



London Borough of Enfield

Title – Local London Inter Authority Agreement (IAA)

Report to:	Leader of the Council.
Date of Report:	30 March 2023
Cabinet Member:	Leader of the Council
Director:	Terry Osborne
Report Author:	Balbinder Kaur
Ward(s) affected:	All
Key Decision Number	KD 5601
Implementation date, if not called in:	Before 31 March 2023
Classification:	Part I Public
Reason for exemption	N/A

Purpose of Report

- 1.1 As part of Enfield's continued membership of Local London, this report seeks approval for amendments to the Local London Inter Authority Agreement (IAA) including liabilities, indemnities, GDPR compliance, inclusion of Joint Committee Terms of Reference and the general relationship between the Local London members and the admission of a new member, the London Borough of Bromley, to Local London and that the London Borough of Redbridge will continue to act as the Accountable Body for Local London, i.e. assuming responsibility for the administration of the Local London Partnership along with general drafting and legal updates as agreed by the Local London Partnership Members (Appendix A: IAA 2023).

Recommendations

- I. Agree Enfield's continued membership of Local London;
- II. Agree to the admission of the London Borough of Bromley to the Local London Partnership;
- III. Agree to the appointment of the London Borough of Redbridge as the Lead Authority for the Local London Partnership;
- IV. Approve the discharge of functions jointly through the creation of a new Local London Joint Committee as outlined in Schedule 2 to the Local London IAA 2023 attached to this Report at Appendix A;
- V. Approve the terms of reference for the new joint committee as set out in Appendix A Schedule 2;
- VI. Approve the amended new Local London IAA 2023 to this Report at Appendix A;
- VII. Approve the annual membership fee of £50k per annum for the duration of the Council's membership;
- VIII. Agree to act as the Council's representative on the Local London Joint Committee;
- IX. To appoint a substitute member from the Cabinet to stand in place of the Leader when necessary.

Background and Discussion

- 2.1 Following cabinet approval of 15 March 2016, the London Borough of Enfield joined the Local London Inter-Authority (Local London) in 2016 a politically led organisation formed in 2016 (as the successor to the North East London Strategic Alliance (NELSA)) with 8 London Local Authority members including, Barking and Dagenham, Enfield, Greenwich, Havering, Newham, Redbridge and Waltham Forest, with Redbridge acting as the Accountable Body with formal governance arrangements, funding and dedicated staff in place for its operation and management to ensure that there is the capacity to provide effective commissioning, contract management and oversight to facilitate effective delivery of any devolution arrangements.
- 2.2 The London Borough of Enfield entered into the Local London IAA (2016) including the establishment and participation in the Local London Partnership Programme to deliver sustainable benefits for its members and Local London Joint Committee to exercise the executive functions on behalf of the Local London.

- 2.3 Local London's continued key purpose is to collaborate and coordinate a range of activities that come from greater devolution of powers from government and to generate and deliver sustainable growth and identify opportunities with regional and national government which can result in sustainable long-term benefits for residents of member boroughs. Currently Local London manages about £85million of externally funded programmes on behalf of our members.
- 2.4 At a meeting of the Joint Committee of 13th September 2022, Local London Partnership Members agreed they would like to admit the London Borough of Bromley into the Partnership. The admission of new members legally requires that the Joint Committee is reconstituted. Given this Local London members were afforded an opportunity to refresh and update the IAA entered into in 2016.
- 25 As combined authorities are not permitted to be formed in London under current legislation, it continues to be necessary for Local London to operate under a Joint Committee model established through the 2016 IAA (and respective member borough's governance provisions) to carry out the executive functions of Local London. Accordingly, the member boroughs will continue operate a Joint Committee concerning joint activities and/or areas of common concern that capture devolved matters.
- 2.6 The Local London Joint Committee will discharge executive functions, as outlined in terms of reference in Schedule 2 to the IAA, on the collective behalf of all Local London Members in so far as they relate to joint activities or areas of common concern in relation to the delivery of the partnership. The Joint Committee is free to agree that one or more but less than all Local London members participate in a particular project or programme of work. As stated in the proposed terms of reference of the Joint Committee, contained in Schedule 2 of Appendix A to this Report.
- 2.7 The Joint Committee comprises one councillor from the Executive and who is a cabinet member from each Local London Member's borough as provided in the Local London IAA 2023 in Schedule 2 at Appendix A and each Joint Committee member will have one vote with matters to be decided by a simple majority of those members present for voting at the relevant time with the Chair having the casting vote in the event of a split vote. A nominated substitute from the Executive may attend in the absence of a Local London Committee Member. By agreeing to the proposals, the Leader will approve the Joint Committee exercising executive functions on its behalf.

The Chief Executive's Board will continue to review the operation of the IAA.

2. 7 The annual contribution for Local London currently remains at £50,000 per borough (subject to review) and any equalisation payment for any overspend to fund Local London
- 2.8 Local London Members have previously agreed to the appointment of a Director of Local London, who oversees Local London's programme of

devolved work by managing the Local London Partnership Unit. The Director provides strategic leadership to the Local London sub-region in developing joint programmes of work and identifying opportunities and developing a case for greater devolution to Local London. The Director works closely with London's other sub-regional partnerships to negotiate effective and meaningful devolution deals with Central Government to transfer further powers and responsibilities.

The Leaders, Mayors and Chief Executives of Local London Members have been directly involved in appointing the Director through the application and interview processes. The appointed Director will continue to lead Local London and develop a programme of work through the Local London Partnership Unit.

- 2.9 Local London will continue to consider applications to join its membership from adjacent London Boroughs who are not currently members of any regional sub-groups.
- 2.10 Remaining a member of Local London does not conflict with Enfield's continuing membership of other regional groupings such as London Councils or London Stansted Cambridge Consortium. Enfield will also continue to work with London boroughs outside Local London on a range of issues.
- 2.11 Leader approval of the recommendations contained in this report will enable Local London Members to achieve the agreed goal of Local London being fully constituted and operational by April 2023.
- 2.12 Local London Members will continue to work on the devolved areas as set out in the Local London 3 year plan which is due to be finalised at the March Joint Committee (skills, employment support, digital and transport).
- 2.13 The approval of the Local London IAA will formalise the expanded Local London Partnership and ensure that the Partnership is in a position to be able to manage and deliver additional devolved responsibilities from Central and London Government.
- 2.14 Accordingly, the Leader is asked to formally approve the arrangements provided in the new IAA in order to establish joint arrangements with the Local London Partnership Members including the formation of a Joint Committee with revised membership and for Local London Members to collaborate on and coordinate a range of activities and opportunities that arise through a greater devolution of funding from Central Government and the Greater London Authority. The IAA is being formally submitted for approval by the executive bodies of each Local London Member.
- 2.15 By agreeing to the proposals, the Leader agrees the Local London Joint Committee continuing to exercise executive functions on behalf of Enfield as outlined in the amended Local London IAA at Schedule 2, Appendix A including the appointment of the London Borough of Bromley as a new member to Local London and changes to the voting arrangements.

Options and Risks

3. Enfield does not approve the amendments to the Local London IAA or retain its membership of Local London. This would leave Enfield, isolated and with limited influence that participating boroughs and other sub-regional groupings enjoy and excluded from potentially valuable funding streams to address local issues.

Being a continued member of Local London enables Enfield to participate in robust governance with neighbouring local boroughs given the devolved sub-regions and greater influence with central and local government. Local sub-regional groups such as Local London enables Enfield to continue to present persuasive business cases to demonstrate that local councils are best placed to address local issues such as deprivation and inequality; deliver increased housing and encourage business growth and lobby for matters such as improved transport; and ensure that our residents feel safe and have improved health.

Preferred Option and Reasons for Proposal

- 4.1 A sub-regional collaborative approach is more effective when in addressing the substantial challenges faced by local authorities such as employment and skills, housing and health.
- 4.2 Agreeing the amendments to the Local London IAA and remaining a member of Local London would enable Enfield to participate fully in addressing the challenges faced by it and provides for greater influence in discussions with national and regional government and access to funding streams; this is particularly given regional groupings including Local London continue to grow in importance where discussions concerning devolution of powers from government to a more local level continue. Furthermore, national and European funding bodies prefer functional economic areas that are larger than individual local authorities.

Relevance to Council Plans and Strategies

5. Any work undertaken and/or arising out of Local London will be subject to the Council Plans and Strategies in delivering positive outcomes for our communities in line with its Principles of:
 - a Fairer Enfield
 - accessible and responsive services
 - financial resilience, collaboration and early help
 - and climate conscious; and

Priorities for:

- Clean and green places
- Strong, healthy and safe communities

- Thriving children and young people
- More and better homes
- An economy that works for everyone

These Principles and Priorities will need to be adhered to when seeking approval for the implementation of specific initiatives developed by Local London.

As a Local London member Enfield will continue to deliver a programme of devolution that provides fair and equal opportunities in seeking to deliver positive outcomes to all its residents. This will continue to be achieved through the provision of services to residents and the opportunities associated with them, including job opportunities and an increase in the life quality of residents.

The programme of devolution through the amended Local London IAA will seek to work to address Enfield's principles and priorities outlined in its Council Plan and Strategies.

Financial Implications

6. The annual contribution of £50,000 for membership to London Local will continue to be funded by corporate budgets with payment being made to the accountable body LB Redbridge.

Legal Implications

- 7.1 The Council has power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to public law principles. Creating stronger, more sustainable communities and building on the local economy are key priorities for the Council. There is no express prohibition, restriction or limitation contained in statute against use of the power in this way.
- 7.2 In addition, section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The recommendations are in accordance with these powers.
- 7.3 Section 101 (5) of the Local Government Act 1972 provides that two or more local authorities may discharge any of their functions jointly and that where joint arrangements are in force in respect of any functions, those functions may be discharged through a joint committee established by the authorities.
- 7.4 Appointments to a joint committee are made under section 102(1)(b) of the Local Government Act 1972 and the establishment of a joint committee is governed by The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, issued under sections 9EA, 9EB and 105 of the Local Government Act 2000.

- 7.5 As a joint committee is not a separate legal entity the existing arrangements for the London Borough of Redbridge or any successor thereto as Accountable Body, being responsible for the administrative responsibilities and activities of the Local London Partnership, will need to continue to operate in accordance with paragraph 7 new Local London IAA 2023.
- 7.6 A Joint executive Committee may only be established, and have functions delegated to it, by the Leader, Cabinet, a Cabinet member or a Cabinet Committee.
- 7.7 Part 3 Paragraph 2.1 of the Council's Constitution also provides that executive function can be carried out by the Leader or Cabinet .
- 7.8 Legal Services has reviewed the amendments to the Local London IAA and due diligence as to the benefits, liabilities and obligations derived from the agreement have been assessed and advised upon.
- 7.9 The amendments to the Local London IAA 2023 (and all associated documentation) must be in a form approved by the Director of Law and Governance.

Equalities Implications

- 8. It is considered an equalities impact assessment is not relevant for the approval of this report. However, any work undertaken and/or arising out of Local London will likely be subject to Equality impact assessments and will need to be undertaken when seeking approval for the implementation of specific initiatives developed by Local London.

The approval of the Local London IAA will allow the Council as a Local London Member to deliver a programme of devolution that provides fair and equal opportunities to all residents. This will be achieved through the provision of services to residents and the opportunities associated with them, such as job opportunities and an increase in the life quality of residents.

It is a corporate priority to increase fairness by targeting Council services, where possible, to have the greatest impact for those people who most need them. The programme of work delivered through the Local London IAA will work to address this priority.

HR and Workforce Implications (if any)

- 9. The Director of Local London is engaged by the London Borough of Redbridge. There are no other staff engaged directly in Local London who are employed by Enfield.

Report Author: Balbinder Kaur
Senior Solicitor
Legal Services
balbinder.kaur@enfield.gov.uk
020 8132 0091

Appendices

Appendix A: Local London Inter Authority Agreement 2023

Background Papers

Cabinet Report – 15 March 2016 – Establishment of Local London