

Cardiff Capital Region City Deal Regional Cabinet

Monday 20th November 2017, 10.00 a.m.
Ty Dysgu, Nantgarw
Agenda

1 Welcome and Apologies for Absence

To receive any apologies for absence

2 Regional Economic Growth Partnership

To receive the report of the Cardiff Capital Region Programme Director

Appendix 4 of this report is not for publication as it contains exempt information of a kind described in paragraphs 13, 14 and 21 of parts 4 and 5 of Schedule 12a to the Local Government Act 1972

3 Minutes of AGM 30th June and Regional Cabinet 14th July

4 Declarations of Interest

To be made at the start of the Agenda Item in question, in accordance with the members Code of Conduct

5 Report on the Quarter 1 Performance Reporting to Welsh and UK Government

To receive the Report of the Cardiff Capital Region Programme Director

6 Report on the 2017/18 Budget Monitoring Position Statement Month 05

To receive the Report of the Corporate Director Resources, City of Cardiff Council

7 Report on the Wider Investment Fund 2017/ 18 Position at Month 05

To receive the Report of the Cardiff Capital Region Programme Director

8 Report on the Governance Arrangements for the Regional Scrutiny Committee

To receive the Report of the Cardiff Capital Region Programme Director

9 Report on the Regional Transport Authority Terms of Reference

To receive the Report of the Cardiff Capital Region Programme Director

10 Report on the Permanent Appointment of the Cardiff Capital Region Programme Director

Report on the Permanent Appointment of the Cardiff Capital Region Programme Director

11 Future Generations Commissioner

Ms Sophie Howe to present to the Regional Cabinet

Sheila Davies
CCR Programme Director
14 November 2017

CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

REGIONAL ECONOMIC GROWTH PARTNERSHIP

REPORT OF THE CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 2

Appendix 4 of this report is not for publication as it contains exempt information of a kind described in paragraphs 13, 14 and 21 of parts 4 and 5 of Schedule 12a to the Local Government Act 1972. It is viewed in the public interest to maintain the exemption so that applicants are not discouraged from applying for positions and that personal details are kept confidential.

Reason for this Report

1. To approve the appointment of the Chair of the Regional Economic Growth Partnership.
2. To establish the Regional Economic Growth Partnership Board.

Background

3. A report outlining recommendations for the establishment of the Regional Economic Growth Partnership was approved by Cabinet on 14th July. This report and its appendices are attached as Appendix 1.
4. Following this, steps were taken to advertise for the Chair based on the process approved in the 14th July report. An open advert was published on the Cardiff Capital Region City Deal website, once a similar process being undertaken for the appointment of the Chair of the Regional Business Organisation was completed. Coverage for the post was also extensive in local media. The deadline for applications for the REGP Chair closed on 20th October, 2017.

Issues

5. Applications were received from individuals for the position of Chair following the deadline stated in the advertisement of the role. A brief shortlisting exercise was undertaken, following which it was decided to interview the candidate referred to in Appendix 4 for the role of Chair.

6. An interview panel comprising Cllr Andrew Morgan, Cllr Huw Thomas, Cllr Huw David and the Chair of the Regional Business Organisation conducted an interview of the shortlisted candidate on 2nd November 2017. The interview process concluded that the candidate should be recommended to the Cabinet as the Chair of the Regional Economic Growth Partnership, following the process outlined in the report of 14th July 2017. Members are asked to approve the appointment of the candidate as the chair of the REGP, and if the appointment is approved the candidate's name will then be made public.

Next Steps – REGP Board Membership

7. Following the Chair appointment the next stage of the establishment is to appoint the Board Members for the REGP. As outlined in the previous report, the Board will consist of a Chair and between 6 and 12 members. Collectively, the Board's membership should cover the following areas:

Proposed Board Composition

| Stakeholder group | | Suggested number of reps on board |
|--------------------------------|--|-----------------------------------|
| Private sector business | <i>Representing businesses of all sectors and sizes</i> | 5 |
| Employee bodies | <i>Representing employees in all sectors and types of company</i> | 1 |
| Local government | <i>Representatives from the Joint Cabinet</i> | 2 |
| Education and skills | <i>Representing higher and further education, skills and training</i> | 2 |
| Third sector | <i>Representing social enterprise, community development, charities and voluntary sector</i> | 1 |

8. The final number will be dependent upon the outcomes of the appointment process, as it is suggested that the final composition will need to ensure the collective skill-set and experience of the Board covers a collective selection criteria. The REGP's business representatives may also be members of the Regional Business Organisation, but this is not required.
9. An advertisement seeking applications to the Board was published on 30th October on the Cardiff Capital Region City Deal website, with coverage for the advertisement in local and national press.
10. It is proposed that in order to accelerate the board appointment process the Chief Executive of Cardiff Council would be responsible for appointing the interview panel, in consultation with the Chair of the Cardiff Capital Region Cabinet, the Chair of the REGP and the lead member for the

REGP, and have delegated authority to conclude the appointment process for board membership.

11. The closing date for applications is currently 17th November. The date however will be extended to allow for the Chair of the REGP to play a role in the formation of the REGP Board.

Next Steps – Formal Appointment of Chair and support

12. The 14th July report proposed that the Chair should be appointed on a two-year fixed-term basis with the maximum number of terms limited to two. However, it is now proposed to extend the term to include the three financial years, 2018/19, 2019/20 and 2020/21, with the appointment commencing as soon as the terms of appointment are agreed with the proposed Chair. This is in order to provide a platform for the Chair and REGP board to provide adequate time to establish and ‘bed in’ the organisation, whilst also allowing suitable time to influence city-region decisions. This timescale would also align with the next gateway and subsequent gateways of the UK Government’s 5 year Gateway Review process. Partial current year commencement of office if approved will also have proportionate budget allocation provided.
13. A terms of reference for the Chair is attached as Appendix 2. The terms of reference outlines how the Chair will work with the Cardiff Capital Region Cabinet and the wider City Deal governance.
14. Terms of appointment will also need to be agreed with the Chair and draft terms are set out in Appendix 3.

Resource Requirements

15. The 14th July 2017 report allocated funding of up to £30,000 per annum to support the establishment of the Regional Economic Growth Partnership, with any ongoing financial support for the REGP being considered by the Regional Cabinet when setting its Annual Budget. Additional support for the REGP will also be provided by the City Deal Programme Office. Draft terms of appointment for the Chair are included as Appendix 3.
16. These costs would cover any expenses incurred by the Chair, as well as any external support required on an as-and-when basis.
17. It is proposed this same arrangement remains in place with regard to the allocation of funding, but with an extension to 3 years in line with the proposed term of the Chair of the REGP.

Reasons for Recommendations

18. To enable the establishment of the Regional Economic Growth Partnership based on the principles outlined.
19. To conclude the recruitment process.

Financial Implications

20. There are sufficient resources within the current year’s budget allocation approved for Regional Bodies to meet the part year resource

requirements, set out in the attached report. In addition, and as part of its annual budget-setting process, Regional Cabinet will need to build in the commitments that will crystallise from the approval of recommendations set out in this report in respect of the Chair's appointment for the next three (full) financial years.

21. The budget process will also need to consider the wider work programme of the Regional Economic Growth Partnership Board, to ensure an appropriate level of resources are available to support the work being taken forward, with any budget approval being a matter reserved to Regional Cabinet.

Legal Implications

22. The Joint Working Agreement dated 1st March 2017 ('JWA'), served to establish the Regional Cabinet and set out its terms of reference. The JWA provides (clause 10.19) that the Regional Cabinet shall establish, as soon as is reasonably practicable, the Regional Economic Growth Partnership ('REGP'). The JWA further provides that it is a matter for the Regional Cabinet to establish the membership, rules of procedure or terms of reference for any group it establishes and to clarify the group's respective role and scope of delegation (if any). In this case it is understood that the Regional Cabinet will not be delegating any of its functions to the REGP. The REGP will act as a consultative and advisory body to the Regional Cabinet. It is important to note that the decision to create the REGP, as a consultative and advisory body, will give rise to the legitimate expectation that the Regional Cabinet will take into consideration the views of the REGP when making decisions.
23. This report builds on a previous report on this matter submitted to Regional Cabinet of 14th July 2017 and serves to amend certain of the decisions taken on 14th July. Namely, and it is understood in order to expedite matters, that delegated authority be granted to the Chief Executive of Cardiff, in consultation with those listed, to (i) amend the terms of reference and appointment of the REGP Chair as may be required to facilitate the appointment and (ii) to carry out and conclude the appointment process for the REGP Board membership.
24. The Regional Cabinet are asked to nominate two Regional Cabinet Members to be members of the REGP Board, with such nominations being reconsidered at the first meeting of the Regional Cabinet held in each financial year or as and when required.
25. Regional Cabinet will need to be satisfied that it can meet all the costs of the REGP from its Annual Budget, and it is noted that the proposal, if approved, serves to commit budget provision for the REGP for this and the next three financial years.
26. Legal advice should be sought on the proposed terms and conditions of engagement of those appointed to the REGP Board.
27. In considering this matter regard should be given, amongst other matters, to:

- (i) The Councils' duties under the Well-being of Future Generations (Wales) Act 2015 and;
- (ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Joint Cabinet:

- a) Approves the appointment of the candidate referred to in Appendix 4 as Chair of the Regional Economic Growth Partnership.
- b) Approves the draft terms of reference for the Chair (as set out in Appendix 2 to this report) and the draft terms of appointment of the Chair (as set out in Schedule 3) and delegates authority to the Chief Executive of Cardiff Council, in consultation with the Chair of the Regional Cabinet, the lead member for the Regional Economic Growth Partnership, the City Deal Programme Director and the Accountable Body, to make such amendments to the terms of reference and terms of appointment (provided they are not material in nature) as may be required to conclude the appointment of the Chair.
- c) Delegates authority to the Chief Executive of Cardiff Council, in consultation with the Chair of the Cardiff Capital Region Cabinet, the lead member for the Regional Economic Growth Partnership, the Chair of the Regional Economic Growth Partnership and the City Deal Programme Director to:
 - (i) select the appointment panel for the REGP Board Members, as referred to in this report, and
 - (ii) carry out and conclude the appointment process of the REGP Board Members
- d) Nominates two members of the Regional Cabinet to act as REGP Board Members for the time being, with such nominations being reconsidered at the first meeting of the Regional Cabinet held in each financial year or as and when required.
- e) For this and the next three financial years, allocates funding of up to £30,000 per annum to support the establishment of the Regional Economic Growth Partnership, with ongoing financial support for the REGP being considered by the Regional Cabinet when setting its Annual Budget.

Sheila Davies
Cardiff Capital Region Programme Director
14th November 2017

The following Appendices are attached:

Appendix 1 – 14th July REGP report

Appendix 2 – Draft Terms of Reference

Appendix 3 – Draft Terms of Appointment

Appendix 4 – CONFIDENTIAL Applicant C.V. (exempt from publication)

CARDIFF CAPITAL REGION JOINT CABINET

REGIONAL CABINET MEETING

REGIONAL ECONOMIC GROWTH PARTNERSHIP

REPORT OF COUNCILLOR HUW THOMAS

AGENDA ITEM: 4

Reason for this Report

1. To approve the composition of the Regional Economic Growth Partnership.
2. To delegate authority to officers to establish the Regional Economic Growth Partnership and to undertake the recruitment process.
3. To agree funding for the Regional Economic Growth Partnership.

Background

4. A report was tabled to the Shadow Cabinet on 21st October outlining a proposed approach for the development of the Regional Economic Growth Partnership (REGP). The report recommended that the Cardiff Capital Region Shadow Joint Cabinet approve that officers are instructed to develop detailed proposals for the REGP.
5. Subsequently a further discussion was held at the Shadow Cabinet meeting of the 23rd February where a proposal was outlined to appoint external support as an interim body to further establish and approve principles for the REGP based on consultation with key stakeholders in the city-region.
6. Following this approval was provided on 30th March by Chief Executives for Centre for Cities to be appointed to lead this process.

Issues

7. Following appointment, the Centre for Cities began a consultation process that included representatives of local government, Welsh Government, business, higher education, third sector groups and employee groups.
8. A proposal for the establishment of the REGP was produced and has been attached as Appendix 1.
9. The document proposes that “The Partnership will directly advise the Joint Cabinet, who should be formally obliged to consider this advice. Whether the Cabinet chooses to act or not to act in accordance with the REGP’s

guidance they should clearly and publicly state why they have chosen to do so.”

10. In summary the proposal suggests that the REGP should adopt the following roles:
 - Reviewing and commenting on the Regional Economic Strategy
 - Providing review and challenge to investment decisions
 - Providing an advocacy role
 - Promoting the uptake of external funding sources
 - Providing advice on proposed interventions
 - Acting as a named consultee for the Cardiff Capital Region Cabinet
11. The Board will consist of a Chair and between 6 and 12 members. Collectively, the Board’s membership should cover the following areas:

Proposed Board Composition

| Stakeholder group | | Suggested number of reps on board |
|--------------------------------|--|--|
| Private sector business | <i>Representing businesses of all sectors and sizes</i> | 5 |
| Employee bodies | <i>Representing employees in all sectors and types of company</i> | 1 |
| Local government | <i>Representatives from the Joint Cabinet</i> | 2 |
| Education and skills | <i>Representing higher and further education, skills and training</i> | 2 |
| Third sector | <i>Representing social enterprise, community development, charities and voluntary sector</i> | 1 |

12. The final number will be dependent upon the appointment process, as it is suggested that the final composition will need to ensure the collective skill-set and experience of the Board covers a collective selection criteria. The REGP’s business representatives may also be members of the Regional Business Organisation, but this is not required.
13. It is proposed that Chair should be appointed on a two year fixed term basis with the maximum number of terms limited to two. The time commitment is assumed to be an average of one day per week, but this will be linked with specific requirements of the REGP and may be flexible. The proposed annual cost for supporting the Chair, and other associated REGP costs, is £30,000. This is based on a review of UK LEPs, Growth

Partnerships and TFL. The remuneration of the Chair will be negotiated but will be limited by the resource allocated to the REGP.

14. The Chair will be responsible for:
 - Leading the Partnership, ensuring it fulfils its responsibilities
 - Chairing meetings of the REGP Board, collating views expressed by each stakeholder group and where necessary arriving at a consensus
 - Communicating and representing the recommendations of the Partnership to the Cardiff Capital Region Cabinet
 - Being a figurehead and champion of the city region both nationally and internationally, on behalf of the Partnership and the Joint Committee
15. The Chair will be appointed on Nolan principles, including an open advert. The process will be overseen by the Regional Cabinet and the final decision on who to appoint should be theirs. A draft Job Advert is included in Appendix 1.
16. The appointment process of the board will follow a similar process, will be conducted by officers (see recommendation B) and the REGP Chair (one appointed) and recommendation made to the Regional Cabinet, for approval, of the most suitable candidates to appoint.
17. Additional support for the REGP would also be provided by the City Deal Programme Office.
18. Further details can be seen in Appendix 1 attached.

Next Steps

19. The next steps would involve advertising the role for Chair. This process would be:
 - Regional Cabinet to approve proposed recruitment process as based on the process outlined in Appendix 1 and as further specified in the body of this report.
 - Finalise advertisement.
 - Advertise position for 2 weeks
 - Appointment Panel to meet to undertake shortlisting assessment
 - Appointment Panel to meet to undertake interviews of shortlisted candidates and to agree a preferred candidate
 - Report submitted to Regional Cabinet to approve the appointment of the preferred candidate as Chair of the REGP and to confirm the start date of 2-year fixed term of office
20. The Chief Executive in consultation with the Chair of the Regional Cabinet and the political lead for the Regional Economic Growth Partnership will agree an appointment panel (referred to in the above paragraph)

comprising of up to five Leaders within the city-region, and appropriate officials.

21. It is anticipated that this process will take approximately 6 weeks to undertake following approval.
22. A similar process will then be undertaken for the appointment of the REGP board with a report being submitted to the Regional Cabinet to approve the appointment of the proposed Board Members, identified through the appointment process. .

Reasons for Recommendations

23. To enable the establishment of the Regional Economic Growth Partnership based on the principles outlined.
24. To enable the recruitment process to begin.
25. To approve funding for the Regional Economic Growth Partnership

Financial Implications

26. The Regional Cabinet approved budget for 2017/18 includes £331,297 to fund expenditure associated with a range of Regional Bodies set-up to support the work of Joint Cabinet. Within that sum, a budget has been allocated in respect of the Economic Growth Partnership which can accommodate the up to £30,000 funding request outlined in this report. As the post is to be advertised for a fixed period of 2 years, a similar sum will need to be committed against the 2018/19 budget.

Legal Implications

27. The Joint Working Agreement dated 1st March 2017 ('JWA'), served to establish the Regional Cabinet and set out its terms of reference. The JWA provides (clause 10.19) that the Regional Cabinet shall establish, as soon as is reasonably practicable, the Regional Economic Growth Partnership ('REGP'). The JWA further provides that it is a matter for the Regional Cabinet to establish the membership, rules of procedure or terms of reference for any group it establishes and to clarify the group's respective role and scope of delegation (if any). In this case it is understood that the Regional Cabinet will not be delegating any of its functions to the REGP. The REGP will act as a consultative and advisory body to the Regional Cabinet. It is important to note that the decision to create the REGP, as a consultative and advisory body, will give rise to the legitimate expectation that the Regional Cabinet will take into consideration the views of the REGP when making decisions.
28. The Regional cabinet will need to be satisfied that it can meet all the costs of the REGP from its Annual Budget
29. Legal advice should be sort on the proposed terms and conditions of those appointed to the REGP Board.
30. In considering this matter regard should be had, amongst other matters, to:

(i) The Councils' duties under the Well –being of Future Generations (Wales) Act 2015 and;

(ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Joint Cabinet:

- a) Approves the proposal attached as Appendix 1 outlining the principles and composition of the Regional Economic Growth Partnership ('REGP').
- b) Delegates authority to the Chief Executive of Cardiff Council, in consultation with the City Deal Programme Director and the Accountable Body (i) to undertake the recruitment exercise for the appointment of the Chair and the Board members of the REGP and (ii) to report back to Cabinet with recommendations as to the most suitable candidates to appoint, for Cabinet's approval.
- c) Delegates authority to the Chief Executive of Cardiff Council, in consultation with the Chair of the Cardiff Capital Region Cabinet and the lead member for the Regional Economic Growth Partnership, to select the appointment panel referred to in this report
- d) For this and the next financial year, allocate funding of up to £30,000 per annum to support the establishment of the Regional Economic Growth Partnership, with on going financial support for the REGP being considered by the Regional Cabinet when setting its Annual Budget.
- e) Delegates authority to the Chief Executive to determine the remuneration package for the Chair in consultation with the Chair of the Regional Cabinet and the lead member for the Regional Economic Growth Partnership.

Councillor Huw Thomas
Leader, Cardiff Council
10th July 2017

The following Appendix is attached:

Appendix 1 – REGP proposal

APPENDIX 1 – REGP PROPOSAL



Cardiff Capital Region City Deal

Cardiff Capital Region Economic Growth Partnership Proposal

This document sets out the proposed approach to establishing the Regional Economic Growth Partnership (REGP), its remit and position within the Capital Region structure. The proposals are based on a series of conversations between Centre for Cities and key stakeholders across the region, including business, employee bodies, local government, education and skills and the voluntary sector. They are also based on Centre for Cities' experience working with other city regions across the UK and their body of research looking at urban economies.

There is a high level of interest in the Partnership from all stakeholders and keenness to be engaged in its establishment and represented on the Board. There is agreement for the need for an Economic Growth Partnership.

However, there is concern the REGP will become 'a talking shop' whose guidance is not seriously considered. To be credible the Partnership must be shown to be effective and beneficial to the region.

1. The role and remit of the REGP

The Partnership will directly advise the Joint Cabinet, who should be formally obliged to consider this advice. Whether the Cabinet chooses to act or not to act in accordance with the REGP's guidance, they should clearly and publicly state why they have chosen to do so.

It is important the Partnership does not have a political agenda and its membership must be diverse. The Board must be outward-looking and well-connected beyond the city region, and beyond Wales. This will enable it to bring expertise, and investment, into the region, and to draw on the experience and resources of other places.

Role description of the REGP

The REGP will be responsible for:

- Reviewing and commenting on the Regional Economic Vision and Strategy of the Cardiff Capital Region
- Providing review and challenge to City Deal Investment Fund decisions
- Providing an advocacy role, promoting the Region as a prime investor and visitor location and working with partners to increase the value and quality of inward investment
- Promoting the uptake of external funding sources across the city-region
- Providing advice on proposed interventions from other stakeholders including Welsh Government
- Supporting the co-ordination of city-region activities and alignment of overall city-region objectives
- Acting as an interface with the Capital Region Business Organisation
- Acting as a named consultee for the Cardiff Capital Region Cabinet
- Acting as an interface with other UK city deals and regional economic growth partnerships, working with these other cities to share experiences, expertise and resources
- Acting as a focal point for collating and sharing economic knowledge and intelligence in the region and co-ordinating the research needs of the Cardiff Capital Region Cabinet. The REGP will not produce research itself, but co-ordinate, collate and use research with support of the city-region's university sector.

Proposed composition of the REGP Board

The Board will consist of a Chair and between 6 and 12 members. Collectively, the Board's membership should cover the following areas:

| Stakeholder group | | Number of representatives on Board |
|-------------------------|--|------------------------------------|
| Private sector business | <i>Representing businesses of all sectors and sizes</i> | 5 |
| Employee bodies | <i>Representing employees in all sectors and types of company</i> | 1 |
| Local government | <i>Representatives from the Joint Cabinet</i> | 2 |
| Education and skills | <i>Representing higher and further education, skills and training</i> | 2 |
| Third sector | <i>Representing social enterprise, community development, charities and voluntary sector</i> | 1 |

There must be a degree of flexibility in the number of members representing each group, to ensure the collective skill-set and experience of the Board is suitable. Some members may have experience working in multiple areas and can therefore represent more than one.

The Regional Business Organisation (RBO) will advise the REGP on issues related to economic growth, drawing on their wide representation of private sector business in the region. The REGP's business representatives may also be members of the RBO, but this is not required.

2. Selecting the REGP Board

Selection process of Board members

The selection process must be open and transparent, accompanied by the selection criteria listed below. The appointment process should be overseen by the Joint Cabinet and the REGP Chair, if they have already been selected.

1. Advertise Board membership roles
 - Create an advert for the Board membership roles including the selection criteria and role description (given above)
 - Share advert publicly and openly to encourage a diverse range of applications
 - Make each stakeholder group aware of the roles available and ask each group to use their networks to promote the membership positions and encourage their preferred candidates to apply
 - Ask the Regional Business Organisation to encourage their preferred representative of private sector business to apply
2. Consideration of application process overseen by Joint Cabinet (or Joint Cabinet nominees for the process), and REGP Chair if appropriate
 - Assess each applicant against the selection criteria and role description, considering which roles they would be best suited to carry out
 - Keep in mind the collective set of skills and experience of the Board
 - Select a short list of the best applicants
 - Interview short list
3. Select most suitable candidates
 - Select a group of Board members who collectively have all the required skills and experience, and can therefore fulfil the remit of the Board

The two local government representatives will be selected separately, nominated by the Joint Cabinet.

Selection criteria of the Board membership

Collectively, the Board should have the following knowledge, skills and experience:

- Understanding of the economy and politics of the city region and Wales
- Understanding of economic growth and policy beyond the region, and beyond Wales. The membership must have an outward-looking mind-set which draws on other regions' experiences.
- A wide network of contacts across the UK and internationally
- Experience of analysing and assessing commercial, technical and financial information in order to provide quality advice to public sector decision-makers
- Experience of providing evidence-based and impartial advice on projects and initiatives, particularly in relation to their viability and impact on economy and employment issues
- Experience of working on Inward Investment strategies and campaigns and willingness and ability to participate in Regional campaigns and in the nurturing of potential investment opportunities
- An understanding of the key growth sectors for the Region as identified by the Growth and Competitiveness Commission

In addition the Board must be as diverse – socially, sectorally and geographically – as possible given the criteria set out above.

3. The Chair of the REGP

The Chair should be appointed on a two year fixed term basis with the maximum number of terms limited to two. The time commitment, whilst flexible, is assumed to be an average of 1 day a week, though the level of commitment will fluctuate across the term.

The proposed annual costs for the Chair and other REGP costs is £25,000 - £30,000. This is based on review of various remuneration packages of UK LEPS, Growth Partnerships and TFL. This will ensure the role is competitively remunerated, at a level which reflects the significance of the role.

Role description of the REGP Chair

The Chair will be responsible for:

- Leading the Partnership, ensuring it fulfils its responsibilities
- Chairing meetings of the REGP Board, collating views expressed by each stakeholder group and where necessary arriving at a consensus
- Communicating and representing the recommendations of the Partnership to the Cardiff Capital Region Cabinet
- Being a figurehead and champion of the city region both nationally and internationally, on behalf of the Partnership and the Joint Committee

If the Chair is selected prior to the Board then the role will also include selecting the REGP Board and ensuring it has the appropriate skills and experience to fulfil its remit.

Selection process for the Chair

This selection process must also be open and transparent, based on the role description (above) and selection criteria (below). The process should be overseen by the Joint Cabinet and the final decision on who to appoint should be theirs.

Similarly to the Board selection process, stakeholders will be invited to encourage their preferred candidates to apply for the role. But to ensure the process is fair, and accessible to a diverse range of applicants, it must be open.

Selection criteria of the Chair

The Chair should have the following skills and attributes:

- An understanding of economic growth, and related policies, both in and beyond the region, and beyond Wales
- Ability to think strategically
- Politically astute, and able to make sense of the full context in which the REGP operates
- High level listening skills, ensuring that all internal and external stakeholders have their say and feel their views have been considered
- Ability to represent a range of viewpoints and to build a consensus
- Ability to access, build and maintain strong and effective networks and working relationships across sectors, at senior leadership level
- Strong communication and presentation skills
- Excellent advocacy skills

The Chair should have the following background and experience:

- Be a current member of the private sector business community
- Experience of working in, or with the private, public and civic sectors
- Experience of chairing organisations comprising senior stakeholders of differing views
- Extensive senior leadership experience
- Have a wide network of public, private and government contacts which extends the region and beyond Wales
- Experience of representing an organisation at a local and national level, including dealing with media attention

4. Resources

The Partnership's resources will be derived from the City Deal. It is vital the REGP is adequately resourced, at a level which matches the remit given to the Board and Chair. Otherwise expectations will not be met and the Partnership will lose credibility.

The proposed resources for the Partnership are the following:

- £25,000 - £30,000 costs for the Chair and other REGP costs, as stated above.
- Administrative support for the Partnership and executive assistance to the Chair. This will be provided by the support officer in the Programme Management Office.
- Advisory support to enable the Chair, and REGP, to progress their agenda. Options for the provision of this advice need to be further explored. One possibility is for this support to come from one, or multiple, universities on a pro bono or matched funding basis.
- A broader support network providing strategic, research, policy and media (etc.) support to the Chair and Partnership. This will be provided by the Programme Office, once fully established.



Cardiff Capital Region City Deal

Advertisement for Chair of the Regional Economic Growth Partnership

As part of the City Deal, the Cardiff Capital Region is seeking an individual to Chair the Regional Economic Growth Partnership (REGP), which is currently being established.

The REGP will directly advise the Joint Cabinet and will be responsible for reviewing the Regional Economic Vision and Strategy and City Deal Investment Fund decisions. It will also have an advocacy role, promoting the Region as a prime investor and visitor location.

Role description

The Chair will be responsible for:

- Leading the REGP, ensuring it fulfils its responsibilities
- Chairing meetings of the REGP Board, collating views expressed by each stakeholder group and where necessary arriving at a consensus
- Communicating and representing the recommendations of the REGP to the Cardiff Capital Region Cabinet
- Being a figurehead and champion of the city region both nationally and internationally, on behalf of the REGP and the Joint Committee

If the Chair is selected prior to the Board then the role will also include selecting the REGP Board and ensuring it has the appropriate skills and experience to fulfil its remit.

Terms of appointment

The Chair will be appointed on a two year fixed term basis with the maximum number of terms limited to two. The time commitment, whilst flexible, is average 1 day a week, though the level of commitment will fluctuate across the term.

The role will be competitively remunerated.

Required skills and attributes

The Chair should have the following skills and attributes:

- An understanding of economic growth, and related policies, both in and beyond the region, and beyond Wales
- Ability to think strategically
- Politically astute, and able to make sense of the full context in which the REGP operates
- High level listening skills, ensuring that all internal and external stakeholders have their say and feel their views have been considered
- Ability to represent a range of viewpoints and to build a consensus
- Ability to access, build and maintain strong and effective networks and working relationships across sectors, at senior leadership level
- Strong communication and presentation skills
- Excellent advocacy skills

Required background and experience

The Chair should have the following background and experience:

- Be a current member of the private sector business community
- Experience of working in, or with the private, public and civic sectors
- Experience of chairing organisations comprising senior stakeholders of differing views
- Extensive senior leadership experience
- Have a wide network of public, private and government contacts which extends the region and beyond Wales
- Experience of representing an organisation at a local and national level, including dealing with media attention

APPENDIX 2 – REGIONAL ECONOMIC GROWTH PARTNERSHIP CHAIR TERMS OF REFERENCE

Term of Appointment

1. The Chair will be appointed on a 3-year basis with the option for a 2-year extension.
2. The Chair is not remunerated but can claim for reasonable expenses incurred.

Roles and Responsibilities

3. The Chair will be responsible for:
 - Leading the REGP, ensuring it fulfils its responsibilities
 - Chairing meetings of the REGP Board, collating views expressed by each stakeholder group and where necessary arriving at a consensus
 - Determining the agenda of REGP meetings
 - Communicating and representing the recommendations of the REGP to the Cardiff Capital Region Cabinet
 - Being a figurehead and champion of the city region both nationally and internationally, on behalf of the REGP and the Joint Committee
4. The Chair will be responsible for collating the views of the REGP in response to City Deal investment decisions and the overall economic strategy. Voting at REGP meetings, if required, shall be by a show of hands and matters determined by a simple majority. All members shall have one vote, and in the event of equality of voting, the Chair shall have a casting vote.
5. The Chair of the REGP has no decision-making powers relating to the City Deal, or resources other than the administrative and secretariat support provided. The Chair and the REGP act as an advisory body for the Cardiff Capital Region.
6. The Chair will act to support the aims and objectives of the Cardiff Capital Region Cabinet and the REGP, and the wider economic interests of the Cardiff Capital Region.

Communication

7. The Chair will act as an independent non-political voice for economic stakeholders in the city-region.
8. The Chair will work on a collegiate basis with the Cardiff Capital Region Cabinet.
9. The Chair of the REGP should inform the Chair of the Cardiff Capital Region Cabinet ahead of any public statements being issued.

Confidentiality

10. The Chair is required to respect confidentiality of specific and relevant issues discussed with regard to the work of the Cardiff Capital Region Cabinet and the Regional Economic Growth Partnership should it be required by either body.

Conflicts of Interest

11. The Chair has a duty to declare their interest in any item brought before the Regional Economic Growth Partnership, and will avoid contributing to or influencing any response by the board related to any subject where a conflict is present.

Nolan Principles

12. The Chair shall adhere to the seven principles of public life (known as the 'Nolan Principles'. These are:
 - i. Selflessness: Holders of public office should act solely in terms of the public interest.
 - ii. Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
 - iii. Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
 - iv. Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
 - v. Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.
 - vi. Honesty: Holders of public office should be truthful.
 - vii. Leadership: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

APPENDIX 3 – REGIONAL ECONOMIC GROWTH PARTNERSHIP CHAIR TERMS OF APPOINTMENT

Terms of appointment to the Chair of the Regional Economic Growth Partnership

Following the decision of the Cardiff Capital Regional Cabinet we have decided to offer you the role of Chair of the Regional Economic Growth Partnership.

As you are aware, the Regional Economic Growth Partnership is a body that has been set up to provide an opportunity for economic stakeholders in Cardiff Capital Region to come together to inform investment decisions of the Cardiff Capital Region Cabinet. By accepting this appointment, you agree that this is a voluntary consultative role and this is not a contract for services and is not a contract of employment.

This letter sets out the terms of your appointment as Chair of the Regional Economic Growth Partnership. If you are unhappy with any of the terms, or need any more information, please let me know.

APPOINTMENT

Your appointment shall be for the initial term to 31.3.2021 with the option for a further 2 years' extension, on the agreement of the Cardiff Capital Region Cabinet.

The Cardiff Capital Region Cabinet may terminate your appointment at any time if in their view you have:

- committed a material breach of your obligations under this letter;
- acted in any manner which, in the Board's opinion, brings or is likely to bring you or the Regional Economic Growth Partnership into disrepute;
or
- failed to properly declare an interest in any business in accordance with the terms of this letter.

You may end your appointment upon three months' notice addressed to the Regional Programme Director

TIME COMMITMENT, ROLE AND DUTIES

Your time commitment is expected to average two days per month. However there may be months when further time commitment is required to input into Cardiff Capital Region Cabinet decision making.

For the avoidance of doubt, you are not authorised to enter into any legal or other commitment or contract on behalf of the Regional Economic Growth Partnership.

CHAIRING OF MEETINGS

In addition, in your role as chair you should:

- chair the meetings of the Regional Economic Growth Partnership;
- set the Partnership's agenda and ensure that adequate time is available for discussion of all agenda items;
- set clear expectations concerning the Partnership's culture, values and behaviours and the style and tone of discussions;
- encourage all Partnership members to engage in Partnership meetings by drawing on their skills, experience and knowledge;
- develop productive working relationships with the Cardiff Capital Region Cabinet;
- demonstrate ethical leadership and promote the highest standards of integrity within the Partnership; and
- act as an advocate for the Cardiff Capital Region economy.

FEES AND EXPENSES

For the avoidance of doubt, there is no salary or allowance payable to you as Chair of the Regional Economic Growth Partnership.

You shall be reimbursed for all reasonable and properly documented expenses that you incur in performing the duties of your office. Any expense of over £50 (or whatever other limit the Cardiff Capital Region City Deal Programme Director may notify you of from time to time) should be approved in advance by the Cardiff Capital Region City Deal Programme Director.

CONFLICTS OF INTEREST

It is accepted and acknowledged that you have business interests other than those of the REGP.

At the start of every meeting of the REGP there will be an opportunity for you to declare any conflict of interest that you may have in relation to the matters that are on the agenda for that meeting. You must disclose any conflict of interest that you are aware of in relation to agenda items at that point. If that interest can reasonably be regarded as "material" then you should remove yourself from the meeting while that item is discussed. If any conflict of interest becomes apparent to you during the meeting that you did not declare at the start of the meeting, you must declare it as soon as it becomes apparent.

ENTIRE AGREEMENT AND VARIATION

This letter and the attached terms of reference constitute the entire terms and conditions of your appointment. It may only be varied in writing.

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CARDIFF CAPITAL REGION CITY DEAL REGIONAL CABINET MEETING

MINUTES

REGIONAL CABINET ANNUAL GENERAL MEETING: 30 JUNE 2017

Regional Cabinet Members Present:

| | | |
|--------------------------------|---|---------------------------|
| Cllr Nigel Daniels | - | Blaenau Gwent Council |
| Stephen Gillingham, Chief Exec | - | Blaenau Gwent Council |
| Cllr Huw David, Leader | - | Bridgend Council |
| Mark Shephard | - | Bridgend Council |
| Cllr Sean Morgan | - | Caerphilly Council |
| Chris Burns, Chief Exec | - | Caerphilly Council |
| Cllr Huw Thomas | - | Cardiff Council |
| Paul Orders, Chief Exec | - | Cardiff Council |
| Cllr Kevin O'Neill, Leader | - | Merthyr Council |
| Gareth Chapman, Chief Exec | - | Merthyr Council |
| Cllr Peter Fox, Leader | - | Monmouthshire Council |
| Paul Matthews, Chief Exec | - | Monmouthshire Council |
| Cllr Debbie Wilcox, Leader | - | Newport Council |
| Will Godfrey, Chief Exec | - | Newport Council |
| Cllr Andrew Morgan, Leader | - | Rhondda Cynon Taf Council |
| Christopher Lee | - | Rhondda Cynon Taf Council |
| Cllr Anthony Hunt, Leader | - | Torfaen Council |
| Alison Ward, Chief Exec | - | Torfaen Council |
| Cllr John Thomas, Leader | - | Vale of Glamorgan |
| Rob Thomas, Chief Exec | - | Vale of Glamorgan |

Officers:

| | | |
|-------------------------|---|--------------------------|
| Liz Weale | - | Accountable Body |
| Hrjinder Singh | - | Accountable Body |
| Ian Allwood | - | Accountable Body |
| Alistair Milburn | - | Effective Communications |
| Sheila Davies, Director | - | City Deal PMO |
| Sian Lewis | - | City Deal PMO |
| Matthew Swindell | - | City Deal PMO |

Apologies:

| | | |
|----------------------------|---|---------------------------|
| Cllr David Poole, Leader | - | Caerphilly Council |
| Darren Mepham, Chief Exec | - | Bridgend Council |
| Chris Bradshaw, Chief Exec | - | Rhondda Cynon Taf Council |
| Christine Salter | - | Accountable Body |

1. Welcome and Apologies for Absence

Alison Ward was invited to take the Chair for the formal part of the AGM appointment process in the absence of Darren Mephram (Lead CEO). Apologies were noted and recorded. The Cabinet asked that their condolences be passed on to Chris Bradshaw.

2. Declarations of Interest

There were no declarations of interest made on items on the meeting agenda.

3. To elect a Chairperson / Vice Chairperson(s) for the forthcoming year.

Nominations were requested for a Chair for the coming year from Members. Councillor Andrew Morgan was nominated, seconded and elected as Chair for the coming year.

Cllr Morgan then took the Chair and asked for nominations for two Vice-Chairs. Nominations for Councillors Peter Fox and Huw Thomas were received, seconded and both were elected as Vice-Chairs for the coming year.

4. 2016/17 Out-Turn Report & Annual Financial Return (Minute No.7)

Cabinet considered a report on behalf of the Accountable Body:-

1. To provide Cardiff Capital Region Joint Cabinet (Joint Cabinet) with details of the final out-turn position against its 2016/17 part-year budget covering the period 1st March – 31st March 2017.
2. To present to Joint Cabinet the draft unaudited Annual Smaller Bodies Return (Annual Return) for the year ended 31st March 2017, for consideration and approval, in-line with the statutory deadline of 30th June 2017.
3. Subject to Joint Cabinet approving the Annual Return, the document will be submitted to the Auditor General for Wales, to enable the Wales Audit Office (WAO) to undertake its external audit of the return.

RESOLVED: that Cardiff Capital Region Joint Cabinet:

- a) Noted the final out-turn position for the financial year ended 31st March 2017 and the level of surplus available to support the Joint Cabinet's 2017/18 budget;
- b) Considered and approved the unaudited Smaller Bodies Annual Return for the year ended 31st March 2017, attached as Appendix A, and;
- c) Authorised the Chairman to sign the Annual Return on behalf of the Joint Cabinet and authorise the Accountable body to submit the Annual Return to the Wales Audit Office.

5. To receive and approve the minutes of the Regional Cabinet at its meetings on:-

- a) 17 March 2017
- b) 02 May 2017

Cllr Morgan asked colleagues if they had any amendments to make to the draft minutes from the previous two meetings that had been circulated. Sheila Davies made Members aware of amendments to two of the sentences within Minute No.5 of the 02nd May 2017 minutes as two sentences required slight alterations. The amendments were subsequently agreed and both sets of minutes were then confirmed as correct records of the two meetings.

6. Date of Next Meeting

Cllr Morgan asked colleagues if they wished to continue meeting on a Friday, or move to an alternate day. Monday mornings had also been suggested. Both days were noted to have an impact on different Members for different reasons, but it was agreed that draft dates would be circulated for Members to agree at the next formal meeting. Subsequently, a calendar of meetings for the next 6 to 12 months would be made available on the website in order to inform the public and partners of the schedule of public meetings.

7. Any Other Business

- i) Cllr David referred to the Valleys Task Force report which was about to be published, and discussion took place concerning engagement and consultation with the group from this body in terms of regional partnership working. It was suggested that Maureen Howell be invited to a future informal meeting to provide an update to Members on the work of the Task Force.
- ii) It was suggested that more formal links be made with colleagues undertaking the Swansea City Deal as a means of addressing more nationally significant projects across South Wales, using examples of collaboration amongst English cities doing similar work. This may include meeting with Welsh and UK Government colleagues.
- iii) It was noted that Will Godfrey had an initial meeting set up with Welsh Government regarding business rates next week. Members asked Will to speak to them specifically about growth and business rate retention issues and feedback at a later informal meeting, as well as contact the lead Officer in Swansea as a comparison.

Cllr Morgan thanked colleagues for attending and the meeting was concluded.

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CARDIFF CAPITAL REGION CITY DEAL REGIONAL CABINET MEETING

MINUTES

SPECIAL REGIONAL CABINET MEETING: 14 JULY 2017

Regional Cabinet Members Present:

| | | |
|------------------------------------|---|---------------------------|
| Cllr Nigel Daniels | - | Blaenau Gwent Council |
| Stephen Gillingham, Chief Exec | - | Blaenau Gwent Council |
| Cllr Huw David, Leader | - | Bridgend Council |
| Mark Shephard | - | Bridgend Council |
| Cllr David Poole | - | Caerphilly Council |
| Chris Burns, Chief Exec | - | Caerphilly Council |
| Cllr Huw Thomas | - | Cardiff Council |
| Paul Orders, Chief Exec | - | Cardiff Council |
| Cllr Kevin O'Neill, Leader | - | Merthyr Council |
| Gareth Chapman, Chief Exec | - | Merthyr Council |
| Cllr Peter Fox, Leader | - | Monmouthshire Council |
| Paul Matthews, Chief Exec | - | Monmouthshire Council |
| Cllr Debbie Wilcox, Leader | - | Newport Council |
| Gareth Price | - | Newport Council |
| Cllr Andrew Morgan, Leader (Chair) | - | Rhondda Cynon Taf Council |
| Chris Bradshaw, Chief Exec | - | Rhondda Cynon Taf Council |
| Cllr Anthony Hunt, Leader | - | Torfaen Council |
| Alison Ward, Chief Exec | - | Torfaen Council |
| Cllr John Thomas, Leader | - | Vale of Glamorgan |
| Rob Thomas, Chief Exec | - | Vale of Glamorgan |

Officers:

| | | |
|-------------------------|---|---------------------------|
| Christine Salter | - | Accountable Body |
| David Marr | - | Accountable Body |
| Liz Weale | - | Accountable Body |
| Hrjinder Singh | - | Accountable Body |
| Jonathan Day | - | Cardiff Council |
| Kellie Beirne | - | Monmouthshire Council |
| Peter Davies | - | Monmouthshire Council |
| Christian Hanagan | - | Rhondda Cynon Taf Council |
| James Whitehurst | - | Rhondda Cynon Taf Council |
| Alistair Milburn | - | Effective Communications |
| Sheila Davies, Director | - | City Deal PMO |
| John Duddridge | - | City Deal PMO |
| Hazel Duke | - | City Deal PMO |
| Matthew Swindell | - | City Deal PMO |

Apologies:

Darren Mepham, Chief Exec - Bridgend Council
Will Godfrey, Chief Exec - Newport Council

1. Welcome and Apologies for Absence

Cllr Morgan welcomed colleagues to the meeting and a short recess was agreed for an updated Regional Cabinet photograph to be taken.

2. Declarations of Interest

There were no declarations of interest made on items on the meeting agenda.

3. Proposed Calendar of Future Public Meetings 2017-2018

It was agreed that dates for the public quarterly meetings for Regional Cabinet would be set, moving from a Friday to a Monday in future. Programme Management Office would circulate proposed dates to all Authorities to be agreed and that future public meetings would rotate to take place in the Council Chambers amongst the partner Authorities.

4. Regional Economic Growth Partnership (Minute No.8)

The Regional Cabinet considered a report on behalf of Councillor Huw Thomas:-

1. To approve the composition of the Regional Economic Growth Partnership.
2. To delegate authority to officers to establish the Regional Economic Growth Partnership and to undertake the recruitment process.
3. To agree funding for the Regional Economic Growth Partnership.

RESOLVED: it was agreed that Cardiff Capital Region Joint Cabinet:

- a) Approved the proposal attached as Appendix 1 to the Report outlining the principles and composition of the Regional Economic Growth Partnership ('REGP').
- b) Delegate authority to the Chief Executive of Cardiff Council, in consultation with the City Deal Programme Director and the Accountable Body (i) to undertake the recruitment exercise for the appointment of the Chair and the Board members of the REGP and (ii) to report back to Cabinet with recommendations as to the most suitable candidates to appoint, for Cabinet's approval.
- c) Delegate authority to the Chief Executive of Cardiff Council, in consultation with the Chair of the Cardiff Capital Region Cabinet and the lead member for the Regional Economic Growth Partnership, to select the appointment panel referred to in this report

- d) For this and the next financial year, allocate funding of up to £30,000 per annum to support the establishment of the Regional Economic Growth Partnership, with ongoing financial support for the REGP being considered by the Regional Cabinet when setting its Annual Budget.
- e) Delegate authority to the Chief Executive of Cardiff Council to determine the remuneration package for the Chair in consultation with the Chair of the Regional Cabinet and the lead member for the Regional Economic Growth Partnership.

Cllr Morgan asked colleagues for their agreement to take Item 6 on the agenda before Item 5, which was agreed.

6. Cardiff Capital Region Compound Semiconductor Project – Update on Outstanding Matters (Minute No.9)

There is a Confidential Appendix to this minute which is exempt from publication as it contains exempt information of the kind described in paragraphs 14, 16 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972

Cllr Morgan advised colleagues to note in reference to Agenda Item 6, that Appendices 1-6 of this report were not for publication as they contain exempt information of the kind described in paragraphs 14, 16 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972.

As such, should colleagues wish to discuss matters within those Appendices, members of the public would have to withdraw while that discussion takes place and will be asked to return to hear a summary and the final decision of the Cabinet.

If anyone wished to formally move that the public be withdrawn, colleagues were asked to make that clear so the proposal can be seconded and moved and formally recorded in the minutes. The proposal was moved and members of the public were asked to leave proceedings.

The Regional Cabinet considered a report on behalf of the City Deal Programme Director:-

1. To provide an update on the Compound Semiconductor (CSC) Project, following receipt of approval by the Region Cabinet, on 2 May 2017, subject to specific issues being successfully resolved.
2. To note a change in the overall financial commitment required for the project.
3. To confirm that sufficient progress has been made on the outstanding issues to allow the CSC Project to proceed and for the funding to be released.

RESOLVED: it was agreed that Cardiff Capital Region Joint Cabinet:

- a) Agree the increase in the required project cost to £38.5m as detailed in **Appendix 3 of the Report**;
- b) Agree that sufficient progress has been made on those matters to which the Regional Cabinet decision on CSC Project on 2nd May 2017, was subject to, and confirm that the CSC Project should proceed.
- c) Authorise the Accountable Body to release funding to the SPV, up to £38.5m, in tranches as requested by the SPV and in accordance with the financing and loan provisions detailed in sections 7 and 8 of the SPV Shareholders Agreement attached in **Appendix 6 of the Report**.

5. Cardiff Capital Region Compound Semiconductor Project – Special Purpose Vehicle (Minute No.10)

There is a Confidential Appendix to this minute which is exempt from publication as it contains exempt information of the kind described in paragraphs 14, 16 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972)

Cllr Morgan advised colleagues to note in reference to Agenda Item 5, that Appendices 1A, 1B, 2A, 2B, 3 and 4 of this report were not for publication as they contain exempt information of the kind described in paragraphs 14, 16 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972.

As such, should colleagues wish to discuss matters within those Appendices, members of the public would have to withdraw while that discussion takes place and will be asked to return to hear a summary and the final decision of the Cabinet.

If anyone wished to formally move that the public be withdrawn, colleagues were asked to make that clear so the proposal can be seconded and moved and formally recorded in the minutes. The proposal was moved and members of the public were asked to leave proceedings.

The Regional Cabinet considered a report on behalf of the City Deal Programme Director:-

1. To seek approval of the Regional Cabinet to establish a Special Purpose Vehicle (SPV) to deliver the Compound Semiconductor Project (CSC Project).
2. To consider and agree the required details necessary to establish the SPV including such matters as scope, objectives, name, shareholder arrangements and composition of the Board.

RESOLVED: it was agreed that Cardiff Capital Region Joint Cabinet:

- a) Establish a Special Purpose Vehicle Company Limited by Shares as detailed in the SPV Options Appraisal report contained in **Appendix 1B**;
- b) Agree to name the Special Purpose Vehicle Company '**CSC Foundry Ltd**' – '**LDC Ffowndri Cyf**'¹.
- c) Approve the Shareholders' Agreement related to 'CSC Foundry Ltd', as detailed in **Appendix 2B**;
- d) Request each authority appoint a Director to sit on the 'CSC Foundry Ltd' Company Board;
- e) Agree that for the purposes of the CSC Project the Lead Authority continues to be Monmouthshire County Council, and delegate to the Chief Executive Officer of that Authority, in consultation with the Regional Cabinet Chair and Programme Director, the power:
 - i. Deal with all matters pending formation of the SPV; and
 - ii. Thereafter all matters that fall to the Lead Authority as set out in the Shareholders' Agreement and any matters that are required to facilitate the CSC Project and fall outside the remit of the SPV provided the delegation is executed within the remit of the financial commitment approved.
- f) Agree that the Lead Authority enter into a direct payment guarantee with the Welsh Government as detailed in 8.9 of the Shareholders' Agreement related to 'CSC Foundry Ltd'; and
- g) That the CCR Programme Director, in consultation with the Lead Authority, SPV and Accountable Body, report to Regional Cabinet, at the appropriate time, for decisions on any changes to the roles and responsibilities of the Lead Authority and SPV.
- h) Approve the CSC Foundry Ltd Annual Business Plan as detailed in **Appendix 4**.

Cllr Morgan thanked colleagues for attending and the meeting was concluded.

¹ 'Lled-Ddargludyddion Cyfansawdd Ffowndri Cyfngedig'

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CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

QUARTER 1 PERFORMANCE REPORTING TO WELSH AND UK GOVERNMENT

REPORT OF CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 5

Reason for this Report

1. To inform Regional Cabinet of the Quarter 1 reporting position, against the CCRCDC Implementation Plan 2016-2020 (formally adopted on the 1st March 2017) and CCRCDC Transition Plan (formally adopted on the 17th March 17).
2. To discharge the reporting requirements within the Cardiff Capital Region City Deal (CCRCDC) Assurance Framework (JWA Schedule 8, point 2.2.9).
3. To recommend that Regional Cabinet approve the Quarter 1 report in Appendix 1, to be circulated to both Welsh and UK Government.

Background

4. The Regional Office are required, within the Assurance Framework, to provide the Regional Cabinet, the UK Government and the Welsh Government with quarterly performance reports that will:
 - Highlight City Deal success;
 - Provide a performance narrative for each element of the City Deal against agreed implementation plan timescales;
 - Provide information on agreed outputs and outcomes; and
 - Identify mitigating actions for projects and programmes that are not being delivered to agreed timescales.

Highlights

5. On the **1st March 2017** the Leaders of the ten South East Wales local authorities signed the Joint Working Agreement, on behalf of their Councils, and by doing so established the Regional Joint Cabinet (Regional Cabinet). The Agreement contained the CCRCDC Assurance Framework (schedule 8) and CCRCDC Implementation Plan 2016-2020 (schedule 9).

6. On the **17th March 2017**, the Regional Cabinet agreed a programme of work, the CCRC D Transition Plan 2017-2018, which provides details of the tasks and activities required to efficiently address the requirements of the Joint Working Agreement and Assurance Framework.
7. Approval of CCRC D's Investment Fund was received from Welsh Government **on 9th March 2017**. The approval letter stated that Welsh Government do not intend to impose additional terms and conditions, to those of the UK Government, in line with the city deal ethos of local accountability. However, the Welsh Government expect matters to be conducted in a manner that ensures financial propriety and good governance. The UK Government funding conditions state that the funding must be used solely to support the objectives of CCRC D through the implementation of projects and schemes agreed by the Region Cabinet in accordance with arrangements set out in its Joint Working Agreement, Wider Investment Fund Assurance Framework, Implementation Plan and, when agreed, JWA Business Plan.
8. On **the 2nd May 2017**, the Regional Cabinet approved (subject to conditions) its first investment of £38m, from the Wider Investment Fund, to establish an anchor space in the region for high end production of compound semi-conductors.
9. The aim of CCRC D's first investment is to support the development of a Compound Semiconductor Industry Cluster in the region with the potential to:
 - lever £375m of private sector investment;
 - create up to 2,000 high skilled jobs; and
 - return the investment for use on other regional schemes.

Performance

10. Briefly, pending the finalisation of the CCRC D Monitoring, Reporting and Evaluation Framework, the current approach (Appendix 1) to reporting can be summarised as:
 - Primary: high level & strategic
 - Secondary: detailed & operational
 - Tertiary: operational with supporting evidence/documentation
11. This is a primary level performance report for Q1, covering the period April to June 17.
12. The Q1 position indicates good overall progress, as summarised in the table below.

Quarter 1 progress (overall completion):

| | | |
|--|---------------|---------------|
| T.2.1 Regional Cabinet | 66.6% overall | 33.3% overall |
| T.2.2 Finance & Governance | 66.6% overall | 33.3% overall |
| T.2.3 Regeneration, Housing & Planning | 100% overall | |
| T.2.4 Work, Skills & Economy | 50% overall | 50% overall |
| T.2.5 Business & innovation | 100% overall | |
| T.2.6 Transport | 100% overall | |

| | | | |
|---|-------------------------------|---|-------------------------------|
|  | % Actions Completed within Q1 |  | % Actions Outstanding from Q1 |
|---|-------------------------------|---|-------------------------------|

13. Where there have been significant delays or issues, these have been highlighted and mitigation measures have been put in place, which are as follows:-

T2.1: Establish the Regional Office (PMO)

14. Whilst the Regional Office has been established at Ty Dysgu, Nantgarw, the office is not fully functional at the end of Q1.

15. There have been some technical delays across all the required 'back office' support systems, specifically the delivery and installation of ICT infrastructure and equipment, kit, the related transfer of all CCR stored data from the temporary host Bridgend CBC, financial systems and H.R. systems, as well as the production of Service Level Agreements. Discussions have taken place with relevant Officers who are now seeking to resolve delays and undertake the necessary actions.

16. The remaining 33.3% of this commitment is expected to be delivered in Q2 successfully.

T2.2: Finance and Governance – Financial Flexibilities

17. A proposal is currently being developed that specifies the areas of additional flexibility the Regional Cabinet wishes to explore with Welsh Government.

18. The report was scheduled to go before Regional Cabinet in Q2, but owing to the Local and General Elections and the changes in administrations, it is now anticipated in Q3.

T2.3: Work, Skills and Economy-Establish the REGP

19. A detailed proposal for the REGP was agreed by the Regional Cabinet, and Centre for Cities were procured at the end of March 17 to finalise proposals. Initially Centre for Cities indicated a timeline of two months to complete their work, as the procurement process was not initiated until late March, their two month timescale slipped forwards.

20. At the end of this quarter Centre for Cities have delivered all month one activity, with month two activity on-track to be delivered within Quarter 2.

Outputs and Outcomes

21. Overall requirements for outputs and outcomes are being established. Scheme specific targets for the Compound Semiconductor Project are being developed and agreed.

Mitigation

22. No scheme is currently subject to mitigation.

Reasons for Recommendations

23. To discharge the reporting requirements within the Cardiff Capital Region City Deal (CCRCD) Assurance Framework (JWA Schedule 8, point 2.2.9).

Financial Implications

24. There are no direct financial implications arising from this report, which reports Quarter 1 performance against the CCRCD Implementation Plan 2016-2020 and the CCRCD Transition Plan. Regular budget monitoring reports will be presented to Regional Cabinet to ensure that any budget management issues that may arise, are highlighted at an early stage and appropriate actions is taken.

Legal Implications

25. Based on the information set out in this report, there are no direct legal implications arising from the report, which reports Quarter 1 performance against the CCRCD Implementation Plan 2016-2020 and the CCRCD Transition Plan.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Joint Cabinet:

- a) Consider and if deemed acceptable, approve the Quarter 1 performance report.
- b) Authorise the Project Manager of the CCRCD Regional Office to formally submit the quarter one performance report, including supporting information to both UK and Welsh Governments, and other stakeholders as required, on behalf of the Regional Cabinet.

Sheila Davies
Cardiff Capital Region Programme Director
14th November 2017

The following Appendix is attached:

Appendix 1: Transitional Reporting Framework (pending the finalisation of the CCRCD Monitoring, Reporting and Evaluation Framework).

| | PRIMARY <i>(high level & strategic)</i> | SECONDARY <i>(detailed & operational)</i> | TERTIARY <i>(operational with supporting evidence/documentation)</i> |
|-------------------------|---|---|---|
| REGIONAL CABINET | Quarterly performance Red 'RAG' rated risks Finance Audit | | |
| CEX | Finance Audit | Quarterly performance Highlight Risk & Issue | |
| PROGRAMME BOARD | | Highlight Risk & Issues | Quarterly performance with supporting |
| REGIONAL OFFICE | Status Resource Project/Scheme | Status Resource Project/Scheme | Status Resource Project/Scheme |
| ACCOUNTABLE BODY | Finance Audit | Finance Audit | Finance Audit |
| UK GOVERNMENT | | Quarterly performance SQW Baseline SQW Annual SQW 1 year out | |
| WELSH GOVERNMENT | | Quarterly performance | |
| | | | |

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CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

CCRCD 2017/18 BUDGET MONITORING POSITION STATEMENT – MONTH 05

REPORT OF ACCOUNTABLE BODY – CORPORATE DIRECTOR RESOURCES, CITY OF CARDIFF COUNCIL

AGENDA ITEM: 6

Reason for this Report

1. To provide Cardiff Capital Region Joint Cabinet (Joint Cabinet) with details of actual expenditure, income and the projected full year out-turn as at the 31st August 2017 (Month 05), against its approved 2017/18 Revenue Budget.

Background

2. Between 25th January and 9th February 2017 Council approval was received from the ten partnering local Authorities within the Cardiff Capital Region for the establishment of the Joint Cabinet to deliver the commitments set-out in the City Deal Heads of Terms document.
3. At its meeting of the 17th March 2017, Joint Cabinet approved its 2017/18 Revenue Budget totalling £1,000,000, consisting of £755,000 in respect of the Programme Management Office and £245,000 in relation to Accountable Body support and related activities. The 2017/18 budget is to be funded from any underspends brought forward from 2016/17, with the balance being met from local authority 'partner contributions'.
4. The 2016/17 Out-turn position approved by Joint Cabinet at its meeting of the 30th June 2017, confirmed a final underspend of £227,750 for that year.

Issues

5. In order to establish the Programme Management Office (PMO) and associated Accountable Body (AB) arrangements, budgets were approved to put in place the resources required to support the work of the Joint Cabinet. The budgets were prepared based on the roles, activities and responsibilities identified at that time, with the expectation that the level of resources allocated is continually reviewed and refined as the activities and functions of Joint Cabinet are developed and 'bed down' over time.

6. At Month 05 the actual expenditure incurred amounts to £411,564, which represents 41.1% of the annual budget. The out-turn position is projected as being £991,560, resulting in an underspend of (-£8,440) against the full year budget. Table 1 details the position at Month 05 and a narrative summary is outlined below.

Table 1: Month 05 Budget Monitoring Position & Projected Out-turn

| | Budget £s | Mth 05 Actual £ | Projected Year End £ | Variance £ |
|--|---------------------|---------------------------|--------------------------------|----------------------|
| Programme Management Office | | | | |
| Employee Related | 405,500 | 129,661 | 352,047 | -53,453 |
| Premises Related | 37,500 | 6,411 | 20,000 | -17,500 |
| Transport Related | 5,000 | 1,021 | 5,000 | 0 |
| Supplies, Services & External Support | 137,000 | 37,269 | 185,406 | 48,406 |
| Early Project Development & Support | 100,500 | 123,634 | 123,634 | 23,134 |
| Contingency (including Joint Scrutiny) | 69,500 | 0 | 68,366 | -1,134 |
| Sub Total | 755,000 | 297,996 | 754,453 | -547 |
| Accountable Body Support Services | | | | |
| HR People Services | 29,500 | 6,196 | 28,800 | -700 |
| Accountancy Support | 108,000 | 65,928 | 113,335 | 5,335 |
| Exchequer, Internal Audit & Insurance | 8,000 | 609 | 2,340 | -5,660 |
| Legal & Governance Support | 55,000 | 33,078 | 63,591 | 8,591 |
| ICT, Information & Governance | 12,000 | 2,744 | 8,129 | -3,871 |
| External Audit (incl. External Technical Advice) | 10,000 | 2,100 | 10,000 | 0 |
| Contingency | 22,500 | 2,913 | 10,913 | -11,587 |
| Sub Total | 245,000 | 113,568 | 237,108 | -7,892 |
| | | | | |
| Gross Expenditure | 1,000,000 | 411,564 | 991,560 | -8,440 |
| Funded by:- | | | | |
| 2016/17 Underspend B/Fwd | -227,749 | -227,749 | -227,749 | 0 |
| Partner Contribution – Blaenau Gwent (4.6%) | -35,524 | -35,524 | -35,135 | 389 |
| Partner Contribution – Bridgend (9.5%) | -73,364 | -73,364 | -72,562 | 802 |
| Partner Contribution – Caerphilly (12.0%) | -92,670 | -92,670 | -91,657 | 1,013 |
| Partner Contribution – Cardiff (23.7%) | -183,023 | -183,023 | -181,022 | 2,000 |
| Partner Contribution – Merthyr Tydfil (3.9%) | -30,118 | -30,118 | -29,789 | 329 |
| Partner Contribution – Monmouthshire (6.1%) | -47,107 | -47,107 | -46,593 | 515 |
| Partner Contribution – Newport (9.8%) | -75,681 | -75,681 | -74,854 | 827 |
| Partner Contribution – RCT (15.8%) | -122,016 | -122,016 | -120,682 | 1,333 |
| Partner Contribution – Torfaen (6.1%) | -47,107 | -47,107 | -46,593 | 515 |
| Partner Contribution – Vale of Glam (8.5%) | -65,641 | -65,641 | -64,924 | 717 |
| Gross Income | -1,000,000 | -1,000,000 | -991,560 | 8,440 |
| | | | | |
| Net Position | 0 | -588,436 | 0 | 0 |

Programme Management Office: (-£547)

7. 2017/18 budget represents Joint Cabinet's first full-year budget and has been costed on the basis that expenditure will be primarily incurred towards the latter part of the year as the activities and staffing of the PMO ramps up over the course of its first year of operation. The 2017/18 budget also includes an element of 'one-off' start-up costs, including an Early Project Development & Support budget in respect of Initial Project Investments.
8. In summary, there is a projected underspend of (-£547) against the approved PMO budget at Month 05. The position against the key budget heads are summarised below.

Employee Related Budgets: (-£53,453)

9. The Employee budget totals £405,500 and is based on 9 FTEs with varying start dates throughout the year. At Month 05, the full year projected cost is £352,047 and is based on 3 FTEs which have been in place since April (Programme Director, Project Manager and Office Manager). In addition, two further posts (Delivery Leads for People and Place) are being covered through an arrangement with the Welsh Local Government Association (WLGA). The projection also allows for the temporary recruitment of a business support / administrative post from the 1st November.
10. It is anticipated that whilst work on the Joint Working Agreement (JWA) Business Plan continues, this level of resource will largely continue for the remainder of the year. However, this key assumption will be continually reviewed in-line with the overall Transitional Plan and if appropriate, updated accordingly.

Premises Related Budgets: (-£17,500)

11. Actual costs reflect the lease payments associated with the offices occupied by the PMO at the Ty Dysgu building and are anticipated to be considerably less than the estimates included within the budget. The projection allows for an element of contingency, in the event that any unforeseen costs arise in the second half of the year.

Supplies, Services & External Support Budgets: (+£48,406)

12. While a number of budgets are projected to be fully spent based on current information, it is anticipated that there will be overspends on ICT Equipment, Meeting Room Hire & Refreshments and Welsh Translation costs. At Month 05 these overspends are projected to total +£14,609.
13. External advisor support is projected to be overspent by +£33,797 and primarily relates to additional support procured in respect of communications, website management and corporate branding.

Early Project Development & Support: (+£23,134)

14. A one-off sum of £100,500 was specifically included within the 2017/18 budget to meet the costs of developing the proposals and associated due

diligence requirements in respect of the Compound Semi-Conductor project. The actual costs incurred during this phase of the project totalled £123,634 and were incurred during the early part of the financial year, prior to Regional Cabinet approving the proposal in principle and identifying a dedicated budget of its own, for the project.

Contingency Budget: (-£1,134)

15. The PMO element of the budget includes a contingency of £69,500 to meet costs associated with activities that will be developed during the year, e.g. joint scrutiny arrangements and to meet any unforeseen costs which may also materialise.
16. Whilst there were no actual costs incurred at Month 05, a prudent position has been adopted, which assumes that the budget will be fully spent at the year end. To-date commitments have been identified in respect of an exercise commissioned from the Local Government Data Unit to support the 'CCRCD towns pilot proposal'. In addition, any costs arising from developing joint scrutiny arrangements will also be met from the contingency budget.

Accountable Body Support & Related Services: (-£7,892)

17. The Accountable Body is the legal entity that has responsibility for discharging all the statutory requirements in respect of the Cardiff Capital Region City Deal i.e. it is responsible for ensuring that all decisions and activities of the Regional Cabinet (including the PMO) are lawful and appropriate.
18. To assist with the above, the Accountable Body has commissioned a range of support services from the City of Cardiff Council, for and on-behalf of Regional Cabinet. The scope of services, charging mechanisms and estimated costs are fully documented within the Service Level Agreement (SLAs) agreed with each service provider. In addition to the internal SLAs, the Accountable Body is also responsible for ensuring that Regional Cabinet complies with all legislative requirements e.g. registration of VAT with HMRC etc. and the discharge of all statutory duties e.g. preparation and audit of its annual accounts etc.
19. At Month 05, there is a net projected underspend of (-£7,892) against the approved budget for Accountable Body. The position against the key budget heads are summarised below:

HR People Services: (-£700)

20. A substantial element of the budget relates to the recruitment costs associated with a senior director post. The budget includes the need for the role to be appropriately evaluated, advertised externally, applicants assessed via an external assessment centre as well as the process being overseen by the Accountable Body. The projection assumes that the recruitment to this post will be completed within 2017/18.

21. The remaining element of the budget relates to HR People Services support in respect of PMO and AB staffing structures and includes employment services, advisory services, advice on training, as well as an estimated number hours in respect of a senior HR manager.

Accountancy Support: (+£5,335)

22. The Accountancy support budget amounts to £108,000 in 2017/18 and reflects a blended cost based on 50% of a senior accountant, a full-time dedicated accountant (from April 2017) and a group accountant commencing part-way through the year. In addition, the budget allows for a fixed sum to cover in-house technical advice and support. The latter specifically relates to the setting-up of the accounting and treasury management arrangements in respect of the Wider Investment Fund.
23. At Month 05 the actual cost amounted to £65,928 and reflects the substantial amount of time spent by the senior accountant supporting the work of Regional Cabinet and a number of officer groups in assessing the Compound Semi-Conductor project, as well as supporting the work of Regional Cabinet and the PMO more generally. The sum also includes the actual costs of a full-time accountant and the technical support outlined above.
24. The full year projection assumes that the group accountant will not be appointed in 2017/18 and the input of the senior accountancy support will also reduce and be largely in-line with budgeted levels during the second half of the year. This will need to be monitored closely and the projection updated accordingly as part of future monitoring reports.

Exchequer Services, Internal Audit and Insurances: (-£5,660)

25. The £8,000 budget for the three services can be broken down as Exchequer Services (£1,000), Internal Audit (£2,000) and Insurances (£5,000).
26. Internal Audit is projected to be on target, with costs relating to the audit of the 2016/17 Smaller Bodies Return incurred at Month 05. The remaining budget is projected to be spent in the second half of the year. The projected cost in respect of Exchequer Services is minimal at £340 and is based on the projected levels of activity at Month 05. Costs in relation to Insurances are also expected to be minimal as the scope excludes insurances for approved projects. Costs which fall below the agreed de-minimus level will not be charged.

Legal & Governance Support: (+£8,591)

27. The approved budget for Legal & Governance support is £55,000 and has been estimated using a range of assumptions in relation to staff grades, their respective roles and input to support the work of Regional Cabinet and the PMO. In summary, the budget includes an allowance for the Monitoring Officer, a senior solicitor and an allocation for clerical support.

28. At Month 05 the actual cost amounted to £33,078 and reflects the substantial amount of time spent by the senior solicitor in supporting the work of Regional Cabinet and a number of officer groups in assessing the Compound Semi-Conductor project, as well as supporting the work of Regional Cabinet and the PMO more generally. The sum also includes amounts in respect of the Monitoring Officer and a nominal sum in respect of clerical support.

29. The full year projection assumes that input of the senior solicitor in the second half of the year will reduce and be largely in-line with budgeted levels. This will need to be monitored closely and the projection updated accordingly through the second half of the year.

ICT and Information & Governance: (-£3,871)

30. There is projected underspend of (-£3,871) against the annual budget of £7,000 approved for ICT services. The Information & Governance budget of £5,000 is projected to be fully spent at Month 05.

Contingency Budget: (-£11,587)

31. The Accountable Body element of the budget includes a contingency of £22,500. At Month 05 actual costs of £2,913 have been incurred in respect of external advice received and further commitments have been identified in relation to support and advice required to determine the financing options available in respect of the Wider Investment Fund. Based on the information known at Month 05, a cost of £10,913 is projected for the year.

Month 05 Summary

32. This report summarises the monitoring position at Month 05. Whilst there are a number of favourable and adverse variances against individual budget heads, it is anticipated that expenditure can be met from within the overall budget approved by Regional Cabinet.

33. The budget will continue to be monitored and reviewed through the rest of the financial year and reported back to Regional Cabinet at appropriate intervals. In the event that an underspend does crystallise at the year end, then Regional Cabinet has resolved that it will be used to reduce local authority partner contributions in 2018/19.

Reasons for Recommendations

34. To inform Regional Cabinet of its budget monitoring position against its approved 2017/18 Revenue Budget, as at the 31st August 2017 (Month 05).

Financial Implications

35. The financial implications are set-out within the main body of this report.

Legal Implications

36. This is a revenue budget monitoring report for noting and does not raise any direct legal issues.

Recommendation

It is recommended that Cardiff Capital region Regional Cabinet notes the actual expenditure, income and projected full year out-turn position as at the 31st August 2017 (Month 05), against its approved 2017/18 Revenue Budget.

Christine Salter

Corporate Director Resources, City of Cardiff Council

14th November 2017

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CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

THE WIDER INVESTMENT FUND 2017/18 ANNUAL BUSINESS PLAN - MONTH 05 UPDATE

REPORT OF CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 7

Reason for this Report

1. To provide Cardiff Capital Region Joint Cabinet (Regional Cabinet) with an update of actual expenditure, commitments and projected full year out-turn as at 31st August 2017 (Month 05), against the Annual Business Plan for the financial year 2017/2018.
2. To provide Regional Cabinet with a general update on the position against the Wider Investment Fund for the five year period to 2020/21, when the first gateway review is scheduled to take place.

Background

3. Between 25th January and 9th February 2017 Council approval was received from the ten partnering local authorities within the Cardiff Capital Region for the establishment of the Regional Cabinet to deliver the commitments set-out in the City Deal Heads of Terms document.
4. The Cardiff Capital Region Regional Cabinet is responsible for preparing the Joint Working Agreement (JWA) Business Plan in respect of the Wider Investment Fund totalling £495m. The JWA Business Plan will then be considered by the ten local authority partners in order to discharge the 'Reserved Matter'.
5. Until such time as the Reserved Matter is discharged, Regional Cabinet is only authorised to commit up to £50 million pounds of HM Treasury funding in respect of 'Initial Project Investments', as set-out section 2.4 of the Joint Working Agreement.
6. At its meeting of the 2nd May, Regional Cabinet approved its Annual Business Plan for 2017/18. The Annual Business Plan covered expenditure amounting £20 million pounds, and reflected the first two years of HM Treasury funding.

Issues

7. Clause 7.4.1 of the Joint Working Agreement states “progress against each JWA Business Plan and Annual Business Plan should be regularly reviewed at the Joint Committee Meetings”. Whilst the JWA Business Plan is in the process of being developed, Regional Cabinet have taken the opportunity to make a number of decisions in respect of ‘Initial Project Investments’. Table 1 summarises the commitments arising from decisions taken to date.

Table 1. 2017/18 – 2020/21 Wider Investment Fund Budget

| | Year 1 2016/17 £m | Year 2 2017/18 £m | Year 3 2018/19 £m | Year 4 2019/20 £m | Year 5 2020/21 £m | Total £m |
|--|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|---------------|
| HMT Funding | 0.000 | -20.000 | -10.000 | -10.000 | -10.000 | -50.000 |
| <u>Actual Expenditure & Commitments</u> | | | | | | |
| Wider Investment Fund ‘Top-Slice’ | 0.000 | 0.743 | 0.743 | 0.743 | 0.743 | 2.970 |
| Compound Semi-Conductor Project | 0.000 | 19.257 | 9.257 | 9.257 | 0.729 | 38.500 |
| Uncommitted Sums | 0.000 | 0.000 | 0.000 | 0.000 | -8.528 | -8.528 |

Wider Investment Fund (WIF) ‘Top slice’

8. The Update on Accountable Body Arrangements report approved by Regional Cabinet on 17th March 2017, set aside 3% of the total investment fund (£495m) to be used to fund the activities of a number of Regional Bodies and for Programme Development and Support.
9. This decision equates to setting aside £742,500 of resources annually and is referred to as the Wider Investment Fund ‘Top Slice’. Around 45% of the annual top slice (£331,297) has been allocated to progress the work of the Regional Bodies. In part, this sum was based on discussions with key stakeholders regarding their proposals for taking forward the work of the Regional Bodies. Details of actual costs and the full year projections at Month 05 are set-out in Table 2.
10. The balance (£411,203) will be used for Programme Development and Support and reflects the need to discharge the Reserved Matter before detailed work on bringing forward projects can ‘ramp up’. The details at Month 05 are set-out in Table 3.

Table 2. Month 05 Position – Regional Bodies

| | Budget | Mth 05 Actual | Projected Year End | Variance |
|--------------------------------|----------------|----------------------|---------------------------|-----------------|
| | £s | £s | £s | £s |
| Regional Transport Authority | 99,066 | 37,832 | 89,634 | -9,432 |
| Regional Skills Board | 67,231 | 0 | 67,231 | 0 |
| Economic Growth Partnership | 75,000 | 0 | 75,000 | 0 |
| Regional Business Organisation | 90,000 | 2,125 | 90,000 | 0 |
| Total | 331,297 | 39,957 | 321,865 | -9,432 |

Regional Bodies: (-£9,432)

11. The Council approval received from the ten partnering local authorities included the need to progress the set-up of a number of regional bodies to support the work of Regional Cabinet. The formal terms of reference of such subcommittees and groups will be submitted to Regional Cabinet for approval in due course.
12. Budgets have been established to cover the costs and/or financial contributions to the following regional bodies: Regional Transport Authority, Regional Skills Board, Economic Growth Partnership and the Regional Business Organisation.
13. It is acknowledged that the budget sums identified are based on the information known at this time and therefore are indicative and subject to review. The process of ongoing review and challenge will ensure that the appropriate level of resource is directed towards each body and the form of the investment is both appropriate and sustainable.

Regional Transport Body Budget: (-£9,432)

14. The City Deal Heads of Terms committed to establishing a new non-statutory Regional Transport Authority to co-ordinate regional transport planning and investment, in partnership with the Welsh Government.
15. A budget has been allocated to meet the cost of two posts to take forward work on the Regional Transport Authority. At Month 05, an underspend of (-£9,432) is projected which is the net position of the projected costs of the Technical Engineer and the Strategy Development posts.

Regional Skills Board: (on target)

16. The Cardiff Capital Region committed to strengthening the existing Learning, Skills and Innovation Partnership, which is to be re-launched as the Cardiff Capital Region Employment and Skills Board. The Board will represent a wide range of stakeholders, including: business organisations; higher and further education; local authorities and the Welsh Government and a budget has been allocated to deliver the aims of developing a skilled workforce and reducing unemployment.

17. Whilst there are no costs incurred at Month 05, it is expected that an Employment and Skills Officer will be appointed, and a graduate opportunity will be made available in the second half of the year. On this basis it is projected that the cost of the Regional Skills Board can be accommodated within the budget (£67,231) allocated in 2017/18.

Economic Growth Partnership: (on target)

18. A Cardiff Capital Regional Economic Growth Partnership is to be established, which will be a multi-agency advisory board to help shape the development of the wider city-region economic development strategy.
19. In terms of the budget requirement, the Shadow Regional Cabinet initially considered the likely resource requirements during 2016/17. However, as part of the 2017/18 budget approval, the requirement was reviewed and the budget has been set at £75,000. The detailed work undertaken during the early part of this year indicates a resource requirement of circa £30,000 as considered by Regional Cabinet at its meeting of the 14th July. The position makes a number of assumptions around the delivery and cost of the support required for the partnership. At Month 05 a prudent view has been taken, which assumes that the budget will be fully spent in 2017/18. However, this projection will be kept under review as the partnership commences its work and the position will be updated as part of future reports to Regional Cabinet.

Regional Business Organisation: (on target)

20. The development of a Regional Business Organisation is to be undertaken, which will consist of key business stakeholder representatives from across the capital region, creating a single voice for business to influence the implementation of city deal projects and initiatives.
21. At Month 05 the actual spend amounts to £2,125 and relates to some initial work undertaken in respect of website design and builds on the work undertaken in 2016/17. In terms of taking the work of the Regional Business Organisation forward there have been delays in establishing the Board. This will need to be reviewed in the next 2 months in consultation with Welsh Government and their commitment to match fund City Deal resources. The budget allocation and the projection, which assumes that the budget will be spent in full will be revisited following this consultation and updated as appropriate.
22. In summary, at Month 05 there is a projected underspend of -£9,432 against the approved budget for Regional Bodies. However, as outlined above this position will be kept under review as we progress through the financial year and the projections updated accordingly.

Table 3. Month 05 Position – Programme Development and Support

| | Budget | Mth 05 Actual | Projected Year End | Variance |
|-------------------------------|----------------|----------------------|---------------------------|-----------------|
| | £s | £s | £s | £s |
| Economic Growth Strategy Work | 100,000 | 0 | 100,000 | 0 |
| Available for Future Projects | 311,203 | 0 | 311,203 | 0 |
| Total | 411,203 | 0 | 411,203 | 0 |

Programme Development and Support Budget - £411,203

23. This budget covers a range of professional advice and support that is needed to ensure that the work of Regional Cabinet (including any projects taken forward) is robust and has undergone the necessary level of challenge and independent verification to comply with requirements of the Assurance Framework.
24. A significant element of the budget has been set aside to fund the development of emerging projects as these are brought forward by the various 'Theme Leads'. In addition, circa £100,000 of the budget will be used to fund the work required to deliver a Regional Economic Growth Strategy for South East Wales. The Programme Management Office are in the process of commissioning this work and the actual cost in 2017/18 will be dependent on the agreed timescales for commencing and completing this work.
25. At Month 05 the budget is projected to be fully spent and is therefore is reported to be on target. However, the actual costs in 2017/18 will to a large extent be determined by the progress made on the approval of the JWA Business Plan and the discharging of the 'Reserved Matter'.

Compound Semi-Conductor Project

26. The balance of the Wider Investment Fund will be used to support projects as set out in the JWA Business Plan, when approved. However, as set out above, Section 2.4 of the Joint Working Agreement restricts Regional Cabinet to committing funds up to £50 million in advance the Reserved Matter being discharged.
27. At its meeting of 14th July 2017, Regional Cabinet received and approved proposals in respect of the Compound Semiconductor Project totalling £38.5m. This is the only project which has been approved to date and Table 1 above sets out the position in respect of actual costs and commitments against the £50 million HMT Treasury funding currently available.

Month 05 Summary

28. At Month 05 a small underspend of (-£9,432) is projected against the Wider Investment Fund annual top-slice budget of £742,500. The remaining sum approved as part of the Annual Business plan is fully committed in the current and future years to 2019/20. In 2020/21 £8.528 million of the HMT Treasury funding remains uncommitted at this time.

29. The budgets will continue to be monitored and reviewed through the rest of the financial year and reported back to Regional Cabinet at regular intervals.

Reasons for Recommendations

30. To inform Regional Cabinet of the of actual expenditure, commitments and the projected full year out-turn as at 31st August 2017 (Month 05), against the Annual Business Plan for the current financial year.
31. To provide an update against the Wider Investment Fund covering the 5 year period to the first gateway review in 2020/21

Financial Implications

32. The financial implications are set-out within the main body of this report.

Legal Implications

33. The report is submitted pursuant to the requirements of the Joint Working Agreement of 1st March 2017, which provides, “progress against each JWA Business Pan and Annual Business Plan should be regularly reviewed at the Joint Committee Meetings”.
34. This monitoring report does not raise any direct legal implications, given the information set out in the body of the report.

Recommendations

It is recommended that Cardiff Capital Region Regional Cabinet:

- a) Notes the actual expenditure, commitments and projected full year out-turn as at the 31st August 2017 (Month 05) against the Annual Business Plan;
- b) Notes the positon against the Wider Investment Fund over the 5 year period to the first gateway review due in 2020/21.
- c) Authorises the Regional Director and Portfolio Lead for Business to undertake an urgent review of the initial support requested for the Regional Business Organisation, in conjunction with Welsh Government;

Sheila Davies
Cardiff Capital Region City Deal Programme Director
14th November 2017

CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

GOVERNANCE ARRANGEMENTS FOR CARDIFF CAPITAL REGION JOINT SCRUTINY COMMITTEE

REPORT OF CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 8

1. PURPOSE OF REPORT

- 1.1 To make recommendations to Regional Cabinet to consider the establishment of, and governance arrangements for, the Joint Scrutiny Committee which, if acceptable, be referred to each of the ten Councils for formal approval.

2. SUMMARY

- 2.1 The Joint Working Agreement (JWA) in paragraph 10.19.2 states that “The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee and how the same will be resourced and funded”.

3. ROLE & PURPOSE

- 3.1 In accordance with the terms agreed in the JWA (as above), Regional Cabinet recognise and value the need for a Joint Scrutiny Committee being established with clear terms of reference which will assist in defining its role and limitations. Draft Terms of Reference have been developed by Officers for Members’ consideration and this is attached at Appendix 1.
- 3.2 It is important that Members of the Joint Scrutiny Committee are kept up to date with Cardiff Capital Region (CCR) City Deal developments. The key discussions and decisions are recorded in the minutes of the Joint Cabinet which are publically available and could be offered for inclusion on the Joint Scrutiny Committee agenda for information.
- 3.3 Whilst the minutes of the Regional Cabinet will be helpful in ensuring the Scrutiny Committee are informed, it is suggested that the Chair of the Regional Cabinet, or another representative, offer to attend meetings of the Scrutiny Committee to give a verbal update on the current position of the City Deal and a view forward to some of the issues anticipated in the coming months ahead.

3.4 The Governance Lead Officer for CCR City Deal (Gareth Chapman, Chief Executive Merthyr Tydfil County Borough Council) has advised that dedicated support and advisers to the Joint Scrutiny Committee would be beneficial. This involvement would enable Members to have continuity of advice during meetings and ensure that Scrutiny Officers have a single point of contact to seek advice when preparing reports. It is proposed that one of the ten authorities hosts the CCRCJ Joint Scrutiny Committee and provide such dedicated support and advisers, within a pre-determined sum to be funded out of the annual budget of the Regional Cabinet. Regional Cabinet are invited to consider and recommend to the Councils for approval which authority should act as the host for the CCRCJ Joint Scrutiny Committee. Whilst one Authority may act as host authority to support the CCRCJ Joint Scrutiny Committee, the venue for the scrutiny committee meetings could rotate amongst the ten authorities.

4. FINANCIAL IMPLICATIONS

4.1 The attached report sets out proposals in respect of arrangements for a Joint Scrutiny Committee. It is proposed that one of the ten City Deal partnering authorities undertake the role of 'host authority', and in doing so, provide the Joint Scrutiny Committee with dedicated support and continuity of advice.

4.2 It is understood that a pre-determined sum will be agreed, which will form the basis of the budget from which the host authority will deliver this service in full, including all associated and ancillary costs. Depending on the timescales for implementing these arrangements, it is envisaged that a part-year sum may be required in 2017/18.

4.3 The PMO element of the 2017/18 Joint Cabinet Budget contains a contingency budget in the sum of £69,500, an element of which has been set aside to meet the cost developing the Joint Scrutiny Committee arrangements. The pre-determined sum will need to be met from within this budget allocation in 2017/18. From 2018/19 the budget headings will be re-aligned to separately identify the pre-determined sum from the remaining contingency budget to provide transparency and to assist with budget accountability.

5. LEGAL IMPLICATIONS (INCLUDING EQUALITY IMPACT ASSESSMENT WHERE APPROPRIATE)

5.1 The statutory power to establish a joint overview and scrutiny committee is set out in Section 58 of the Local Government (Wales) Measure 2011("the Measure") and Regulations made thereunder.

5.2 Section 58 of the Measure providing that Welsh Ministers may by regulations make provision under which any two or more local authorities may appoint a Joint Overview and Scrutiny Committee ('JOSC'). Regulations have been

made, namely the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013 ('2013 Regulations').

- 5.3 It will be a decision for each authority if it wishes to establish the Joint Scrutiny Committee proposed. Statutory guidance has been issued under Section 58 of the 2011 Measure, to which regard must be had. Paragraph 3.1 of the guidance providing *“that in establishing a JOSOC which is additional to a Council’s existing scrutiny committee(s) a report setting out its role, responsibilities, terms of reference and intended outcomes to be generated by the joint exercise should be considered by each of the participating authorities’ appropriate scrutiny committees (or sub-committees) before being endorsed by full Council”*.
- 5.4 Where two or more authorities appoint a JOSOC the 2013 Regulations prescribe that they must enter into an agreement, which addresses a number of prescribed matters. The draft terms of reference, set out in Appendix 1 to the report, have been prepared having regard to these requirements and more generally the provisions of the 2013 Regulations and Statutory Guidance issued. The terms of reference are important because a JOSOC is only able to exercise functions in relation to matters which are identified by the appointing authorities. It is therefore important that the local authorities participating in the joint scrutiny committee (referred to as the appointing authorities) are clear from the outset about the role, responsibilities and terms of reference of the joint scrutiny committee.
- 5.5 The proposed membership of the Joint scrutiny committee is set out in the attached terms of reference and the proposal (1 non executive member each authority) reflects the following paragraph of the Statutory Guidance of the Measure:-
- 3.5 In order to ensure JOSOCs represent fairly the interests of each appointing local authority, it is recommended that an equal number of Committee seats be allocated to each of the participating Councils. Although that would mean larger authorities agreeing to have the same membership as smaller ones, this would appear to be in the best interests of effective partnership.*
- 3.6 The 2013 Regulations provide that a JOSOC is not to be regarded as a body to which section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies.
- 3.7 The terms of reference, at paragraph 15, set out the provisions as regards referring matters to the JOSOC. The JOSOC may make a report or recommendation in relation to any matter referred to it, to any of the appointing authorities, their executives or the Regional Cabinet.

3.8 The joint scrutiny committee will require appropriate resource and the body of the report sets out the proposals in this regard, including the financial implications.

General advice

In considering this matter regard should be had, amongst other matters, to:

(i) The Councils' duties under the Well-being of Future Generations (Wales) Act 2015 and;

(ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief

6. RECOMMENDATIONS

6.1 That the Joint Committee (Regional Cabinet) consider the draft Terms of Reference attached at Appendix 1 and if content, submit to each constituent Council for approval.

6.2 That it be suggested to the Joint Scrutiny Committee that the Regional Cabinet minutes are included on the future Joint Scrutiny Committee agendas for information.

6.3 That the Chair of the Regional Cabinet, or another Member representative, offers to attend future meetings of Joint Scrutiny to give a verbal update on the progress of the CCR City Deal.

6.4 That Regional Cabinet:

(i) considers and recommends to the Councils for approval, which constituent Council should host the Joint Scrutiny Committee and provide the requisite support services and advice (subject also to that Council's formal agreement) and

(ii) subject to each of the ten Councils determining to establish the Joint Scrutiny Committee proposed and agreeing which Council shall host the Joint Scrutiny Committee, delegate authority to the Regional Programme Director to agree with the Host Council the level of funding required in 2017/18 to fund such Joint Scrutiny Committee hosting arrangements

(provided such level of funding is within Regional Cabinet's 2017/18 approved budget), with future funding arrangements being considered as part of Regional Cabinet's annual budget setting process.

Sheila Davies
Cardiff Capital Region City Deal Programme Director
14th November 2017

The following Appendix is attached:

Appendix 1 – Draft Terms of Reference

TERMS OF REFERENCE: CARDIFF CAPITAL REGION CITY DEAL JOINT SCRUTINY COMMITTEE

Introduction

1. Cardiff Capital Region (CCR) City Deal is a Joint Committee of all ten local Authorities of South East Wales. Paragraph 10.1 of the Joint Working Agreement states that 'The Councils shall form the joint committee ("Joint Committee") for the purpose of overseeing and co-ordinating the discharge of the Councils' obligations in relation to the City Deal and to carry out the functions set out in Schedule 2 (Joint Committee Terms of Reference) and the Joint Committee shall be known as the "Cardiff Capital Region Joint Cabinet", "Joint Cabinet" or "Regional Cabinet" (as the context requires)'.

For the purposes of these terms of reference;

The Joint Working Agreement means the agreement (as may be amended from time to time) concluded on 1.3.17 between; Blaenau Gwent CBC, Bridgend CBC, Cardiff Council, Caerphilly CBC, Merthyr Tydfil CBC, Monmouthshire CC, Newport CC, Rhondda Cynon Taff CBC, Torfaen CBC and the Vale of Glamorgan Council.

The 'Appointing Authorities' are the parties to the Joint Working Agreement

the 'Host Authority' means *** or such other authority as the Appointing Authorities may agree from time to time.

2. CCR City Deal is resourced by the ten Appointing Authorities and is supported by a Programme Management Office (PMO), full time officers, a Programme Board made up of senior Officers representing each of the partner Councils and a Joint Cabinet of the Leader (or Deputy) from each Authority. In addition. Legal, technical and financial external advisers have been appointed to provide expert technical advice.
3. Each Council agreed to work together to create a Joint Scrutiny Committee as stated in Paragraph 10.19.2 of the Joint Working Agreement; 'The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee and how the same will be resourced and funded'.

Membership of the Joint Scrutiny Committee

4. The Joint Scrutiny Committee shall consist of one non-executive Member from each Appointing Authority.

5. It is a matter for each Appointing Authority, from time to time, to nominate, or terminate the appointment of its nominated Member serving on the Joint Scrutiny Committee. Each Appointing Authority shall be entitled, from time to time, to appoint a deputy for its Member representative to the Joint Scrutiny Committee but such deputy shall only be entitled to speak and vote at meetings of the Joint Scrutiny Committee in the absence of his or her corresponding principal
6. The length of appointment is a matter for each Appointing Authority.

Quorum

7. The quorum necessary for a meeting of the joint scrutiny committee is at least 7 out of the 10 Joint Scrutiny Committee Members, present at the relevant time.

Election of a Chair

8. The Joint Scrutiny Committee shall elect a Chair and Vice Chair, which appointments will rotate annually between the Appointing Authorities, in alphabetical order

Rules of Procedure

9. The procedure rules will be those of the Host Authority for its Scrutiny Committees,

Members' Conduct

10. Members of the Joint Scrutiny Committee will be bound by their Council's Code of Conduct.

Declarations of Interest

11. Members of the Joint Scrutiny Committee must declare any interest either before or during the meetings of the Joint Scrutiny Committee (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

Confidential and Exempt Information / Access to Information

12. The Host Authority's Access to Information Procedure rules shall apply subject to the provisions of the Local Government Act 1972 :

Openness and Transparency

13. All meetings of the Joint Scrutiny Committee will be open to the public unless it is necessary to exclude the public in accordance with Section 100A (4) of the Local Government Act 1972.

14. All agendas, reports and minutes of the Joint Scrutiny Committee will be made publically available, unless deemed exempt or confidential in accordance with the above Act.

Functions to be exercised by the Joint Scrutiny Committee

15. The Joint Scrutiny Committee shall be responsible for exercising the following functions:
 - a. To perform the Overview and Scrutiny function for CCR City Deal (which City Deal is more particularly specified in the Joint Working Agreement) on behalf of the ten local Authorities.
 - b. To develop a forward work programme reflecting its functions under paragraph (a) above.
 - c. To seek reassurance and consider if the CCR City Deal is operating in accordance with the Joint Working Agreement, its Annual Business Plan, timetable and / or is being managed effectively.
 - d. To monitor any CCRC project's progress against its Programme plan.
 - e. To make any reports and recommendations to the Regional Cabinet and or to any of the Appointing Authorities and to any of their executives in respect of any function that has been delegated to the Regional Cabinet pursuant to the Joint Working Agreement.

Any member of a Joint Overview and Scrutiny Committee may refer to the committee any matter which is relevant to its functions provided it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006

Any member of any of the Appointing Authorities may refer to the Joint Overview and Scrutiny Committee any local Government matter which is relevant to the functions of the Joint Scrutiny Committee, subject to the following conditions and provisos.

The conditions for a reference by a member of an Appointing Authority to the Joint Scrutiny Committee are that:

- (i) The matter relates to one of the functions of the authority and is relevant to the functions of the Joint scrutiny committee,
- (ii) It effects the electoral area of the member or it effects any person who lives or works there; and
- (iii) It is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.

Provisos

When considering whether to refer a matter to the Joint Scrutiny Committee a member should first consider if it falls within the remit of a single overview and scrutiny committee within the member's local authority, and if that is the case the member should raise the matter there. Members should only refer a matter to a Joint scrutiny committee if it falls clearly within the responsibilities and terms of reference of the Joint Scrutiny Committee and if there is no scrutiny of the issue in the local authority to which the member belongs.

It is acknowledged that the establishment of the CCRCDC Joint Scrutiny Committee shall not serve to exclude a local authority's right to carry out its own individual Scrutiny of any decision of the Regional Cabinet or City Deal matter

Duration of Joint Scrutiny

16. To be co-terminus with the duration of Joint Cabinet or if earlier the decision of the ten authorities to end the Joint Scrutiny arrangements.

Withdrawal

17. Any of the ten local Authorities may withdraw from participating in the Joint Scrutiny arrangements upon three months' notice to each of the other Authorities.
18. The Joint Scrutiny Committee in carrying out its functions must have regard to guidance relating to section 62 of the Measure, which places a requirement on local authorities to engage with the public

Foot notes

1. No provision has been made for sub committees given the scrutiny committee comprises only 10 members and that Regulations (SI 2013/1051) require a Sub- Committee to comprise an equal number of members of the Appointing Authorities.

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CARDIFF CAPITAL REGION CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

REGIONAL TRANSPORT AUTHORITY TERMS OF REFERENCE

REPORT OF CARDIFF CAPITAL REGION PROGRAMME DIRECTOR

AGENDA ITEM: 9

Reason for this Report

1. To agree the Terms of Reference for the Cardiff Capital Region Transport Authority; and
2. To establish the Cardiff Capital Region Transport Authority as a sub-committee of the Regional Cabinet.

Background

3. The JWA, in relation to the delivery of the Cardiff Capital Region City Deal, was signed and the Regional Cabinet established on March 1st, 2017. The JWA defines the City Deal as “*the agreement between the Welsh Government, the UK Government and the Councils dated 15 March 2016*”, known as the Heads of Terms.
4. The Heads of Terms (schedule 7 to the JWA) paragraph 24 states:

“In addition to this investment [Metro] the Cardiff Capital Region will establish a new non-statutory Regional Transport Authority to co-ordinate transport planning and investment, in partnership with the Welsh Government. The Cardiff Capital Region Transport Authority will be responsible for:

- *pooled local transport resources;*
 - *regional planning for the local transport network;*
 - *working with Transport for Wales to ensure objectives for transport investment are aligned;*
 - *exploring the creation of a single integrated ticketing platform for public transport across the Cardiff Capital Region;*
 - *working in partnership with Welsh Government to define the priorities of the South East Wales Metro concept and to support its delivery; and*
 - *working in partnership with the Welsh Government to promote the development of integrated aviation routes from Cardiff Airport and St Athan Enterprise Zone, to deliver economic benefit.”*
5. Related to the establishment of sub-committees and the delegation of powers the JWA states:

10.18 Joint Committee May Delegate

10.18.1 *The Joint Committee may delegate any of the powers which are conferred on them under this Agreement:*

- (a) to such person, sub-committee or group;*
- (b) to such an extent;*
- (c) in relation to such matters; and*
- (d) on such terms and conditions, as they think fit from time to time.*

10.18.2 *The Joint Committee may allow that such delegation shall automatically authorise further delegation of the Joint Committee's powers by any person to whom they are delegated provided that the Joint Committee specifically states this within such delegation authority.*

10.18.3 *The Joint Committee may revoke any delegation in whole or part, or alter its terms and conditions at any time.*

10.19 Sub-Committees

10.19.1 *The Joint Committee shall establish as soon as reasonably practicable the following sub-committees or groups:*

- (e) Programme Management Office;*
- (f) Programme Board;*
- (g) Regional Transport Authority;*
- (h) Regional Business Organisation;*
- (i) Regional Skills and Employment Board; and*
- (j) Regional Economic Growth Partnership.*

10.19.2 *The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee.*

10.19.3 *It is acknowledged and agreed by the Councils that the sub-committees or groups referred to in Clauses 10.19.1 and 10.19.2:*

- (k) shall undertake a number of functions including but not limited to audit, scrutiny and/or consultation services pursuant to their terms of reference; and*
- (l) shall not have any delegated decision making powers (unless otherwise expressly granted by the Joint Committee).*

10.19.4 *Sub-committees or groups to which the Joint Committee delegates any of its powers must follow procedures which are based as far as they are applicable on those provisions of this Agreement which govern the taking of decisions by the Joint Committee.*

10.19.5 *The Joint Committee shall establish the membership, rules of procedure or terms of reference for all or any such sub-committees or groups to, amongst other matters, clarify their respective role and scope of delegation which shall be approved by the Joint Committee.*

10.19.6 *The Joint Committee may create additional sub-committees or sub-groups as it sees fit from time to time.*

Issues

6. The Regional Transport Authority has met in 'Shadow' form and now seek to be formally established, in accordance with the JWA, by means of approval of their Terms of Reference by the Regional Cabinet.
7. The proposed Terms of Reference are contained in **Appendix 1** to this report and define the role and responsibilities of the Regional Transport Authority and the rules and procedures to which it must adhere.
8. The proposed Terms of Reference also details the delegated powers, conferred on the Regional Cabinet by the JWA, which are now proposed to be delegate to the Regional Transport Authority.
9. Whilst paragraph 24 of the Heads of Terms is widely worded and goes beyond City Deal wider investment fund matters, the Regional Cabinet cannot set up a sub-committee, which has wider powers than the Regional Cabinet itself enjoys. Further, the funding that can be delegated to the sub-committee to carry out its functions is limited to the funding available to the Regional Cabinet (in particular the HMT, Council Contributions and Annual budget - or more accurately part thereof).
10. At this stage it is therefore proposed to set up a Regional Transport Authority whose delegated functions include the preparation of regional transport strategies, policies, and proposals on the understanding that if thought appropriate further delegations could be sought from the Councils to the Regional Cabinet (and in turn the RTA).

Financial Implications

11. As outlined in the report, the Regional Transport Authority (RTA) has met in shadow form and a budget of £99,066 has been allocated from the Wider Investment Fund 'Top-Slice' to fund its work in 2017/18. Once formally established, Regional Cabinet's annual budget process will need to take account of the RTA's annual work programme to ensure that an appropriate level of resources are allocated to support the work of this sub-committee each year.
12. Section 12 of the Joint Working Agreement (JWA) approved by each of the ten Cardiff Capital Region City Deal Councils, details the 'Commitment of the Council and Contributions'. In summary, this outlines the following funding contributions that will be available to Regional Cabinet to carry out those functions delegated to it under the JWA:
 - 1) Annual Budget – provided by each Council on a proportionate basis;
 - 2) HMT Contribution – provided by Welsh Government over a period of twenty years and being the subject of both five yearly Gateways Reviews and Welsh Government Funding Terms & Conditions;
 - 3) Council Contributions – up to £120 million provided by the Councils on a proportionate basis subject to the overall Affordability Envelope.
13. Therefore, in delegating any of its functions to the RTA, Regional Cabinet will need to give due consideration to existing funding limitations placed on it by the JWA. However, it is a matter for Regional Cabinet to request additional funding, (seek an increase to the approved Council Contribution), which would be a matter reserved to each council for approval.

Legal Implications

14. The Cardiff Capital Region Joint Cabinet has the power to establish sub committees. As stated in the body of the report, the Joint Working Agreement provides that the

Regional Cabinet shall establish a Sub-Committee or group, referred to as the Regional Transport Authority.

15. It is a matter for the Regional Cabinet to establish the membership, and terms of reference of the Sub-Committee and in such terms to clarify the role and scope of delegation. In terms of the extent of the delegation proposed reference is made to paragraphs 9 and 10 of the report.
16. The terms of reference set out the important proposals as to, the functions delegated, membership, quorum and voting rights (which voting rights mirror the JWA). Regional Cabinet are requested to consider if these proposals meet their requirements.
17. The RTA sub committee should take appropriate legal and other advice in respect of any proposed decisions it wishes to take as regards the matters delegated to it.
18. This report focuses on the establishment, by the Regional Cabinet of the RTA Sub-Committee. Separate to this matter the 10 authorities may wish to consider what action if any, they wish to take in respect of the Agreement concluded on 1.9.2004, which served to establish a joint committee in respect of certain prescribed transportation functions. The Sub-Committee being referred to The South East Wales Transport Alliance.
19. General advice
In considering this matter regard should be had, amongst other matters, to:
 - (i) The Councils' duties under the Well –being of Future Generations (Wales) Act 2015 and;
 - (ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief.

Equalities Impact Statement

20. See Legal Implications above.

Reasons for Recommendations

21. To establish the Regional Transport Authority as a sub-committee of the Regional Cabinet.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Cabinet:

- 1) Agree the Terms of Reference for a Cardiff Capital Region Transport Authority as detailed in Appendix 1 to this report; and
- 2) Establish the Cardiff Capital Region Transport Authority as a sub-committee of the Joint Cabinet

Sheila Davies
Cardiff Capital Region City Deal Programme Director
14th November 2017

The following Appendix is attached:

Appendix 1: **Cardiff Capital Region Transport Authority Terms of Reference**

Background papers - **Joint Working Agreement in relation to the delivery of the Cardiff Capital Region City Deal**

Appendix 1: Cardiff Capital Region Transport Authority Terms of Reference

| | |
|------------------|--|
| Governance Type | <p>The Regional Transport Authority is being established by the Regional Cabinet as a Sub-Committee pursuant of section 10.19 of the Joint Working Agreement in relation to the delivery of the Cardiff Capital Region City Deal (JWA).</p> <p>Specifically, the Regional Cabinet will establish a new non-statutory Regional Transport Authority (RTA).</p> |
| Delegated Powers | <p>The Regional Transport Authority shall not have any delegated decision making powers unless expressly granted by the Regional Cabinet.</p> <p>The Regional Cabinet have currently granted delegated decision making powers to the Regional Transport Authority as detailed in the 'Functions' section below.</p> <p>Any member of the RTA Sub-Committee may request that any matter delegated to the Sub-Committee is referred to the Regional Cabinet for decision</p> |
| Procedures | <p>The Regional Transport Authority in its meetings and in exercising any of its decision making powers must follow procedures which are based, as far as they are applicable, on those provisions detailed in the Joint Working Agreement which govern the Regional Cabinet or to the extent the provisions of the Joint Working Agreement are silent must follow the Committee Meeting and other relevant Procedure Rules, standing order and polices of the Accountable Body.</p> |
| Accountable to | <p>The Regional Transport Authority will be accountable to the Regional Cabinet.</p> |
| Reporting | <p>In respect of the Objectives listed the Regional Transport Authority can prepare reports for information or to provide recommendations to the Regional Cabinet.</p> <p>On delegated matters the Regional Transport Authority can prepare reports for consideration and make decisions.</p> |
| Membership | <p>RTA membership will include:</p> <ol style="list-style-type: none"> 1. Two members of the Regional Cabinet, nominated from time to time by the Regional Cabinet, who will act as Chair and Vice Chair of the sub-committee; and the Executive Member for the time being with responsibility for Transport from each of the ten Local Authorities in the Cardiff Capital Region. 2. Each Council shall be entitled from time to time to appoint a deputy for its representative but such deputy (in each case) shall only be entitled to speak and vote at meetings of the Joint Committee in the absence of his or her corresponding principal <p>Note: the Chair and/or Vice Chair can also act as the Executive Member for Transport of their Local Authority A representative so appointed shall hold office until</p> |

| | |
|------------------|--|
| | <p>(A) the member ceases to hold the office referred to in paragraph 1 or 2 above, (B) the member dies, (C) the member resigns, (D) the member becomes disqualified (E) the member ceases to be a member of the Council he or she represents or (F) The Council, which the member represents, has decided that another member should act in his place, whichever may first happen.</p> <p>Any member of the RTA Sub-Committee may by written request to the Regional Programme Director request that a matter be considered at the next meeting of the Sub-Committee.</p> <p>Any member of the Sub-Committee may, where he or she views that a matter requires urgent consideration, request to the Chairperson at the start of the Sub-Committee meeting that such urgent item is added to the agenda, but its inclusion will be a matter for the Chairperson to decide.</p> <p>Third parties Transport users, industry, partner representatives and appropriate third parties may be invited by a member or members of the RTA Sub-Committee to attend meetings as an observer and shall be entitled to take part in such RTA sub committee meetings at the discretion of the Chairperson. Such observers will not have voting rights and will be considered as members of the public for the purposes of the sub committee's procedural rules.</p> |
| Voting/Agreement | <p>For delegated matters - as per the Regional Cabinet. Decisions will be taken by majority vote For avoidance of doubt each of the ten constituent Local Authorities is entitled to one vote only and it is agreed that the Chairperson shall not exercise his or her casting vote.</p> <p>If, at a meeting of the Sub-Committee, a matter is not determined (the vote is tied) that matter ("RTA Unresolved Matter") shall be deferred for consideration at the next RTA Sub-Committee meeting, which shall be convened within ten (10) Business Days of the meeting at which the tied vote was taken. If at the reconvened RTA Sub-Committee meeting the RTA Unresolved Matter is not determined, the RTA Unresolved Matter shall become a matter reserved to the CCCD Regional Cabinet and shall be deferred for consideration by the CCRCD Regional Cabinet.</p> |
| Quorum | <p>The quorum necessary for a RTA sub Committee meeting shall be an elected member or appropriate deputy appointed from at least seven (7) of the Councils comprising the CCRCD, present at the relevant time.</p> |
| Frequency | <p>The Regional Transport Authority will meet quarterly or more frequently as required to complete business.</p> |
| Allowances | <p>No allowances will be paid.</p> |
| Servicing | <p>Within the resources made available by the Regional Cabinet for the RTA sub committee's work, the Regional Office will organise appropriate servicing for Board meetings.</p> |

| | |
|--|---|
| | <p>The Regional Programme Director shall ensure that all agendas and relevant information in relation to the Sub-Committee meeting are circulated in a timely manner and in any event in accordance with legislative requirements.</p> <p>A Regional Officer Transport Group, (a non - decision making group) comprising of one nominated officer from each authority, will provide support to the Regional Transport Authority and the Regional Office on transport matters. Each authority shall be entitled from time to time to appoint a deputy for its representative but such deputy (in each case) shall only be entitled to attend meetings in the absence of his or her corresponding principal. .</p> <p>Each authority will be responsible for funding all costs associated with its officers' attendance at such Regional Officer Transport Group and any associated work undertaken, unless prior arrangements have been approved by the Regional Cabinet.</p> |
| Resources | <p>The resources for servicing and undertaking of functions will be limited to that made available within the City Deal and allocated by the Regional Cabinet to the RTA Sub-Committee to discharge its functions.</p> <p>The budget allocated to the RTA Sub-Committee to discharge its functions shall be as determined, from time to time, by the Regional Cabinet. At all times decisions taken by the RTA sub committee must be within the approved budget set by the Regional Cabinet, including any reallocation of external funding received by the Regional Cabinet.</p> |
| Objectives | <p>Subject to funding, to facilitate the City Deal by:</p> <ol style="list-style-type: none"> 1. Developing and coordinating proposals for an integrated regional transport strategy that supports the strategic economic and spatial aspirations of the City Deal and Cardiff Capital Region (CCR). 2. Working in partnership with Welsh Government and Transport for Wales to define and develop the priorities of the South East Wales Metro concept and support its delivery, including the development of a single integrated ticketing platform for public transport across the region. 3. In respect of the Capital Region considering proposals for: <ul style="list-style-type: none"> • enhancing transport connectivity in support of economic development and land use planning including the promotion of integrated aviation routes. • ensuring that safety, sustainability, social inclusion, health and the environment are considered in transport policies and programmes, meeting the requirements of the Well-being of Future Generations Act. • pursuing high quality standards for transport utilising best practice and innovation; and to identify and monitor outputs and outcomes. |
| Functions delegated to the RTA sub committee | <p>Subject to funding, to facilitate the City Deal by:</p> <ol style="list-style-type: none"> a. preparing regional strategies, including a Regional Transport Plan, comprising transportation policies, proposals and programmes, in support of the aim and objectives set out above for submission to the Regional Cabinet for approval; |

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| | <ul style="list-style-type: none"> b. working with Welsh Government, Transport for Wales, user groups, industry and other stakeholders to coordinate transport planning and operations across the region on behalf of the Regional Cabinet; c. developing transport Candidate Schemes for assessment under the Appraisal Framework; d. providing advice and observations related to Candidate Schemes, with transport implications, submitted to the Regional Cabinet by other bodies. |
| Sub-Groups | The Regional Transport Authority, can establish sub-groups or Task & Finish Groups for any matters that they consider would be better dealt with in this manner, but shall not be entitled to delegate any of its decision making functions to any such sub group or task and finish group. |
| Version & Review | Version 1 – Prepared October 2017 Review - To be reviewed March each year (unless agreed otherwise). |

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CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

ADVERTISEMENT AND RECRUITMENT OF CITY DEAL PROGRAMME DIRECTOR

REPORT OF THE CARDIFF CAPITAL REGION LEAD CHIEF EXECUTIVE

AGENDA ITEM: 10

Reason for this Report

1. To seek approval for the terms and conditions and salary aligned to the City Deal Programme Director post
2. To seek approval of the process for the advertisement and recruitment of the City Deal Programme Director post.
3. To seek approval to establish an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B
4. To request that members select and confirm those members who will comprise the Appointments Committee.

Background

5. Between 25th January 2017 and 9th February 2017 Council approval was received from the ten partnering local authorities within the Cardiff Capital Region for the establishment of the Cardiff Capital Region Joint Cabinet to deliver the commitments set out in the City Deal Joint Working Agreement.
6. In order to progress the development of the City Deal, a Programme Management office was put in place that has been staffed through temporary arrangements. This includes the role of Programme Director in which the current incumbent is employed on a temporary contract up to 31st March 2018.

Issues

7. As there has been significant progress with the City Deal process and we are at a time of moving into the formal programme stages, there is a requirement to formalise the role of Programme Director and put more long-term employment arrangements in place. This will provide sustainability for the programme going forward.

Proposal for the Role of Programme Director

8. A job description and person specification has been drafted and is attached at Appendix A. These documents have been based on similar roles in other parts of the UK and discussions between the Chief Executives of the 10 Local Authorities regarding what contribution they would expect from the Programme Director.
9. The role has been independently evaluated using HAY Evaluation methodology by Korn Ferry. They have benchmarked the salary levels against Public and Not-for-Profit organisations excluding London and the Median is £111,447 per annum. The upper quartile figure is £131,240 per annum and the lower quartile £100,302 per annum. It is usual practice to set the salary around the median figure for a spot point salary as this would be sufficient to draw in interest, and credible from the public purse perspective. However, it is recognised that Joint Cabinet may have a view on this matter and therefore information has been provided later in the report of the financial implications of all three levels of salary.
10. It is envisaged that Cardiff Council as the Accountable Body will oversee the recruitment process for this role; however, the host of the post will be Monmouthshire Council. If the successful candidate comes from within the 10 local Authorities, they will be seconded from their current employer to Monmouthshire Council for a period of 3 years. If the successful candidate comes from outside of the 10 City Deal Local Authorities, then they will be employed on a fixed term contract for 3 years with Monmouthshire Council.
11. The Local Authorities Standing Orders (Wales) Regulations 2006, as amended in 2014, require the level of remuneration for this post to be determined by the appropriate Council. Furthermore, Welsh Government statutory guidance suggests that salary packages over £100,000 per annum should be voted upon by full council. Due to the secondment / fixed term contract arrangements identified above, the employer of the successful candidate will not be known until after the recruitment/selection process has been completed. Therefore the post will need to be approved by the whichever Council is the employer, and until this takes place only a conditional offer will be able to be made.

Proposed Recruitment Process

Advertising

12. It is proposed that all 10 Local Authorities will advertise the post across their websites for both internal and external candidates, directing applicants to the Cardiff Council website in order to complete an application form. In addition to this, an advert will be placed on People Exchange Cymru, which is a website of roles within the public sector in Wales. There is no cost to this. As there is a need to attract as wider prospective candidates as possible it will also be advertised in The MJ (The management journal for local authority business), where a half page advert will be approximately £7,000.00. In addition, it will be advertised in

The Guardian national newspaper, which will be an approximate cost of £6,000.00 for a quarter page advert. Due to arrangements already in place between the Guardian and Cardiff Council it will also be advertised on the Guardian website at no additional costs.

13. It is envisaged that to attract as many quality candidates as possible the adverts will be placed during January 2018 as this is deemed the best time for advertising and when potential candidates seriously consider changes in their careers.

Appointment Process

14. The post will be a member appointment so it is recommended that an Appointments Committee made up of five of the 10 Local Authorities sit on this committee. This would be a sub-committee of the Regional Cabinet and therefore be made up of the Leader or their deputy and cross party representation is suggested to reflect the make up of the Regional Cabinet. The terms of reference for this Appointments will require cross party representation. The terms of reference for this Appointments Committee is identified in Appendix B. Once this committee is formed, there will be a requirement for the same individuals to sit on the Committee, except in exceptional circumstances, at every stage of the process.
15. The Committee member, if not already trained, will be provided with equality training concerning recruitment and selection.
16. Stage 1 of the process will commence with long listing exercise based on the essential requirements of the post against the details provided on the application form. Nominated officers will provide recommendations to the Appointments Committee based on the information in the application forms, but the Committee will decide exactly whom they take forward to the next stage of the process and the reasons why unsuccessful candidates are not taken forward.
17. Stage 2 of the process will be an Assessment Centre managed by an external company of HR Professionals and Occupational Psychologists. This will involve psychometric and leadership tests, a role play, a written exercise and a technical interview. The assessment centre will have involvement from members, a number of the Chief Executives and a senior member of HR from Cardiff Council. Following the exercises there will be a review against all the exercises and the external company will provide an overall report on each candidate against the essential requirements of the role.
18. Stage 3 of the process will involve a member of the external company attending a shortlisting session with the Appointments Committee, a representative of the Chief Executives and the HR representative to provide feedback to the panel. The committee will then, based on this feedback, identify those candidates that they wish to take through to the final interview stage.

19. The final stage will be an interview with the member appointments interview panel, which will include a presentation on a topic set by the members and a number of competency based questions agreed by the members.
20. The successful candidate will then be appointed based on the requirements set out on paragraph 10 and 11 of this report.

Reasons for Recommendations

21. To seek approval for the terms and conditions and salary aligned to the City Deal Programme Director post
22. To seek approval of the process for the advertisement and recruitment of the City Deal Programme Director post.
23. To seek approval to establish an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B
24. To request that members select and confirm those members who will comprise the Appointments Committee.

Financial Implications

25. At its meeting of the 17th March 2017, Regional Cabinet approved its budget for the current financial year, along with indicative budgets for the next four financial years to 2020/21. Regional Cabinet's budget covers the role and activities of the Programme Management Office (PMO) as well as those of the Accountable Body. The PMO's budget is largely based on a structure developed by the Interim Programme Director and reflects the roles, activities and responsibilities identified at that time. However, the report acknowledged the need to 'update and refine' the budget as the City Deal project develops and moves forward over time.
26. In the current year the PMO element of the budget amounts to £755,000 and includes £405,500 in respect of 'Employee Related Expenditure'. The employee budget includes £134,214 in respect of the full year cost of the Interim Programme Director post. These amounts are budgeted at the 2017/18 pay and employer on-costs (employer's national insurance and pension contributions) levels.
27. The attached report seeks to formalise the role of the Programme Director and put in place more long-term employment arrangements. As set-out in the report, the role has been independently evaluated and a salary range identified. The salary range is detailed in Table 1 below, along with the total cost at each level, once employer on-costs are factored-in. The final column shows the 'full year' change that would be required to the existing budget at each of the salary levels identified. The post will attract a relocation package where the eligibility criteria is met and this will represent a further cost of the post.

Table 1. Programme Director Salary Range (incl. employer's on-costs)

| | Salary Level £s | Total £s | 2017/18 Level £s | Change £s |
|---------------------|--------------------|-------------|---------------------|--------------|
| Current Base Budget | - | - | 134,214 | - |
| Lower Quartile | 100,302 | 134,181 | - | -33 |
| Median | 111,447 | 149,215 | - | 15,001 |
| Upper Quartile | 131,240 | 175,916 | - | 41,702 |

28. In addition, there may be a part-year impact in the current financial year resulting from the salary level approved by Regional Cabinet. However, this will be dependent on the overall timescale for the recruitment process and the start date agreed with the successful candidate. Whilst it is difficult to quantify the exact value of any increase at this time, given that the advert will not go live until January, any increase in 2017/18 is likely to be minimal and can be accommodated within the overall PMO budget.
29. As part of the 2018/19 budget setting process, the indicative PMO budget will need to be updated to reflect the revised salary level for the Programme Director post, as well as any impact arising from the 2018/19 pay settlement and any associated increases to employer's on-costs. An appropriate allowance will also need to be included (by way of a contingency) in respect of potential relocation expenses. These increases will need to be managed in-line with the overall budget setting process and within the constraints outlined by the Joint Working Agreement (see below).
30. The budget approved for the Accountable Body includes an amount for the recruitment of the Programme Director post. The sum made an appropriate allowance to meet the costs associated with the appointment process as outlined in the attached report. However, advertising the role in the Management Journal and Guardian newspaper wasn't envisaged at that time and therefore, the £13,000 cost associated with this level of advertising will need to be met from the Accountable Body's contingency budget.
31. The report outlines the formation of an Appointments Committee to oversee the recruitment of this post. It is understood that the cost of setting-up the sub-committee is likely to be minimal, whilst any costs arising from its participation in this appointment are included within the Programme Director recruitment budget, referred to above.
32. The Joint Working Agreement allows Regional Cabinet to increase its budget by up to 5% each year. Should Regional Cabinet wish to increase its budget by more than this amount then any increase will either need to be met from the Wider Investment Fund or be a matter referred back to each Council for consideration and approval.

Legal Implications

33. The Joint Working Agreement concluded by the ten councils on the 11 March 2017 ('the JWA'), provides for the role of Regional Programme Director and allocates certain decision making powers to that person. The JWA defines the Regional Programme Director as the person so appointed from time to time by the Regional Cabinet to represent the interests of all the Councils in respect of their operational requirements for the City Deal, working under the direction of the Regional Cabinet and within the scope of delegations set out in the JWA
34. In this case it is proposed that an Appointments Committee is established, comprising five members, with delegated authority to deal with the appointment. The Regional Cabinet has the power to establish sub committees and groups. The Joint Working Agreement provides that the Regional Cabinet may delegate any powers which are conferred on them under the JWA to such person, subcommittee or group, to such extent, in relation to such matters and on such conditions as they think fit. It is a matter for the Regional Cabinet to establish the membership, and terms of reference of the Appointments Committee (subcommittee) and in such terms to clarify the role and scope of delegation. The proposed terms of reference of the Appointments Committee are set out in Appendix B.
35. Regional Cabinet are requested to consider if these proposals meet their requirements.
36. The subcommittee should take appropriate legal and other advice in respect of any proposed decisions it wishes to take as regards the matters delegated to it.
37. In considering this matter regard should be had, amongst other matters, to:
 - (i) The Councils' duties under the Well –being of Future Generations (Wales) Act 2015 and;
 - (ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief
38. The Local Authorities (Standing Orders) Regulations 2006, as amended 2014, set out a number of requirements related to the recruitment of posts at this level. These requirements will be replicated in the Standing Orders of each of the participating local authorities. Further guidance is to be

found in the statutory guidance Pay Accountability in Local Government in Wales issued by the Welsh Government under section 40 of the Localism Act 2011. The recruitment process proposed in this Report is compliant with those requirements and guidance.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Joint Cabinet:

- a) Consider and determine the level of salary to attach to the proposed City Deal Programme Director Post, based on the information provided in the report.
- b) Subject to the ultimate approval of the employer Council, approve the role and the terms and conditions including the salary (determined pursuant to recommendation a) aligned to the City Deal Programme Director post.
- c) Approve the process for the advertisement and recruitment of the City Deal Programme Director post.
- d) Approve the establishment of an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B.
- e) Determine the five members of the Regional Cabinet who, for the time being, will be appointed to the Appointments Committee.

Darren Mepham
Cardiff Capital Regional Lead Chief Executive
14th November 2017

The following Appendices are attached:

- Appendix A - Job Description and Person specification
- Appendix B - Terms of Reference for Appointments Committee

Background Papers – Hay Evaluation Report by Korn Ferry

'This background paper contains commercially sensitive information. It is exempt from publication as it contains exempt information as defined in Schedule 12 A part 4 of the Local Government Act 1972 paragraph 14 (financial or business affairs) and paragraph 21 (public interest). It has been assessed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.'

| | |
|--|---|
| Job Title: Programme Director | Directorate: City Deal |
| Section: City Deal Programme Office | Reporting to: <ul style="list-style-type: none"> • TBC (pay & rations) • Joint Committee (Work Schedule & performance) |
| Grade: | Hours per Week: 37 hours Mon to Friday – however actual hours will be as and when required to carry out the duties satisfactorily |
| Post Number: | Number of Employees Reporting to Post: XXX |
| Special Conditions: Temporary appointment for 3 years. | Location of Post: Ty Dsygu but flexible within the City Deal Region |
| <p>Job Purpose:</p> <ul style="list-style-type: none"> • Reporting to the Joint Committee, to provide programme direction for the development of the Cardiff Capital Region City Deal maximising it's potential to deliver sustainable economic growth in the region and across each Local Authority area. • To ensure successful delivery of the agreed City Deal programme, achieving economic growth and unlocking further government funding • To develop and maintain effective relationships with a wide range of stakeholders both within the Cardiff Capital Region, in Wales, the UK and internationally. | |
| <p>Duties and Responsibilities Job Specific</p> <p>Role Requirements</p> <ol style="list-style-type: none"> 1. Lead on the development of the City Deal Programme, providing advice to the Joint Committee and working with them to develop and plan the Joint Committee's objectives, priorities and forward plan in order to maximise the potential of the City Deal 2. Ensure successful delivery of the agreed Cardiff City Region City Deal programme through the co-ordination of a number of complex work streams across a range of partner agencies, ensuring that the programme is joined-up and coherent. 3. Identify opportunities to promote the needs and potential of the Cardiff Capital Region in order to influence policy and further external funding. 4. Work with City Deal partners to develop creative solutions to address the challenges and obstacles to economic growth facing the City Deal area. 5. Work with partners to ensure that work streams are adequately resourced, and hold them to account in delivering to agreed timescales, budgets and outcomes, referring to Joint Committee as appropriate. 6. In conjunction with Accountable Body, develop budget proposals for consideration and agreement by the Joint Committee and ensure there is effective financial management and reporting to maximise the use of | |

the resources available and to ensure that there is effective resourcing of agreed priorities.

7. Provide comprehensive performance monitoring data to the Joint Committee and any other identified stakeholders
8. Ensure there is comprehensive and pro-active stakeholder engagement across partner agencies, local councils, businesses and other sectors.
9. Develop and deliver an effective communications strategy so local residents and businesses and other stakeholders understand the City Deal's Joint Committee's priorities and the rationale for them.
10. Adhere to the rules of the Accountable Body and manage and co-ordinate the effective decision making arrangements for the Joint Committee that meet the needs of the City Deal's constitution and local authority legislation and to enable effective, open and transparent decision making.
11. Co-ordinate the process of decision-making through the partner councils and other partner agencies where decisions are not fully within the Joint Committee's remit.
12. Represent the City Deal at appropriate groups, meetings and events.
13. Provide a point of contact for those external bodies seeking to engage with the Cardiff City Region City Deal programme, including Welsh Government, UK Government, other Welsh and UK councils or similar, overseas Governments.
14. Provide leadership to the City Deal Programme team and co-ordinate with to the wider team of people contributing to the City Deal work programme.

Generic Requirements

1. To participate actively in supporting the principles and practice of equality of opportunity as stated in the Employer's Equal Opportunities Policy.
2. To take reasonable care for the health and safety of yourself and other persons who may be affected by your acts or omissions and to comply with all health and safety legislation as appropriate.
3. As a term of your employment you may be required to undertake such other duties and/or times of work as may reasonably be required of you, commensurate with your grade or general level of responsibility within the organisation.
4. Although you will be provided with a base, you will be required to work from various locations around the City Deal region in accordance with the needs of the role.

DATE COMPLETED: _____ **AGREED BY:**
_____ (Recruiting Manager)

Date Received by Post holder: _____

Signature of Post holder: _____

Person Specification

Job Title: Programme Director – City Deal
Post Number:

THE PERSON APPOINTED MUST MEET THE FOLLOWING REQUIREMENTS

| Area to be Demonstrated | Essential Requirements YOU MUST DEMONSTRATE THAT YOU MEET THESE REQUIREMENTS | Desirable Requirements YOU DO NOT HAVE TO MEET THESE REQUIREMENTS BUT IF YOU DO, PLEASE TELL US | How Assessed Application Form or Interview or Both |
|---|---|---|---|
| Competencies (as per Behavioural Competency Framework) | <ul style="list-style-type: none"> • Putting Our Customers First - Level 5 • Getting Things Done – Level 5 • Taking Personal Responsibility – Level 5 • Leading Change – Level 5 • Initiating Change and Improvement – Level 5 • Partnering and Corporate Working – Level – 5 • Optimising Resources – Level 5 | | Application form & Interview |
| Education & Training | [Feedback from CEXs require] | | Application Form & certification |
| Experience / Knowledge | <ol style="list-style-type: none"> 1. Experience of leading large and complex programmes to deliver successful outcomes. 2. Experience of planning and implementing large programmes by marshalling resources across organisational boundaries. 3. Wide knowledge of local and national government and | <ol style="list-style-type: none"> 1. Experience in leading special initiatives in support of economic and social objectives. 2. Experience of reporting to joint Committees / Boards | Application Form and Interview |

| | | | |
|------------------------------------|--|--|---------------------------------------|
| | <p>agencies, the business community and other relevant external organisations.</p> <p>4. Good understanding of local authority decision-making processes and local government finance.</p> | | |
| <p>Skills and Abilities</p> | <p>5. Excellent interpersonal skills and the ability to build successful relationships and trust with a wide range of partners.</p> <p>6. Track record of operating at a senior level, managing complex and varied stakeholder relationships effectively.</p> <p>7. Robust track record of delivering complex programmes to deadline.</p> <p>8. Proven ability to lead multi-disciplinary, cross-organisational teams.</p> | | <p>Application Form and interview</p> |

| | | | |
|-----------------------------------|---|--|------------------|
| | <p>9. Proven ability to find creative and innovative solutions to complex problems and to work with a range of partners to implement them.</p> <p>10. Excellent communication, influencing and negotiating skills</p> <p>11. Excellent leadership, inspirational and motivational skills</p> <p>12. Excellent political sensitivity and judgement, and the ability to work with both governments and councils</p> | | |
| <p>Personal Attributes</p> | <p>13. Strategic approach and vision to deliver service improvements</p> <p>14. Takes a collaborative approach to partnership working</p> <p>15. Makes informed decisions based on information and experience</p> <p>16. Self-motivated with a flexible and adaptable approach to work.</p> | | <p>Interview</p> |

| | | | |
|------------------------------|---|--|--------------------------------|
| | <p>17. Ability to work under pressure and to tight time scales.</p> <p>18. Commitment to the Council's Equal Opportunities Policy</p> | | |
| Special Circumstances | 19. Will need to be able to work from any designated facility. | | Application form and Interview |

Terms of Reference – Appointments Committee

Purpose (functions delegated)

The Cardiff Capital Region Joint Cabinet has established, as a sub committee, an Appointments Committee for the sole purpose of discharging the functions of the Cabinet in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006),

Composition

The Appointments Committee will comprise five members of the Regional Cabinet, nominated from time to time by the Regional Cabinet. If applicable, cross party representation is suggested to reflect the make up of the Regional Cabinet.

Deputies

Each member appointed to the Appointments Panel shall be entitled from time to time to appoint a deputy but such deputy shall only be entitled to attend, speak and vote at meetings of the Appointments Committee in the absence of his or her corresponding principal

Term of appointment

A member so appointed shall hold office until :_

- (a) such meeting of the Regional Cabinet where allocation of seats of the Appointments Committee are re considered ,
- (b) the member ceases to be a member of the Regional Cabinet
- (c) the member dies,
- (d) the member resigns,
- (e) the member becomes disqualified
- (f) the member ceases to be a member of the Council he or she represents or
- (g) the Council, which the member represents, has decided that another member should act in his place, whichever may first happen.

Procedures

The Appointments Committee shall follow the Committee Meeting Procedure Rules and other applicable rules, standing orders and polices of the Accountable Body save that:

1 Chair and Deputy Chair

The chair and the deputy chair will be elected, from time to time, by the members of the Appointments Committee .

2 Quorum

The quorum of a meeting will be four members. If fewer than the quorum attend the meeting or if during any meeting the chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting

3 Voting

Each Member of the Appointments Committee will have one vote.

Unless the law provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

In respect of employee appointments the Chair will only have a casting vote in the following circumstance. In the event of there being more than two candidates for an appointment and no candidate receives the required majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives the required majority. If more than one candidate has the same number of votes and that is the lowest number of votes cast, a vote will be taken to decide the candidate to be eliminated from future votes. In the event of an equal number of votes being cast at this stage, the chair will have a casting vote.

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