

<b>Report title</b>	West Midlands Joint Committee	
<b>Decision designation</b>	RED	
<b>Cabinet member with lead responsibility</b>	Councillor Roger Lawrence Leader of the Council	
<b>Corporate Plan priority</b>	Confident Capable Council	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Keith Ireland, Managing Director	
<b>Originating service</b>	Corporate	
<b>Accountable employee</b>	Keith Ireland Tel Email	Managing Director 01902 554500 <a href="mailto:keith.ireland@wolverhampton.gov.uk">keith.ireland@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Strategic Executive Board	10 April 2018

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**Recommendation for decision:**

That Cabinet recommends that Council:

1. Agree to the dissolution of the West Midlands Joint Committee, for the reasons set out in this report.
2. Agree to set up a Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions known as West Midlands Shareholders Airport Committee in accordance within the terms of reference set out at Appendix 4 to this report.
3. Agree to the proposals for managing the remaining residual business of the West Midlands Joint Committee once it is dissolved as set out in Appendix 3 to this report.
4. Note that the Monitoring Officer will set out all relevant changes to the Council's Constitution at a future meeting of Full Council in order to enact recommendations 1 and 2.

5. Authorise the Monitoring Officer to negotiate, execute and complete all legal documents necessary to support and deliver the above recommendation.

## **1.0 Purpose**

- 1.1 This report seeks authority from Cabinet to recommend to Full Council the approval of a unifying Resolution to dissolve the West Midlands Joint Committee (“WMJC” or the “Committee”) and the new arrangements for managing the remaining residual business of the Committee once the Committee is dissolved. In addition, it seeks approval to establish a Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions known as West Midlands Shareholders Airport Committee.

## **2.0 Background**

- 2.1 WMJC was established in 1985 for the purpose of discharging the residual County Council functions that were deemed inappropriate to pass on to individual Metropolitan Borough Councils (MBCs). Lead responsibilities for different functions across the region were allocated e.g. support to Fire Authority, support to Passenger Transport Authority etc.
- 2.2 Initially meetings of the WMJC took place three to four times a year and dealt with a wide range of matters. Birmingham Airport has always been a substantial item of business but previously many transport-related matters were covered as well as more ad hoc items including waste landfill agreements, spatial planning and Environment Agency Levy.
- 2.3 Over more recent years, as other regional bodies have been introduced, particularly the West Midlands Combined Authority (WMCA), the responsibilities of WMJC have diminished. Only two short meetings per year are held now, often with few items of interest to members. This has been commented on by voting and non-voting members recently.
- 2.4 Birmingham City Council, Coventry City Council, Dudley MBC, Sandwell MBC, Solihull MBC, Walsall Council and City of Wolverhampton Council are member authorities of WMJC with each having one voting and two non-voting members. Wolverhampton members are Cllr Roger Lawrence (voting), Cllr Peter Bilson (non-voting) and Cllr Wendy Thompson (non-voting).
- 2.5 Appendix 3 to this report sets out the existing functions of the WMJC with recommendations on how they could be carried out in the future. These proposals were discussed and agreed by Metropolitan Chief Executives at their meeting on 27 October 2017 and again on 26 January 2018 and by Metropolitan Leaders at their meeting on 9 February 2018.
- 2.6 Since the majority of the existing business of WMJC is airport related, it is proposed that a WM Shareholders Airport Committee be established to deal with all Birmingham Airport matters. This would allow for more appropriate detailed discussion on issues related to the Districts’ shareholding in Birmingham Airport. The new Committee will be administered by the Birmingham-based Airport Adviser. Appendix 4 to this report sets out the proposals for the Airport Committee in more detail.

### **3.0 Evaluation of alternative options**

- 3.1 When developing proposals, consideration has been given to:
- a. The nature and frequency of occurrence of each area of WMJC business;
  - b. Existing formal and informal regional meetings;
  - c. Arrangements in other regions.
- 3.2 Having taken into account the above, the proposals outlined were deemed to be the most practicable by both the Metropolitan Chief Executives and Metropolitan Group Leaders at their respective meetings as referred to at paragraph 2.5.

### **4.0 Reasons for decision**

- 4.1 To approve the unifying resolution to dissolve WMJC. The unifying resolution, if agreed by all seven MBCs, will be taken to the next WMJC meeting on 22 June 2018 for final approval.

### **5.0 Financial implications**

- 5.1 The City of Wolverhampton Council's contribution to WMJC in 2017-2018 was in the region of £47,000. Future costs are likely to remain very similar since, although WMJC responsibilities will be dealt with differently, the financial obligations remain the same.
- 5.2 An outline of West Midlands Joint Committee future costs is included as Appendix 1 to this report.  
[MH/04042018/Q]

### **6.0 Legal implications**

- 6.1 There are no inherent provisions in the revised Constitution of WMJC dated 28 January 2015 which provide for its dissolution. The WMJC was established by the Full Councils of the District Councils of the County of West Midlands as a Joint Committee on 24 July 1985 under the provisions of Part VI of the Local Government Act 1972.
- 6.2 Its Constitution was updated to reflect changes as set out in the Localism Act 2011 in relation to strategic planning and cross boundary infrastructure matters which must now be dealt with via the Duty to Cooperate ("the duty").
- 6.3 Where local authorities are jointly discharging functions they must work within the statutory framework that governs this. The Local Government Act 1972 S101(5) requires the authorities to appoint a joint committee consisting of councillors from each authority.
- 6.4 The unifying resolution as set out in Appendix 2 to this report, once signed by all the constituent Councils will dissolve the West Midlands Joint Committee.  
[TS/28032018/F]

## **7.0 Equalities implications**

7.1 There are no additional equalities implications arising from the report.

## **8.0 Environmental implications**

8.1 There are no additional environmental implications arising from the report.

## **9.0 Human resources implications**

9.1 There are no additional human resources implications arising from the report.

## **10.0 Corporate landlord implications**

10.1 There are no additional corporate landlord implications arising from the report.

## **11.0 Appendices**

Appendix 1 – Estimate of future costs

Appendix 2 – Resolution of all the Constituent Local Authorities to dissolve the West Midlands Joint Committee from their respective governance arrangements.

Appendix 3 - Proposals for remaining WMJC functions

Appendix 4 - Proposals for Airport Committee