

## WMCA Board

<b>Date</b>	5 June 2020
<b>Report title</b>	Application from Warwick District Council to Become 'Observer' Members of the WMCA
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<b>Report has been considered by</b>	Programme Board - 6 March 2020

### Recommendation(s) for action or decision:

#### The WMCA Board is recommended to:

- (1) Consider the request from Warwick District Council to seek WMCA Observer member status with immediate effect.
- (2) Note that Warwick District Council intends to review its position by the end of 2020 and either withdraw future participation or request formal Non-Constituent member status.

## **1. Purpose**

- 1.1 To consider a request from Warwick District Council to become 'Observer' members of the WMCA with immediate effect.

## **2. Background**

- 2.1 The WMCA effectively has two tiers of membership: Constituent and Non-Constituent. The powers and influence of the WMCA and Mayor largely depend on which membership a local authority has. Non-Constituent authorities are located within the shire areas surrounding the metropolitan West Midlands and are comprised of councils within Shropshire, Staffordshire, Warwickshire and Worcestershire. Currently, there are 10 Non-Constituent authorities:

- Cannock Chase District Council
- North Warwickshire Borough Council
- Nuneaton & Bedworth Borough Council
- Redditch Borough Council
- Rugby Borough Council
- Shropshire Council
- Stratford-on-Avon District Council
- Tamworth Borough Council
- Telford & Wrekin Council
- Warwickshire County Council

- 2.2 The last tranche of local authorities admitted to Non-Constituent membership was in May 2017 when North Warwickshire, Rugby, Shropshire, Stratford-on-Avon and Warwickshire joined. However, the WMCA cannot itself legally appoint a local authority to either Constituent or Non-Constituent membership, which can only be done through delegated legislation in Parliament by means of statutory instrument.

## **3. Warwick District Council**

- 3.1 At its meeting on 12 February 2020, Warwick District Council formally resolved to seek Observer status of the WMCA for the remainder of this year, and then to determine whether it should request formal Non-Constituent member status from January 2021. Warwick DC is currently the only one of Warwickshire's five borough/district councils not to be a Non-Constituent member of the WMCA.
- 3.2 Observer status is an informal arrangement whereby local authorities have effectively been given the same standing by the WMCA as Non-Constituent authorities, without this being reflected within legislation. Observer councils pay the same annual contribution fee as Non-Constituent members (£25,000) and participate in formal WMCA Board meetings (but not its committees), with the exception of not being able to vote on formal resolutions. Currently, Herefordshire Council, Marches LEP, West Midlands Police & Crime Commissioner and West Midlands Fire & Rescue Authority are WMCA Observer members.
- 3.2 The Midlands Trades Union Congress and the Young Combined Authority are Co-opted members of the WMCA Board, meaning that they participate in a manner similar to Observer members but do not pay an annual contribution fee.

#### **4. Future Changes to WMCA Membership**

- 4.1 It should be noted that Warwick District Council has indicated in its recent request that it may itself seek Non-Constituent membership in early 2021. However, informal discussions with civil servants have indicated that HM Government is unlikely to table the required legislation to formally appoint new authorities (Constituent or Non-Constituent) unless it could be included within more substantial legislation directly related to the WMCA. Until such time as this may occur, it was therefore unlikely that any changes could be made to the formal membership of the WMCA.

#### **5. Financial Implications**

Observer members pay and annual subscription fee of £25,000 for participation in WMCA matters.

#### **6. Legal Implications**

The status of Observer member does not come with any voting rights on any matter under consideration at the WMCA Board, although Observer members are encouraged to participate in debates, particularly where the matter under discussion has particular relevance to that member.

#### **7. Equalities Implications**

There are no direct equalities implications arising out of the recommendations contained within the report.

#### **8. Inclusive Growth Implications**

There are no direct inclusive growth implications arising out of the recommendations contained within the report.

#### **9. Geographical Area of Report's Implications**

The report relates to the geographical area that falls within the administrative boundaries of Warwick District Council.

#### **10. Other Implications**

There are no other significant implications arising out of the recommendations contained within the report.

#### **11. Schedule of Background Papers**

West Midlands Combined Authority Order 2016 (SI 2016/653)  
West Midlands Combined Authority (Functions & Amendment) Order 2017 (SI 2017/510)  
Report to Warwick District Council Executive - 12 February 2020