

# Cherwell District Council

## Executive

7 July 2014

<p><b>Oxfordshire Growth Board – Terms of Reference and Appointment of Member</b></p>
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### Report of Head of Law & Governance

This report is public

#### Purpose of report

To approve the Terms of Reference of, and the delegation of appropriate executive functions to, the Oxfordshire Growth Board, and to appoint an Executive Member to represent the Council on the Board.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Terms of Reference of the Oxfordshire Growth Board contained at Appendix 1.
- 1.2 To delegate the Council's executive functions in respect of matters within the Terms of Reference to the Oxfordshire Growth Board pursuant to Sections 101(5) and 102 of the Local Government Act 1972, Section 9 EB of the Local Government Act 2000 and the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 1.3 To appoint a member of the Executive and a substitute to represent the Council on the Board.

#### 2.0 Introduction

- 2.1 As part of the Oxford and Oxfordshire City Deal bid process the constituent Local Authorities and other bid partners have agreed to the establishment of a collaborative Board to oversee the delivery and implementation of the bid.
- 2.2 Accordingly it is proposed to establish a joint executive committee of the constituent Local Authorities to be called the Oxfordshire Growth Board. As part of this process it is necessary for all constituent authorities, including Cherwell District Council, to

agree the Terms of Reference of the Board, delegate the necessary executive functions to it and appoint a member of the Executive with a substitute to attend meetings and represent CDC.

### **3.0 Report Details**

- 3.1 The parties to the Oxford and Oxfordshire City Deal bid have committed to establish a collaborative joint committee to oversee the implementation of the proposals. It is accordingly proposed to create the Oxfordshire Growth Board with the Terms of Reference and associated protocol contained at Appendix 1.
- 3.2 To the extent that the Oxfordshire Growth Board will be taking executive decisions jointly on behalf of the constituent local authorities it is necessary to establish the Board as a joint committee and for each Council to delegate the relevant executive functions to it pursuant to Section 101 (5) and 102 of the Local Government Act 1972 and Section 9 EB of the Local Government Act 2000. It should, however, be noted that paragraph 3.5 of the Terms of Reference makes clear that all non-executive functions are retained by each constituent authority and that each Council also retains the capability to exercise all executive functions generally and specifically in relation to economic development, strategic spatial planning and strategic transport planning in their respective areas.
- 3.3 As the Board comprises a joint executive committee of the local authorities the only voting members can be representatives of local authorities. Any other representatives from other stakeholders supporting the City Deal bid can be co-opted non-voting members only. It is also necessary for the Board to be chaired by a voting member i.e. a local authority representative.
- 3.4 The Terms of Reference at Appendix 1 have been the subject of deliberation between the Monitoring Officers of the respective local authorities in Oxfordshire and have recently been recommended for approval by the Oxfordshire Leaders' Group.
- 3.5 Only Executive members can be appointed to the Board and it is accordingly recommended that a member of the CDC Executive be appointed to represent this Council's interests on the Board and that a substitute, also from the Executive, be appointed in accordance with the requirements of paragraph 4.2 of the Terms of Reference.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 As part of the Oxford and Oxfordshire City Deal bid the constituent bidding parties have agreed to establish the Oxfordshire Growth Board as a joint executive committee of the constituent local authorities.
- 4.2 In order to ensure that Cherwell District Council plays its appropriate part it is necessary for the recommendations in section 1 above to be approved.

## **5.0 Consultation**

- 5.1 As indicated above the creation of the Oxfordshire Growth Board has been agreed by the constituent bidding parties to the Oxford and Oxfordshire City Deal bid.
- 5.2 The draft Terms of Reference have also been the subject of consideration by the Oxfordshire Monitoring Officers' group and the Oxfordshire Leaders' group.

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified:

Option 1: To approve the recommendations.

Option 2: Not to agree the proposed Terms of Reference of the Board at Appendix 1 but suggest amendments. This is not recommended because the draft Terms of Reference have been collectively agreed by the groups mentioned in paragraph 5.2 above. All constituent local authorities are going through a process of approving the Terms of Reference as set out.

Option 3: Not to delegate the appropriate executive functions, nor appoint a member to the Board. This is rejected because the Board is being established with the support and endorsement of all of the constituent bidding parties to the Oxford and Oxfordshire City Deal bid which included Cherwell District Council.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 There are no direct financial implications arising from this report.

Comments checked by:

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### **Legal Implications**

- 7.2 As the proposed Board is a joint executive committee of the constituent local authorities to the City Deal bid it is necessary for each council specifically to delegate the relevant executive functions to the Board pursuant to the legislation referred to in the report. The protocol appended to the Terms of Reference cannot be legally binding on any of the constituent local authorities but are merely an expression of intention to proceed as indicated.

Comments checked by:

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## 8.0 Decision Information

### Key Decision

**Financial Threshold Met:** No

**Community Impact Threshold Met:** Yes

### Wards Affected

All.

### Links to Corporate Plan and Policy Framework

Cherwell: A District of Opportunity

Cherwell: Thriving Communities

### Lead Councillor

Councillor Barry Wood, Leader of the Council.

### Document Information

<b>Appendix No</b>	<b>Title</b>
Appendix 1	Proposed Terms of Reference of the Oxfordshire Growth Board.
<b>Background Papers</b>	
None	
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