

## **COUNCIL MEETING – 27 FEBRUARY 2024**

### **RECOMMENDATIONS FROM COROPORATE POLICY COMMITTEE: TRANSFER OF LOCAL ENTERPRISE PARTNERSHIP FUNCTIONS TO LOCAL AUTHORITY CONTROL**

#### **RECOMMENDATIONS: That Council**

- 1. agree the retention of the partnership approach between Warrington Borough Council, Cheshire West and Chester Council and Cheshire East Council in respect of sub-regional functions.**
- 2. agree that Cheshire and Warrington Local Enterprise Partnership (including Marketing Cheshire) functions should continue to be delivered by a Company jointly owned by all three Councils, based on the business case set out in Appendix A.**
- 3. agree to set up a Joint Committee (JC) by 1 April 2024 with Terms of Reference as set out in Appendix B.**
- 4. agree that a Cheshire and Warrington Business Advisory Board be created to ensure a continued influential business voice in sub-regional economic strategy and priorities following the end of the Cheshire and Warrington Local Enterprise Partnership Board. Terms of Reference be agreed by the Joint Committee.**
- 5. that delegated authority be granted to the Director of Growth, in conjunction with the Council's Section 151 Officer and Monitoring Officer, to effect non-material changes to the proposed changes to the Articles of Association of Cheshire and Warrington Local Enterprise Partnership as referenced in Appendix C of this report.**
- 6. recommend to the Joint Committee that they then make changes to the Articles of Association and that the name of Cheshire and Warrington Local Enterprise Partnership be changed to Enterprise Cheshire and Warrington (ECW).**
- 7. agree the findings of the due diligence report undertaken and set out in Appendix D, including finances, risks and liabilities that the Council will incur in respect of LEPCo.**
- 8. recommend to the Joint Committee that when established, one officer from Cheshire East Council, with appropriate corporate skills and experience is appointed as a Director of LEPCo. That the officer is identified through consultation with the Council's Monitoring Officer, Place Director and Section 151 Officer.**

9. agree to enter into a Service Agreement with Cheshire West and Chester Council, Warrington Council and LEPCo on the terms set out in Appendix E, and to delegate final approval of the terms of the Service Agreement to the Director of Governance and Compliance in consultation with the Place Director and S151 Officer.
  10. recommend the Business Plan of the LEPCo to the Joint Committee as set out at Appendix F.
  11. agree that Cheshire East Council should continue to be the Accountable Body for the purposes of funding, and that the Director of Governance and Compliance be authorised to make any necessary changes to the Collaboration Agreement.
  12. agree that the Council's Monitoring Officer be given the authority to make any consequential changes to the Council Constitution to give effect to these recommendations.
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Extract from the Minutes of the Corporate Policy Committee meeting on 13 February 2024

#### 10 **TRANSFER OF LOCAL ENTERPRISE PARTNERSHIP FUNCTIONS TO LOCAL AUTHORITY CONTROL**

The Committee considered a report which set out the changes needed to implement the requirements of government guidance on Local Enterprise Partnership functions, which would become the responsibility of Local Authorities from 1 April 2024.

The Committee debated the report and queried the member oversight and scrutiny of the proposals. It was confirmed that member briefings had taken place in September 2023 and January 2024 to provide members of the council with an overview of the direction of travel. Members noted that a joint committee would be established with representation across the three local authorities.

Cllr O'Leary queried the objectives of the LEP to provide subsidy. Officers committed to providing a written response.

#### **RESOLVED (by majority):**

That the Corporate Policy Committee recommends that full Council:

13. Agree the retention of the partnership approach between Warrington Borough Council, Cheshire West and Chester Council and Cheshire East Council in respect of sub-regional functions.

14. Agree that Cheshire and Warrington Local Enterprise Partnership (including Marketing Cheshire) functions should continue to be delivered by a Company jointly owned by all three Councils, based on the business case set out in Appendix A.
15. Agree to set up a Joint Committee (JC) by 1 April 2024 with Terms of Reference as set out in Appendix B.
16. Agree that a Cheshire and Warrington Business Advisory Board be created to ensure a continued influential business voice in sub-regional economic strategy and priorities following the end of the Cheshire and Warrington LEP Board. Terms of Reference be agreed by the Joint Committee.
17. That delegated authority be granted to the Director of Growth, in conjunction with the Council's Section 151 Officer and Monitoring Officer, to effect non-material changes to the proposed changes to the Articles of Association of C&W LEP as referenced in Appendix C of this report.
18. Recommend to the Joint Committee that they then make changes to the Articles of Association and that the name of Cheshire and Warrington Local Enterprise Partnership be changed to Enterprise Cheshire and Warrington (ECW).
19. Agree the findings of the due diligence report undertaken and set out in Appendix D, including finances, risks and liabilities that the Council will incur in respect of LEPCo.
20. Recommend to the Joint Committee that when established, one officer from Cheshire East Council, with appropriate corporate skills and experience is appointed as a Director of LEPCo. That the officer is identified through consultation with the Council's Monitoring Officer, Place Director and Section 151 Officer.
21. Agree to enter into a Service Agreement with Cheshire West and Chester Council, Warrington Council and LEPCo on the terms set out in Appendix E, and to delegate final approval of the terms of the Service Agreement to the Director of Governance and Compliance in consultation with the Place Director and S151 Officer.
22. Recommend the Business Plan of the LEPCo to the Joint Committee as set out at Appendix F.
23. Agree that Cheshire East Council should continue to be the Accountable Body for the purposes of funding, and that the Director of Governance and Compliance be authorised to make any necessary changes to the Collaboration Agreement.
24. Agree that the Council's Monitoring Officer be given the authority to make any consequential changes to the Council Constitution to give effect to these recommendations.