



WEST MIDLANDS COMBINED AUTHORITY

Overview and Scrutiny Committee

Date 16 December 2016

Minutes

Members

Councillor Peter Hughes
Councillor David Sparks
Councillor Stuart Davis
Councillor John Mutton
Councillor Ian Shires
Councillor Tersaim Singh
Councillor Clare Spencer
Paul Brown

Sandwell Metropolitan Borough Council (Chair)
Dudley Metropolitan Borough Council (Vice Chair)
Solihull Metropolitan Borough Council
Coventry City Council
Walsall Metropolitan Borough Council
City of Wolverhampton Council
Birmingham City Council
Black Country Local Enterprise Partnership

In Attendance

Jess Bayley
Jan Britton
André Bromfield
Emma Williamson
Carl Craney

Bromsgrove District and Redditch Borough Councils
Sandwell Metropolitan Borough Council
West Midlands Combined Authority
Birmingham City Council
West Midlands Combined Authority

By Invitation

John Cade
David Lane

Institute of Local Government Studies (INLOGOV)
Chair – WMCA Audit, Risk and Assurance
Committee

11/16 Apologies for Absence

Apologies for absence had been received from Councillor Nathan England (Telford and Wrekin Council), Councillor Jenny Wheeler (Redditch Borough Council) and Sarah Windrum (Coventry and Warwickshire LEP).

12/16 Declarations of Interest

No declarations of interest were made in relation to matters under consideration at the meeting.

13/16 Minutes

Resolved:

That the minutes of the meeting held on 15 July 2016 be confirmed as a correct record and be signed by the Chair subject to the addition of apologies for absence being

received from Councillor John Mutton (Coventry City Council) and Councillor Ian Shires (Walsall Metropolitan Borough Council)

14/16 Matters Arising

The Chair referred members of the Committee to the Call-In Procedure which needed to be followed if any of the decisions of the Combined Authority Board, its Sub Committees or Boards were to be called in for consideration.

Councillor Ian Shires commented that the information received in respect of matters considered at meetings of the Combined Authority Board was sparse and not made readily available to members of this Committee. The Chair responded that arrangements would be made for members of the Committee to receive the Board papers.

The Chair welcomed David Lane, Chair of the Audit, Standards and Assurance Committee to the meeting.

Resolved:

That arrangements be made for the Agenda and supporting papers for meetings of the WMCA Board to be circulated to members of this Committee

15/16 Issues to be considered and taken forward from the Workshop held on 25 November 2016

The Chair commented that the Workshop had been well attended and that the comments of the Chief Executive, Martin Reeves, in relation to his commitment to the work of the Overview and Scrutiny Committee had been heartening.

John Cade presented a paper on issues from the Workshop which was considered by the Committee. In considering the formulation of its Work Programme the Committee was minded to concentrate on the outcomes from the three Commissions established by the Combined Authority namely:

- Mental Health Commission – Chaired by Norman Lamb MP with lead from Sarah Norman, Chief Executive, Dudley MBC;
- Productivity and Skill Commission – Chaired by Dr Andy Palmer with lead from Nick Page, Chief Executive, Solihull MBC; and
- Land Commission – Chaired by Paul Marcuse with lead from Jan Britton, Chief Executive, Sandwell MBC.

Jan Britton advised that the initial report from the Land Commission would be presented to the WMCA Board at its meeting in January 2017, after which it could be scrutinised by this Committee.

Councillor Clare Spencer suggested that the papers in relation to the Land Commission should be made available to this Committee at the same time as they were circulated to the WMCA Board. She commented that every effort should be made to learn from the lessons of the

Greater Manchester Combined Authority in relation to the work on the Spatial Strategy. Jan Britton suggested that the Chair liaise with the Chair of the WMCA Board regarding the timing for consideration of the Land Commission report. Councillor John Mutton supported the suggested approach and commented that the Committee should seek to ease the burden on the Leaders by assisting in considering such matters in detail.

Councillor David Sparks suggested that a key role for the Committee would be to scrutinise the work of the Mayor following the election in May 2017 and that such scrutiny would be of interest to the public and the media.

The Chair suggested that the example of how the London Mayor was scrutinised could be used as an example. He also advised the Committee of an opportunity to visit the London Assembly on 20 February 2017 to observe such a session and to speak to the Officers involved. Emma Williamson, Head of Scrutiny Services, Birmingham City Council would be in contact with all Members of the Committee to ascertain their interest in attending the session.

With regards to officer support to the Committee, John Cade reported that it had been decided Sarah Sprung from Sandwell Metropolitan Borough Council would be seconded to the WMCA on an interim part time basis.

The Chair informed the Committee of the important inter-relationship between this Committee and the Audit, Risk and Assurance Committee (ARAC) and the need to ensure that the respective Work Programmes were complementary. At a recent meeting of the ARAC, Members of that Committee had requested an overview of the work of the Combined Authority. Arrangements had been made subsequently for the Chair of the WMCA Board to address that Committee on this matter at 15:00 hours on 27 January 2017. Prior to this a finance training session had been arranged for 14:00, with lunch provided from 13:00. The Chair of ARAC had extended an invitation to Members of this Committee to attend all three events.

Councillor John Mutton raised the issue of the role of this Committee and its relationships with the Local Enterprise Partnerships. In this respect, he expressed some concern regarding possible conflicts of interest in the event that LEP members had been involved in the development of Business Cases which subsequently received financial assistance from the Combined Authority.

The Chair expressed the view that the LEP Members brought the benefit of their knowledge of job creation and economic development to the table and, in any event, were subject to the same rules on declarations of interest as Councillors. Jan Britton drew the distinction between Executive and Scrutiny Members and reminded the Committee that the LEP representatives on this Committee did not sit on the WMCA Board. Councillor David Sparks commented that there were different relationships between the LEP's and the various Councils and emphasised the positive working relationship between the Black Country LEP and the four Black Country authorities.

John Cade advised the Committee that there was a need to ensure that the Constituent and Non-Constituent Councils were kept abreast of the work of this Committee and vice versa. He

reported that Emma Williamson had attempted to establish a link between all authorities to facilitate this but not all authorities had responded to date.

He also advised the Committee of the work to the West Midlands Regional Scrutiny Network and he reported that it was intended to use this Network to secure a good two-way flow of information about the work of this Committee. He informed the Committee that the next meeting of the Network was due to be held on Friday 13 January 2017 at the Council House, Oldbury with Jacqui McKinlay, Executive Director, Centre for Public Scrutiny in attendance and contributing to the discussion. He extended an invitation to Members of the Committee to attend the meeting.

Councillor Clare Spencer commented that the relationship with the individual authorities was important and suggested that the respective Work Programmes of the Scrutiny Panels could present an opportunity for joint working or for the individual authorities to carry out work on behalf of this Committee. The Chair reported on his intention to meet with the Chairs of Scrutiny Boards at the respective authorities to discuss their Work Programmes for both 2016/17 and 2017/18. He advised that it was also possible for the West Midlands Regional Scrutiny Network to undertake work on behalf of this Committee. In response to a comment from Councillor Dr. Simon Peale, the Chair requested that officers compile a list of the various scrutiny panels of the Constituent Authorities together with details of their remits.

Councillor Stuart Davis commented that individual authorities were likely to examine issues more from a local perspective than from the wider regional view point. Councillor David Sparks advised that the Black Country authorities did not take such a parochial view and considered matters from the wider Black Country perspective.

The Chair commented that he was also of the view that there was a need for the Committee to engage with the public and special interest groups when undertaking its work. Councillor David Sparks supported the need to engage with the public and special interest groups and emphasised the need to be accountable to the public.

The Chair also drew to the attention of the Committee a recent Briefing Paper from the House of Commons which suggested that the Overview and Scrutiny Committee of a Combined Authority should not contain Executive Members from the Constituent Councils. John Cade advised that this was being verified as no such requirement was specified in the recently published Regulations.

Resolved:

- (1) That all Members of the Committee be added to the distribution list in order to receive the Agenda and supporting papers for meetings of the WMCA Board;
- (2) That a formal invitation be extended to Members of the Committee to attend the lunch, finance training session and meeting of the Audit Risk and Assurance Committee, when the Chair of the WMCA Board, Councillor Bob Sleigh, would make a presentation on the insight and ambitions of the Combined Authority;

- (3) That Members of the Committee assist in the establishment of a formal link between the Constituent and Non-Constituent Scrutiny Panels with regard to Work Programmes;
- (4) That a formal invitation be extended to Members of the Committee to the meeting of the West Midlands Regional Scrutiny Network on Friday 13 January 2017 at the Council House, Oldbury;
- (5) That the contents of the Briefing Paper from the House of Commons on the membership of Overview and Scrutiny Committees of Combined Authorities be verified and in the event that Executive Members of Constituent Authorities are precluded from membership the Chair, on behalf of the Committee, be authorised to write to all local Members of Parliament to lobby for this requirement to be deleted from the Regulations;
- (6) That a copy of the Briefing Paper and the Combined Authorities (Overview and Scrutiny Committees, access to information and Audit Committees) Order 2016 be circulated to the Committee;
- (7) That arrangements be made to visit the London Assembly on 20 February 2017 to observe the scrutiny session of the London Mayor and the opportunity to meet with the relevant Officers.

16/16 Future Work Programme

The Chair suggested that at the next meeting of the Committee the report from the Mental Health Commission be considered and that Sarah Norman, Chief Executive, Dudley MBC be invited to attend. Jan Britton offered to liaise with Sarah Norman on the timeliness of this proposal. He also offered to liaise with Nick Page to establish when the report of the Productivity and Skills Commission was due to be presented to the WMCA Board. He acknowledged that the Committee had agreed previously to consider the Land Commission report at this meeting, but suggested that the timing of this be delayed pending further consideration by the WMCA Board and on this matter he would liaise with the Chair.

John Cade suggested that the Committee might wish to consider establishing 'Task and Finish Groups' to undertake some of its work, but after further discussion it was agreed that a Select Committee approach be adopted to consider the reports of the various Commissions with specialist assistance being procured as required.

Jan Britton also suggested that the Committee could consider the composition of the Combined Authority budget either before it was set formally or during the first quarter of 2017/18. David Lane reported that the Audit, Risk and Assurance Committee would monitor progress against profile and also virements and suggested that this Committee could consider the composition albeit that the finance training session to be held on 27 January 2017 would consider this aspect.

Resolved:

- (1) That this Committee act as the Management Board and that 'Select Committees' be established to consider the reports of the three Commissions;

- (2) That Members inform the Chair of their preference as to which Select Committees they prefer to be involved with and provide him with the reason for their preference and an explanation on their particular areas of expertise;
- (3) That the Chair and Vice Chair determine the composition of the 'Select Committees';
- (4) That scrutiny of the Mayor be undertaken by the Management Board referred to in (1) above;
- (5) That a diagrammatic representation of the scrutiny model detailed above be presented to the next meeting;
- (6) That 'Community Voice' be included on the Agenda for the next meeting.

17/16 Training Needs

The Chair requested that any training needs identified be notified to Carl Craney, Governance Services Officer, West Midlands Combined Authority.

18/16 Future Meeting Dates

Resolved:

- (1) That the following arrangements be made for future meetings / events:
 - 13 January 2017 – West Midlands Regional Scrutiny Network
 - 27 January 2017 commencing at 10:30 hours – review of Mental Health Commission recommendations (subject to the availability of Sarah Norman, Chief Executive, Dudley MBC);
 - 27 January 2017 commencing at 13:00 hours – lunch / finance training / Audit Risk and Assurance Committee (presentation from Chair of the WMCA Board);
 - 20 February 2017 – Visit to London Assembly;
 - 10 March 2017 – review of Land Commission's recommendations
- (2) That additional meetings of the Management Board and/or Select Committees be held as required;
- (3) That the contact details, including email addresses and telephone numbers of Members of the Committee be circulated;
- (4) That an email be sent to all Members of the Committee who did not attend reminding them of the importance of attending such meetings and on the facility to nominate a substitute;
- (5) That the draft minutes of this meeting be circulated to facilitate the transmission of information on the work of the Committee to Constituent and Non-Constituent Councils.