anglia recognise and have agreed that the principle of subsidiarity should apply to the discharge of functions by the Mayor and Combined Authority and governance of this devolution deal. Given the East Anglia's geographical extent, the Government and East Anglia agree to work on a model of devolution that aligns the regional strategic ambition expressed by the Mayor & Combined Authority with local accountability and incentives for delivery at a local level based on functional economic geographies.
3. The directly elected Mayor for The East Anglia Combined Authority will autonomously exercise new powers. The Mayor will chair the Combined Authority, the members of which will serve as the Mayor's Cabinet (unless determined otherwise as part of the Authority's constitution). The Mayor and the Combined Authority will be scrutinised and held to account by the Overview and Scrutiny committee(s). The Mayor will also be required to consult the Combined Authority Cabinet on his/her strategies and his/her spending plans, which it may reject if two-thirds vote to do so. The nature of voting arrangements for particular decisions within the 2/3 majority will be determined unanimously through the Authority's Constitution.
4. The East Anglia Mayor will be required to consult The East Anglia Combined Authority on his/her transport plan, which it may reject if two thirds vote to do so, subject to that majority including the votes of Cambridgeshire, Norfolk and Suffolk County Councils, and Peterborough City Council.
5. Proposals for decision by the Combined Authority may be put forward by the Mayor or any Cabinet Member. The Mayor will have one vote as will other voting members. Any questions that are to be decided by the Combined Authority are to be decided by a majority of the members present and voting, subject to that majority including the vote of the Mayor, unless otherwise set out in legislation, or specifically delegated through the Authority's Constitution.
6. The Mayor and the other members of the Combined Authority will be required to work closely together. Specifically:
 - a. the Mayor will provide overall leadership and chair Combined Authority meetings;
 - b. the Cabinet Model, where the leaders have a clear portfolio of responsibilities, will act as a supporting and advisory function to the Mayor and Combined Authority in respective policy areas; and

- c. the Mayor will also be a member of the LEP, alongside the other members of the Combined Authority, recognising the importance of the LEP's role and the private sector in any growth strategies or delivery.

FINANCE AND FUNDING

7. The Combined Authority will create and manage a single pot which will be used by the Combined Authority to invest in economic growth, helping to accelerate housing delivery and job creation. The Government will work with the Combined Authority to agree specific funding flexibilities which will be pooled into the Single Pot. This will comprise a flexible, multi-year settlement providing the freedom to deliver its growth priorities, including the ability to re-direct funding to reflect changing priorities, whilst upholding statutory duties. Government expects to disburse this agreed settlement to the Combined Authority annually in advance.
8. The Government agrees to allocate an additional £30m per annum of 60% capital and 40% revenue for 30 years, which will form part of and capitalise the Combined Authority single pot. This will be invested in Cambridgeshire, Peterborough, Norfolk and Suffolk. The Combined Authority will use these funds to unlock investment in infrastructure and deliver economic growth potential. The fund will be subject to 5-yearly gateway assessments to evaluate how spend has contributed to national growth.
9. Following the implementation of the necessary primary legislation, the Mayor will be given the power to place a supplement on business rates to fund infrastructure, with the agreement of the local business community through the New Anglia Local Enterprise Partnership and the Greater Cambridgeshire, Greater Peterborough Local Enterprise Partnership, up to a cap.
10. Through devolution, the area is seeking greater influence and decision making in respect of the European Structural Investment Funds 2014-2020 (European Regional Development Fund (ERDF), European Social Funds (ESF) and the EU Growth Programme element of the European Agricultural Fund for Rural Development (EAFRD)). This will allow the area to integrate and align investments with other aspects of the devolution deal and local economic priorities, to improve performance and maximise economic impact. In order to deliver these objectives the Combined Authority is seeking Intermediate Body Status for ERDF, ESF and the EU Growth Programme part of EAFRD funding. Government will work with the Combined Authority to test whether it will be possible to implement and if so, Government and the Combined Authority will work together to agree a timescale to put this in place and develop an agreement between each Managing Authority and the Intermediate Body that will contain details of delegated responsibilities and accountabilities, performance management, resources, their funding and payment arrangements and other relevant details.
11. The Government and local partners will explore how funding for infrastructure can be raised through Community Infrastructure Levy, taking account of the outcomes of the CIL Review.
12. The Combined Authority and Government will extend the existing pilot allowing Cambridgeshire and Peterborough authorities to retain 100% of any additional business rate growth beyond an agreed baseline to apply across Norfolk and Suffolk.

13. Government will work with local authorities in Norfolk, Suffolk, Cambridgeshire and Peterborough to shape and influence the design of the new Local Government Finance system based on the localisation of business rates in advance of its universal introduction in 2020.

HOUSING AND PLANNING

14. The Combined Authority, with its partner authorities, will use the powers and infrastructure resources devolved from central government, alongside local public and private investment, to substantially increase housing delivery.
15. They will support an ambitious target for increasing new homes delivery, jointly agreed with the Department for Communities and Local Government, which reflects latest assessments of housing need, and will report annually on progress against this target.
16. They will bring forward proposals as an integral part of the business plan by the summer on how they will do this. This will include proposals to deliver the immediate 69,000 homes needed over the period 2016-2021 and 275,000 homes over the longer period of Local Plans.
17. In addition to gainshare funding as part of this, local authorities will bring forward within six months a non-statutory strategic infrastructure delivery plan which identifies infrastructure needed to support the increased funding of new homes, and proposals to fund this through devolved infrastructure funds, through national programmes and through local funding.
18. The Combined Authority will work with Government and its agencies to co-invest in new homes, unlock barriers to growth, and plan and prioritise investment in associated infrastructure (including transport, schools and healthcare).
19. All planning authorities in East Anglia commit to have adopted or published Local Plans by 2017 which reflect overall assessments of housing need.
20. Recognising the unique housing market conditions in Greater Cambridge Government will ringfence £175 million of capital grant (out to 20/21) for East Anglia to deliver an ambitious target of new homes in line with national targets. This will primarily be to deliver Shared Ownership, but East Anglia will have flexibility over 15% of the funding to achieve the right tenure mix for the area. This 15% could include rental products as well as affordable homeownership. East Anglia will need to agree specific proposals for all of these funds with the Government to ensure value for money and sufficient housing outputs. East Anglia will be free to recycle receipts from any resulting sales to reinvest in new housing.
21. Subject to the Housing and Planning Bill, local authorities in East Anglia will by agreement with the Secretary of State retain a proportion of the receipts from the sale of high value assets, to fund additional homes. The proportion will be agreed with the Secretary of State for Communities and Local Government.
22. The Mayor will exercise strategic planning powers to support and accelerate these ambitions. These will include the power to:

- a. Create a non-statutory spatial framework, which will act as the framework for planning across the Combined Authority area, and for the future development of Local Plans. The spatial framework will need to be approved by unanimous vote of the members appointed by constituent councils of the mayoral Combined Authority. This approach must not delay the production of Local Plans.
 - b. Create non-statutory supplementary planning documents subject to the approval process [above].
 - c. Be consulted on planning applications of strategic importance in the Combined Authority area.
 - d. Create Mayoral Development Corporations or similar delivery vehicles, with planning and land assembly powers, which will support delivery of strategic sites in the Combined Authority area. This power will be exercised with the consent of the cabinet member in which the development corporation is to be used.
23. To support delivery of these commitments the Combined Authority and Government agree to:
- a. Establish a Joint Investment and Assets Board to review all land and property (including surplus property and land) held by the public sector (including central Government departments, the NHS and MoD land), building on the success of the One Public Estate Programme and to work together to invest in our strategic infrastructure priorities. The Board will include senior representatives from Government.
 - b. The Board will ensure there is a sufficient, balanced supply of readily available sites for commercial and residential development to meet the demands of a growing economy. It will create a Land Commission to develop a comprehensive database of available public and private sector land (prioritising large sites), identify barriers to its disposal/development, and develop solutions to address those barriers to help the Combined Authority meet its housing goals and to unlock more land for employment use.
 - c. Strong partnership to support key large housing sites (1,500 homes +) with brokerage at the local (through Homes and Communities Agency support) and central government level to help resolve barriers, with utility companies, or government agencies, which are holding up the development process. There will be continued discussions to secure longer term frameworks for funding of key sites, subject to the development of a business case, value for money and other funding criteria.
 - d. Work with local areas' ambitions for new housing settlements, including a new settlement in Fenland and West Norfolk based on garden town principles. [Subject to Parliament, the Government intends to strengthen legislation to make it easier to set up new town style vehicles].
 - e. Stronger partnership and strategic decision-making arrangements with the Homes and Communities Agency to ensure that the strategic housing objectives are delivered, and that centrally and locally managed investment is in strategic alignment.

- f. Support the development of proposals for ambitious reforms in the way that planning services are delivered, and which can enable greater flexibility in the way that fees are set, with a particular focus on proposals which can streamline the process for applicants and accelerate decision making.
 - g. Government will work with the Combined Authority and LEP to support local regeneration by helping the Combined Authority to create a strong portfolio of investment opportunities.
24. Government will support the work of the Ipswich Vision partnership to deliver their ambitions to regenerate the town; supporting town centre redevelopment by improving the retail offer and introducing more leisure, commercial and residential provision. Government will explore opportunities around transport led regeneration in Ipswich and will support improvements to Ipswich's retail offer, diversification of the night time economy and improvements to the public realm by offering Ipswich the opportunity to undertake a Digital High Street pilot and identifying opportunities to fund public realm improvements, such as through the Coastal Communities Fund.
25. Cambridge is internationally renowned for its world-leading university and its global strengths in technology and life sciences. In addition to the commitments to support housing delivery outlined above, the Combined Authority will also work with Government and Greater Cambridge partners to support delivery of the existing Greater Cambridge City Deal which is ensuring the future success of the city and surrounding district of South Cambridgeshire by investing in the transport infrastructure, housing and skills needed to see future economic growth.
26. Peterborough is one of the fastest growing cities in the country, with strengths in environmental goods and services, financial services, digital and food and drink, sectoral strengths that could be crucial to driving future growth across East Anglia as a whole. Local partners want to work with Government to build on this, including developing plans for University Centre Peterborough to attain Taught Degree Awarding Powers and, as outlined below, Government will be discussing with them how best they might progress their aspirations in this area, specifically, and across other, wider growth opportunities.
27. Greater Norwich is one of the fastest growing parts of the country and establishing itself as a leader in science, technology and manufacturing. The Combined Authority will work with Government and the Greater Norwich Growth Board to support the delivery of the Broadland, Norwich and South Norfolk Joint Core Strategy. Building on the Greater Norwich City Deal to fulfil the area's economic potential with particular focus on turning world class knowledge and ideas into world class jobs, building on existing opportunities such as: the Norwich Research Park, City Centre digital creative cluster, Norwich International Airport aviation cluster and proposed Food Hub.

THE CONNECTED ECONOMY- TRANSPORT AND ELECTRONIC COMMUNICATIONS

28. East Anglia recognises that for the Combined Authority to meet and exceed its ambitious targets for growth and wealth creation it needs to connect people and places to enable them both physically and digitally transforming from a local hotspot to a powerful connected City Region. Better connecting East Anglia has the

potential to reduce inflationary pressures and give the Cambridge hub access to an area of huge housing growth, high quality of life and centres of science, technology, innovation and advanced manufacturing, and drive up the standards of education and life opportunities across the entire area.

29. The Government commits to engaging with the Mayor and Combined Authority on a number of specific initiatives to improve the physical and digital connections within the area with the ambition of making East Anglia a truly connected region with two principle themes.

- a. Transport & the physical connections between communities, which is the key to unlocking sustainable growth
- b. Digital infrastructure and the connected economy with the objective of making a truly digitally connected region of the UK.

30. A new, directly elected Mayor of the proposed Combined Authority will:

- a. Take responsibility for a devolved and consolidated multi-year local transport budget for the area of the Combined Authority (i.e. the areas of the constituent councils). This will form part of the single pot to be controlled by the directly elected Mayor. Functions will be devolved to the proposed Combined Authority accordingly, to be exercised by the Mayor. The devolved budget will not form part of the Investment fund's gateway reviews.
- b. Take responsibility for a new Key Route Network of local authority roads; the management and maintenance of which will be undertaken by the proposed Combined Authority on behalf of the Mayor. To support this all relevant local roads maintenance funding will be devolved as part of the Mayor's consolidated multi-year local transport budget. This will support the delivery of a single asset management plan, working towards shared procurement frameworks and operational delivery for road maintenance amongst all partners across the Key Route Network and local authority network in the Combined Authority area.
- c. Have the ability to franchise bus services in the city region, subject to necessary legislation and local consultation and agreement. This will be enabled through a specific Buses Bill which will provide for the necessary functions to be devolved. This will support the Combined Authority's ambitions in delivering a high quality bus network and in enhancing the local bus offer, although the Combined Authority will also be exploring the use of an 'Enhanced Partnership' model for local bus services in the constituent local authorities subject to local consultation. This includes the delivery of smart and integrated ticketing, local branding and provision of minimum standards across the network.

31. In addition and as part of the deal:

- a. In order to meet the needs of local communities, the Combined Authority seeks to adopt an integrated approach to local buses, community based transport, the local network of car clubs and, in partnership with rail operators and Network Rail, rail services.
- b. The Combined Authority will build on existing smart ticketing knowledge and expertise developed locally through schemes including the Managed Service Smart Ticketing Pilot in Norfolk, funded by the Department for Transport and the

Endeavour Card funded and delivered by Suffolk County Council to determine the best method for a smart and integrated ticketing system across its area.

- c. In establishing the Combined Authority, appropriate local transport functions will be conferred to the Combined Authority and exercised by the Mayor. In addition, a single policy and delivery body will be created covering the same area in order to determine, manage and deliver the Mayor's transport plans and the delivery of integrated public transport networks for the region.
32. Local partners will consider how best to establish a Statutory Transport Body (STB) to ensure that East Anglia and its neighbouring areas, notably Essex and the Cambridge-to-Oxford arc, can best work together to influence strategic national transport investment, in line with the STBs being progressed in other parts of the country, such as Transport for the North (TfN) and Midlands Connect.
33. The Government reaffirms its commitment to help unlock the £4.5bn economic benefits and 50,000 new jobs from rail improvements, identified by the work of the Great Eastern Main Line Taskforce. This includes replacement rolling stock as part of the new East Anglia franchise and infrastructure upgrades. The Government will also continue to assist the West Anglia Main Line Task Force as it develops a business case for improving the rail corridor between Kings Lynn and London Kings Cross via Cambridge.
34. The Combined Authority recognises the significance of the development at Wyton Airfield and will work on plans to address airfield access, including the option of a river crossing at Hartford.
35. The Combined Authority recognises the significance of the dualling of the A47 Acle Straight and the third river crossing for Great Yarmouth.

FLOOD DEFENCE AND COASTAL MANAGEMENT

36. Government recognises that Norfolk, Suffolk, Cambridgeshire and Peterborough are subject to significant strategic and local flood risk. To manage and mitigate these risks the Combined Authority will work with Government and relevant bodies to create a fully integrated approach to flood and coastal risk management. This is required in order to secure timely decisions and funding that maximise our ability to reduce risk and to deliver additional economic growth. This will be achieved through:
- a. Alignment of investment plans in using resources to unlock new business development opportunities and attract additional funding including private contributions, whilst maintaining and, where possible, enhancing national and local commitments to protect people, property and land from flooding
 - b. Pre-emptive action to deliver solutions to reduce risk and increase resilience during severe weather events, preventing blight and increasing economic confidence
 - c. A consistent approach to assessing flood and coastal risk, benefits across schemes and maintenance plans to maximise economic and social impact

- d. Simplification and alignment of funding mechanisms in order to make processes transparent, locally accountable, efficient and deliver targeted local investment needs
 - e. Integrating local understanding of needs and benefits into the flood and coastal erosion risk management economic assessment approach
37. Following the scoping report currently underway, the government will work with local partners in Bacton and Walcott, which will help protect local communities from coastal erosion.

LEARNING AND SKILLS

38. To ensure continued collaboration the Combined Authority will, with the Regional Schools Commissioner and other key local education stakeholders establish an Education Committee. The Regional Schools Commissioner will work with the committee to provide strategic direction on education across the Combined Authority area.
39. The Government commits to an Area Review of post-16 education and training, currently expected to start in November 2016, excluding Great Yarmouth and Lowestoft where a Review has already been conducted during 2015. As part of the Area Based Reviews, the Combined Authority will gather data to feed into the development of a potential proposal for an Institute of Technology (IoT) for regionally significant sectors, and will discuss with Government the extent to which this meets the criteria which are being developed for IoTs nationally. The outcome of the Area Review will be taken forward in line with the principles of the devolved arrangements. The review will include all post-16 education and training provision in the initial scoping phase and school sixth forms will be included in the detailed review if the school decides to be involved in the process. Recommendations will be focused on General FE and Sixth Form Colleges, however the Regional School Commissioner and the relevant local authorities will consider any specific issues arising from the reviews for school sixth form provision.
40. Government recognises the progress the LEP, local colleges and providers and the private sector have made in improving skills provision across East Anglia. The New Anglia Employment and Skills Board will consider if further refinement of their local skills strategies will be required after the conclusion of the Area Reviews to ensure that post-16 providers are delivering the skills that local employers require. It is expected that the LEP Skills Board will continue to collaborate with colleges and providers, with appropriate support from the Education Funding Agency to work towards delivering this plan.
41. The Government will enable local commissioning of outcomes to be achieved from 19+ Adult Education Budget starting in academic year 17/18; and will fully devolve budgets to the Combined Authority from academic year 2018/19 subject to readiness conditions). These arrangements will not cover apprenticeships.
42. The Combined Authority will focus a greater proportion of its devolved Adult Education Budget on learning that delivers sustained job outcomes, productivity and economic growth.

43. Devolution will proceed in two stages, across the next three academic years:
- a. Starting now East Anglia Combined Authority will begin to prepare for local commissioning. For the 2017/18 academic year, and following the area review, government will work with The East Anglia Combined Authority to vary the block grant allocations made to providers, within an agreed framework.
 - b. From 2018/19, there will be full devolution of funding. The East Anglia Combined Authority will be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements. Government will not seek to second guess these decisions, but it will set proportionate requirements about outcome information to be collected in order to allow students to make informed choices. A funding formula for calculating the size of the grant to local/combined authorities will need to take into account a range of demographic, educational and labour market factors; it will also need to take account of costs of implementing devolution and continuing operational expenditure.
44. The readiness conditions for full devolution are that:
- a. Parliament has legislated to enable transfer to local authorities of the current statutory duties on the Secretary of State to secure appropriate facilities for further education for adults from this budget and for provision to be free in certain circumstances.
 - b. Completion of the Area Review process leading to a sustainable provider base.
 - c. After Area Reviews are completed, agreed arrangements are in place between central government and the Combined Authority to ensure that devolved funding decisions take account of the need to maintain a sustainable and financially viable 16+ provider base.
 - d. Clear principles and arrangements have been agreed between central government and the Combined Authority for sharing financial risk and managing failure of 16+ providers, reflecting the balance of devolved and national interest and protecting the taxpayer from unnecessary expenditure and liabilities.
 - e. Learner protection and minimum standards arrangements are in agreed.
 - f. Funding and provider management arrangements, including securing financial assurance, are agreed in a way that minimises costs and maximises consistency and transparency.
45. Government recognises that East Anglia has a world-class higher education offering, with the University of Cambridge consistently ranked amongst the foremost universities in the world and a wealth of strengths in others such as the University of East Anglia, University Campus Suffolk, Norwich University of the Arts and Anglia Ruskin University. This higher education offer has a vital role in enhancing the innovation and productivity of the area's economy. Local partners want to work with Government to build on this, including investing in the institutions to develop their academic and research offer, such as progressing plans for University Centre Peterborough to attain Taught Degree Awarding Powers and, in the longer-term, to establish an independent university institution in the city. Likewise, University Campus Suffolk will attain independent university status as the University of Suffolk

during 2016. Other proposals include plans in Ipswich by BT, Cambridge University and University Campus Suffolk focused on future developments in ICT and the Internet of Things. The Single Pot funds made available through this devolution deal could act as an important source of investment for this project and Government commits to discussing with local partners how best they might progress their aspirations in this area.

APPRENTICESHIPS

46. Government recognises Norfolk, Suffolk, Cambridgeshire and Peterborough's commitment to delivering more apprenticeships. The East Anglia Combined Authority will assume responsibility for the Apprenticeship Grant for Employers (AGE). The AGE funding must be used alongside mainstream apprenticeship participation funding to incentivise employers to offer apprenticeships, but The East Anglia Combined Authority is free to vary the criteria associated with the grant (e.g. size and sector of business) to meet local needs. The Skills Funding Agency will work with The East Anglia Combined Authority to identify an appropriate share.
47. The Combined Authority and the government will collaborate to maximise the opportunities presented by the introduction of the apprenticeship reforms, including the levy, and to work together on promoting the benefits of apprenticeships to employers in order to engage more small businesses in the apprenticeship programme. The Combined Authority will explore the potential of introducing an Apprenticeship Training Agency to the area, funded through local resources.

EMPLOYMENT

48. The Combined Authority will work with the Department for Work and Pensions (DWP) to establish a locally integrated employment service which joins together the elements of the employment system to achieve better outcomes. This includes:
49. The Combined Authority commits to working with Government to ensure all young people are either earning or learning including supporting Jobcentre Plus in the delivery of the Youth Obligation from April 2017.
50. Government commits to ensuring all young people are either earning or learning and to exploring opportunities for links with local employment services to support this aim, including building in good practice from the present local MyGo service and other local provision. The Combined Authority commits to supporting the Youth Obligation by utilising its strong local links to business to create work-related training and labour market opportunities for young people including encouraging the provision of apprenticeships and work placements in the local community. It will also work with Government to investigate the potential for social investment, in particular Social Impact Bonds, for disadvantaged young people not in education, employment or training who may not be in receipt of support from Jobcentre Plus.

51. The Combined Authority will work with DWP to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.
52. The respective roles of DWP and the Combined Authority in the co-design will include:
- a. DWP sets the funding envelope, the Combined Authority can top up if they wish to, but are not required to.
 - b. The Combined Authority will set out how they will join up local public services in order to improve outcomes for this group, particularly how they will work with the Clinical Commissioning Groups/third sector to enable timely health-based support. There will be a particular focus on ensuring the integration of the new programme with local services, in order to ensure that national and local provision works well together, and opportunities for greater integration are identified and levered.
 - c. DWP set the high-level performance framework and will ensure the support appropriately reflects labour market issues. The primary outcomes will be to reduce unemployment and move people into sustained employment. The Combined Authority will have some flexibility to determine specific local outcomes that reflect local labour market priorities, these outcomes should be complementary to the ultimate employment outcome. In determining the local outcome(s) the Combined Authority should work with DWP to take account of the labour market evidence base and articulate how the additional outcome(s) will fit within the wider strategic and economic context and deliver value for money.
 - d. Before delivery commences, DWP and the Combined Authority will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support, including a mechanism by which each party can raise and resolve any concern that arise.
 - e. DWP to facilitate protocols for data sharing and transparency by tackling some of the obstacles and developing solutions to enable the Combined Authority to develop a strategic needs assessment for the area.
53. The Combined Authority will co-commission the Work and Health programme with DWP. The respective roles of DWP and the Combined Authority will include:
- a. DWP sets the contracting arrangements, including contract package areas, but should consider any proposals from the Combined Authority on contract package area geography.
 - b. The Combined Authority will be involved in tender evaluation.
 - c. Providers will be solely accountable to DWP, but DWP and the Combined Authority's above-mentioned agreement will include a mechanism by which the Combined Authority can escalate to DWP any concerns about provider performance/breaching local agreements and require DWP to take formal contract action where appropriate.

Further activity to Improve Life Chances

54. The Combined Authority will set out how they will join up local public services across health, skills and employment in order to improve outcomes, particularly how they will work with local Clinical Commissioning Groups/third sector organisations and NHS England / the Health and Work Unit nationally to enable timely health-based support.
55. DWP will work with the Combined Authority and other partners to put in place workable data sharing arrangements which enable the integration of services and reduce duplication in order to support more people into work.

Career and pay progression.

56. The Government will work with the Combined Authority to ensure that local priorities are fed into the provision of career advice, through direct involvement and collaboration with the government in the design of local careers and enterprise provision for all ages, including continued collaboration with the Careers and Enterprise Company and the National Careers Service.
57. The Combined Authority will develop a business case for an innovative pilot to support career and pay progression for those claiming Universal Credit. The business case will set out the evidence to support the proposed pilot, cost and benefits and robust evaluation plans to enable the proposal to be taken forward, subject to Ministerial approval and an agreed investment plan.

BUSINESS SUPPORT

58. Government will participate in and support the work of The East Anglia's Productivity Commission, as a National Pilot Project to improve the productivity of the local economy by:
- a. Examining the productivity challenges facing local key sectors and the definition of productivity in each sector
 - b. Examining best practice locally, nationally and globally, at tackling these challenges
 - c. Building on the government's 10-point plan for rural productivity
 - d. Assessing how central and local policies are assisting with the productivity challenges and how they can be made to work better
 - e. Developing a Productivity Plan bringing together best practice and policy recommendations
 - f. Overseeing implementation of the plan and evaluate its impact
 - g. Making available findings and actions for roll-out in other parts of the country
59. The East Anglia's Productivity Commission will be chaired by a senior business figure, co-ordinated by the LEP, funded by local partners and able to capitalise on business-led sector group structures established by the LEPs.
60. Local partners will successfully deliver the Cambridge Compass, Alconbury-Weald and the New Anglia Enterprise Zones and the extension to the Great Yarmouth and Lowestoft Enterprise Zone as announced on 25 November following the 2015

application round. DCLG will agree with the LEP memoranda of understanding about the high level management and delivery of both the new EZs and the extension. Government commits to supporting local partners in promoting and supporting the delivery of the Enterprise Zones as well as considering any further proposals subject to future funding rounds.

61. The LEP will continue to deliver strong Growth Hubs, providing business support tailored to meet local needs across East Anglia. Government will provide funding to help embed the Growth Hubs in 2016/17 and 2017/18.
62. The Combined Authority, Local Authorities and LEPs commit to greater alignment of economic development resources to maximise impact of support for businesses and ensure the most efficient and effective use of public funding. This will include agreeing joint objectives to support the delivery of the Strategic Economic Plans and local plans and explore the pooling of staffing and resources.
63. Government recognises the work of the New Anglia Oil and Gas Task Force, established to support the businesses and employees who are being affected by the recent downturn in the oil and gas sector. The New Anglia Task Force will provide intelligence on the state of the local sector to Government's Inter Ministerial Group, to help shape national policy to support for the sector. Government will engage with the Task Force to ensure that UK Oil and Gas workforce plan which is currently under development aligns with and enhances measures being taken locally.
64. New Anglia LEP and the Combined Authority commit to working with UKTI, strengthen joint working to increase inward investment and exporting. Local partners will invest in a concerted campaign to help more businesses, particularly smaller companies, export.
65. New Anglia LEP, the Growth Hubs and Local Authorities will work with Government to develop a strategic approach to regulatory delivery, building on the Better Business for All national programme which will remove regulatory barriers to growth for businesses.
66. Government supports the vision for innovation set out by East Anglia and recognises the importance of the delivery of this vision for the region's future economic growth. The government will offer East Anglia expert advice and support through the Smart Specialisation Advisory Hub, and associated workshops, to support activities part-funded by the European Regional Development Fund. Government also recognises Norwich's growing capability in the area of food and health research, as evidenced by the announcement of the Quadram Institute in Budget 2016, and would be interested in the area's views on how East Anglia can capitalise on this strength.

HEALTH AND SOCIAL CARE

67. East Anglia faces significant demographic challenges that are putting pressure on resources now and in future years. For example, the population of the area contains more residents over the age of 75 than the average for England and this group is expected to continue to grow significantly.

68. Local progress has already been made towards greater integration of health and social care in a number of locations – Suffolk, North East Cambridgeshire and Norfolk have all developed local integrated services that support and improve the delivery of health and social care for people in their areas.
69. There is appetite to build on these foundations and make further progress on health and social care integration in order to deliver the Spending Review commitment to integrate health and social care by 2020, and to make the most efficient and effective use of public resources to meet the demographic challenges that lie ahead. Integrating such complex services will require re-shaping the whole system, which can only be achieved through careful planning, a shared vision and strong co-operation between local partners. This Devolution Deal signals a commitment to take forward the goal of improving local services and building resilience for future generations.
70. To deliver this shared vision, partnerships between local authorities, clinical commissioning groups, service providers and other local partners will need to be strengthened significantly. Therefore, these parties will work together, with support from Government, NHS England and other national partners as appropriate, to support each of the counties through their Sustainability and Transformation Planning process to set out plans for moving progressively towards integration of health and social care, bringing together local health and social care resources to improve outcomes for residents and reduce pressure on Accident and Emergency and avoidable hospital admissions.
71. NHS England and local organisations will remain accountable for meeting the full range of their statutory duties.

PUBLIC SERVICE REFORM

72. The Government and the Combined Authority will work with relevant central and local statutory and non-statutory sector partners to explore innovative and integrated approaches to redesigning sustainable public services across Norfolk, Suffolk, Cambridgeshire and Peterborough with a focus on prevention and early help.

THE EAST ANGLIA COMBINED AUTHORITY COMMITMENTS

73. The Combined Authority is accountable to local people for the successful implementation of the Devolution Deal; consequently, HM Government expects the Combined Authority to monitor and evaluate their Deal in order to demonstrate and report on progress. The Cities and Local Growth Unit will work with the shadow / proposed Combined Authority to agree a locally resourced monitoring and evaluation framework that meets local needs and helps to support future learning. This framework must be approved to the DCLG Accounting Officer prior to delivery.
74. The Combined Authority will be required to evaluate the additional £30 million per annum of funding for 30 years, which will form part of and capitalise the Combined Authority single pot. The £30 million per annum fund will be subject to:

- a. Gateway assessments for the £30 million per annum scheme. The Combined Authority and Government will jointly commission an independent assessment of the economic benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Combined Authority, but agreed at the outset with Government, and will take place every five years. The next five year tranche of funding will be unlocked if Government is satisfied that the independent assessment shows the investment to have met the objectives and contributed to national growth;
 - b. The gateway assessment should be consistent with the HM Treasury Green Book, which sets out the framework for evaluation of all policies and programmes, and where relevant with the more detailed transport cost-benefit analysis guidance issued by the Department for Transport (DfT). The assessment should also take into account the latest developments in economic evaluation methodology; and
 - c. The government would expect the assessment to show the activity funded through the scheme represents better value for money than comparable projects, defined in terms of a Benefit to Cost ratio.
75. The Combined Authority will write a single local assurance framework for the Single Pot, based on guidance produced by DCLG, to outline decision-making processes to allocate funding, and project appraisal. This local assurance framework will be signed off by the Government.
76. The constituent local authorities of the proposed Combined Authority, and the Combined Authority when formed, will work with government to develop a full implementation plan, covering each policy agreed in this Deal, to be completed ahead of implementation. This plan will include the timing and proposed approach for monitoring and evaluation of each policy which will take into account the latest developments in economic evaluation methodology and help supports future learning. This implementation plan must be approved by the DCLG Accounting Officer prior to delivery.
77. The Combined Authority and government will agree a process to manage local financial risk relevant to these proposals and will jointly develop written agreements on every devolved power or fund to agree accountability between local and national bodies on the basis of the principles set out in this document.
78. The Combined Authority will continue to set out their proposals to HM Government for how local resources and funding will be pooled across the region.
79. The Combined Authority will agree overall borrowing and capitalisation limits with the Government and have formal agreement to engage on forecasting. The Combined Authority will also provide information, explanation and assistance to the Office for Budget Responsibility where such information would assist in meeting their duty to produce economic and fiscal forecasts for the UK economy.
80. The Combined Authority will continue to progress programmes of transformation amongst authorities to streamline back office functions and share more services and data, including on assets and property.

81. The Combined Authority will continue to adhere to their public sector equality duties, for both existing and newly devolved responsibilities.
82. The government will support the constituent members of the proposed Combined Authority by leveraging existing monitoring and evaluation frameworks and, where applicable, by providing assistance to ensure consistency and coordination of metrics and methodologies with other areas receiving a devolution agreement. As part of this commitment, government will work with the constituent members of the proposed Combined Authority to explore options for the coordinated application of high quality impact evaluation methods in relation to certain policies, which may include i) local commissioning of 19+ skills; and ii) employment support.

Policy and Resources Committee

Item No 11b

Report title:	Recommendations from the Constitution Advisory Group held on 9 March 2016
Date of meeting:	21 March 2016
Responsible Chief Officer:	Anne Gibson, Executive Director of Resources
Strategic impact Article 13 of the Constitution provides that changes to the Constitution may only be made by full Council following consideration of the proposal by the Constitution Advisory Group who will make recommendations to this Committee. The Group met on 9 th March 2016 and made recommendations to the Policy and Resources Committee which are set out in this report.	

Executive summary

This report sets out recommendations made by the Constitution Advisory Group at its meeting held on 9 March 2016. In addition to the Review of Financial Standing Orders (the subject of a report elsewhere on this agenda), the Group considered and made recommendations on:

- Public Questions at Service Committees
- Committee Procedure Rules for dealing with Motions

Recommendations: To consider the recommendations from the Constitution Advisory Group and to make recommendations to Council on:

- **The suggested Public Question Rules as set out in Appendix A**
- **The suggested Committee Procedure Rules for dealing with motions as set out in Appendix B**

1. Proposal

(a) Public Questions at Service Committees

- 1.1 As part of the review of new Governance in 2015, the Constitution Advisory Group (CAG) considered the issue of Public questions in a Committee system and concluded that further thought needed to be given to the practicalities and that it required further clarification before it was implemented. CAG therefore recommended and Council agreed that Officers discuss and agree with CAG a protocol to allow an additional time slot of up to fifteen minutes to expressly permit members of the public to raise questions through their local member at Committee meetings.
- 1.2 CAG discussed the issue at its meeting on 9 March 2016 and in particular whether the involvement of the local Member in putting questions was appropriate. Members were firmly of the view that requiring the public to ask a question through their local

member was overly bureaucratic and that a system of direct questioning should be recommended to this Committee. CAG also debated the principles of how such a system would operate in practice if Members were minded to agree to a period of public questions. Set out in Appendix A is the suggested scheme for this Committee to consider and make recommendations to Council. If this Committee and Council agree to the proposal, CAG has indicated it will review its operation after 6 months.

(b) **Committee Procedure Rules for dealing with motions**

- 1.3 CAG went on to consider the Committee Procedure Rules (Part 4.2 of the Constitution), which do not currently make adequate provision for dealing with motions on notice at service committees. They include the rules of debate, but do not make any specific provision for dealing with motions with and without notice, nor for dealing with motions relating to previous committee decisions.
- 1.4 Consequently, the Committee Procedure Rules are not sufficiently comprehensive and are not consistent with the procedures for dealing with motions at Full Council meetings. Now that we have a committee system, motions will mostly relate to functions that Council has delegated to service committees and will therefore mostly be for the committees themselves to debate. It is therefore important that the Committee Procedure Rules enable motions to be dealt with appropriately.
- 1.5 The Committee Procedure Rules have been track changed to bring them into line with the Council Procedure Rules as they relate to motions. The track changed version is attached as Appendix B and CAG recommends these amendments to Policy and Resources Committee and that they be updated as proposed.

2. Financial Implications

There are no direct financial implications flowing directly from this report.

3. Issues, risks and innovation

- 3.1 There are no other relevant implications to be considered by members.

Background Papers – There are no background papers relevant to the preparation of this report.

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

Officer Name: **Tel No:** **Email address:**

Chris Walton 01603 222620 chris.walton@norfolk.gov.uk



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Committee Procedure Rules – part 4.2

Insert new 5

5. Questions by the Public at Service Committees

A person resident in Norfolk, or who is a non-domestic ratepayer in Norfolk, or who pays Council Tax in Norfolk may ask at an ordinary meeting of a Service Committee through the Chairman any question within the terms of reference of the Committee about a matter for which the council has a responsibility or particularly affects the County.

The Head of Democratic Services may reject a question if it:

(a) is not about a matter for which the council has a responsibility or particularly affects the County;

(b) is defamatory, frivolous or offensive or has been the subject of a similar question in the last 6 months or the same as one already submitted under this provision;

(c) requires the disclosure of confidential or exempt information (as defined the Council's Access to Information Procedure Rules

NOTICE OF QUESTIONS

A question under this rule may only be put if either:

(i) at least 2 working days' notice of the question is given in writing to the Head of Democratic Services; e.g. by 5.00 p.m. on the Wednesday preceding a Service Committee meeting on Monday;

OR

(ii) The question relates to urgent matters and it has the consent of the Chairman to whom the question is to be put, and the content of the question is given to the Head of Democratic Services by 9.30 a.m. on the day of the meeting.

NUMBER OF QUESTIONS

At any ordinary Service Committee meeting, the number of questions which can be asked will be limited to one question per person plus a supplementary. No more than one question plus a supplementary may be asked on behalf of any one organisation. No

person shall be entitled to ask in total under this provision more than one question and a supplementary in any six month period.

Questions are subject to a maximum word limit of 110 words. Questions that are in excess of 110 words will be disqualified. The total time for public questions will be limited to 15 minutes. Questions will be put in the order in which they are received.

A supplementary question may be asked without notice and should be brief (fewer than 75 words and take less than 20 seconds to put). It should relate directly to the original question or the reply. The Chairman may reject any supplementary question s/he does not consider compliant with this requirement.

RESPONSE

The Chairman shall exercise his/her discretion as to the response given to the question and any supplementary. If the person asking the question indicates they will not be attending the Committee, a written response will simply be sent to the questioner. If the person asking the question has indicated they will attend, responses to questions will be made available in the Committee Room in writing before the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to questions will not be read out at the meeting. The Chairman may give an oral response to a supplementary question or may require another Member or Officer to answer it. If an oral answer cannot be conveniently given, a written response will be sent to the questioner within seven days of the meeting.

If the person who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for questions, a written response will be sent within seven working days of the meeting.

PART 4.2

COMMITTEE PROCEDURE RULES

1. Time and place of meetings
2. Notice of meetings
3. Chairman of meeting
4. Appointment of substitute members of committees and sub-committees
5. Questions by the public and public speaking
- [6.](#) Questions by members
- [7.](#) [Motions on Notice](#)
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- [196.](#) Voting in committees
- [2017](#) Adjournment of committee meetings
- [2148.](#) Rights of other members to attend committee meetings

2219. Interpretation of Rules of Procedures

23. Conducting Committee Business

24. Working Groups' Protocol

1. **TIME AND PLACE OF MEETINGS**

The time and place of meetings will be determined by the Managing Director and notified in the summons.

2. **NOTICE OF MEETINGS**

The Head of Democratic Services will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules in Part 7.4 of the Constitution. At least five clear days before meetings, the Head of Democratic Services will circulate to relevant members the agenda for the meeting setting out the date, time and place of the meeting and specifying the business to be transacted.

3. **CHAIRMAN OF MEETING**

The person presiding at the meeting may exercise any power or duty of the chairman.

4. **APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

- 4.1 Group Leaders can nominate all their members to be substitutes for appointed members of Committees and Sub-Committees, except in the case of regulatory committees where substitutes will be drawn from a nominated panel of experienced members.
- 4.2 Notice of a substitution must be given by the appointed member or the relevant political assistant to the Head of Democratic Services (through the appropriate committee clerk) indicating the name of the substitute, before the commencement of the particular meeting.
- 4.3 Cancellation of the intention to substitute will not be effective until notified by the appointed member or the relevant political assistant before the commencement of the meeting.
- 4.4 If, after advance notice has been given, the appointed member is present when the meeting begins, the substitution will not have effect for that meeting.
- 4.5 If the appointed member arrives when the meeting is in progress, the substitution will remain effective and the appointed member will not be allowed to speak (except as a local member on a matter affecting his/her Division) or vote. It is not possible to substitute for part of a meeting.
- 4.6 At the commencement of the meeting the Chairman/Committee Clerk will inform the Committee/Sub-Committee of substitution(s).

5. **QUESTIONS BY THE PUBLIC AND PUBLIC SPEAKING**

- 5.1 The procedures governing questions by the public and public speaking can be found in Part 4.4 of the Constitution.
- 5.2 There shall be a period of up to 15 minutes to expressly permit members of the public to raise questions through their local member, in line with the agreed protocol for public questions of committee meetings.

6. **QUESTIONS BY MEMBERS**

- 6.1 A member of a committee may at any meeting of that committee ask through the chairman any question within the terms of reference of the committee. In addition any member of the Council may at any committee meeting ask a question, make comments or raise issues on any significant matter affecting the Division of the member within the committee's terms of reference.

6.2 **NOTICE OF QUESTIONS**

A member may only ask a question under this Rule if either:

- (i) they have given at least 2 working days notice of the question in writing to the Head of Democratic Services; e.g. by 5.00 p.m. on the Wednesday preceding a Committee meeting on Monday;

OR

- (ii) The question relates to urgent matters and they have the consent of the chairman to whom the question is to be put, and the content of the question is given to the Head of Democratic Services by 9.30 a.m. on the day of the meeting.

6.3 **NUMBER OF QUESTIONS**

The number of questions which can be asked at a Committee meeting under this Rule will be limited to two per Member (or one question plus a supplementary). A Member who asks two substantive questions will not be entitled to ask any supplementaries. Substantive questions are subject to a maximum word limit of 110 words. Substantive questions that are in excess of 110 words will be disqualified. The total time for member questions will be limited to 15 minutes.

6.4 **RESPONSE**

Responses to the substantive questions will be given to the questioner in writing before the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to substantive questions will not be read out at the meeting. A questioner who asks only one substantive question will be entitled to ask a supplementary question and if they do so, a response to it will be given orally by the Chairman or such other member or officer as is determined by the Chairman. Supplementary questions are subject to a limit of 75 words. If a response to a supplementary question cannot conveniently be given orally, a written answer will be sent to the questioner within seven working days of the meeting.

- 6.5 If the member who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for questions, a written response will be sent to the questioner within seven working days of the meeting.

7. MOTIONS ON NOTICE

- 7.1 Except for motions which can be moved without notice under Rule 8, notice of every motion must be given in writing, signed by the member or members of the Committee giving the notice, and delivered to the Head of Democratic Services not later than 7 working days before the date of the meeting
- 7.2 Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 7.3 If a motion listed on the agenda is not moved either by the member who gave notice or by another member on his/her behalf, it will, unless postponed by the Committee, be treated as withdrawn and should not be moved without fresh notice.
- 7.4 Motions must be clear and concise and be matters for which the Committee has responsibility and which affect Norfolk.

8. MOTIONS WITHOUT NOTICE

- (1) The following motions may be moved without notice:-

- (a) to appoint a chairman of the meeting at which the motion is moved if the Chairman or Vice-Chairman is not present;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting where such appointment is required;
- (f) to receive and adopt reports and recommendations of officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;

(j) that the question be now put;

(k) to extend the time limit for speeches;

(l) to adjourn a debate;

(m) to adjourn a meeting;

(n) that the meeting continue beyond 3 hours in duration;

(o) to suspend a particular committee procedure rule;

(p) to exclude the public and press in accordance with the Access to Information Rules;

(q) to not hear further a member named under Rule 14.3 or to exclude them from the meeting under Rule 14.4 and

(2) A motion by the Chairman under paragraph (1)(p) of this Rule will take precedence over any other motion and will without the need of a seconder be put forthwith without discussion or question. Provided that after the withdrawal of the public pursuant to any such motion a member may notwithstanding any other provision of these Rules, move that the public be re-admitted and upon that motion being seconded it may be discussed and voted upon.

97. RULES OF DEBATE

97.1 NO DEBATE OR VOTE UNTIL MOTION SECONDED

No motion will be debated or voted upon after the mover has moved a proposal ~~(other than a motion that the report of a committee or a recommendation within it be received and adopted)~~ until the motion has been seconded.

97.2 RIGHT TO REQUIRE MOTION IN WRITING

Unless notice of the motion has already been given, tThe Chairman may require any motion ~~it~~ to be written down and handed to him/her before it is discussed. The motion will be read out to the committee before any vote upon it is taken.

97.3 SECONDER'S SPEECH

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

97.4 CONTENT AND LENGTH OF SPEECHES

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman.

97.5 WHEN A MEMBER MAY SPEAK AGAIN

_____ A member who has spoken on a motion may not speak again whilst it is the subject of debate, except;

- _____ (a) to speak once on an amendment moved by another member;
- _____ (b) to move a further amendment if the motion has been amended since he/she last spoke;
- _____ (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- _____ (d) in exercise of a right of reply;
- _____ (e) on a point of order; and
- _____ (f) by way of personal explanation;
- _____ (g) to demand a recorded vote;
- _____ (h) to move the suspension of these procedural rules;
- _____ (i) to move a resolution under paragraph 9.10 of these Rules;

- ~~(a) on a point of order; and~~
- ~~(b) by way of personal explanation.~~
- ~~(c) to demand a recorded vote~~
- ~~(d) to move a resolution under paragraph 7.10 of these Rules;~~
- ~~(e) to move the suspension of these procedural rules~~

97.6 AMENDMENTS TO MOTIONS

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to leave out words;

- (ii) to leave out words and insert or add others; or
- (iii) to insert or add words.

as long as the effect of (i) to (iii) is not to negate the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is moved, the Chairman will ask the proposer of the original motion if he/she is willing to alter his/her motion in accordance with the amendment. If he/she accepts, the amendment becomes the substantive motion and is debated. If the proposer of the original motion is unwilling to alter his/her motion, the Chairman will ask if there is a seconder for the amendment. If there is a seconder, the amendment will then be debated and voted upon.
- (de) If an amendment is not carried, other amendments to the original motion may be moved.
- (ee) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (fe) After an amendment has been carried, the chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

97.7 ALTERATION OF MOTION

- (a) (a) — With the consent of the meeting, a member may alter a motion of which he/she has given notice proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion
- (cb) Only alterations which could be made as an amendment may be made.

97.8 WITHDRAWAL OF MOTION

With the consent of the seconder, a member may withdraw a motion which he/she has moved ~~with the consent of the seconder~~. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

9.9 RIGHT OF REPLY

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

(b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

(c) The mover of the amendment has no right of reply to the debate on his or her amendment.

9.107.9 — **MOTIONS WHICH MAY BE MOVED DURING DEBATE**

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to postpone consideration of the motion;
- (d) to proceed to the next business;
- (e) that the question be now put;

- (f) to adjourn a debate;
- (g) to adjourn a meeting;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a member named under Rule 141.3 or to exclude them from the meeting under Rule 141.4;
- (j) that the procedural rules be suspended;

97.119 CLOSURE MOTIONS

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) that consideration of the motion be postponed;
 - (ii) to proceed to the next business;
 - (iii) that the question be now put;
 - (iv) to adjourn a debate; or
 - (v) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting or to postpone consideration of the meeting is seconded and the chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
- (e) provided that a second motion to the same effect under this section will not be moved in reference to the same motion or amendment within a period of 20 minutes unless it is moved by the Chairman.

~~provided that a second motion to the same effect under this section will not be moved in reference to the same motion or amendment within a period of 20 minutes unless it is moved by the Chairman.~~

7.119.12 POINT OF ORDER

A member may raise a point of order at any time. The chairman will hear him/her immediately. A point of order may only relate to an alleged breach of these Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the chairman on the matter will be final.

9.137.12 PERSONAL EXPLANATION

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the chairman on the admissibility of a personal explanation will be final.

10. PREVIOUS DECISIONS AND MOTIONS

10.1 MOTION TO RESCIND A PREVIOUS DECISION

A motion or amendment to rescind a decision made at a meeting of the Committee within the past seven months cannot be moved unless the notice of motion is signed by at least 5 members of the Committee.

10.2 MOTION SIMILAR TO ONE PREVIOUSLY REJECTED

A motion or amendment in similar terms to one that has been rejected at a meeting of the Committee in the past seven months cannot be moved unless the notice of motion or amendment is signed by at least 5 members of the Committee. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for seven months.

118. MINUTES

118.1 SIGNING THE MINUTES

The chairman will sign the minutes of the proceedings at the next suitable meeting. The only part of the minutes that can be discussed is their accuracy and any question as their accuracy must be raised by motion.

129. RECORD OF ATTENDANCE

Each member attending a committee meeting must, with a view to securing the recording of his/her attendance, sign the attendance sheet provided by the Head of Democratic Services for that purpose. If any member arrives after the attendance

sheet has been circulated, he/she must intimate his/her presence to the Head of Democratic Services

| 1340. **EXCLUSION OF PUBLIC**

| Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 7.4 or Rule 152 (below) of the Constitution

| 141. **MEMBERS' CONDUCT**

| 141.1 **SPEAKING**

When a member speaks at committee meetings, they must address the meeting through the chairman, but may choose to either stand or remain seated.

| 141.2 **CHAIRMAN STANDING**

When the chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

144.3 MEMBER NOT TO BE HEARD FURTHER

If a member persistently disregards the ruling of the chairman by behaving improperly or offensively or deliberately obstructs business, the chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

144.4 MEMBER TO LEAVE THE MEETING

If the member continues to behave improperly after such a motion is carried, the chairman may adjourn the meeting for a specified period or move that ~~either~~ the member leaves the meeting. If seconded, the motion will be voted on without discussion. If the member continues to behave improperly, the Chairman may give such direction as he/she considers appropriate for the removal of the member and the restoration of order.

144.5 GENERAL DISTURBANCE

If there is a general disturbance making orderly business impossible, the chairman may adjourn the meeting for as long as he/she thinks necessary.

152. DISTURBANCE BY PUBLIC

152.1 REMOVAL OF MEMBER OF THE PUBLIC

If a member of the public interrupts proceedings, the chairman will warn the person concerned. If he/she continues to interrupt, the chairman will order his/her removal from the meeting room.

152.2 CLEARANCE OF PART OF MEETING ROOM

If there is a general disturbance in any part of the meeting room open to the public, the chairman may call for that part to be cleared.

163. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

163.1 This is covered by the Members Code of Conduct in Part 8.1 of the Constitution.

174. SUSPENSION AND AMENDMENT OF COMMITTEE PROCEDURE RULES

174.1 SUSPENSION

- (i) All of these Rules except Rule 196.2 may be suspended by motion on notice, or without notice if at least one half of the whole number of members of the committee are present. Suspension can only be for the duration of the meeting. A motion to suspend any of these Rules must specify the Rule to be suspended and must be moved in terms limited to an explanation of the reasons for the suspension. It will seconded in formal terms only and will be put to the committee without debate.

- (ii) Any motion to add to, vary revoke these Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, except where it is moved as part of the report of the Cabinet.

185. COMMITTEES

- (1) References in these Rules to "Committees" include other bodies except where those bodies have separately agreed arrangements.
- (2) The Chairmen and Vice Chairmen of the Service Committees are appointed by the Full Council at the Annual General Meeting. The Chairman and Vice Chairman of the Policy and Resources shall be the persons appointed Leader and Deputy Leader of the Council respectively. Full Council also has the power to remove a person from the office of Chairman or Vice-Chairman of these committees. This can only be exercised by resolution of the Council, following a vote of no confidence in the postholder by the relevant committee. Every other Committee will at its first meeting after the annual meeting of the Council in any year and whenever else necessary elect a chairman and (if so desired) a vice-chairman for the year, who will each serve, being a member of the committee, until a successor is appointed. In the absence from a meeting of the chairman and vice-chairman, a chairman for that meeting will be appointed.
- (3) The Chairman of a committee may call a special meeting at any time. The summons to the special meeting will be issued by the Head of Democratic Services and will set out the business to be considered; and no business other than that set out in the summons will be considered at that meeting. Cancelling or changing the date or time of a scheduled meeting shall be determined by the Chairman following consultation with Group Spokesmen.
- (4) Full Council is responsible for considering any proposal by a committee to establish a sub-committee (Article 6 and Part 3.1). If Council agrees to the establishment of a sub-committee, it shall also determine its composition and terms of reference.
- (5) The quorum of each committee will be five and of each sub-committee will be three unless otherwise specially ordered by the Council. The quorum for the Emergency Committee, the Pensions Committee, the Personnel Committee, the Standards Committee, the General Purposes Regulatory Committee and the Employment Appeals Panel will be 3.

196. VOTING IN COMMITTEES

- ⊕ **19.1** Voting at a meeting of a committee will normally be by show of hands; but any member may demand a recorded vote and, if one quarter of the members constituting the committee signify their support such a vote will be taken.

⊖ 19.2 If there are an equal number of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

196.3 Where immediately after a vote is taken at a committee meeting any member of that committee so requires, there will be recorded in the minutes of the proceedings of that meeting whether that person casts his/her vote for the motion or against the motion or whether he/she abstained from voting.

1946.43 **VOTING ON APPOINTMENTS**

- (i) If there is only one nomination for a single position to be filled, the person nominated will fill the position only if a greater number of members vote for the nominee than against. The Chairman may at his/her discretion call for a vote:-
 - (a) by each member when called upon announcing whether they are for or against the appointment of the nominee;
- (ii) If there are two or more people nominated for a single position to be filled, the person having the greatest number of votes will fill the position. The Chairman may at his/her discretion call for a vote:-
 - (a) by each member when called upon announcing the name of the person for whom he/she votes; or
- (iii) Where more than one position or vacancy is involved, voting papers will be distributed and a vote will be taken –
 - (a) by each voter writing on his/her voting paper the names of no greater number of the persons nominated than would be required to fill the positions or vacancies under consideration;
 - (b) the names of such persons having the greatest number of votes in descending order as are required to fill the positions or vacancies under consideration will thereupon be declared by the Chairman to be the names of the persons appointed to fill the said positions or vacancies.

provided that in the event of there being an equality of votes for the only position or vacancy or the last position or vacancy the vote will be taken again between such persons having equal votes. Where the number of persons nominated does not exceed the number of positions or vacancies by more than one, the appointment may be determined on a motion.

2047. ADJOURNMENT OF COMMITTEE MEETINGS

When a committee adjourn, whether by resolution or by decision of the Chairman, the adjournment will by decision taken at that time be to a date, time and place specified, provided that where this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, all members of the committee will be notified of the new date, time and place when these have been determined.

2148. RIGHTS OF OTHER MEMBERS TO ATTEND COMMITTEE MEETINGS

- (1) A member of the Council who has moved a motion which has been referred to any committee will have notice of the meeting of the committee at which it is proposed to consider the motion. The member will have the right to attend the meeting and, if they attend will have an opportunity of explaining the motion.
- (2) A member of the Council may attend a meeting of any committee of which they are not a member but may not speak without the agreement of the Chairman and may not vote.
- (3) A member of the Council will have the right to attend any public meeting arranged by an officer or any meeting of a committee called to make any inspection of any site or works within their Electoral Division or which is to consider the making of any compulsory purchase order of land or buildings within such Division. The member will have notice of any such meeting and, if they attend will, at the discretion of the Chairman have the right to give their views.

2249. INTERPRETATION OF RULES OF PROCEDURE

The ruling of the Chairman as to the construction or application of these Rules or as to any proceedings of the Committee will be final for the purposes of the meeting at which it is given.

230. CONDUCTING COMMITTEE BUSINESS

Committee Business shall be conducted in accordance with the Protocol for Conducting Committee Business in Annex 1.

244. WORKING GROUPS PROTOCOL

- (i) Working Groups should be conducted in accordance with the Working Groups Protocol set out in Annex 2.
- (ii) Where the findings of a Working Group are being reported back to a committee, they should be presented by members.

PROTOCOL FOR CONDUCTING COMMITTEE BUSINESS

In the current financial environment the Council's decision making process should be as efficient as possible, working on the principle that "time is money". This protocol sets out the principles and best practice that will guide the carrying out of Council business. The Council's Constitution sets out the framework for how the Council operates, and this protocol is designed to supplement this through articulating how the structure and processes in the Constitution should operate in practice.

There is an expectation that members will work in accordance with this protocol and it will be for them to enforce the protocol and hold officers and each other to account for its delivery.

BEFORE THE COMMITTEE MEETING

The effectiveness of a Committee meeting is highly dependent on the preparation that goes into it, particularly the content and the length of the agenda, the length of the meeting, the quality of reports and officer advice and the level of member engagement before the meeting.

AGENDA PLANNING AND REPORTS

1. AGENDAS SHOULD:-

- Focus on strategic matters.
- Be based on the Forward Plan, the Committee's risk register and strategic issues.
- Be planned with input from the Chair/Vice-Chair and from Committee Spokespersons.

Matters for information or updates on issues should not be included on committee agendas. Other methods such as seminar, workshops, email updates or information bulletins should be developed to cover these sort of issues.

2. REPORTS SHOULD BE:-

- Timely (i.e. comply with the statutory requirement to be available to members and the public 5 clear days before the meeting).
- Concise, clear and relevant, particularly with regard to the decision(s) required of members. The structure should include a meaningful and self-contained executive summary. Significant additional information should be signposted rather than appended.
- Shared with Spokespersons in outline at the Spokespersons meeting and developed in the light of that early engagement.
- Compliant with a design guide which makes sure that reports will be readable on the ICT equipment members are provided with.

- Corporate and take a whole Council approach.

MEMBER INVOLVEMENT BEFORE COMMITTEE MEETINGS (CHAIR AND VICE-CHAIR PLANNING MEETINGS AND SPOKESPERSON MEETINGS)

1. CHAIR AND VICE-CHAIR MEETINGS (CURRENTLY CALLED PRE-AGENDA OR SOMETIMES AGENDA PLANNING) SHOULD:-

- Review and revise the Forward Plan.
- Consider any discussion from the previous Spokespersons meeting and which reports should come forward to the next agenda and the order in which they should appear.
- Allow the Chair and Vice-Chair to discuss with senior officers the practicalities of the meeting and receive any general committee updates.

2. SPOKESPERSONS MEETINGS SHOULD:-

- Be timetabled and scheduled in the Democratic calendar (as should all member meetings).
- Be attended by all Spokespersons and by the Chair, Vice-Chair, Executive Director and any other appropriate officers.
- Be timetabled in advance to follow the Chair and Vice-Chair meetings and have a record made of their deliberations which can be circulated to other members.
- Have at least one meeting per cycle to allow them to have a meaningful discussion as to the business in the forthcoming cycle and at a stage that will allow Spokespersons to influence matters.
- Review the agenda and ensure that the reports provide the information required to make decisions. The meeting does not need to cover all agenda items but should allow the time to identify issues and themes about how reports are written and presented in addition to actual items.
- Discuss suggestions from members for agenda items.
- Agree where possible areas of consensus exist.
- Recognise that Committees have collective accountability and take a collegiate approach.
- Have access to those officers best able to advise and support them in their role.
- Have an open and frank conversation and be clear as to the balance between the need for members to respect confidentiality against not unnecessarily constraining members in performing their role.
- Have an on-going dialogue between Committee cycles with the Chair and Vice-Chair, between themselves and with officers.
- Operate in an atmosphere of trust and mutual respect between officers and members.
- Agree how they wish to receive briefings/updates from officers in between meetings.
- Discuss and propose amendments to the Forward Plan.

- Be informed of decisions taken by Chief Officers following consultation with the Chair.
- Consider if any issues would be best addressed through task and finish groups.
- Discuss significant issues of concern.
- Enable Spokespersons to fulfil their key role of cascading information to and gathering the views of fellow members of their Group.

COMMITTEE MEETINGS

COMMITTEE MEETINGS SHOULD:-

- Not extend to more than 3.5 hours unless the Committee so agrees.
- Have timed agendas, allocating time for each item.
- Acknowledge where there is consensus and allocate time accordingly – for example a Task and Finish Group report.
- Devote most time to priority strategic issues.
- Have agendas that are realistic in terms of content and length that will allow members to transact the business in an efficient and effective manner.
- Recognise that officer and member time is a valuable resource and should be used effectively.
- Not receive reports that are for information or of interest only to a particular member or division unless the Spokespersons agree otherwise.
- Only call additional meetings for a particular purpose. Other options should be carefully examined if it is suggested calling an additional meeting in response to the general workload of a Committee, such as looking more critically at agendas and considering different ways of dealing with issues such as Task and Finish Groups and Seminars.

OFFICERS SHOULD:-

- Use Agenda tracker to ensure they make best use of their time.
- Only give necessary updates on the contents of their report when introducing it.
- Answer questions in a succinct and relevant manner.

MEMBERS SHOULD:-

- Abide by the protocol and support its enforcement through self-policing and supporting the Chair.
- Take advantage of training and development opportunities relevant to their roles.
- Not seek to repeat points previously made.
- Keep the debate at a strategic level and avoid it becoming parochial.
- Seek information/ask questions regarding reports in advance of the meeting where possible in order to save time at the meetings.

WORKING GROUPS PROTOCOL

- Working Groups cannot take decisions. Decision-making is confined to Council, Committees and Sub-Committees.
- A Working Group can make recommendations to the Committee or Sub-Committee that sets it up.
- A Working Group need not be politically balanced. Membership will be determined by the Committee or Sub-Committee that sets it up and can draw in Members from other Committees if required.
- Whilst Working Groups are usually comprised of Members, Officers may be invited to join from time to time. As with reports to Committees reports to Working Groups will be produced by Officers.
- A Working Group may be a 'task and finish group' with a fixed timescale and specific objectives to achieve or may be an 'advisory group' on a particular topic. In such cases the Committee or Sub-Committee will set the terms of reference.
- Working Groups will not meet in public. They are informal meetings for the purpose of deliberation on the specific matters within their terms of reference. Working Groups are not clerked and formal minutes are not kept. This promotes free and frank discussion within the Group and does not create an additional call on resources.
- Terms of reference for the Working Group will be established by the Committee or Sub-Committee that sets it up.
- There will be no substitutes on Working Groups. The meetings are informal, are not decision-making and will benefit most from having regular input from those who have particular knowledge of the Working Group's remit.
- Committees and Sub-Committees are not obliged to accept the recommendations of a Working Group.
- The Committee or Sub-Committee that establishes a Working Group also has the power to dissolve it.
- The Working Group will not issue press statements on behalf of the Council nor speak to the media about its work except at the request of the Committee or Sub-Committee that set it up.

Policy and Resources Committee

Item No 12

Report title:	Direct Property Development
Date of meeting:	21 March 2016
Responsible Chief Officer:	Executive Director of Finance
Strategic impact Proposals in this report support Norfolk County Council (NCC) priorities by focussing on key objectives of the Council's Asset Management Plan to pro-actively exploit the latent value of the property portfolio and release capital resources for other purposes. In addition, the proposal for creating capability for direct property development will support the Council's Financial Strategy through commercialisation of assets to generate future income streams to support funding for service delivery.	

Executive summary

In November 2015 Policy & Resources Committee (P&R) approved that further work be done by the Executive Director of Finance to assess options for delivering direct property developments on land that is surplus to council requirements.

This paper proposes that it is possible for the Council to enhance income from surplus land by taking profits that would otherwise be taken by a private developer and others involved in the process, including financiers. This could be achieved through the establishment of a new wholly-owned Limited Company that would undertake property development.

Legal advice has been taken to confirm that the Council has powers to develop its own land, but to protect public money a limited company vehicle should be used to limit the risk. Specialist taxation advice is being sought and services of external financial consultants will be engaged to assist in preparation of a commercial business plan and scrutinise the viability of the proposed operations. This advice will include assessment of development risks and establishment of suitable governance arrangements as part of due diligence.

Recommendations

Policy & Resources is asked to:

1. **Approve the establishment of a commercial property development company and instruct officers to register Repton Homes Limited (RHL) and Repton Properties Limited (RPL) as private companies, with Norfolk County Council as the sole shareholder for both.**
2. **Confirm that the primary purpose of the company is to generate income streams to support service delivery.**
3. **Confirm the composition of the Company Board to include 2 County Councillors, 2 external Non-Executive Directors and 4 County Council Officers.**
4. **Agree nomination of Cllrs. George Nobbs and Cliff Jordan as the founding directors of the two new companies. Directors will then be appointed annually, as part of the process for appointment to external bodies.**

5. Agree that Repton Homes Ltd and Repton Properties Limited will be offered all NCC surplus properties and other assets, suitable for development, at full market value.
6. Endorse the business objectives and operating model for the RPL and note that the Board of the new company will focus on the development of a 5 year business plan, to be reported to P&R before commencing trading.

1. Options considered & recommended proposal

1.1. Outcomes Sought

It is proposed that the primary objective for direct property development will be to maximise financial returns for the Council to support service delivery.

In addition the Council is seeking wider social, economic and environmental outcomes and therefore the following secondary objectives are proposed;

1. Contributing to meeting Norfolk's growing housing demand
2. Provision of quality homes to raise design and performance standards.
3. Provide economic stimulus by increasing overall capacity for property development and by taking control for developing specific sites preventing land banking.
4. Support creation of quality jobs and economic growth.

1.2. Options for Direct Property Development

To maximise the amount of income that can be realised from the council's surplus property and land, and to minimise risks, an options appraisal has been carried out.

The Council is a member of a new network of Council's in the East of England undertaking or considering direct property development. As well as providing a source of information, learning and collaboration this network has provided information on the various approaches being taken.

The options appraisal has taken into account legal, financial and tax advice and evaluation of risk. The options can be summarised as:

1. Status Quo – market sale with benefit of planning consent - **Rejected**
2. Optimise Market Disposal through conditional contracts - **Rejected**
3. In-house – **Rejected**
4. Utilise the existing partnerships with District Councils and establish new partnerships as sites come forward. – **Rejected (at this stage)**
5. Partnership with private sector - **Rejected**
6. Wholly Owned Property Development Company (stand-alone) - **Recommended**

Further details of each option are shown in Table 1.

Consideration was also given to the formation of a Limited Liability Partnership, as an alternative to a company limited by shares. However this is not relevant as the Council is not entering into a partnership with other organisations.

1.3. Governance of Company

Initially the new property development companies will be set up as wholly owned companies of the County Council. In the future consideration can be given to transfer these to be a part of the Norse Group.

Principles have been established around the legal governance of the company:

1. The Chief Operating Officer and board of directors will be accountable to NCC as shareholder. This responsibility will be discharged through preparation of a five year strategic business plan, setting annual targets and monitoring operating performance. The board will be required to submit annual reports to P&R.
2. The Board will include Members, Non-Executive Directors (commercially experienced) and NCC Officers
3. NCC Officers will scrutinise the company governance and operating model to ensure compliance with State Aid regulations

1.4. Commercial Operating Model

1. The Board will act as Management Team with property development, financial, programme management and business support leadership
2. NCC will provide business support initially.
3. If sites are purchased from NCC it will be at market value.
4. The initial focus for the company will be on property deemed surplus to requirements by the Council, but it needn't be restricted to this in the future.
5. The establishment size of the company is likely to be small – less than 5 employees initially.
6. The Company will commission planning, design and development advice and related property services to secure appropriate planning status for specific land and buildings and create viable development schemes.
7. The Company will procure builders and project management through an approved public procurement framework.
8. Marketing and sales advice will be commissioned initially although capacity will be developed within the company over time.

Table 1
Option Appraisal - Summary of Options

Ref	Option	Benefits	Advantages	Disadvantages	Conclusion
1	Status Quo i.e. dispose land with outline consent	Market value for land sales	<ul style="list-style-type: none"> Low-risk income extracting potential benefiting from uplift in market value by establishing best future use and planning status. Early capital receipt 	<ul style="list-style-type: none"> Does not maximise the potential profit from surplus land - development profit taken by private developer No control over development means wider social objectives may not be met (land banking) 	<p>Rejected</p> <p>Doesn't fit with the Council's commercial aspirations</p>
2	Optimise Market Disposal Conditional sale contracts for share gain	Market value plus overage	<ul style="list-style-type: none"> Enhanced receipt in return for retaining some of the planning risks and deferred income 	<ul style="list-style-type: none"> Little or no control over development means wider social objectives may not be met (land banking) 	<p>Rejected</p> <p>Doesn't optimise income</p>
3	In-house Council to develop and build directly	n/a	<ul style="list-style-type: none"> Council can develop housing but there is a risk to public funds 	<ul style="list-style-type: none"> Power of General Competence placed on local authorities states that a company vehicle must be used for commercial activity 	<p>Rejected</p> <p>Not advised due to financial risk to Council.</p>
4	Develop through existing JV Housing Companies and form others as required.	Market value of land plus share of developer profits	<ul style="list-style-type: none"> Can build on existing joint-venture companies with GYBC & KLWNBC Some Norfolk districts have already established housing development companies Districts have housing 	<ul style="list-style-type: none"> NCC would not have full control over it's activities Profits would be shared May be complex and time-consuming to set up 	<p>Rejected,</p> <p>but opportunity still exists to develop further pieces of land currently owned by these 2 districts through existing companies</p>

Ref	Option	Benefits	Advantages	Disadvantages	Conclusion
			expertise and experience <ul style="list-style-type: none"> Districts manage demand for social housing 		
5	Partnership with private sector (landowners, developers, builder, landlords, funder)	Market value of land plus share of developer profits	<ul style="list-style-type: none"> Can call on expertise and commercial experience They are the experts in this field – NCC has limited expertise 	<ul style="list-style-type: none"> Profits would be shared Developer may not want to take risk on sites with marginal viability May be complex and time-consuming to set up 	Rejected
6	NCC wholly-owned company	Market value of land plus 100% developer profits. Interest income plus margin on financing	<ul style="list-style-type: none"> NCC has experience of setting up wholly-owned Companies All profits would be available to offset reductions in grant funding Would be easier to exit if wholly-owned by NCC 		Current recommended option

3. Financial implications

The Company will require funds to operate and trade. This will be provided in the form of loans from the Council.

State Aid regulations dictate that loans from a council to a wholly owned company must be at commercial rates which will provide a contribution to the Council's revenue budget as it will likely be above the Council's own cost of (internal) borrowing.

Specialist tax advice will be sought to manage the company's liability for Stamp Duty Land Tax. In addition the Council will also monitor and take advice to manage VAT implications.

The Company Board will approve a business plan before the Company starts to trade.

There are no TUPE implications contained within this proposal.

4. Legal implications

Legal processes around setting up a wholly-owned limited company are tried and tested and NPLaw have set up similar companies in the past.

As the company will not be carrying out any of the statutory duties of the council then it will not be subject to Public Procurement rules. However, it may be possible for the company to take advantage of existing council contracts and frameworks for services such as design, construction, project management and agency services.

NPLaw will provide scrutiny and advice around compliance with State Aid and Public Law regulations and also provide on-going legal advice to the company, support to accounts, changes to constitution etc.

5. Issues, risks and innovation

The company will employ a small number of commercially experienced staff to lead and manage the company.

A considerable number of local authorities are considering the establishment of a housing development vehicle or have already done so. Norfolk is part of the East of England Housing Company Network which exists to share best practice and jointly commission services. Norfolk's Devolution Bid partners in Suffolk and Cambridgeshire are in the process of establishing their own companies, in Suffolk's case a joint venture between the County Council and 2 districts.

It is proposed to register two companies for future flexibility. Officers will secure the appropriate company registration and internet domains to support the formation of the Company.

The risks around site viability for direct development relate to Town Planning, market conditions, cost estimating and site issues impacting on buildability, extent of development and infrastructure costs. These risks are often amplified through objections from key stakeholders including local residents, businesses and statutory consultees.

Mitigation of the risks through a robust and live Risk Register include measures to engage stakeholders early, carry out adequate research of the market, planning policies and obtain cost assurance as well as factor in contingencies.

6. Background

There are several strands forming the strategic background to these proposals, namely

- The overall Councils priorities of excellence in education, real jobs, good infrastructure and supporting vulnerable people.
- The adoption by the Council on 1st June 2015 of a new Asset Management Plan 2015-18 (AMP).
- The adoption of the property savings plan, agreed by Policy and Resources Committee, that calls for £7.3m of savings for 2015-18.
- Re-imagining Norfolk that anticipates improving property and assets, through a more innovative and commercial approach.
- The Norfolk One Public Estate Programme that is supporting the joint strategic exploitation of the combined public sector property estate.
- The Devolution offer anticipates working with government to identify new settlements and accelerate housing delivery.
- The medium term financial strategy includes commercialisation of NCC property assets as a priority to help diversify the Council's funding.

Strategic asset management is focussed on:

- Releasing properties that are costly, not delivering services efficiently or in the wrong location.
- Exploiting the latent value of the property estate with an emphasis on using the retained estate more intensively or identifying opportunities to generate revenue income or increasing the capital value.
- Reducing future maintenance liabilities and reducing the overall carbon footprint.
- Directing spend on “core” assets that are to be retained over the long term.

There are several key targets in the AMP that support these proposals:

- Establish a 5 year Disposals Programme – seek opportunities for development.
- Implement property savings and income plan with target of £7 million over 3 years .
- Develop options for “top 10” sites with development potential.
- Deliver strategy to promote surplus/fringe sites for housing.

7. Background papers

- (i) Policy & Resources Committee 1 June 2015 - agenda item 13 – Asset Management Plan – Strategy 2015/18
- (ii) Policy & Resources Committee 30 November 2015 – agenda item 12 – Direct Property Development and Disposal of Land & Properties

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment or if you have any other questions about matters contained in this paper please get in touch with:

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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.