

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	14 November 2016	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	AGENDA ITEM 11 UPDATE TO THE CABINET REPORT Consideration of the Establishment of the West of England Combined Authority	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A Draft Order Appendix B Table of Changes to the Governance Scheme		

1 THE ISSUE

- 1.1 To provide members with an update of the information received from DCLG following the publication of the Cabinet Agenda.
- 1.2 The background to this item is set out in the report included at Agenda item 11, ("the Principal Report") and in the reports to Cabinet & Council of 29th June 2016. Since publication of the Cabinet agenda, DCLG has provided the Councils with a draft of the Statutory Instrument ("the Draft Order") which will, if made, establish the West of England Combined Authority ("WECA").(Appendix A).

2 AMENDED RECOMMENDATION

The Cabinet :

- 2.1 Notes the Summary of Consultation Responses report, and the Representations submitted to the Secretary of State
- 2.2 Notes the principles in the Governance Scheme are delivered subject to the variations detailed in Appendix B

- 2.3 Subject to the safeguard in recommendation 2.5 below gives consent to the establishment of the West of England Combined Authority
- 2.4 Appoints the Leader of the Council as this Council's Member of West of England Combined Authority
- 2.5 Delegates to the Chief Executive, in consultation with the Leader of Council, the authority to take all decisions, to make all necessary appointments, arrangements and provide written confirmation to the Secretary of State consenting to the making of the Order creating a West of England Combined Authority,
- 2.6 Delegates authority to the Monitoring Officer to make all consequential amendments to the Constitution

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 There are as set out in the principal report at paragraph 3. An amendment is required to the principal report at paragraph 3.4 1st bullet point; the wording should read:

"Joint powers in respect of passenger transport in areas other than integrated transport areas and passenger transport areas (socially necessary bus services)"

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 These are as set out in the principal report at paragraph 4

5 THE REPORT

- 5.1 The draft Order has been provided on the basis that it remains subject to amendment while it continues to go through the relevant Parliamentary processes. The final form of the Order will be settled at the time it is laid before Parliament after which it cannot be amended. It is anticipated that the Order will be laid in the week commencing 21st November 2016.
- 5.2 Officers have considered the Draft Order and are satisfied that it reflects the intention of the Councils as set out in the Governance Scheme, subject to the variations detailed in Appendix B to this Update Report.
- 5.3 Officers will continue to liaise with DCLG to identify points of clarification. However it is expected that the Order when laid will reflect the terms of this draft Order.

6 RATIONALE

- 6.1 The Draft Order now provided by DCLG reflects the terms of the Governance Scheme as approved by Council and Cabinet in June 2016. The changes detailed in Appendix B are considered to be consistent with the principles established by the Scheme.

- 6.2. In the event Cabinet resolves to adopt the recommendations set out above, the DCLG will write to the Council to request formal written consent on behalf of the Council to the making of the Order establishing the WECA. Officers will provide any necessary advice to the Chief Executive and Leader prior to the formal giving of consent on behalf of the Council.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 The Consultations undertaken are as set out in the principal report at paragraph 8

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. The key risk is that if no order is made, no Combined Authority will be established

Contact person	David Trethewey, Divisional Director Strategy and Performance
Background papers	None.
Please contact the report author if you need to access this report in an alternative format	