

OPEN

COUNCIL

11 December 2024

Cheshire and Warrington Joint Committee: Amendment to Terms of Reference

Report of: Janet Witkowski Acting Governance, Compliance and Monitoring Officer

Report Reference No: C/12/24-25

Ward(s) Affected: N/A

Purpose of Report

- 1 To approve amendments to the Terms of Reference for the Cheshire and Warrington Joint Committee to:
 - (a) Include oversight and strategic direction for potential devolution to Cheshire and Warrington.
 - (b) Include the ability to approve expenditure regarding subregional government and other funding.

Executive Summary

- 2 This report sets out proposed amendments to the existing Terms of Reference of the Cheshire and Warrington Joint Committee to enable effective strategic leadership in the development of any devolution proposition for Cheshire and Warrington. This will allow the Joint Committee to advance a potential devolution agreement with HM Government to such a stage as it can make specific recommendations to this Council.
- 3 In addition, since the functions of Local Enterprise Partnerships became the responsibility of local authorities in April 2024, government funding for subregional matters is now left with the respective local authorities to determine. The current Terms of Reference do not specifically refer to this and the proposal is to amend them to clarify this.

RECOMMENDATIONS

The Council is recommended to:-

1. Approve the amendments to Part 2 of the Cheshire and Warrington Joint Committee Terms of Reference as set out in red at Appendix A.
2. Agree that the final decisions related to the establishment of a Combined Authority and a devolution agreement are matters that will be brought back to this Council.

Background

- 4 In February 2024 it was agreed that the partnership approach between Warrington Borough Council, Cheshire West and Chester Council and Cheshire East Council in respect of sub-regional functions should be retained following the 2023 decision of the Government to end Local Enterprise Partnerships.
- 5 It was agreed that a Joint Committee, comprised of Elected Members from each Council, would provide strategic sub-regional leadership. The Council was enabled to set up a Joint Committee under Part VI of the Local Government Act 1972 and Part I Chapter 2 of the Local Government Act 2000. Terms of Reference were agreed via an aligned report that went to each Council for decision in February 2024.
- 6 The Joint Committee meeting on 29 November 2024 considered a report (attached at Appendix 1) asking them to consider each of the three Council's position on devolution. The Joint Committee resolved to ask each of the three Councils to amend the Joint Committee Terms of Reference as per the appendix to that report, to facilitate it to provide strategic direction and oversight across potential devolution for Cheshire and Warrington (see attached minute at Appendix 2).
- 7 In addition, since the functions of Local Enterprise Partnerships became the responsibility of local authorities in April 2024 government funding for sub regional matters is now left with the respective local authorities to determine. The current Terms of Reference do not specifically refer to this and the proposal is to amend them to clarify this.
- 8 The request is that Council approve amendments to the Terms of Reference to provide clarity that this is delegated to the Joint Committee. This will mean that separate decisions will not be required of each of the Councils and will facilitate ease of decision making, supporting strategic economic

Consultation and Engagement

- 9 Cheshire East Council has reported updates to its Corporate Policy Committee on 13th June 2024 and 21st August 2024, and, in September 2024, set up a small cross party Member Reference Group which has subsequently met on three occasions to discuss key issues and progress.
- 10 Early engagement has commenced with the Cheshire and Warrington Leaders Board (including representatives from the voluntary and community sector, health, fire and police) as well as the Cheshire and Warrington Business Advisory Board (representing the private sector and business representative organisations such as the Chambers of Commerce).
- 11 Engagement has also commenced with all local MPs.
- 12 A comprehensive communications and engagement plan will be developed to ensure that stakeholders, business and residents are fully engaged in exploring the impacts of devolution. A statutory consultation with residents and businesses across Cheshire and Warrington will form part of any decision-making process.

Reasons for Recommendations

- 13 Enabling the Cheshire and Warrington Joint Committee to lead on the strategic direction for potential devolution will provide clear subregional leadership with a shared ambition to ensure that business and residents have the opportunity to seek maximum benefit from possible devolution.
- 14 Representation from all Cheshire and Warrington Councils, will provide a 'whole place' response - ensuring that all the many differences across the subregion are considered, including rural and urban issues as well as areas where subregional scale will be important, such as business sectors and transport viability. It is expected that 'sub-groups' will be formed with wider Council representation to explore detailed elements of potential devolution, such as skills, transport and regeneration.
- 15 It will also ensure that Cheshire and Warrington can move 'at pace' when required, supported by this single point of contact for the subregion - for example, maximising any investment opportunity via the Spring 2025 Spending Review and supporting strategic economic development opportunities..
- 16 This option also still ensures that each Council in Cheshire and Warrington will make the final decisions on devolution.

Other Options Considered

- 17 It is considered that the Joint Committee provides the best option to explore and review opportunities via devolution.
- 18 It would take too much time and resource to create a new Joint Committee.
- 19 It would be very difficult, costly and time intensive to try to secure a 'single voice' for the sub region by trying to take direction separately via each of the three Councils.

Implications and Comments

Monitoring Officer/Legal

- 20 The legal implications are as set out in this report and the report to the Joint Committee. Further advice and support will be required in due course as the devolution agenda moves forward.

Section 151 Officer/Finance

- 21 There are no financial implications as a consequence of this report, as relating to the Terms of Reference of the Joint Committee. Any financial implications relating to potential devolution will be reported and considered at a later time, to respective councils and the Joint Committee.
- 22 Importantly, the amendments to the Terms of Reference bring clarity to the Joint Committee's role, as a sub-regional body of the three councils, in ensuring effective utilisation of Government funding streams, where they specifically relate to opportunities for supporting sub-regional strategic economic development.

Policy

An open and enabling organisation <i>Ensure there is transparency in our decision making</i>	A thriving and sustainable place <i>A great place for people to live, work and visit</i> <i>Thriving urban and rural economies</i>
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Equality, Diversity and Inclusion

- 23 There are no direct equality implications as a result of this report.

Human Resources

24 There are no direct HR implications as a result of this report.

Risk Management

25 A full risk register will be established if the decision is taken to move towards devolution.

Rural Communities

26 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

27 There are no direct implications for children and young people as a result of this report.

Public Health

28 There are no direct public health implications.

Climate Change

29 There are no direct climate change implications as a result of this report.

Access to Information	
Contact Officer:	Janet Witkowski Acting Governance, Compliance and Monitoring Officer Janet.witkowski@cheshireeast.gov.uk
Appendices:	Appendix 1 – Report to the Joint Committee Appendix 2 – Minutes Extract from the Joint Committee Meeting 29 November 2024
Background Papers:	Reports to Corporate Policy Committee; <ul style="list-style-type: none">• 13 February 2024• 3 June 2024• 21 August 2024