



To be submitted to the Council at its meeting on 18th July 2024

ECONOMY SCRUTINY PANEL

12th March 2024 at 6.30pm

Present:

Councillor Freeston (in the Chair)
Councillors Brookes (substitute for Sandford), Goodwin (substitute for Wilson), Holland, Hudson and Patrick (substitute for Wheatley).

Officers in attendance:

- Carolina Borgstrom (Director Economy, Environment and Infrastructure)
- Simon Jones (Assistant Director Law and Governance)
- Joanne Paterson (Scrutiny and Committee Advisor)
- Rob Walsh (Chief Executive)

Also in attendance:

- Councillor Harness (Portfolio Holder Finance, Resources and Assets)
- Councillor Jackson (Leader of the Council and Portfolio Holder Economy, Net Zero, Skills and Housing)
- Councillor Shutt (Heneage Ward Councillor)
- Luke Green (Communications and Marketing Officer)

There was 1 member of the public present.

SPE.70 APOLOGIES FOR ABSENCE

Apologies for absence from this meeting were received from Councillors Cairns, Smith, Sandford, Wilson and Wheatley.

SPE.71 DECLARATIONS OF INTEREST

There were no declarations of interest received in respect of any item on the agenda for this meeting.

SPE.72 GREATER LINCOLNSHIRE DEVOLUTION- CONSIDERATION OF PUBLIC CONSULTATION OUTCOMES AND SUBMISSION OF FINAL PROPOSAL TO THE SECRETARY OF STATE

The panel received a report from the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing seeking to agree further steps to secure devolution to Greater Lincolnshire, including consideration of the results of the recent public consultation, review of the devolution proposal and a decision on further implementation including submission of the final Proposal to the Secretary of State with associated delegations.

A member queried whether Greater Lincolnshire had received the highest response rate across recent devolution consultations, and believed that Cornwall Council had received a higher response rate. Comments were also made around the format of the questions within the consultation. A different method could have helped provide more clarity around the public support.

In response to queries around the consultation results, the Leader clarified that it was clear from the consultation that the majority of respondents in all categories were supportive of additional funding and powers. Although there were some individuals less enthusiastic about an elected mayor this did not indicate an outright rejection of the full devolution deal.

Another member asked whether the Leader was content with the response rate to the consultation (4,101) out of 1.1million this equating to around 0.4%.The Leader responded that he was happy with the results and would always welcome more responses to the consultation.

Members sought clarification around the consultation response rates against our original targets, and how the response categories were broken down. In response, officers did not have exact figures to hand, in terms of the 'others' category it was likely this related to third party bodies i.e. voluntary sector or lower level councils.

Under governance and transparency, and membership of the Combined County Authority (CCA), a concern was raised that the proposals could have a democratic deficit on various boards, in particular around the Police Crime Commissioner (PCC) position.

Mr Walsh confirmed that the PCC would be an associate member and would not have the right to vote. The Office of the Police Crime Commissioner's (OPCC) would be invited to nominate a PCC as a non-constituent member of the CCA.

A short discussion ensued around the format of the consultation. with members noting that there was no quantitative analysis in terms of comments for and against, other suggestions included a questionnaire across the whole borough on the proposals being more beneficial. The observations were acknowledged by the Chair.

In response the Leader explained that this format was chosen to enable people to express views outside of the consultation and to provide something consistent across Greater Lincolnshire. Also, legal advice had been sought on the method of delivery of the consultation. The Leader added that a great deal of publicity had been undertaken around the consultation.

The Chair highlighted that this was a very comprehensive report and echoed comments that a considerable amount of publicity was undertaken to increase participation across all three Upper Tier Councils.

A member referred to Appendix B, responses to the consultation and changes to the proposal, asking for more detail around the statement provided in the constituent councils response regarding consideration of a referendum. Mr Walsh reiterated the process in place to secure devolution within the Levelling Up and Regeneration Act 2023 which required a consultation to be undertaken across the area before a proposal for a CCA could be submitted to the Secretary of State. He further stressed there was no legal requirement for a referendum to be held.

Mr Walsh further clarified the distinction in law under two different areas of legislation this being consultation on a proposal, and changes to a Councils executive arrangements i.e. Directly Elected Mayor requiring a referendum.

Mr Jones advised that the possibility of referendum was not permissible in law and the Council was bound by the terms of its statute.

A member referred to the governance arrangements, specifically the membership of the CCA, seeking assurance around the practicalities of this type of operating model and how this would be established. Mr Walsh confirmed that membership would be agreed via appointments at the individual Council's AGM.

In response to queries around time commitments to the additional devolution work, these were already being worked through with the three constituent authorities and included preparation of key strategies and policies and exploring opportunities for cost efficiencies and utilising workforce skills.

A member was concerned with representation on the CCA committees, given the increase in travel across the region. Concerns were raised that no remuneration would be paid other than travel and subsistence. The member considered there should be an allowance paid for these positions. The Chair concurred with this view.

The Leader noted that this would be a decision for the CCA at a later date. Mr Walsh asked Mr Jones to look into this as there was likely to be some legal restrictions.

In response to concerns, Mr Walsh noted that the three leaders of the constituent councils were content with this form of model and its functions. The CCA was still in its early stages and a programme of work over the next six months would be worked up to establish a MCCA prior to the various statutory instruments being signed off. This would also include a Joint Strategic Oversight Committee.

The panel asked for regular reports back to this panel on how the MCCA was progressing. The Chair suggested this be added to the panel's tracking report.

Under Appendix A, Greater Lincolnshire Powers, a member made reference to the Business Rates Supplements Act 2009 and was concerned that no consent was required for this to be imposed nor was there any detail on how this would be validated. Mr Walsh explained the reason being that it was subject to a voting process by a local form of referendum.

Another member asked for further detail around the power to borrow for any purpose under the Local Government Act 2003. Mr Walsh confirmed the power to borrow was a separate piece of statutory instrument from the Treasury. Mr Jones also confirmed that the debt limit was set by the Treasury.

A member raised a query around budget setting and how this would be taken through the decision-making process. Mr Walsh confirmed this would include all lead members from the three constituent Councils.

RESOLVED –

1. That the report and panel's comments be noted.
2. That the recommendations to Council as contained within the report now submitted be supported.

There being no further business, the Chair declared the meeting closed at 7.15 p.m.