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## NORTH WALES CORPORATE JOINT COMMITTEE

21 June, 2024

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**TITLE:** Update: Functions of the North Wales Economic Ambition Board – Transfer to the Corporate Joint Committee

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### 1. PURPOSE OF THE REPORT

- 1.1. The purpose of the report is to present a further update on progress to establish the Corporate Joint Committee (CJC), and to respond to its statutory functions and undertake the proposed transfer of the North Wales Economic Ambition Board’s functions into the CJC.
- 1.2. To remind the board of the current arrangement to release the Portfolio Director’s time for two days per week to undertake the Interim Chief Executive role and to propose an extended period for these interim arrangements until 31 October.

### 2. DECISION SOUGHT

- 2.1. To accept the report on the progress update on work to establish the North Wales CJC and respond to the tasks required by its statutory functions. (**Appendix 1**).
- 2.2. To accept the updated plan and revised date of 1<sup>st</sup> November for the transfer of the North Wales Growth Deal to the North Wales CJC.
- 2.3. To approve that the interim arrangements to release the Portfolio Director’s time for two days per week to undertake the Interim Chief Executive role is extended until 31 October 2024. All employment and associated costs will continue to be covered by the North Wales CJC.
- 2.4. To request a further report on progress of the transfer process and monitoring of the timetable.

### 3. REASON FOR THE DECISION

- 3.1. In December 2021/January 2022, the Cabinet and Executives in each of the six Local Authorities agreed, in principle, that the functions of the North Wales Economic Ambition Board should be transferred by way of a delegation agreement to the CJC. The statutory framework and the establishment of the CJC requires the focus and resources to progress with the transfer work. Approvals from partner organisations and Governments are required before the transfer can happen.

- 3.2. The 1 of July was set as a provisional target date for the transfer of functions from the Economic Ambition Board into the North Wales Corporate Joint Committee. However, this date was provisional on the basis that it may be impacted by several factors including the need for partner and government agreement to the transfer of the Growth Deal; decision making requirements and timescales; internal capacity constraints and TUPE considerations. There are key decisions which need to be in place to achieve the transfer that may result in some areas of transfer being undertaken in the Autumn period 2024. It is considered that the provisional date of transfer of the 1 July 2024 is unachievable. This report and decisions required set out the revised plan and timescales.

#### **4. BACKGROUND AND RELEVANT CONSIDERATIONS**

- 4.1. The CJC has been established by statute and there are a range of legal governance requirements which need to be established. It has a statutory duty – to produce a Regional Transport Plan and a regional Strategic Development Plan are pressing. The timetables for adopting these plans will be established and agreed with Welsh Government but they are now being initiated.
- 4.2. Progress to date has been achieved by means of an interim part-time Chief Executive Officer, with the Chief Financial Officer and Monitoring Officer of Cyngor Gwynedd been appointed to undertake these roles within the CJC. Legal and financial services are provided by Cyngor Gwynedd. It is intended for these arrangements to continue to support the transfer process.
- 4.3. In March, the Board approved the arrangement to release the Portfolio Director, Alwen Williams, to undertake the CJC's Interim Chief Executive role for two days per week until 30 June 2024. This extended arrangement was on the basis that formal TUPE consultation with Ambition North Wales's Portfolio Management Office employees would complete and a transfer and appointment of Alwen Williams as the CJC Chief Executive would commence from 1 July 2024. This was predicated on the transfer being completed on the 1<sup>st</sup> of July which would have triggered the staff transfer to the CJC.
- 4.4. It was noted in March that substantial work is needed to complete the establishment of the CJC and due diligence and close attention while undertaking the transfer to ensure that the quality of delivery of the North Wales Growth Deal and the work of the Economic Ambition Board and its supporting officers was not impacted by the transfer.
- 4.5. The CJC is subject to the more general duties of local authorities, such as the Equalities Act, Future Generations Act, language standards under the Welsh Language Measure 2011, and other legislation, in the same way as local authorities.
- 4.6. The functions and partnership arrangement of the Economic Ambition Board are currently set out in the Governance Agreement 2 ("GA2"). This also includes the governance arrangement and long-term arrangements for financially supporting the Growth Deal and Portfolio Management Office. Transfer of these functions, and in particular the Growth Deal, was specifically reserved to the local authorities for decision. It is anticipated that the Growth Deal would be transferred to the CJC but maintaining the financial arrangements to support the Growth Deal. It is recognized that as part of the transfer the governance framework of the CJC will need to be developed to not only reflect the arrangements in GA2 but also to build on the experience of delivering the Growth Deal. There are also opportunities which stem from the CJC model which need to be considered and taken advantage of.

- 4.7. The CJC has a statutory power to promote regional economic well-being. This function co-exists with the economic development powers of the North Wales Councils. How, as part of the development of the CJC, these functions work regionally will need to be co-developed and agreed by regional partners. This wider role can be developed in partnership with the Councils and stakeholders once the transfer of the Growth Deal. It also needs to be recognised that the original in principal decisions were made when the CJC concept was still being developed. So, the precise model for the transfer arrangements will also be developed as part of this work.

#### **Progress against plan and revised timetable for the transfer**

- 4.8. A revised transfer date has been set, which aims to achieve the required approvals to transfer the Growth Deal and its funding to the CJC from the 1<sup>st</sup> November, 2024.
- 4.9. To transfer the functions of the Economic Ambition Board, including the Growth Deal and the Portfolio Management Office into the CJC, four independent workstreams have been established (**Appendix 2**). Each workstream has developed a programme of work and an agreed timescale to achieve the transfer of Economic Ambition Board functions to the CJC. A North Wales CJC Implementation Project Board meets weekly to oversee the workstreams and ensure key milestones are achieved with key risks identified and managed. Officers from the Portfolio Management Office and Cyngor Gwynedd are represented on the project board.
- 4.10. CJC implementation resource has been in place since January by means of a secondee from Welsh Government. This arrangement has concluded, and an alternative resourcing model is being designed to ensure that appropriate resource to manage the transition arrangements can be identified. This will be essential to meet business as usual operational expectations, support the Chief Executive and manage the increase in CJC's compliance activities. Support is also being provided through the CJC's Section 151 Officer and Monitoring Officer and Gwynedd's e Legal and Finance Teams.

### **5. FINANCIAL IMPLICATIONS**

- 5.1. Costs associated with the transfer of functions to the CJC will be primarily related to officer time, legal and financial expenditure. Funding will be drawn from existing CJC and Economic Ambition Board budgets. Legal, HR, Finance, IT and Democratic Services support will be provided through Cyngor Gwynedd resources.

### **6. LEGAL IMPLICATIONS**

- 6.1. The report sets out at a high level what is proposed.
- 6.2. The Growth Deal is a formal partnership between the UK and Welsh Governments and the 6 constituent authorities. It is portfolio based and funding is drawn down by a formal annual funding letter which is a grant agreement made by the host authority on behalf of the 10 GA2 partners, but primarily the 6 Constituent Councils. The release of funding for any period is subject to the performance of the implementation of the Growth Deal and may be held back by the Governments.
- 6.3. There are several governance and legal matters that need to be managed as part of the transition. These are highlighted in **Appendix 2**.

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**APPENDICES:**

**Appendix 1:** Update: Progress on CJC establishment

**Appendix 2:** Workstreams: Transfer of the Growth Deal, its funding and PMO employees to the CJC

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**STATUTORY OFFICERS RESPONSE:**

**i. Monitoring Officer:**

“I have been advising on the project and on the contents of the report. The report provides an appropriate summary of the steps and issues that need to be addressed to make the transfer project a reality. Although the decision to transfer the Growth Deal was reserved to the Councils in the GA2 agreement the CJC will be a full party to the successor agreement. As a result, the CJC will play a key role in designing and agreeing the model for implementing the Growth Deal after the transfer. While it is essential that elements of GA2 specifically around the funding for example, remain consistent there is also room to consider opportunities to review some of the requirements in GA2. It is also necessary to consider the CJC framework which can offer different options particularly around governance and participation of stakeholders. These are matters which will need to be developed communicated and settled on as part of the process.”

**ii. Statutory Finance Officer:**

“The report explains the reasons for the need for a further extension to the timetable for carrying out the proposed transfer of the functions of the North Wales Economic Ambition Board to the CJC and I believe that the justification is clear. Continuing the arrangement to release the Portfolio Director’s time for two days per week to undertake the Interim Chief Executive role until 31 October is a sensible and pragmatic step. I therefore have no objection to the decision sought from the perspective of financial propriety – the costs will come from existing budgets and it is essential that the appropriate steps are taken correctly and comprehensively within the available capacity.”