



Overview & Scrutiny Committee

Date: Monday 16 July 2018

Time: 12.15 pm **Public meeting** Yes

Venue: Committee Room 2, Sandwell Council House, Freeth Street, Oldbury, B69 3DE

Membership

Councillor Peter Hughes (Chair)
Councillor Cathy Bayton
Paul Brown
Councillor James Butler
Councillor Dean Carroll
Councillor Mike Chalk

Councillor Stephen Craddock
Councillor John Glass
Councillor Josh Jones
Councillor Tariq Khan
Councillor Angus Lees

Mike Lyons

Councillor John Preece
Councillor Ian Shires

Councillor Stephen Simkins
Councillor Joe Tildesley
Councillor Lisa Trickett
Sarah Windrum

Councillor Ken Wood

Sandwell Metropolitan Borough Council
Dudley Metropolitan Borough Council
Black Country Local Enterprise Partnership
Joint Coventry/Solihull Representative
Shropshire Non-Constituent Local Authorities
Worcestershire Non-Constituent Local Authorities
Walsall Metropolitan Borough Council
Warwickshire Non-Constituent Local Authorities
Birmingham City Council
Coventry City Council
Dudley, Sandwell, Walsall and Wolverhampton Councils
Greater Birmingham & Solihull Local Enterprise Partnership
Staffordshire Non-Constituent Local Authorities
Dudley, Sandwell, Walsall and Wolverhampton Councils
City of Wolverhampton Council
Solihull Metropolitan Borough Council
Birmingham City Council
Coventry & Warwickshire Local Enterprise Partnership
Birmingham City Council

Quorum for this meeting shall be 13 members

If you have any queries about this meeting, please contact:

Contact Lyndsey Roberts, Governance Services Officer
Telephone 0121 214 7501
Email Lyndsey.Roberts@wmca.org.uk

AGENDA

| No. | Item | Presenting | Pages |
|-------------------------------|---|-----------------|---------|
| Meeting Business Items | | | |
| 1. | Appointment of Chair To note the appointment of the Chair of the Overview & Scrutiny Committee made at the AGM of the West Midlands Combined Authority Board on 22 June 2018. | Chair | None |
| 2. | Apologies for Absence | Chair | None |
| 3. | Declarations of Interests Members are reminded of the need to declare any disclosable pecuniary interests they have in an item being discussed during the course of the meeting. In addition, the receipt of any gift or hospitality should be declared where the value of it was thought to have exceeded £25 (gifts) or £40 (hospitality). | Chair | None |
| 4. | Appointment of Vice-Chairs for Overview & Scrutiny Committee and Lead Members for Task & Finish Groups | Chair | None |
| 5. | Minutes of the meeting held on 16 April 2018 | Chair | 1 - 4 |
| 6. | Task & Finish Groups - Governance Arrangements | Lyndsey Roberts | 5 - 20 |
| 7. | Forward Plan | Chair | 21 - 22 |
| Date of Next Meeting | | | |
| 8. | Tuesday 4 September 2018 at 10:00am | Chair | None |



WEST MIDLANDS COMBINED AUTHORITY

Overview & Scrutiny Committee

Monday 16 April 2018 at 2.00 pm

Minutes

Present

| | |
|--|---|
| Councillor Peter Hughes (Chair) | Sandwell Metropolitan Borough Council |
| Councillor Richard Brown | Joint Coventry / Solihull Representative |
| Councillor Peter Douglas Osborn | Birmingham City Council |
| Councillor John Glass | Nuneaton & Bedworth Borough Council |
| Councillor Rachel Harris | Dudley Metropolitan Borough Council |
| Councillor Angus Lees | Dudley, Sandwell, Walsall and Wolverhampton Councils |
| Councillor John O'Shea | Dudley, Sandwell, Walsall and Wolverhampton Councils |
| Councillor Simon Peuple | Staffordshire Non-Constituent Authorities |
| Councillor Ian Shires (Vice-Chair) | Dudley, Sandwell, Walsall and Wolverhampton Councils |
| Councillor Claire Spencer (Vice-Chair) | Birmingham City Council |

In Attendance

| | |
|----------------------------|-----------------------|
| Councillor John McNicholas | Coventry City Council |
|----------------------------|-----------------------|

Item Title No.

24. Apologies for Absence

Apologies for absence were received from Paul Brown, Councillor Dean Carroll, Mike Lyons, Councillor Yvonne Mosquito and Sarah Windrum.

25. Minutes - 20 March 2018

The minutes were agreed as a correct record.

26. Local Enterprise Partnerships

The Chair noted that Sarah Windrum from Coventry & Warwickshire Local Enterprise Partnership had submitted her apologies to this meeting because she was attending another WMCA meeting regarding the potential relocation of Channel 4 Television to the region. He therefore requested that this item be deferred until the next meeting.

The Chair noted that there was a wider issue as to the degree of public scrutiny that was appropriate for LEPs and where this scrutiny should take place. Members of the committee recognised that the nature of the WMCA allowed a more joined-up approach to be taken to scrutiny across the region. Councillor Claire Spencer noted that the Centre for Public Scrutiny had produced a number of reports on this subject and should be engaged in the discussions. The Chair requested that members submit their thoughts to him ahead of a more detailed discussion at a future meeting of the committee.

27. WMCA Annual Plan 2018/19

The committee considered a report from Sean Pearce, Director of Finance, seeking approval to a draft of the WMCA Annual Plan 2018/19. The overarching ambition for the WMCA for the forthcoming year was to embed the outcomes that were delivered last year, to deliver on the targets set out in the Mayoral Renewal Plan and Strategic Economic Plan, and to drive forward devolution.

Members of the committee raised a number of issues relating to the draft plan, including the need for a greater emphasis on the role of scrutiny, the benefits that scrutiny brought to decision making and delivery within the WMCA, and the need to give greater clarity on spending within a given year and the budgetary consequences of policy objectives.

The Chair requested that further consideration be given to the role the committee might have in respect of budget monitoring and Annual Plan delivery, and Sean Pearce undertook to do this. The Chair also suggested that the committee could be supported through a graduate placement in order that it was properly resourced to carry out its role.

Resolved:

That the WMCA Annual Plan 2018/19 be noted, and the Director of Finance consider, as part of the further drafting of the plan prior to its submission to the WMCA Board for approval, the comments made at this meeting and any further comments submitted by members to the Scrutiny Officer by 20 April.

28. WMCA Budget - Feedback on the recommendations Overview and Scrutiny submitted to the WMCA Board on 9 February 2018

The committee considered a report from Sarah Sprung, Scrutiny Officer, on the formal response of the Mayor and the Portfolio Lead for Finance & Investments to the points raised by this committee in its feedback on the Mayor's 2018/19 draft budget.

The committee made seven key recommendations following its 'Question & Answer' session with the Mayor on 24 January and its consideration of his draft budget at the meeting held on 30 January. These recommendations were then submitted to the WMCA Board when it met on 9 February.

In respect of the impact of Brexit and the loss of European Union funding, the Director of Finance reported that the Director of Strategy currently chaired the CIPFA Brexit Panel, and was also working closely with constituent and non-constituent authorities to formulate strategies that would address the impacts of Brexit as they evolved. He suggested that it would be appropriate for a quarterly update report on this issue to be considered by the committee. Councillor Simon People noted that the Mayor had requested the committee to be sighted as to the development of the Government's Shared Prosperity Fund. The Chair requested that the Director of Strategy submit a report on this to a future meeting.

Resolved:

That the report be noted.

29. Governance Task & Finish Group - Recommendations

The committee considered a report from the Governance Task & Finish Group on the recommendations arising out of its review into governance and scrutiny matters within the WMCA.

The Governance Task & Finish Group had undertaken a review of the governance and scrutiny of transport functions of the WMCA and, as part of that review, identified a number of structural models that could be adopted to improve the oversight that was given to transport policy and delivery. However, the task & finish group recognised as it was conducting the review that there needed to be wider consideration of these matters within the overall governance structures of the WMCA, which extended beyond the remit the group had been given. It was recommended that this wider review should be led by the Overview & Scrutiny Committee.

In respect of the proposed transition of the West Midlands Fire & Rescue Authority into the WMCA, the Chair expressed concern that the views made by Sandwell Metropolitan Borough Council during the recent consultation exercise had not appeared to have been fully captured by the fire authority. The Head of Governance indicated that he was overseeing a Joint Delivery Team to manage the process of transition and the scrutiny arrangements that were eventually adopted would be a matter that would require further detailed discussion with the Home Office. He undertook to keep the Chair informed of developments as they occurred.

Resolved:

- (1) The progress made by the Governance Task & Finish Group be noted;
- (2) The Overview & Scrutiny Committee work with the Monitoring Officer on his current review of the governance arrangements of the WMCA;
- (3) The WMCA Board be recommended to support a review of the scrutiny structures operated by the WMCA;

- (4) The proposed alternative structures for the governance and scrutiny of transport be considered as part of the review identified in resolution (2) above; and
- (5) The Governance Task & Finish Group continue its work into 2018/19.

30. Scrutiny 2018/19

The committee considered a report of Sarah Sprung, Scrutiny Officer, on the proposed governance arrangements for overview & scrutiny in 2018/19. The current structure had been adopted at the start of 2017/18 and it was considered appropriate to continue with this for a further year as the roles and responsibilities of the WMCA evolved. Significant changes in responsibility would occur in 2019/20 which might necessitate a change in structures, but this would be informed by the on-going work of the Governance Task & Finish Group.

Resolved:

That the structure for overview & scrutiny for 2018/19 be noted.

31. Any Other Business

The Chair reported that this was the last meeting that Councillor Claire Spencer would be attending before she stepped down as a Birmingham city councillor on 3 May and he thanked her for the contribution she had made to the work of the committee. He also took the opportunity to thank the members of the committee and officers who had supported its work during the year.

The meeting ended at 4.20 pm.



Overview & Scrutiny Committee

| | |
|------------------------------------|---|
| Date | 16 July 2018 |
| Report title | Task & Finish Groups - Governance Arrangements |
| Accountable Chief Executive | Deborah Cadman, West Midlands Combined Authority Email: deborah.cadman@wmca.org.uk Tel: 0121 214 7200 |
| Accountable Employee | Lyndsey Roberts Email: lyndsey.roberts@wmca.org.uk Tel: 0121 214 7501 |

Recommendation(s) for action or decision:

Overview & Scrutiny Committee is recommended to:

1. Approve the continuation of five task & finish groups for 2018/19, namely;
 - Mental Health Commission
 - Inclusive Growth and Productivity & Skills Commission
 - Land Commission
 - Budget
 - Governance
2. Approve the terms of reference (including membership and lead members/chair's) of these task & finish groups, as detailed in appendices A and B.
3. Give delegated authority to the Head of Governance, in consultation with the Chair of the committee, to approve any changes or subsequent notifications in respect of the membership of the task & finish groups.
4. Give delegated authority to the Head of Governance, in consultation with the Chair of the committee, to appoint expert advisors (as considered necessary) to support the task & finish groups in their work.

1.0 Purpose

- 1.1 To agree the governance arrangements for the Overview & Scrutiny Committee's five task & finish groups for 2018/19.

2.0 Background

- 2.1 During the last municipal year the Overview & Scrutiny Committee established five task & finish groups with responsibility for undertaking detailed thematic scrutiny in areas that members had identified as particular areas of interest.
- 2.2 For the forthcoming year, it is proposed to continue the work of these five task & finish groups. Whilst each group will make appropriate arrangements to meet and consider appropriate matters, they do not have delegated decision making authority. For this reason each task & finish group will provide regular update reports together with recommendations to each meeting of this committee.
- 2.3 Appendix A provides further details of each of these task & finish groups, including their draft terms of reference.

3.0 Next steps

- 3.1 Following the appointments made at constituent and non-constituent authorities AGMs, (wherever possible) discussions have been held with the members appointed to this committee to determine their interest in sitting on one or more of the task & finish groups. The interests expressed at the time of publication are shown in Appendix B and will be further updated at the meeting.
- 3.2 Because the work of the task & finish groups may include consideration of matters of a technical or complex nature, it may be considered beneficial to invite an 'expert' in the subject matter to provide guidance at meetings during the year. Where this is the case, it will be approved by the Head of Governance, in consultation with the chair of Overview & Scrutiny Committee.
- 3.3 The committee will also seek the advice and support from constituent and non-constituent members, and liaise with the West Midlands Scrutiny Network throughout the scrutiny process. In addition, the committee will continue to benchmark and network with Scrutiny Committees and Officers of other Combined Authorities, as well as other devolved Assemblies.

4.0 Wider WMCA Implications

- 4.1 An effective scrutiny function aids transparency in decision making and offers a vehicle for the Mayor and the WMCA Board to be held to account. Scrutiny also adds value to the combined authority in developing policy.
- 4.2 The success of Overview & Scrutiny Committee and its task & finish groups is reliant particularly on the attendance of members at meetings. The Combined Authorities Overview & Scrutiny Committees (Access to Information and Audit Committees) Order 2017, Part 2,3 (3), requires that "At least two-thirds of the total number of members of the overview & scrutiny

committee must be present at a meeting of the overview and scrutiny committee before business may be transacted.”

5.0 Schedule of background papers

None.

6.0 Appendices

Appendix A – Draft Terms of Reference – Task & Finish Groups

Appendix B -Task & Finish Groups - Proposed Membership

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| Mental Health Commission Task & Finish Group Terms of Reference | |
|--|---|
| Purpose | <p>To consider the measures taken by the WMCA and its Wellbeing Board to implement the recommendations arising out of the Mental Health Commission's final report (launched in January 2017).</p> <p>To review and make recommendations, as appropriate, on proposals and further actions that could be taken to develop the WMCA's mental health workstream.</p> |
| Scope of Review | To be determined by the task & finish group |
| Accountable to | Overview & Scrutiny Committee |
| Lead Member | Councillor Cathy Bayton |
| Membership | Membership to be determined by the Overview & Scrutiny Committee |
| Quorum | 50% of the members in attendance |
| Frequency | The task & finish group shall determine the frequency and timing of its meetings in order to best carry out its responsibilities. |
| Servicing | The tasks & finish group will be supported by the WMCA in collaboration with the scrutiny officer(s) from constituent authorities. |
| Review | Annually |

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| Inclusive Growth and Productivity & Skills Commission Task & Finish Group Terms of Reference | |
|---|---|
| Purpose | <p>To make recommendations as to how inclusive growth and social value could be measured and included within the WMCA's performance reporting framework.</p> <p>To consider the measures taken by the WMCA Board to implement the recommendations arising out of the Productivity & Skills Commission's reports (including the Skills Plan launched in June 2018) and to make recommendations, as appropriate, on further actions that could be taken to develop the WMCA's Productivity & Skills and Inclusive Growth workstreams.</p> |
| Scope of Review | To be determined by the task & finish group |
| Accountable to | Overview & Scrutiny Committee |
| Lead Member | To be determined |
| Membership | Membership to be determined by the Overview & Scrutiny Committee. |
| Quorum | 50% of members in attendance. |
| Frequency | The task & finish group shall determine the frequency and timing of its meetings in order to best carry out its responsibilities. |
| Servicing | The tasks & finish group will be supported by the WMCA in collaboration with the scrutiny officer(s) from constituent authorities. |
| Review | Annually |

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| Land Commission Task & Finish Group Terms of Reference | |
|---|--|
| Purpose | <p>To consider the measures taken by the WMCA and its Housing & Land Delivery Board to implement the recommendations arising out of the Land Commission's final report (launched in February 2017).</p> <p>To review and make recommendations, as appropriate, on proposals for the delivery of housing and sustainable communities.</p> <p>To make recommendations, as appropriate, on further actions that could be taken to develop the WMCA's Housing & Land workstream.</p> |
| Scope of Review | To be determined by the task & finish group |
| Accountable to | Overview & Scrutiny Committee |
| Lead Member | Councillor Ian Shires |
| Membership | Membership to be determined by the Overview & Scrutiny Committee. |
| Quorum | 50% of the members in attendance |
| Frequency | The task & finish group shall determine the frequency and timing of its meetings in order to best carry out its responsibilities. |
| Servicing | The tasks & finish group will be supported by the WMCA in collaboration with the scrutiny officer(s) from constituent authorities. |
| Review | Annually |

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| Budget Task & Finish Group - Terms of Reference | |
|--|--|
| Purpose | <p>To review and make recommendations on the WMCA draft annual budget and proposed Mayoral precept.</p> <p>To review the process undertaken to agree the finalised budget/precept with the WMCA Board, and to make recommendations, as appropriate, as to how this could be developed and improved upon in subsequent years.</p> <p>To review the WMCA's processes for in-year budget management, performance and management of investment projects.</p> |
| Scope of Review | To be determined by the task & finish group. |
| Accountable to | Overview & Scrutiny Committee |
| Lead Member | Councillor Peter Hughes |
| Membership | Membership to be determined by the Overview & Scrutiny Committee. |
| Quorum | 50% of members in attendance. |
| Frequency | The task & finish group shall determine the frequency and timing of its meetings in order to best carry out its responsibilities. |
| Servicing | The tasks & finish group will be supported by the WMCA in collaboration with the scrutiny officer(s) from constituent authorities. |
| Review | Annually |

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| Governance Task & Finish Group - Terms of Reference | |
|--|--|
| Purpose | <p>To undertake a review of the WMCA's current governance structure and to make recommendations, as appropriate, on how this structure should be amended to enhance accountability and transparency in decision making.</p> <p>To make recommendations as to the appropriate scrutiny arrangements that should be applied to transport-related decision making.</p> <p>To review and make recommendations on proposals for the integration of other public services (e.g. Fire, Police) into the WMCA's structures, and the impact on governance with particular regard to the role of scrutiny of these services.</p> |
| Scope of Review | To be determined by the task & finish group. |
| Accountable to | Overview & Scrutiny Committee |
| Lead Member | To be determined |
| Membership | Membership to be determined by the Overview & Scrutiny Committee. |
| Quorum | 50% of members in attendance |
| Frequency | The task & finish group shall determine the frequency and timing of its meetings in order to best carry out its responsibilities. |
| Servicing | The tasks & finish group will be supported by the WMCA in collaboration with the scrutiny officer(s) from constituent authorities. |
| Review | Annually |

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Overview & Scrutiny Committee Task & Finish Groups Membership 2018/19

| Mental Health Commission | Inclusive Growth and Productivity & Skills Commission | Budget | Land Commission | Governance |
|---|--|---|--|-------------------------------|
| Lead Member: Cllr Cathy Bayton (Dudley) | Lead Member: Cllr Lisa Trickett (Birmingham) | Lead Member: Cllr Peter Hughes (Sandwell) | Lead Member: Cllr Ian Shires (Walsall) | Lead Member: TBC |
| Cllr Joe Tildesley (Solihull) | Cllr Ken Wood (Birmingham) | | Cllr Ken Wood (Birmingham) | Cllr Joe Tildesley (Solihull) |
| | Cllr Joe Tildesley (Solihull) | | Cllr Dean Carroll (Shropshire) | Cllr Peter Hughes (Sandwell) |
| | | | Cllr Peter Hughes (Sandwell) | |
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WMCA Overview & Scrutiny Committee - Forward Plan

| Title of Report | Description of Purpose | Date of Meeting | Lead Officer/Member |
|---|--|------------------|---|
| WMCA Leadership Commission Report - Progress Update | To review and discuss progress on the recommendations of the Leadership Commission | 4 September 2018 | Councillor Steve Eling Henry Kippin |
| Task & Finish Groups - Work Programme for 2018/19 | To review the terms of reference and work programmes for the five task & finish groups | 4 September 2018 | Lead member for respective task & finish groups |
| Mayor's Question Time: Policy 28 September 2018 | | | |
| Devolution 2 & Action Plan | To review progress on the delivery of Devolution 2 and action plan | 26 November 2018 | Julia Goldsworthy |
| Task & Finish Groups - Progress Reports | To review progress to date on the respective task and finish groups and to receive recommendations | 26 November 2018 | Lead member for respective task & finish groups |
| Mayor's Question Time: Budget 12 December 2018 | | | |
| Land Commission & Action Plan | To review progress on the delivery of the Land Commission and action plan | 25 February 2019 | Councillor Mike Bird Gareth Bradford |

| Title of Report | Description of Purpose | Date of Meeting | Lead Officer/Member |
|---|--|------------------|---|
| Task & Finish Groups - Progress Reports | To review progress to date on the respective task and finish groups and to receive recommendations | 25 February 2019 | Lead member for respective task & finish groups |
| Annual Business Plan 2019/20 | To receive and comment on the Annual Business Plan 2019/20 | 12 April 2019 | Linda Horne & Louise Cowen |
| Mental Health Commission - Progress Update | To review progress on the Mental Health Commission and its recommendations | 12 April 2019 | Councillor Izzy Seccombe Sean Russell |
| Task & Finish Groups - End of Year Review and recommendations to be taken forward | To undertake an end of year review on the task and finish groups | 12 April 2019 | Lead member for respective task & finish groups |