

**Minutes of the Cabinet**

**2 February 2024**

**-: Present :-**

Councillor David Thomas (Chairman)

Councillors Chris Lewis, Tranter and Billings

(Also in attendance: Councillors Steve Darling)

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**73. Apologies**

Apologies for absence were received from Councillors Bye and Tyerman.

**74. Minutes**

The Minutes of the meeting of the Cabinet held on 9 January 2024 were confirmed as a correct record and signed by the Chairman.

**75. Matters for Consideration**

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions) are set out in the Record of Decisions appended to these Minutes.

**76. Proposed Devon and Torbay Combined County Authority and devolution deal**

**77. Local Enterprise Partnership (LEP) Transition Plan**

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Chairman/woman

## Record of Decisions

### Devolution – Deal for Devon and Torbay

#### Decision Taker

Cabinet on 02 February 2024.

#### Decision

That

- 1) the proposed Devon and Torbay devolution deal be supported; and
- 2) a public consultation be carried out in conjunction with Devon County Council from 12 February 2024 to 24 March 2024 to invite views on the draft proposal to establish the Devon & Torbay Combined County Authority, be agreed.

#### Reason for the Decision

The powers and the transfer of Government funding included in the proposed devolution deal promise to bring greater control to Devon and Torbay to help tackle local priorities, including the need for: new training and retraining opportunities; improved coordination of public transport; more affordable housing and investment to support local business, green jobs to increase productivity and pay.

#### Implementation

This decision will be implemented immediately.

#### Information

Devon, Plymouth and Torbay was one of nine areas invited by Government, as part of the February 2022 Levelling Up White Paper, to agree a devolution deal. Plymouth City Council decided on 17 November 2023 to withdraw from the negotiations towards a proposed devolution deal.

The proposed devolution deal for Devon and Torbay was announced by the Secretary of State for Levelling Up, Homes and Communities and published by the Department for Levelling Up, Housing and Communities (DLUHC) on 25 January 2024. It is available on the DLUHC website and further information about the proposed deal is at [www.devontorbaydeal.org.uk](http://www.devontorbaydeal.org.uk)

The powers and the transfer of Government funding included in the proposed devolution deal promise to bring greater control to Devon and Torbay to help tackle local priorities, including the need for: new training and retraining opportunities; improved coordination of public transport; more affordable housing and investment to support local business, green jobs to increase productivity and pay.

Government would devolve the powers and funding to a new legal body established by Parliament that brings the members of the existing local authorities together: the Devon & Torbay Combined County Authority (DT CCA). The statutory requirements for implementing the proposed deal include public consultation on the draft proposal to establish the DT CCA and the Council's consent to the secondary legislation.

At the meeting Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously, as set out above.

**Alternative Options considered and rejected at the time of the decision**

An alternative option would be not to proceed with a public consultation on the proposed Devon and Torbay devolution deal. If this option were to be adopted, then there would be no guarantee that a devolution deal and the potential associated powers and funding would be available to the area in the same way in the future.

**Is this a Key Decision?**

Yes

**Does the call-in procedure apply?**

No

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None.

**Published**

6 February 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Local Enterprise Partnership (LEP) Transition Plan

#### Decision Taker

Cabinet on 02 February 2024.

#### Decision

That:

- a) The proposed Integration Plan and the Heart of the Southwest Local Enterprise Partnership (HOTSWLEP) transfer of functions into the Council by 1 April 2024 be approved;
- b) Delegated authority be given to the Director of Pride in Place in consultation with the Cabinet Member for Place Development and Economic Growth and the Director of Finance to agree transfer arrangements and agreements with Somerset, Plymouth and Devon councils that cover operational implementation of the LEP functions, and the allocations of LEP residual funding, resources, and assets to the four upper tier councils;
- c) Delegated authority be given to the Director of Pride in Place in consultation with the Cabinet Member for Place Development and Economic Growth approval of any minor changes to the Integration Plan; and
- d) The submission of a business case for Torbay, including Plymouth and Devon to bid for transitions funding from Government up to £240,000 be approved.

#### Reason for the Decision

Wherever possible, government expects local authorities to work together to deliver LEP functions across whole county geographies or functional economic areas with a minimum population of 500,000, in line with the geography principles set out in the Levelling Up White Paper. In areas where there is not yet a devolution deal either agreed or under negotiation, government expects LEP functions to be exercised by the respective upper tier local authority or authorities.

#### Implementation

This decision will come into force and may be implemented on 14 February 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

In the Spring Budget Statement 2023 Government set out its intentions regarding the future of Local Enterprise Partnerships (LEPs). It expressed a minded to decision to withdraw central funding from LEPs and transfer LEP functions into upper tier local authorities or combined authorities.

Subsequently the Government invited local authorities to develop and submit a draft integration plan in November with the intention that the integration of functions would be completed from 1

April 2024. Wherever possible, Government expects local authorities to work together to deliver LEP functions across whole county geographies or functional economic areas with a minimum population of 500,000, in line with the geography principles set out in the Levelling Up White Paper. In areas where there is not yet a devolution deal either agreed or under negotiation, Government expects LEP functions to be exercised by the respective upper tier local authority or authorities.

An Integration Plan has been agreed with Government and developed by the upper tier authorities with engagement from the Heart of the South West LEP's executive. An opportunity to develop a bid in the form of a business case for up to £240,000 was included in the latest guidance to local authorities and approval to submit a funding case for Torbay in partnership with Devon and Plymouth Councils was proposed.

At the meeting Councillor David Thomas proposed and Councillor Steve Darling seconded a motion that was agreed unanimously by the Cabinet, as set out above.

### **Alternative Options considered and rejected at the time of the decision**

The following options were considered by the Council and its partners to support the integration of LEP functions as directed by government:

- a) Retain the LEP until devolution arrangements are in place across the area.

This option was not considered viable given that there are different devolution arrangements moving forward at different timescales across the Heart of the South West area. This would create a staggered integration process creating uncertainty for businesses, staff and local authorities. This would also not meet the intentions set out by Government in its guidance. Further the process and timescales for the devolution proposals in Devon and Torbay remain subject to consultation, Council sign off and legal processes. The current timescales could therefore slip leaving uncertainty for staff, contractors and local authority partners.

- b) Transfer the functions to one local authority partner to deliver on behalf of all four partners.

This option was discounted as it would not support the Devon and Torbay devolution arrangement and proposals emerging in Somerset. Meeting the criteria of a functional economic area was also set out by government, and broadly Devon and Somerset can be considered functional areas, with blurred boundaries. The recommended approach recognises local variations across the two broad functional economic areas and provides the opportunities of collaboration and generating economies of scale. It also supports the whole area to move forward with devolution at separate timescales.

### **Is this a Key Decision?**

No

### **Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None.

**Published**

6 February 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet