

Report of The Managing Director

OXFORD - MILTON KEYNES - CAMBRIDGE ARC GOVERNANCE ARRANGEMENTS**1 Purpose of report**

To seek approval for the council to become a member of the Central Corridor Growth Board.

2 Executive summary

This report gives an update on the ongoing discussions at a regional level with regards to a response to the National Infrastructure Commission's report on the southern midlands area 'Partnering for Prosperity: a new deal for the Cambridge – Milton Keynes - Oxford arc'. It proposes membership of a central area growth board and an annual contribution of £5000 towards the running and administration costs of the board.

3 Appendices

Appendix A - Central Area Growth Board Terms of Reference

4 Proposed action:

The committee is invited to **RECOMMEND:**

- 4.1 That the council becomes a full member of the Central Area Growth Board, adopting the Terms of Reference (Appendix A);**
- 4.2 That the council commits to an annual contribution of £5000 of revenue support to help fund the work of the Growth Board;**
- 4.3 That the leader of the council and the deputy leader in his absence be appointed to represent the council on the Growth Board.**

5 Background

- 5.1 In 2017 the National Infrastructure Commission (NIC) was engaged in a study into the economic potential of the southern midlands (described as an arc from Oxford to Cambridge) which encompasses Northamptonshire. The NIC Interim report on the Cambridge-Milton Keynes-Oxford growth corridor identified that one factor holding the area back from achieving its full potential as the UK's 'Silicon Valley' is the lack of joined-up planning of housing, jobs and infrastructure across traditional local authority boundaries: "Current governance

mechanisms are not sufficient to deliver the step-change in strategic leadership and collaboration needed...and will require a fundamental shift in the scale at which local authorities collaborate on planning and infrastructure.”

- 5.2 In its final report on the Cambridge–Milton Keynes-Oxford corridor, ‘Partnering for Prosperity: a new deal for the Cambridge–Milton Keynes-Oxford arc’, the NIC encouraged authorities within the central section of the arc to “strengthen structures for collaborative governance and collective decision making” and referenced the work ongoing in the central area to establish a growth board.
- 5.3 Government, in its initial vision for the corridor published at the Autumn Budget, stated that “it will be necessary for authorities to work together much more closely going forwards.”

6 Discussion

- 6.1 Within the Cambridge–Milton Keynes-Oxford corridor, formalised stronger regional working arrangements have been established at either ‘end’ of the corridor through the Cambridgeshire and Peterborough Combined Authority and the Oxfordshire Growth Board. Establishing a Growth Board for the central area allows this council and its partner authorities, particularly within the context of North Northamptonshire, to meet the challenges of local authorities working together closely in the future.
- 6.2 Together with the other 16 councils and 2 Local Enterprise Partnerships, this council has been actively engaging in discussions to establish a Central Area Growth Board across the ‘middle’ of the corridor, covering Northamptonshire, Bedfordshire, Milton Keynes and Buckinghamshire. Establishing a Growth Board demonstrates to government that authorities across the South East Midlands and Buckinghamshire are committed to delivering a step change in sub-regional collaboration. The Growth Board will allow the area to speak with a single voice to government on cross-boundary issues, matters of sub-regional importance and coordinate any ‘Housing and Growth deals’ agreed across the area. Partners have agreed in principle to formally establish a Growth Board, constituted as a joint committee, to co-ordinate cross-boundary working within the central area.
- 6.3 The establishment of a Growth Board in the centre of the Cambridge-Milton Keynes-Oxford corridor also allows the central area to be an active participant in the cross-corridor working arrangements currently being established.
- 6.4 The attached terms of reference set out what the Growth Board’s purpose is, which is to act in a co-ordinating and collaborative role, to promote the development of the sub-region, to encourage sustainable growth and economic development of the area, and provide the means by which a dialogue can take place with national bodies and with government on issues which influence growth and the economy. It will therefore be a single co-ordinating voice for the region with central government. No powers are being ceded from member authorities to the Growth Board. If members of the Growth Board agree to vest powers into it, this would be agreed by individual councils via their decision

making processes. Hence the borough council will only cede powers to the Growth Board if it and all other member authorities choose to.

- 6.5 In the visioning document 'Helping the Cambridge, Milton Keynes and Oxford corridor reach its potential' published at the Autumn Budget, government announced its ambition to work with the central area on housing and growth deals throughout 2018. Whilst any potential housing and growth deals will not cover the whole geography of the central area, the Growth Board will have an important role to play in co-ordinating these at the sub-regional level.

OPTIONS AND NORTH NORTHAMPTONSHIRE CONTEXT

- 6.6 Initially, the NIC report was unclear whether the whole of North Northamptonshire (NN) was included within its definition of the corridor. The four planning authorities which make up the NN area sought clarification on this, as well as agreeing that they would go forward together, either inside or outside of the arrangements being developed. Government additionally made it clear that any housing and growth deal which it sought to negotiate would be with smaller groups of authorities rather than across the whole corridor.
- 6.7 Since the NIC report was published, it has been established with government that a housing and growth deal could be negotiated with North Northamptonshire as an area; and that this would be separate from, although clearly linked to, any sign up to the Central Area Growth Board. It will also be separate to, but similarly linked, to any local government reform proposals for the county. The government has already agreed a provisional growth deal with Oxfordshire which offers significant amounts of infrastructure funding in return for progress in accelerating housing delivery. They are clearly looking to replicate this arrangement with other areas within the corridor.
- 6.8 Following these discussions, there was a joint meeting of the North Northamptonshire Joint Delivery Committee and the Joint Planning Committee on 15th March 2018, which agreed that the constituent members should become members of the central area growth board and enter into discussions with government about a North Northamptonshire housing and growth deal.
- 6.9 In doing so, the joint committees recognised that the area was well placed because of its existing shared governance arrangements, its existing joint capacity, its status as a garden community area, and its track record in delivering growth to date. An emphasis on delivering existing housing consents, by addressing infrastructure constraints, was welcomed, and the already established housing targets to 2030 and beyond demonstrated adequate ability to deliver new housing numbers in the period between now and 2050 without significant strain, should that infrastructure come forward under a growth deal.
- 6.10 The alternative – to exclude ourselves from both the corridor and a growth deal – would be to potentially isolate the area, make unlikely the ability to draw down significant funding in future, and may not protect us from the imposition of new housing targets at the same time. The risks associated with increased housing numbers - on the basis of a deal similar to the Oxfordshire one – would appear

to be manageable, and the council would not have to sign a deal if it did not feel it was advantageous to do so.

- 6.11 Collaborating and proactively planning for growth through the forum of a Growth Board will allow regional partners to proactively shape the future growth of their places, rather than having growth imposed from above.
- 6.12 By becoming a full member of the Central Area Growth Board, the borough council will be an active participant in contributing to the agenda on strategic planning, economic development and infrastructure planning at the sub-regional working level.

7 Legal powers

- 7.1 The Growth Board will be set up as a joint committee under Section 101 (5), 102 Local Government Act 1972 and section 9EB of the Local Government Act 2000 and pursuant (where applicable) to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 7.2 Whilst no powers have been vested in the Growth Board, as a joint committee, it will exercise any powers which members agree to vest in it on a unanimous basis under Section 1 of the Localism Act 2011 insofar as they relate to the promotion of development or economic growth or matters ancillary to this. These powers will be exercised concurrently with the constituent members, and members will unanimously decide the voting mechanism for exercising powers. This excludes ceding the decision making powers on planning matters, which will remain vested with the Local Planning Authorities, as set out in the Planning and Compulsory Purchase Act 2004.
- 7.3 With the Growth Board acting as a Joint Committee under the relevant legislation, meetings will be publicly held, and subject to legislation ensuring meeting documents are published in a timely manner. The work of the Growth Board at the point of formal establishment will be subject to Freedom of Information legislation

8 Financial and value for money implications

By joining the Central Area Growth Board, the council is committing to an ongoing annual £5000 commitment to support its work and to fund officer roles to support its operation. Further contributions may be sought for specific pieces of work.

9 Risk analysis

- 9.1 As already stated in the report, to exclude ourselves from both the corridor and a growth deal would be to potentially isolate the area, make unlikely the ability to draw down significant funding in future, and may not protect us from the imposition of new housing targets at the same time. Recent bids to government for funding for infrastructure by the council have met with little success, and to ensure that we have the best chance of funding going

forwards, we need to be part of the regional discussions with government. The housing numbers currently in our plans, and those that would be expected as part of any future growth deal, would be achievable - and so the risk of being part of the corridor is considered to be lower than being outside of it.

10 Implications for resources

Officer time will be needed for the growth deal development and as part of the ongoing discussions relating to the inclusion of the corridor. This is currently being met from already budgeted resources. It may be that further resources will be needed as this progresses; this will be requested as necessary.

11 Implications for stronger and safer communities

None at this time.

12 Implications for equalities

None at this time.

13 Author and contact officer

Liz Elliott Managing Director

14 Consultees

Senior Management Team

15 Background papers

NIC, Partnering for Prosperity: a new deal for the Cambridge - Milton Keynes - Oxford arc;

NIC Cambridge - Milton Keynes - Oxford Corridor Interim report;

Helping the Cambridge, Milton Keynes and Oxford corridor reach its potential, HM Government;

Reports to Joint Delivery Committee 2017-18;

Previous reports/minutes:

Report to North Northamptonshire Joint Delivery Committee and Joint Planning Committee – both on 15 March 2018

Central Area Growth Board – Terms of Reference

These Terms of Reference are not legally binding but are intended to lead to a legal agreement in due course.

Central Area Growth Board

1. Governance

1.1 The Central Area Growth Board (the Joint Committee) includes at commencement the following local authorities:-

Full Members

- Aylesbury Vale District Council,
- Bedford Borough Council,
- Central Bedfordshire Council,
- Cherwell District Council,
- Chiltern District Council,
- Corby Borough Council,
- Daventry District Council,
- East Northamptonshire District Council,
- Kettering Borough Council,
- Luton Borough Council,
- Milton Keynes Council,
- Northampton Borough Council,
- Northamptonshire County Council,
- South Bucks District Council,
- South Northamptonshire District Council,
- Borough of Wellingborough Council and
- Wycombe District Council.

1.2 The Central Area Growth Board is a Joint Committee under s101 (5), 102 Local Government Act 1972 and s9EB Local Government Act 2000 and pursuant (where applicable) to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.

Each member authority must take the Terms of Reference through its internal processes.

1.3 The Growth Board will exercise the powers which its members have agreed to vest in it on a unanimous basis under Section 1 of the Localism Act 2011 insofar as they relate to the promotion of development or economic growth or matters ancillary to this. These powers will be exercised concurrently with the constituent members and members will unanimously decide the voting mechanism for exercising powers. This excludes ceding the decision making powers on planning matters, which will remain vested with the Local Planning Authorities, as set out in the Planning and Compulsory Purchase Act 2004.

1.4 The Growth Board will also include associate members, who will be able to participate in meetings but not be able to vote. The LEPS that operate in the area are entitled to be associate members.

1.5 It will also include other co-opted non-voting named members from those organisations listed at 4.4 below.

2. Accountable Body and Host

2.1 The Accountable Body for the Growth Board is Milton Keynes Council which will provide the Section 151 officer role to the Growth Board.

2.2 Milton Keynes Council's Chief Finance Officer (Section 151 Officer) will provide the Growth Board with a quarterly financial report. This report will provide the Board with an overview of the funds spent, funds committed against funds allocated.

2.3 Programme management will be provided by dedicated growth board officer support and will include milestones and outcomes achieved and where necessary, ensure that action plans are put in place to address any concerns.

2.4 The Growth Board will be hosted under local government arrangements and this will be rotated in accordance with the arrangements for the Chair (see Section 8). Committee services are provided by the Host in accordance with the Local Government Act 1972, as outlined in paragraph 8.3.

3. Purpose of the Central Area Growth Board

3.1 To provide the strategic leadership that will enable us to plan for, and realise an economic transformation across the central area, speaking to Government and its Agencies with one co-ordinated voice and encouraging private sector investment.

3.2 To seek to establish Common Planning Areas to produce an integrated and holistic approach to strategic planning for employment, housing and infrastructure that builds on Local Plans, Local Transport Plans and Strategic Economic Plans.

3.3 To accelerate and increase the delivery of planned growth across the area, where this is enabled by investment in infrastructure and services.

3.4 To work together to influence the route planning options, in order to realise the opportunity for the area in the Cambridge-Milton Keynes- Oxford growth corridor, "Expressway" (road and rail) and other associated linkages that may be delivered.

3.5 To approve and monitor the implementation of a Central Area programmes of work including those flowing from any Place Deals, Strategic Economic Plans and transport strategies and other relevant infrastructure programmes as agreed. This is not an exhaustive list and may be expanded at agreement of the Growth Board.

3.6 To bid for and secure investment, including from Government and external sources of resources to support the above purposes.

3.7 To contribute and be an active member of the Cambridge- Milton Keynes-Oxford Corridor cross corridor governance arrangements.

4. Membership

4.1 As the Growth Board is (where applicable) discharging executive functions then the appointed person must (where applicable) be from the Executive. In authorities where the committee system is

in operation the Leader should be the representative. There shall be one member from each constituent body.

4.2 Each constituent authority/body shall appoint a substitute (also being an executive member or in the case of councils using the committee system, another senior member). The substitute member shall have the same rights of speaking and voting at the meetings as the member for whom the substitution is made.

4.3 Subject to the legal right of the Growth Board to appoint a Chair and Vice Chair of its choice each year, the proposed protocol is that there will be a rotating Chair and Vice Chair as set out in 8.2 below.

4.4 Other non-voting members as required for good linkages shall be a single named-position representative from the bodies as detailed below:

- England's Economic Heartlands
- Universities Representative
- Further Education Colleges
- DCLG/BEIS/Department for Transport
- Homes and Communities Agency Representative for South East
- Buckinghamshire County Council

4.5 The Growth Board can agree to allow other authorities/parties outside of the initial members (listed in 1.1, 1.4 and 4.4 above) to have either full or associate membership of the Central Area Growth Board and agree the terms on which this is to be permitted. Associate members would not have voting rights.

4.6 The Growth Board can also invite other relevant observers to meetings of the Board.

5. Voting

5.1 One member one vote for each constituent authority member. The Chair will have an original but not a casting vote.

5.2 Normal rules as to declarations of interest and conflicts of interest to be applied to Local Authority members in accordance with the respective Council's Code of Conduct and LEP members in respect of the LEP Assurance Framework.

5.3 Any questions to be decided by the Growth Board will be decided by way of two thirds majority of constituent members present and voting.

5.4 Members votes are only valid when they have paid the annual subscription (see 10.0 below). Each member must pay their contribution before the agreed date for the year, if the subscription is not paid on the agreed date, the Local Authority will only be entitled to observe Growth Board meetings.

6. Quorum

6.1 The quorum for a Growth Board meeting shall be 2/3rds of (12) constituent members, including the Chair.

7. Functions

7.1 The Members have agreed that the main function of the Growth Board is to focus on growth related matters. The Members have agreed that there are four key outcomes it wishes the Growth Board for the Central Area to focus on, namely to;

- a) Accelerate the delivery of planned growth across the area, where this is enabled by investment in infrastructure and services.
- b) Provide the strategic leadership that will enable existing mechanisms and processes to plan for, and realise an economic transformation across the area.
- c) Secure long-term benefits and opportunities for local communities and
- d) Attract increased private sector investment

7.2 The Growth Board will, in relation to matters of general importance to the Central Area

- Represent the Central Area as a whole
- Respond to consultations, express views and make recommendations to Government and others, including partners, on matters of general importance to the Central Area. This will include on:
 - i. Proposals for major development, including local plans.
 - ii. Proposals for major infrastructure.
 - iii. Funding submissions to Government or its agencies.
 - iv. Strategic Economic Plans.

7.3 Coordination of whether spatial planning, infrastructure and public services are integrated and make recommendations to encourage this.

7.4 Advise partners on matters of collective interest.

7.5 Commission and share research and analysis in support of the preparation of statutory and non-statutory plans and strategies (including local plans and strategic economic plans). This will include work designed to assist compliance with the duty to cooperate in connection with plan-making.

7.6 Lead and coordinate the Homes and Communities Agency (HCA) liaison process on Central Area wide regeneration and housing issues and contribute to any related interaction with Government agencies.

7.7 The Growth Board will also:

- i. Provide a forum for partnership working and collaboration on spatial planning, economic development, housing, transport, and general infrastructure issues.
- ii. Input into development of a Local Industrial Strategy for the Central Area.
- iii. Engage with and represent the Central Area to the Sub-national Transport Body covering the Central Area.
- iv. Wherever possible, the Growth Board will aim to streamline existing processes

8. Meetings

8.1 The Chair and Vice-Chair of the Growth Board will be elected at the first meeting and subsequently at the start of each municipal year (i.e. the first meeting after local government elections are or would usually be held).

8.2 It is expected that the role of Chair and Vice Chair will rotate on a municipal year basis (except in the first year which will be slightly longer than a municipal year), and that the Vice-Chair will serve as the Chair in the following year. It is expected that there will be a rotation of those positions to ensure that each constituent member and geographic area of the Central Area has the opportunity to serve, over time.

8.3 Meetings will be convened by the Chair or on the written request of five or more constituent members. Meetings shall normally be held on a bi-monthly basis at the host authority (that of the Chair), but meetings may be called as and when required to ensure that important timescales are met. Papers will be published in line with the Local Government Act 1972 to ensure statutory timescales are met .

8.4 Proposals for decisions by the Growth Board may be put forward by the Chair or by any member of the Growth Board.

8.5 Local Authority Chief Executives will attend in support of the political attendees at the meetings. Local Enterprise Partnership Chief Executives will attend in support of their LEP Chair.

9. Secretariat and Support

9.1 The secretariat and support for the Growth Board will be established. Primarily the support will be led by dedicated growth board officer support and an Executive Officer Group, the Central Corridor Group (CCoG). CCoG will drive the technical and operational elements and the preparation of advice and recommendations to the Growth Board.

9.2 Dedicated Growth Board officer support will be established. Support will be provided by lead executive officers at each constituent member and LEP, each of whom will link into the CCoG.

9.3 Other investment partners will be involved as appropriate, again connecting directly to the Programme Manager and linking to CCoG as the lead co-ordination group for matters of general importance to the Central Area including the Homes and Communities Agency, Environment Agency, Highways England, Network Rail and England's Economic Heartlands Transport Forum/Sub-national Transport Body. These will advise on the investment and work programme.

10. Funding Contributions

10.1 The budget of the Growth Board will be agreed each year by the Growth Board not later than 1st December of the preceding financial year. The cost of meeting the expenditure planned in the budget shall, to the extent not met from other sources, be divided equally among the members (both constituent and associate) of the Growth Board. This shall be their subscription. At the time of establishment of the growth board, the annual contribution will be £5k. If the Growth Board wishes to seek additional contributions for any further work, proposals will be referred to partners for decision making.

10.2 If the proposed subscription is higher than the preceding year's subscription plus CPI, if any constituent or associate member is unwilling to pay the subscription so determined they may give written notice to the Host on behalf of the Growth Board no later than 1st January preceding the financial year to which the budget will apply. Unless they withdraw in writing that notice they shall cease to be a member from 1st April of that year (and the normal notice period given in Section 11 will not apply).

10.3 Any member which has not given due notice under 10.2 (and whose membership has not come to an end under Section 11) shall be obliged to pay its subscription for the year.

11. Withdrawal

11.1 Any member may give written notice to the Host, on behalf of the Growth Board, of its intention to withdraw from the Growth Board.

11.2 Such notice, unless withdrawn in writing, shall come into effect on the first 1st April which occurs after 12 months after the notice is given.

12. Joining

12.1 Any English local authority may apply to become a consistent member of the Growth Board. The Growth Board may approve such an application if it is satisfied that the applicant's area is closely economically linked to the existing Central Area, and that its joining would not render the governance of the Central Area unreasonably difficult.

12.2 Any English Local Enterprise Partnership may apply to become an associate member of the Growth Board. The Growth Board may approve such an application if it is satisfied that the applicant's area is closely economically linked to the existing Central Area, and that its joining would not render the governance of the Central Area unreasonably difficult.

12.3 On the application to join being approved, the new member shall take on the rights and obligations of the existing members of the Growth Board, including paying the appropriate proportion of the subscription due from members for the financial year in which it joins.

13. Scrutiny Arrangements

13.1 Decisions made by the Growth Committee shall be subject to the usual scrutiny arrangements of each constituent authority.