

SOUTH WEST WALES CORPORATE JOINT COMMITTEE

7th October 2022

Report of the Chief Executive

Report Title: Private Sector Advisers to the South West Wales Corporate Joint Committee

Purpose of Report	To agree the mechanism for involving private sector advisors to the South West Wales Corporate Joint Committee
Recommendation	It is recommended that (a) Members agree the appointment of private sector representatives to an Advisory Board of the South West Wales Corporate Joint Committee subject to completion of an advisor agreement (b) Members agree the Terms of Reference of the Advisory Board enclosed at Appendix 1 of this report (c) Members grant delegated authority to the Chief Executive to undertake a recruitment exercise to appoint additional members of the Advisory Board in respect of the statutory functions of the CJC (d) Members approve the granting of co-opted status to the chair of the advisory board on a non-voting basis subject to receipt of a signed co-option agreement
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Finance Officer	N/A
Legal Officer	Craig Griffiths

Background:

1. Part 5 of the Local Government and Elections (Wales) Act 2021 (“the Act”) provides for the establishment, through regulations, of Corporate Joint Committees (CJCs) This can be achieved through two potential routes: at the instigation of two or more principal councils; and at the instigation of Welsh Ministers, but only in relation to certain functions or functional areas which are specified on the face of the Act.
2. The CJC can also choose to include additional parties which are described as Co-opted partners and/or advisors.

3. In accordance with Regulation 9(4) of the South West Wales Corporate Joint Committee Regulations 2021 (the 2021 SWWCJC Regulations) the co-opted members are appointed by the CJC and their responsibilities/voting rights will be specified in a written notice, which will again be agreed by the CJC.
4. A report was brought to the CJC on the 26th July 2022 approving the appointment of co-opted members in a non-voting capacity and accordingly the purpose of this report is to address private sector representatives

Swansea Bay City Deal

5. The Joint Working Agreement for the Swansea Bay City Deal required the establishment of an Economic Strategy Board (ESB), membership of which had to be agreed by both the UK and Welsh Governments. The terms of Reference for the ESB state that 'members shall be appointed through an open recruitment and nomination process. Members including co-opted members of the Joint Committee shall submit proposals to the Joint Committee for the recruitment and nomination process. Those proposals shall be subject to unanimous agreement by members of the Joint Committee.
6. The Terms of Reference clearly set out the purpose of the group, its membership, the role of the Chair and voting arrangements amongst other things. The purpose of the ESB is as follows:

“To provide strategic direction for the Swansea Bay City Deal and provide strategic advice to the Joint Committee on matters relating to the Swansea Bay City Region. Specifically, the role shall:

 - i. Submit strategic objectives for the Swansea Bay City Region.*
 - ii. Monitor progress with regard to the delivery of the Swansea Bay City Deal in accordance with diagram B in Schedule 8.*
 - iii. Oversight of business case production.*
 - iv. Consideration of regional added value and identifying opportunities for investment.*
 - v. Make recommendations to the Joint Committee.*
 - vi. Produce a summary report of issues considered by the Economic Strategy Board to be annexed to the submission of any business cases”*
7. The ESB has been supporting the Joint Committee, chief officers of the constituent councils and the Programme Management Office since the inception of the Deal. It has also acted as a critical friend to each of the projects as they have developed, providing constructive criticism to the business cases which have in turn added value from a private sector view point. Some representatives have also worked with colleagues

across the region to provide independent advice to those projects as part of the delivery phase.

8. The recruitment process for the Chair of the ESB commenced in November 2017, following which the following representatives were formally agreed:

Name	Organisation	Specialism
Chris Foxall	River Simple	Manufacturing – Hydrogen Powered Fuel Cell Electric Vehicles
Ed Tomp	Valero	Manufacturing – Energy Sector
Amanda Davies	Pobl	Housing
James Davies	Industry Wales	Car Manufacturing
Nigel Short	Penderyn Distillery / Scarlets	Alcohol Manufacturing, housing development
Simon Holt	Retired Health Specialist	Health
Lucy Cohen	Mazuma	Finance and Small Business Support
Paul Greenwood	Teddington Engineered Solutions	Skills Specialist Advisor

CJC Involvement

9. The ESB has worked well to date and relationships have been forged with many of the ESB members and as such a group of Chief Executives and regional Directors from the South West region met the ESB some months ago to gauge their appetite for extending their remit beyond the city deal to encompass a role within the CJC.
10. It is understood that the current ESB members would be interested in wider involvement in the CJC activities. In addition given the larger remit of the CJC compared to the current terms of Reference for the ESB, it was confirmed that private sector representation would also need to be expanded to cover these additional topic areas.
11. Discussions have taken place with the ESB members which outlines the role they consider they could deliver going forward.
12. The ESB members indicate that their involvement is centred on the provision of business advisory support which will be focused around the following prioritised themes of strategic development planning, transport planning and economic well-being and energy by establishing a mechanism to provide strategic advice, support and advocacy. In doing so its terms of reference would comprise of:
 - a. Maintaining a close advisory partnership with the South West Wales economic region, the political leadership within the CJC and the Executives of all organisations involved in the Corporate Joint Committee that supports the regions strategic development planning, transport planning, economic well-being and energy work.

- b. Provide market insight and specific knowledge on key topics and initiatives, and intelligence, to support the South West Wales CJC and alignment to national, regional and local strategy.
 - c. Form strategic tasks groups when required to provide focussed advice, particularly around stimulus funding opportunities such as Innovate UK or a Regional Strategic Fund.
 - d. Provide market, network, investment and funding introductions.
 - e. Ensure collaborations add value and maximise potential with involvement and linkages amongst key stakeholders.
 - f. Engage with existing and potential stakeholders and partners to identify market opportunities and risks.
 - g. Ensure clear and transparent communications with the governance arrangements and external bodies.
 - h. Act as regional ambassadors for the Corporate Joint Committee to raise and promote the profile of the region at a national level and within the business community.
 - i. Provide advice and guidance throughout the development of regional strategy and key investment initiatives.
 - j. Provide thought leadership, insight and intelligence across the region and in relation to external markets and political policy environments.
13. Given the the strict appointment process associated with the supporting the City Deal projects and the interest shown by existing ESB members in supporting the developing CJC arrangements, it would make sense to invite the existing ESB members to form the core of an advisory board for the CJC but also expand representation to reflect the additional topic areas.
14. Private sector representatives would advise the CJC and its statutory officers via an Advisory Board chaired by one of the private sector representatives (to be determined by them). They would also (at the request of the Chief Executive) attend and advise any sub-committees that are called to ensure private sector views can be considered at those sub-committees or meet with officers supporting the work of the CJC.
15. The Chair of this Advisory Board will be granted co-opted status to the overarching CJC to ensure that the CJC members can hear direct the views of the private sector representatives. A draft form of Terms of Reference are enclosed at Appendix 1 of this report for members of the CJC to note.
16. Measures will be needed to ensure that any conflict of interests that might arise from their advisory role is properly managed and administered. Accordingly, all private sector representatives will be asked to sign an Advisor Agreement obliging them to comply with the basic principles of the Members Code of Conduct that co-opted members must agree to.
17. It is clear that the existing representatives of the ESB cover a range of specialisms within the Economic Wellbeing topic including car manufacturing, small businesses and finance, distilleries and health care. However they are not able to sufficiently cover the topics of Transport, Planning & Land Use and to a certain extent Energy. It may also be necessary to identify additional specialists to cover additional areas, including but not limited to construction, digital, creative and tourism sectors.

18. It is therefore recommended that additional private sector representatives are invited to take up an advisory role to fill the gaps within the topic areas of transport and land use immediately.
19. Whilst there is no formal process required to appoint advisors to the CJC, it is proposed that a process of advertisement and recruitment should be followed for new advisors to enable maximum visibility and transparency.
20. It is further proposed that the need for any additional advisors is considered in advance of the next AGM by which time the immediate focus of the CJC's work programme will have been more fully developed.

Financial Impacts:

21. Appointed advisors and co-optees would be non-remunerated posts but would be able to claim expenses such as travelling expenses, which are within the CJC budget but it is anticipated that the majority of such meetings will take place virtually.

Integrated Impact Assessment:

22. The CJC is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
23. The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

Workforce Impacts:

24. There are no impacts associated with the workforce.

Legal Impacts:

25. The Corporate Joint Committees Statutory Guidance references that in order to fulfil their responsibilities and duties effectively, CJsCs will need to, and be expected to, actively involve others in their work. It will be important that each CJC creates an inclusive and collaborative culture to ensure a wider perspective and approach to its work. Each CJC will wish to give thought to how this can best be achieved taking into account its own unique circumstances.

Risk Management Impacts:

26. Failure to ensure a diverse and representative group of advisers would mean the CJC will not be able to consider the range of views such organisations could bring to the functions the CJC are required to undertake.

Consultation:

27. There is no requirement for external consultation on this report.

Reasons for Proposed Decision:

28. To ensure the CJC can actively involve others in their work programme.

Implementation of Decision:

29. This decision is to be implemented immediately

Appendices:

30. Appendix 1 – Terms of Reference for Advisory Board

List of Background Papers:

31. None

Appendix 1

Advisory Board **Terms of Reference**

Attendees

The following shall attend the Advisory Board:

- Private Sector representatives
- Chief Executive of the Corporate Joint Committee (Chair) or their nominated representative
- Regional Directors of Constituent Councils with responsibility for CJC areas (in order to provide advice/guidance to the Chief Executive of the CJC)
- Officer representative of National Park Authorities where matters under discussion relate to strategic planning
- Any invitees of the Chief Executive
- Minute Taker (Business and Portfolio Manager of South West Wales Corporate Joint Committee)

In the event that an individual is unable to attend notification should be provided to the Chief Executive (via the Democratic Services section) at the first opportunity.

Chair

The Chair of the Advisory Board shall be agreed by the Advisory Board and shall be approved on an annual basis by the Advisory Board

The Chair of the Advisory Board shall be co-opted to the Corporate Joint Committee in a non-voting capacity on an annual basis, with such term of appointment to last for one year and subject to renewal at the discretion of the Corporate Joint Committee.

Frequency of Meetings

The Advisory Board shall meet every quarter subject to any additional meetings that shall be called to address specific matters.

Where a special meeting is required, this will be convened by the Chief Executive of the Corporate Joint Committee.

Unless notified to the contrary, all meetings shall take place remotely via Microsoft TEAMS

Purpose of Advisory Board

The purpose of the Advisory Board is:

- a) To maintain a close advisory partnership with the Swansea Bay City Region and the Executives of all organisations involved in the Corporate Joint Committee that supports the regions strategic development planning, transport planning, economic well-being and energy.

- b) To provide external market insight and specific knowledge on key topics and initiatives, and intelligence, to support the Corporate Joint Committee and alignment to national, regional and local strategy.
- c) To form strategic tasks groups when required to provide focussed advice, particularly around stimulus funding opportunities such as Innovate UK or a Regional Strategic Fund.
- d) To provide market, network, investment and funding introductions.
- e) To ensure collaborations add value and maximise potential with involvement and linkages amongst key stakeholders.
- f) To engage with existing and potential stakeholders and partners to identify market opportunities and risks.
- g) To ensure clear and transparent communications with the governance arrangements and external bodies.
- h) To act as regional ambassadors for the Corporate Joint Committee to raise and promote the profile of the region at a national level and within the business community.
- i) To provide advice and guidance throughout the development of regional strategy and key investment initiatives.
- j) To provide thought, leadership, insight and intelligence across the region and in relation to external markets and political policy environments.

Private Sector Representatives shall be entitled to attend any sub-committee of the Corporate Joint Committee to contribute (in a non-voting capacity) at the request of the Chief Executive of the Corporate Joint Committee.

Conflict of Interest

All private sector representatives shall sign an Advisors Agreement. This is to ensure that the advisory role does not result in undue influence from the private sector advisors over the strategic direction of travel for the region, which could in turn provide an advantage to organisations associated with the private sector advisors.

For the avoidance of doubt where there is a conflict between these terms of reference and any legislative provision or guidance issued by the UK or Welsh Governments, those legislative provisions and guidance shall take precedence.

Minutes

The minute taker will minute the meeting and a copy of the minutes will be forwarded to all members of the Corporate Joint Committee and the Chief Executive of the authorities comprising the Corporate Joint Committee and formally noted at future meetings of the Corporate Joint Committee.

Minutes will be retained in accordance with the relevant requirements that apply to record retention.

Minutes will be an overview of the items discussed and any action arising accordingly.