

19 February 2015

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership – Councillor Mrs Lucas OBE

**Director Approving Submission of the report:**

Chief Executive

**Ward(s) affected:**

All

**Title:**

Response to petition to stop Coventry being merged into Super area of Birmingham

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**Is this a key decision?**

*no*

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**Executive Summary:**

This report sets out the recommended response to a petition with 161 signatures which says:  
*“Stop our Council Leader being able to agree to let Coventry join the Super area of Birmingham without a public referendum.”*

The Leader of the Council does not have the authority to agree to Coventry becoming part of any wider local government grouping. In addition the setting up a Combined Authority or Economic Prosperity Board of any geography is governed by national legislation which requires that a specified process must be undertaken before such a body is established and cannot be done by an individual local authority leader. This process includes public consultation but not a public referendum.

**Recommendations:**

For the Leader of the Council to:

- instruct officers to write to the petition organiser to inform the petitioners that the Leader of the Council does not have the authority to act as set out in their petition and to provide them with information about the legislation that governs the setting up of Combined Authorities and Economic Prosperity Boards

**List of Appendices included:**

None

**Background Papers:**

None

**Other useful documents:**

Local Democracy, Economic Development and Construction Act 2009

<http://www.legislation.gov.uk/ukpga/2009/20/contents>

Consultation on proposals to amend legislation on Combined Authorities and Economic Prosperity Boards

<https://www.gov.uk/government/consultations/proposals-to-amend-legislation-relating-to-combined-authorities-and-economic-prosperity-boards>

**Has it been or will it be considered by Scrutiny?**

*No*

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

*No*

**Will this report go to Council?**

*No*

**Report title:** Response to petition to stop Coventry being merged into Super Birmingham area

## **1. Context (or background)**

- 1.1 For a number of years there have been discussions and national policy change on the most appropriate level of geography and governance at a sub-national level to promote economic growth and prosperity. This sub-national economic policy also seeks to rebalance the national economy by delivering more economic growth to local businesses and local people in regions and sub-regions outside London and the South-East.
- 1.2 It is also recognised that real functional economic geographies often operate across individual local authority boundaries so some strategic issues such as infrastructure (including transport), business support, and skills may be best addressed collaboratively across a wider sub-regional area.
- 1.3 Like many local authorities, Coventry City Council continues to argue that to promote better local economic growth, decision making about local economic development, including the allocation of funding, should be taken at a local rather than at a national Government level.
- 1.4 The last two years has seen the creation of five Combined Authorities – these bring together a number of local authorities to work together formally as a joint body to deal with strategic economic issues including the provision of public transport. In the last few months a number of other areas have declared their interest in setting up a local Combined Authority: this includes Birmingham and the four local authorities in the Black Country who have declared their shared intention to set up a Combined Authority for the West Midlands to covering their respective areas.

## **2. Options considered and recommended proposal**

- 2.1 A petition with 161 signatures has been submitted to Coventry City Council which says: *“Stop our Council Leader being able to agree to let Coventry join the Super area of Birmingham without a public referendum.”*
- 2.2 The petition appears to be based on the mistaken assumption that the Leader of the Council has the authority to *“agree to let Coventry join a Super area of Birmingham”*. This is not the case. Under the Council’s constitution, any proposal for Coventry City Council to become part of any formal grouping of local authorities such as a joint committee is not within the authority of the Leader of the Council.
- 2.3 In addition there are specific requirements under legislation that have to be met before any Combined Authority or Economic Prosperity Board can created under the parts of the Local Democracy, Economic Development and Construction Act 2009. These are formal bodies and each one can only be set up individually by specific Order by the Secretary of State.
- 2.4 Before such a body is created legislation requires that each area must undertake a governance review and formal consultation undertaken locally on any proposals. After this has taken place locally, proposals for a new Combined Authority or Economic Prosperity Board must be submitted to the Secretary of State to consider. The Secretary of State then undertakes another formal round of consultation before putting the proposals before Parliament for statutory approval.
- 2.5 There are currently no formal proposals being put forward by Coventry City Council. Any proposals for the area covered by the City Council would be subject to formal approval by the Council and to the statutory process set out paragraphs 2.3 and 2.4.

2.6 It is therefore recommended that the Leader instructs officers to inform the lead petitioner that the Leader of the Council does not have the authority to act as set out in their position and to provide them with information about the statutory process that is required to create a Combined Authority.

### **3. Results of consultation undertaken**

3.1 n/a

### **4. Timetable for implementing this decision**

4.1 The relevant information would be provided to the lead petitioner directly after a recommendation is made.

### **5. Comments from Executive Director, Resources**

5.1 Financial implications  
None

5.2 Legal implications  
The information to be provided to the petitioners will be taken from the Local Democracy, Economic Development and Construction Act 2009. The Government is currently consulting on proposed changes to this legislation but these proposals do not change the relevant parts of the legislation.

6. Other implications  
None

6.1 **How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

n/a

6.2 **How is risk being managed?**

This report sets out the current requirements under legislation and there are no risks to be managed as a result of the recommendations of this report.

6.3 **What is the impact on the organisation?**

There is no additional impact on the organisation.

6.4 **Equalities / EIA**

None

6.5 **Implications for (or impact on) the environment**

None

6.6 **Implications for partner organisations?**

None – this report sets out the current legal position that applies to the Council and its partners.

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