



Overview & Scrutiny Committee

Date: Wednesday 18 December 2019

Time: 10.00 am **Public meeting** Yes

Venue: Room 116, 16 Summer Lane, Birmingham, B19 3SD

Membership

Councillor Lisa Trickett (Chair)	Birmingham City Council
Councillor Cathy Bayton (Vice-Chair)	Association of Black Country Authorities
Councillor Lynnette Kelly (Vice-Chair)	Coventry and Solihull Local Authorities
Councillor Ahmad Bostan	Sandwell Metropolitan Borough Council
Councillor Richard Brown	Coventry City Council
Paul Brown	Black Country Local Enterprise Partnership
Councillor Chris Cade	Warwickshire Non-Constituent Local Authorities
Councillor Dean Carroll	Shropshire Non-Constituent Local Authorities
Councillor Mike Chalk	Worcestershire Non-Constituent Local Authorities
Councillor Brian Douglas-Maul	Walsall Metropolitan Borough Council
Councillor Peter Fowler	Birmingham City Council
Councillor Angus Lees	Dudley Metropolitan Borough Council
Mike Lyons	Greater Birmingham & Solihull Local Enterprise Partnership
Councillor Dr. Simon People	Staffordshire Non-Constituent Local Authorities
Councillor Lucy Seymour-Smith	Birmingham City Council
Councillor Stephen Simkins	Association of Black Country Authorities
Councillor Paul Sweet	City of Wolverhampton Council
Councillor Kate Wild	Solihull Metropolitan Borough Council
Sarah Windrum	Coventry & Warwickshire Local Enterprise Partnership

Quorum for this meeting shall be 13 members

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

Contact Tanya Patel, Governance Services Officer
Telephone 0121 214 7689
Email Tanya.Patel@wmca.org.uk

AGENDA

No.	Item	Presenting	Pages
<p>The members of Overview & Scrutiny Committee will question the Mayor, in public, as part of its role of holding him to account. Questions put to the Mayor by the members will be based budget performance during 2019/20, proposals for the 2020/21 budget and other strategic finance issues.</p>			
1.	<p>Notice of Recording/Webcast To note that this meeting will be webcast for live or subsequent broadcast via West Midlands Combined Authority Facebook page https://www.facebook.com/westmidlandsca/</p>	Chair	None
2.	Apologies for Absence	Chair	None
3.	<p>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).</p>	Chair	None
4.	Chair - Welcome and Introduction	Chair	None
Mayoral Q&A - Budget 2020/21			
5.	The Mayor's Opening Statement	Andy Street	None
6.	Questions to the Mayor from members of Overview & Scrutiny Committee	All Members	None
7.	Closing comments from the Mayor and Chair	Andy Street / Chair	None
8.	To consider which (if any) further questions or other items to draw to the attention of the WMCA Board when it meets on 17 January 2020	Chair	None
Meeting Business Items			
9.	<p>Minutes - 22 October 2019</p> <ul style="list-style-type: none"> Action plan 	Chair	1 - 8
10.	<p>Matters Arising</p> <ul style="list-style-type: none"> Mayoral Question Time: Policy – Response to recommendations presented to the WMCA Board on 8 November 2019 	Chair	9 - 10

Items for Discussion			
11.	Scrutiny Review into the Effectiveness of Transport Delivery Committee in Overseeing the Delivery of WMCA Transport Policies	Councillor Cathy Bayton	11 - 18
12.	WMCA Scrutiny Review on the Effectiveness of the WMCA's Governance Structures in delivering the policy objectives of the WMCA	Chair	19 - 26
13.	Scrutiny Champions Update <ul style="list-style-type: none"> Housing & Land 	Councillor Simon Peaple	Verbal Report
14.	Forward Plans <ul style="list-style-type: none"> WMCA Board Overview & Scrutiny Committee 	Chair	27 - 34
Date of the next meeting			
15.	Tuesday 21 January 2020 at 10.00am	Chair	None

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West Midlands Combined Authority

Overview & Scrutiny Committee

Tuesday 22 October 2019 at 10.00 am

Minutes

Present

Councillor Lisa Trickett (Chair)	Birmingham City Council
Councillor Cathy Bayton (Vice-Chair)	Association of Black Country Authorities
Councillor Lynnette Kelly (Vice-Chair)	Coventry and Solihull Local Authorities
Councillor Ahmad Bostan	Sandwell Metropolitan Borough Council
Councillor Richard Brown	Coventry City Council
Councillor Dean Carroll	Shropshire Non-Constituent Local Authorities
Councillor Mike Chalk	Worcestershire Non-Constituent Local Authorities
Councillor Peter Fowler	Birmingham City Council
Councillor Angus Lees	Dudley Metropolitan Borough Council
Councillor Dr. Simon People	Staffordshire Non-Constituent Local Authorities
Councillor Stephen Simkins	Association of Black Country Authorities

Statutory Officers In Attendance

Deborah Cadman	Chief Executive
Tim Martin	Monitoring Officer
Lyndsey Roberts	Statutory Scrutiny Officer

Item No. Title

13. Apologies for Absence

Apologies for absence were received from Councillor Lucy Seymour-Smith (Birmingham City Council) and Paul Sweet (City of Wolverhampton Council).

14. Inquorate Meeting

Tim Martin, Head of Governance, Clerk and Monitoring Officer, indicated that this meeting was inquorate and therefore decisions taken at the meeting would be submitted to the WMCA Board of 8 November 2019 for formal approval.

15. Declarations of Interests

Councillor Lisa Trickett reported that she was under contract to support the broader work being undertaken by Climate-KIC and Councillor Stephen Simkins reported that he was the Chair of the West Midlands Pension Fund Committee.

16. Minutes - 2 September 2019

The minutes of the meeting held on the 2 September 2019 were agreed as a correct record.

17. Matters Arising

(a) Member Attendance

Members expressed their disappointment on the meeting being inquorate again. Councillor Lynnette Kelly also highlighted that no representative from the local enterprise partnerships had been in attendance during the current new municipal year. The Chair indicated that she would contact those who had given apologies for every meeting to determine whether they still wished to remain on the committee and contact would also be made to local authority leaders and the chairs of LEPs to share the concerns being expressed by members of the committee.

(b) Action Plan

The Director of Public Services Reform informed committee that he would be working with Councillor Richard Brown on the outstanding action relating to information on 5G being supplied to the committee.

(c) Meeting Location

Members of the committee considered that future meetings were to be held at the offices of the WMCA at 16 Summer Lane, as this was a central location to all. It was also noted that the facility of live streaming committee meetings was being explored.

18. Presentation on the WMCA's Carbon Reduction Action Plan Proposals

The committee received a presentation from the Henry Kippin, Director of Public Service Reform, on how the WMCA would be addressing the climate challenge in the West Midlands in a collaborative and engaging way. A West Midlands target of net-zero emissions by no later than 2041 had been set and agreed at WMCA Board in July 2019.

It was noted that a report would be submitted to the WMCA Board in November 2019 outlining a plan as a starting point for dialogue and engagement with various stakeholders across the region. The plan was based on five underlying principles: we need to make the journey to 2041 without leaving anyone behind; we need to boost our resilience to 'locked in' climate breakdown; we need to reconcile our past with our future; we need to build more places and have more connectivity between places; and we need to reduce demand for energy and resources without impacting on shared prosperity.

Councillor Stephen Simkins suggested that a building standard should be set by the WMCA for the region, however the Director of Public Service Reform indicated that the WMCA had no control over local planning authorities but could help the region act collaboratively in making a commitment to common standards. Councillor Richard Brown expressed his concerns at the risks and timescales of time to achieve a baseline carbon dioxide reduction of 36% by 2022. There was also concern over the lack of funding allocated to implement the plan to achieve its target of 2041. Councillor Ahmad Bostan highlighted the need to gain investment from Government to be able to make a difference and transition but also the need to ensure affordability for all communities at both a housing and transport level.

It be recommended to the WMCA Board that:

The presentation be noted.

19. Feedback from Overview & Scrutiny Committee Mayor's Question Time: Policy

The committee considered a report outlining the feedback and recommendations to the WMCA Board from the Mayoral Q&A session held on the 9 October.

The Chair highlighted that committee would have an additional Mayoral Q&A session in February 2020 that would be focussed on connectivity matters. She also referenced paragraph 4.2 of the report and noted the potential for members to look at whether the WMCA was appropriately structured from a governance perspective to discharge its functions and responsibilities.

Both Councillor Ahmad Boston and Councillor Lynnette Kelly expressed their disappointment at the Mayor's comment regarding their respective cities not having spent their share of the Housing First funding, which did not reflect the situation as they understood it. The councillors requested those comments be clarified.

It be recommended to the WMCA Board that:

- (1) The Mayoral Q&A event held with members of the Overview & Scrutiny Committee, joined by members of the Young Combined Authority, on 9 October be noted.
- (2) The conclusions arising out of the event as set out in the report be endorsed.
- (3) A further Mayoral Q&A event be held in February 2020 with a specific focus on connectivity matters.

20. WMCA Scrutiny Review on the Effectiveness of Transport Delivery Committee in Overseeing the Delivery of the WMCA Transport Policies

The committee considered a report updating it on the progress of the work of the Transport Governance Scrutiny Review Group.

It was proposed that the review look at the effectiveness of Transport Delivery Committee in ensuring that the transport policies of the WMCA positively contributed towards the delivery of its wider corporate objectives. The conclusions of the review group would be presented back to committee at its meeting on 17 December 2019.

It be recommended to the WMCA Board that:

- (1) The proposed scoping document for a scrutiny review into the effectiveness to Transport Delivery Committee in overseeing the delivery of the WMCA's transport policies be approved.

21. Forward Plan

The committee noted a forward plan of items that were to be reported to future meetings of this committee and the WMCA Board.

22. Date of Next Meeting

Tuesday 17 December 2019 at 10.00am

23. Exclusion of the Public and Press

Resolved:

That in accordance with s100(A) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it was likely to involve the disclosure of exempt information as specified in paragraph 3 of the Act.

24. Presentation on Draft Medium Term Financial Plan 2020

The committee received a presentation setting out an overview of WMCA finances for 2019/20 to date, an update on the WMCA's Medium Term Financial Plan (MTFP), options for closing the growing future gap and a timetable for development of the MTFP 2020.

The committee received information on the additional funding that had been devolved from Government to the WMCA to deliver its priorities through two devolution deals, a housing deal and a skills deal. Councillor Lisa Trickett requested that it was clearly identified in the information presented what was additional funding in comparison to existing funding. In relation to the funding gap identified for transport, the committee requested to have sight of the 30 key prioritisation objectives.

The Chair expressed concerns around the investment not reflecting the priorities on the WMCA and focusing on closing the financial gap. Members raised concerns in relation to business rates growth, HS2, uncertainties of Brexit and the potential investment and growth capacity of local authorities.

Members would be invited to attend a budget workshop where future financial information would be provided along with the requests for information on capital investment. The Chair noted that this item had been considered in private session, and she reminded the committee that scrutiny was most effective when conducted in public. She therefore expected that future scrutiny of budget matters would be held in public session so that scrutiny could be carried out in a transparent way.

Resolved:

That the presentation be noted.

The meeting ended at 12.20 pm.

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Overview & Scrutiny Committee
Action Tracker

Ref	Action	Officer	Comments	In Progress/ Complete
2 September 2019				
1.	Henry Kippin to provide members with the measures and metrics being used to seek the outcomes and achievements of the programme within three years.	WM5G	Councillor Brown is awaiting a further meeting with a member of the WM5G team to enable him to share the data requested.	In progress
22 October 2019				
1.	Councillor Trickett to be provided with information on member attendance at committee.	Tanya Patel		Completed
2.	Officers to meet with LEP representatives.	Tim Martin		Completed
3.	Scoping document for Governance review to be shared at the next meeting.	Lyndsey Roberts		Completed
4.	Tim to liaise with the Mayor's officer regarding clarification on spend from the housing first fund for both Coventry and Sandwell.	Tim Martin		In progress

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Cllr Lisa Trickett
Birmingham City Council
Council House
Victoria Square
Birmingham
B1 1BB

30 October 2019

Dear Cllr Trickett

Thank you for hosting me at the Mayor's Question Time on Wednesday 9 October at the Combined Authority. I'm writing to you as there were three issues I said I would provide a written answer for. I have consulted relevant officials at the Combined Authority on each of these and the information I have received is set out below.

1. Concessionary Travel for Disabled Persons on West Midlands' Metro

West Midlands' Metro participate in Transport for West Midlands' concessionary travel scheme for disabled persons. This scheme is also available on buses and trains and currently has over 36,000 pass holders who have met the criteria of at least one of the seven categories of disability as defined in the Transport Act 2000. These concessionary pass holders can travel on the tram for free from 0930 until end of service on Monday to Friday; and all day at weekends and on Bank Holidays. Application forms are available at Travel Information Centres or online at networkwestmidlands.com. This is offered as a local enhancement to the English National Concessionary Travel Scheme.

2. Funding available to non-constituent members of the WMCA and how to apply

The following housing and land funds are eligible to all non-constituent and constituent authorities. These are also set out in the Single Commissioning Framework (SCF) that was endorsed by Housing and Land Board, Investment Board and CA Board in April 2019. The SCF funds are:

- £50m of Brownfield Property Fund [Grant]
- £140m Commercial Investment Fund [Loan]
- Up to £100m Housing Deal Land Fund [Grant]
- £70m Residential Investment Fund [Loan]

The funds collectively available mean WMCA can offer grant, loan, debt, equity and guarantees, and most crucially and increasingly, a blend of funding to unlock and accelerate residential and commercial development schemes where there is market failure.

At the most recent Investment Board (October 2019) there were 4 schemes approved from SCF funds of which two were in non-constituent authorities

The process for accessing these funds is now clear, transparent and consistent via the SCF Gateway Process. A simple guide has been published to facilitate this.

3. Support available to young people with disabilities beyond the age of 25

As pointed out in the meeting, young people with disabilities are fully funded, through the ESFA, until the age of 25, where they have an Education Health Care Plan (EHCP). Schools and colleges receive additional support of up to £6000 on top of the national base rate of £4000 from the ESFA. Local Authorities provide funding for young people who require additional support funding greater than £6000. Local Authorities receive funding as part of their Dedicated Schools Grant (DSG) and they agree the funding for each individual with the school or college.

Young people aged over 19 with a disability, but without an EHCP, are supported through the Adult Education Budget (AEB) and additional support funding is used to meet needs. This funding can only be used for support associated with learning, not every day difficulties. All learners aged over 25 with or without an EHCP are funded in this way.

WMCA is currently working closely with our Local Authority partners to look at how we best deploy AEB, alongside other LA services, to support individuals and deliver better transition to employment options. There is the potential to better align funding and services, although this is an area that is constantly reported as under-funded. Similarly, any additional AEB directed to high need learners would require a reduction for other groups.

This is a difficult and complex issue but we are developing proposals which will go to our Skills Board in 2020.

Do please get in touch should you require any additional information and I look forward to the next Mayor's Question Time on 3 December.

Yours sincerely



Andy Street
Mayor of the West Midlands



**West Midlands
Combined Authority**

Overview & Scrutiny Committee

Date	18 December 2019
Report title	Scrutiny Review into the Effectiveness of Transport Delivery Committee in Overseeing the Delivery of WMCA Transport Policies
Members Undertaking the Review	Councillor Cathy Bayton, Councillor Ahmad Bostan and Councillor Angus Lees
Accountable Employee	Tim Martin, Head of Governance, Clerk and Monitoring Officer email: tim.martin@wmca.org.uk tel: (0121) 214 7435

Recommendation(s) for decision:

Overview & Scrutiny Committee recommended to:

- (1) Endorse the conclusions and recommendations of the scrutiny review group, as set out within the report, for submission to the WMCA Board on 17 January 2020.

Purpose

1. To consider the findings of a scrutiny review undertaken to determine the effectiveness of Transport Delivery Committee in ensuring that the transport policies of the West Midlands Combined Authority positively contributed towards the delivery of its wider corporate objectives.

Background

2. Following its creation in 2016, the WMCA established a number of thematic boards that provide political leadership and oversight of the authority. Transport Delivery Committee, which previously existed within Centro and the West Midlands Integrated Transport Authority governance structures, became part of the WMCA with responsibility for overseeing the delivery of transport policies agreed by the WMCA Board.
3. At its meeting on 2 September, the Overview & Scrutiny Committee identified transport as a key area of focus and agreed to undertake a scrutiny review that looked at the effectiveness of Transport Delivery Committee in overseeing the delivery and impact of the transport policies three years on from the establishment of the WMCA.
4. At its meeting on 22 October, the committee agreed the key objectives for the review, being to:
 - (a) Understand the current role of Transport Delivery Committee in overseeing and monitoring the delivery and impact of the WMCA's transport policies, and its effectiveness in undertaking this role.
 - (b) Determine whether the effectiveness of Transport Delivery Committee could be enhanced by changes in the governance arrangements of the committee.
 - (c) Recommend an effective transport governance structure (including transport scrutiny arrangements) that will positively contribute towards the delivery of transport policies and the delivery of the wider ambitions of the WMCA, as determined by the Annual Business Plan.
5. The review group was chaired by Councillor Cathy Bayton, Vice-Chair of the Overview & Scrutiny Committee and also comprised Councillor Ahmad Boston and Councillor Angus Lees. The review was undertaken during November and was supported by William Britton (Transport Strategy Researcher), Dan Essex (Governance Services Manager) and Lyndsey Roberts (Scrutiny Officer).

Evidence Gathering

6. The review group sought a range of written and verbal evidence to help inform its conclusions and recommendations. A briefing note was prepared by Transport for West Midlands' Policy & Strategy team that summarised the history of Transport Delivery Committee, its terms of reference and current structure. In addition, the note explored the roles and structures of transport committees across local transport areas, and specifically within other city regions and combined authorities. The purpose of the briefing note was to inform understanding on how transport delivery and scrutiny was performed elsewhere in the country.

7. The Chair/Vice-Chairs of Transport Delivery Committee also submitted written evidence that summarised the role and responsibilities of the committee and its Lead Member Reference Groups, its interactions with wider groups, and a summary of work that it had carried out. The briefing note also made a number of suggestions as to where the role and purpose of the committee could, in their opinion, be further strengthened.
8. In addition to the written evidence submitted, the review group conducted face-to-face interviews with a range of key witnesses to gain their understanding and insight into Transport Delivery Committee and wider transport governance considerations. This was to help build a better appreciation of the strengths and weaknesses of current arrangements and to highlight areas of potential improvement. A summary of these interviews is set out below:
 - **Councillor Ian Ward - Portfolio Lead for Transport**
9. Councillor Ian Ward explained the interrelationships between the Portfolio Lead and both Transport Delivery Committee and the cabinet members for transport within the constituent authorities. The strengths and challenges of current governance arrangements were discussed, as well as their effectiveness of determining transport policy in the WMCA. The adequacy of the current arrangements for the scrutiny of transport policies within the WMCA's existing governance structures was also discussed.
 - **Councillor Kath Hartley, Councillor Richard Worrall and Councillor Tim Huxtable - Chair/Vice-Chairs, Transport Delivery Committee**
10. The councillors discussed the roles and responsibilities of Transport Delivery Committee, its oversight of capital projects and revenue funded services, and the strengths and weaknesses of the committee's relationships with the WMCA Board, Portfolio Lead for Transport and Transport for West Midlands' officers. The discussion also covered Transport Delivery's Committee engagement with public and passenger representative groups and explored suggestions for how it could be more effective. Finally, the underdeveloped role of transport scrutiny within the WMCA was discussed and how this differed from the role of Transport Delivery Committee.
 - **Councillor Liam Robinson - Chairperson, Liverpool City Region Combined Authority's Transport Committee**
11. Councillor Liam Robinson discussed the role of the Transport Committee in the Liverpool City Region Combined Authority and its structure, roles and responsibilities. The strengths and weaknesses of the region's transport governance (including transport scrutiny), public engagement on transport-related matters and the key principles of a transport decision-making structure were also discussed.
 - **Tim Martin - Head of Governance, Clerk and Monitoring Officer**
12. Tim Martin discussed the current transport governance structure within the WMCA and the history behind its evolution over recent years. In addition, he explained the processes that were currently in place for periodically reviewing the governance structure to ensure it was fit for purpose, and discussed the underdeveloped role of transport scrutiny within the WMCA.

- **Laura Shoaf - Managing Director, Transport for West Midlands**

13. Laura Shoaf explored the current role and effectiveness of Transport Delivery Committee in carrying out its responsibilities, along with the relationships it had with the WMCA Board and the Portfolio Lead for Transport. She explained the typical 'journey' involved in developing a major piece of transport policy, and the strengths and weaknesses of this process. The importance and current effectiveness of the scrutiny of transport policies was also discussed.

- **Pete Bond - Director of Integrated Network Services, Transport for West Midlands**

14. Pete Bond discussed the current process for developing transport policy within the WMCA, along with the existing strengths and weaknesses of Transport Delivery Committee from an officer's perspective. He also discussed the level of scrutiny that was undertaken on the delivery of transport policies and the key aspects of any good transport governance structure.

- **Tom Painter - Head of Rail Franchising & Partnerships, West Midlands Rail Executive**

15. Tom Painter explained how Transport Delivery Committee added value to the delivery of rail services within the West Midlands, and the strengths and weaknesses of this arrangement. There was also a discussion on rail governance more generally, and whether there was adequate and appropriate public scrutiny of the delivery of rail services within the region.

Emerging Themes and Considerations

16. During the consideration of the written and oral evidence gathered during the course of the review, a number of broad themes emerged that could be grouped into four key areas for consideration:

- **Current Role and Effectiveness of Transport Delivery Committee**

17. It was clear to the review group that Transport Delivery Committee had a key role to play within the WMCA and that it had been able to demonstrate its value across a range of activities. Its ability to provide detailed oversight of public transport within the region was widely recognised, particularly in respect of day-to-day passenger services. It also had mature relationships with commercial operators and passenger representative groups that helped give the WMCA a balanced perspective.

18. However, there was clear evidence that the role and responsibilities of Transport Delivery Committee was unclear amongst both members and officers, most likely as a result of the evolution of transport governance both pre and post the WMCA's creation in 2016 and the transfer of decision-making responsibility to the WMCA Board. This had resulted in confusion regarding the committee's remit in respect of policy, strategy, delivery and scrutiny of transport matters, exacerbated by a terms of reference that was likely to contribute to, rather than clarify, this confusion.

19. There did not appear to be any alignment between the annual work plan of the committee and the WMCA's Annual Plan, making it difficult to see how Transport Delivery Committee was able to give proper focus to those transport projects and schemes that had been identified as organisational priorities. As a consequence, the committee appeared less effective in its oversight of major capital projects, and the review group considered this to be a significant weakness in the WMCA's transport governance arrangements given the significant funding levels involved and the strategic importance these had to the wider purpose of the WMCA.
20. The thematic Lead Member Reference Groups were highlighted as a useful forum for members of the committee to discuss projects and proposals in more detail than could be allowed for in the wider Transport Delivery Committee meetings. These groups also allowed for the development of greater member expertise and were valued by officers in giving a structured space for informal member engagement. However, there was some concern that the groups were, to some extent, self-selecting and did not involve the full membership of the Transport Delivery Committee. Because these meetings operated outside of the formal governance framework, matters considered at Lead Member Reference Groups did not always subsequently appear before formal meetings of the committee if officers considered sufficient 'political steer' had already been provided.
- **Transport Policy Development within the WMCA**
21. From the evidence heard by the review group, there was no appetite for Transport Delivery Committee to be given greater powers in respect of setting policy. Indeed, the 'policy-delivery-scrutiny' split was considered a division of responsibility that needed strengthening and reinforcing, rather than weakening or blurring. Given its importance to the WMCA and its interrelationships with other corporate policy areas, it was considered sensible that responsibility for transport policy remained with the WMCA Board and that Transport Delivery Committee should retain its current focus on delivery-related matters.
22. However, it was equally clear that the relationship between the Portfolio Lead for Transport and Transport Delivery Committee (including its chair) was very much informal and was not based on well-defined processes. As a result, there was a lack of formal dialogue or interaction between both parties, partly based on a lack of responsibility for organising such opportunities. A strengthening of this process was accepted as necessary to decrease the over-reliance on informal relationships, especially to ensure that engagement and dialogue was able to withstand individual and political changes.
23. Outside of the formal decision-making governance structures, it became apparent that there was at present no space in which transport policy matters could be discussed at a strategic, region-wide, level. The relationship between the Portfolio Lead for Transport and cabinet members with responsibility for transport within constituent authorities was, at best, informal. Engagement, such as it currently existed, was often impacted by time constraints on individuals, and it lacked the robustness of a more structured arrangement. Engagement between transport cabinet members and senior officers of Transport for West Midlands also became resource intensive as meetings were often, by necessity, duplicated seven-fold.

- **Transport Scrutiny Arrangements**

24. It was clear to the review group that the role of transport scrutiny was underdeveloped within the WMCA. This was partly due to a lack of clarity as to whether the responsibility sat within Transport Delivery Committee (either formally or informally) and an Overview & Scrutiny Committee that was heavily focussed on the other policy areas of the WMCA. It was clear though that combined authorities more generally had struggled to date to fully develop their transport scrutiny processes and were experiencing similar learning curves.

- **Other Governance Matters**

25. The WMCA had grown significantly since it was established in June 2016 in response to devolution deals and changing responsibilities. The governance structure underpinning these responsibilities had evolved organically, but a consequence of that was that it was necessary to review those structures more frequently than might normally be expected within mature organisations. A number of the issues highlighted within this report were considered to be a consequence of this rapid change of evolution, and it was important that the WMCA placed appropriate importance on identifying structural weaknesses within governance and was prepared to take the necessary action to rectify those weaknesses.

Recommendations

26. After considering the written and oral evidence it received, the review panel concluded that a number of recommendations should be considered by the WMCA Board that would strengthen Transport Delivery Committee and the wider transport governance arrangements within the WMCA and across the region. In making these recommendations, the panel would like to thank all those councillors and officers who gave their evidence in an open and collaborative spirit. Scrutiny members saw a clear willingness from all those involved to further strengthen current arrangements and to help the WMCA continually improve.

- **Recommendation 1: Strengthen Transport Delivery Committee**

The role of Transport Delivery Committee can be strengthened through a number targeted changes:

1. Refresh its terms of reference to strengthen the accountability for transport delivery responsibilities, making clear matters relating to policy and scrutiny sit with other boards, and to cover the full remit of Transport for West Midlands responsibilities.
2. Agree a 12 monthly workplan for the committee that aligns to the transport elements of the WMCA's Annual Plan.
3. Recognising that the committee could strengthen member accountability by reducing its membership, eg. by mirroring the WMCA Board's two members per constituent authority arrangement, this matter form part of the upcoming scrutiny review on the effectiveness of the WMCA's governance structures in delivering its policy objectives.

4. Incorporate the work of the Lead Member Reference Groups into the main work programme of the committee to ensure full member involvement and to provide greater transparency.
5. Formalise quarterly meetings between the Portfolio Lead for Transport and the chair of the committee to discuss matters of shared interest.
6. Develop a role profile for members clarifying their responsibilities for the delivery of transport policies, supported by training and other briefing events.

- **Recommendation 2: Establish a Strategic Transport Board**

The creation of a new Strategic Transport Board would help facilitate the closer engagement between the Portfolio Lead for Transport and cabinet members for transport within constituent authorities that was identified within paragraph 23 of this report. Whilst setting transport policy would remain the responsibility of the WMCA Board, a new Strategic Transport Board would provide a structured forum to discuss regional transport matters and, supported by appropriate senior transport officers from the Strategic Transport Officers Group, embed closer working relationships and provide the mechanism to resolve problems earlier within a transport scheme's delivery.

- **Recommendation 3: Establish a Transport Scrutiny Sub-Committee**

The WMCA needs rigorous scrutiny of its transport policy making and delivery. The creation of a Transport Scrutiny Sub-Committee, reporting into the Overview & Scrutiny Committee, will clearly set out where this responsibility sits. Ideally, membership of the sub-committee could be drawn from the chairs of transport scrutiny committees within the constituent authorities to improve lines of communication and maximise member expertise. The sub-committee would scrutinise transport policy as determined by the WMCA Board and transport delivery that was the responsibility of Transport Delivery Committee.

- **Recommendation 4: Governance Oversight**

The WMCA continues to evolve, and the governance that underpins public assurance in the organisation must remain alert, and respond appropriately, to this evolution. To ensure that it remains fit for its purpose, it is necessary for the WMCA Board to be prepared to undertake a full review of its governance within each mayoral cycle.

The recommendations contained within this report, if adopted, will involve the further evolution of the WMCA's governance structures. Members of the review panel noted that the Scheme of Members' Allowances currently in operation reflect a committee structure and member responsibilities that is significantly at odds with those actually in place and being carried out. The time demands of being appointed to a WMCA committee had also not been assessed within the Scheme of Members' Allowances. The WMCA Board should therefore undertake to carry out a periodic review so that it may confidently adopt a scheme of allowances that appropriately recognise the requirements of membership of the WMCA Board and its committees.

Financial Implications

27. There are no direct financial implications immediately arising out of the recommendations contained within this report. Financial implications would though arise from any review of the Scheme of Members Allowances that was undertaken.

Legal Implications

28. Any changes to the governance of the WMCA agreed by the WMCA Board will require the constitution to be updated to reflect these changes.

Equalities Implications

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

Inclusive Growth Implications

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

Geographical Area of Report's Implications

31. The WMCA exercises transport powers overwhelmingly in respect of the area covered by its constituent authority members.

Other Implications

32. There are no further specific implications arising out of the recommendations contained within the report.



Overview & Scrutiny Committee

Date	18 December 2019
Report title	WMCA Scrutiny Review on the Effectiveness of the WMCA's Governance Structures in delivering the policy objectives of the WMCA
Accountable Chief Executive	Deborah Cadman, West Midlands Combined Authority email: deborah.cadman@wmca.org.uk tel: (0121) 214 7200
Accountable Employee	Tim Martin, Head of Governance, Clerk and Monitoring Officer email: tim.martin@wmca.org.uk tel: (0121) 214 7435

Recommendation(s) for decision:

Overview & Scrutiny Committee is recommended to:

- (1) Consider and approve the proposed scoping document for a scrutiny review into the effectiveness of the WMCA's governance structures in delivering the policy objectives of the West Midlands Combined Authority.

Purpose

1. To update the Overview & Scrutiny Committee on the progress made with the development of the scoping document for a scrutiny review on the effectiveness of the WMCA's governance structures in delivering its policy objectives. Members are asked to approve the scoping document and to determine the membership for this review.

Background

2. Since the WMCA's AGM on 28 June, the Overview & Scrutiny Committee has been considering those areas which it would like to scrutinise during the year. The committee had agreed that its work programme throughout the year should have a particular focus on three general key themes:
 - Accountability (led by Councillor Cathy Bayton)
 - Connectivity (led by Councillor Lynnette Kelly)
 - Investment (led by Councillor Lisa Trickett)
4. The 'accountability' theme recognises that high standards of governance should underpin how the WMCA makes its decisions, and that scrutiny work should therefore have a focus on ensuring that governance structures are fit for purpose, effective, deliver transparent decision making and encourage wider public engagement.
5. It is intended therefore that this particular review is conducted with an 'accountability' focus and will concentrate on the WMCA's governance structures and decision-making cultures and behaviours. The review will be led by Councillor Lisa Trickett.

Progress Update

6. The Head of Governance and the Statutory Scrutiny Officer had met with Councillor Lisa Trickett to discuss the purpose of the review and to develop a draft scoping document (attached as Appendix A).
7. It is proposed that the review should look at whether the governance structures of the West Midlands Combined Authority are appropriate to deliver its aims and policy objectives, given the growth of the WMCA's remit and influence. The specific objectives of the review are therefore:
 - To understand the current governance structure of the WMCA and how effective it is in determining and delivering its policy objectives.
 - To consider whether the current governance structure, along with its decision-making cultures and behaviours, are fit for purpose to enable and facilitate delivery of the overall aim of the policies of the WMCA.
 - To consider whether there is a common understanding of the role and purpose of the WMCA across the political representatives.
 - To assess the effectiveness of the WMCA's policies in delivering and embedding inclusive growth across the region.

- To determine whether the WMCA had the appropriate powers to enable it to address the needs of the region.
 - To recommend any changes considered necessary to facilitate better policy decision making and delivery.
8. It is intended that a meeting will be held with key individuals, as detailed within the draft scoping document, in early February to understand the current governance structures, cultures and behaviours and potential improvements.
9. This review will be undertaken during December - March and a report on the conclusions of the review group will be presented to the Overview & Scrutiny Committee on 9 March, prior to its submission to the WMCA Board on 20 March 2020 for approval.

Financial Implications

10. There are no direct financial implications arising out of the recommendations contained within this report.

Legal Implications

11. There are no direct legal implications arising out of the recommendations contained within this report. However any changes to the governance of the WMCA will require amendments to the constitution and formal WMCA Board approval.

Equalities Implications

12. There are no direct equality implications arising out of the recommendations contained within this report.

Inclusive Growth Implications

13. There are no direct inclusive growth implications arising out of the recommendations contained within this report. However, effective delivery of the WMCA's policies and investments will contribute towards improving inclusive growth across the region. Furthermore, ensuring that governance and decision-making arrangements are subject to reflection and review, in a way that involves external stakeholders, is consistent with the 'Sharing Power' inclusive growth test.

Geographical Area of Report's Implications

14. The Overview & Scrutiny Committee comprises 12 members appointed by constituent authorities and seven members appointed by non-constituent authorities.

Other Implications

15. There are no further specific implications arising out of the recommendations contained within the report.

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Scrutiny Review - Scoping Document

The effectiveness of the WMCA's governance structure in delivering the policy objectives of the WMCA	
Work to be carried out by:	To be determined by the Overview & Scrutiny Committee on 18 December (names of councillors)
Officer Support:	Tim Martin, Head of Governance Dan Essex, Governance Services Manager Lyndsey Roberts, Scrutiny Officer
Date of Review:	December 2019 - March 2020
Purpose of the Review:	
To determine whether the governance structures of the West Midlands Combined Authority are appropriate to deliver its aims and policy objectives, given the growth of its remit and influence.	
Objectives:	
<p>To understand the current governance structure of the WMCA and how effective it is in determining and delivering its policy objectives.</p> <p>To consider whether the current governance structure, along with its decision-making cultures and behaviours, are fit for purpose to enable and facilitate delivery of the overall aim of the policies of the WMCA.</p> <p>To consider whether there is a common understanding of the role and purpose of the WMCA across the political representatives.</p> <p>To assess the effectiveness of the WMCA's policies in delivering and embedding inclusive growth across the region.</p> <p>To determine whether the WMCA had the appropriate powers to enable it to address the needs of the region.</p> <p>To recommend any changes considered necessary to facilitate better policy decision making and delivery.</p>	
Scope	
<p>As part of the evidence gathering, the review group will invite the following key individuals to submit their views and suggestions:</p> <ul style="list-style-type: none"> • Head of Governance - to understand the governance structure of the WMCA and the conclusions of the work undertaken to date to review its governance structure. • Chief Executive - to understand whether the current governance structure and the decision-making culture and behaviours are fit for purpose to facilitate the delivery of the WMCA's policies and potential improvements. 	

- Mayor of the West Midlands - to ascertain whether the WMCA possessed the appropriate powers to enable it to deliver its wider objectives and potential improvements
- Leader of a Constituent Authority - to ascertain whether the current governance structures of the WMCA and its cultures and behaviours were fit for purpose to facilitate the delivery of the aims of the WMCA's policies, taking into consideration its significant growth since it was established in 2016.
- Constituent Authority Chief Executive - to ascertain whether the WMCA possessed the appropriate powers to enable it to deliver its wider corporate objectives, given the significant growth of the WMCA remit and influence.
- Director of Finance (s151 Officer), WMCA - to ascertain an officer's view on the current governance arrangements and potential improvements.
- Independent Chair of the Audit, Risk & Assurance Committee - To ascertain the view of an independent person on the current governance structure of the WMCA, its decision-making cultures and behaviours and potential improvements.
- Senior member/officer from comparable Combined Authority - To understand the governance structure of a comparable Combined Authority and its decision-making cultures and behaviours.

Intended Outcome:

Councillor Lisa Trickett will submit a report, with recommendations as appropriate, to the Overview & Scrutiny Committee on 9 March 2020 for consideration.

Links to the Overview & Scrutiny Committee's priorities:

Accountability - To ensure that the WMCA's governance structures are fit for purpose, effective and transparent, and wider public engagement is being undertaken.

WMCA Officer Responsible:

Tim Martin, Head of Governance

Review Work Programme:

Review Timetable	Lead person(s)	Completion by
Meeting with the OSC Chair to discuss the purpose/objectives of the review and to identify key individuals	Lyndsey Roberts	22 November
Meeting with Tim Martin, Head of Governance to discuss the review and draft scoping document	Lyndsey Roberts	27 November
Meeting with the WMCA Chief Executive to discuss the purpose of the review	Tim Martin	Early December
Meeting with the Mayor of the West Midlands to discuss the purpose of the review	Tim Martin	Early December
Draft scoping document to be circulated to key individuals for information/review	Lyndsey Roberts	Early December
OSC to agree the draft scope for the review	Cllr Lisa Trickett	18 December

Meeting of the Review Group to agree lines of enquiry	Lyndsey Roberts	Mid-January
Agenda & Information Pack to be circulated to the review group	Lyndsey Roberts	February
One Day Event - Scrutiny Review Group/key individuals	Cllr Lisa Trickett	Early February
Draft report prepared	Tim Martin	Early - mid February
Draft report to be shared with key individuals engaged in the review	Lyndsey Roberts	Mid - February
OSC report to be submitted to Senior Leadership Team	Tim Martin	26 February
OSC report to be submitted to WMCA Programme Board (if required)	Tim Martin	6 March
OSC report to be submitted to Overview & Scrutiny Committee	Cllr Lisa Trickett	9 March
OSC report to be submitted to WMCA Board for consideration (if required)	Cllr Lisa Trickett	20 March

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WEST MIDLANDS COMBINED AUTHORITY FORWARD PLAN: JANUARY - MAY 2020

Title of Report	Description of Purpose	Date of Meeting	Key Decision (Y/N)	Lead Portfolio Holder	Lead Officer	Confidential	Category
West Midlands Violence Reduction Unit	To report progress to date on the establishment of the Violence Reduction Unit.	17 January 2020	No	n/a	Jonathan Jardine	No	n/a
Local Industrial Strategy Implementation	To consider a report on the implementation of the LIS following the outcome of the Spending Review.	17 January 2020	No	Cllr Ian Brookfield	Julia Goldsworthy	No	Economy & Innovation
#WM2041: Our Actions to Meet the Climate Challenge	To agree a framework with which to achieve the WMCA's regional carbon reduction target.	17 January 2020	Yes	Cllr Ian Courts	Claire Spencer	No	Environment
Electric Vehicle Charging in the West Midlands	To determine the direction to take on expanding electric vehicle charging points.	17 January 2020	Yes	Cllr Ian Courts	Laura Shoaf	No	Environment



Title of Report	Description of Purpose	Date of Meeting	Key Decision (Y/N)	Lead Portfolio Holder	Lead Officer	Confidential	Category
Financial Monitoring 2019/20	To review the latest budget monitoring position.	17 January 2020	No	Cllr Bob Sleigh	Linda Horne	No	Finance
Draft Budget 2020/21	To consider draft proposals for the WMCA's 2020/21 budget.	17 January 2020	No	Cllr Bob Sleigh	Linda Horne	No	Finance
Transport Governance Scrutiny Review	To consider recommendations arising out of the scrutiny review of transport governance.	17 January 2020	Yes	n/a	Tim Martin	No	Governance
West Midlands Bus Byelaws Update	To provide an update on the progress made to introduce a proposed set of Byelaws on the bus network.	17 January 2019	No	Cllr Ian Ward	Laura Shoaf	No	Transport



Title of Report	Description of Purpose	Date of Meeting	Key Decision (Y/N)	Lead Portfolio Holder	Lead Officer	Confidential	Category
Account Based Ticketing & Best Value Capping - Funding and Procurement	To agree funding and procurement arrangements.	17 January 2019	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport
Financial Monitoring 2019/20	To review the latest budget monitoring position.	14 February 2020	No	Cllr Bob Sleigh	Linda Horne	No	Finance
Final Budget 2020/21	To agree with WMCA's 2020/21 budget.	14 February 2020	Yes	Cllr Bob Sleigh	Linda Horne	No	Finance
Moseley, Kings Heath and Hazelwell New Railway Stations	To approve compulsory purchase orders for these new railway stations.	14 February 2020	Yes	Cllr Ian Ward	Laura Shoaf	Yes	Transport
Perry Barr and University New Railway Stations	To approve the full business cases in respect of these stations.	14 February 2020	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport

Title of Report	Description of Purpose	Date of Meeting	Key Decision (Y/N)	Lead Portfolio Holder	Lead Officer	Confidential	Category
Procurement Update on the Bike Share Scheme	To provide an update on the progress of the award of the Bike Share Scheme.	14 February 2020	No	Cllr Ian Ward	Tim Martin	Yes	Transport
Sprint A34 Walsall to Birmingham	To approve the full business case.	14 February 2020	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport
Sprint A45 Birmingham to Airport	To approve the full business case.	14 February 2020	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport
WMCA Annual Plan 2020/21	To approve the draft WMCA Annual Plan for 2020/21.	20 March 2020	Yes	n/a	Julia Goldsworthy	No	Governance
WMCA Governance Scrutiny Review	To consider recommendations arising out of the scrutiny review of the WMCA's Governance Structures	20 March 2020	Yes	n/a	Tim Martin	No	Governance



Title of Report	Description of Purpose	Date of Meeting	Key Decision (Y/N)	Lead Portfolio Holder	Lead Officer	Confidential	Category
Financial Monitoring 2019/20	To review the latest budget monitoring position.	20 March 2020	No	Cllr Bob Sleigh	Linda Horne	No	Finance
Adult Education Budget	To report early impact of devolution of the Adult Education Budget and consider priorities for the 2020/21 academic year.	20 March 2020	Yes	Cllr George Duggins	Julie Nugent	No	Skills & Productivity
Metro Birmingham Eastside Extension	To approve the full business case.	20 March 2020	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport
University Station	To approve the full business case.	20 March 2020	Yes	Cllr Ian Ward	Laura Shoaf	No	Transport

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WMCA Overview & Scrutiny Committee - Forward Plan

Title of Report	Description of Purpose	Date of Meeting	Lead Officer/Member
Draft Budget 2020/21 & Medium Term Financial Plan	To consider the draft budget 2020 and Medium Term Financial Plan 2020, prior to WMCA Board sign-off on 14 February.	21 January 2020	Linda Horne
Scrutiny Comms Plan	To consider the scrutiny comms plan.	21 January 2020	Sarah Wilson
Mayor Question Time: Event 3: Connectivity – 13 February 2020			
Adult Education Budget Scrutiny Review Report 12 April 2019 – Feedback on recommendations	To receive an update on the progress made on the implementation of the recommendations arising from the AEB Scrutiny Review.	9 March 2020	Julie Nugent Rachel Egan
Mayoral Question Time: Budget - Response to recommendations presented to the WMCA Board	To receive a formal response to the recommendations presented to the WMCA Board on 17 January.	9 March 2020	Chair

Title of Report	Description of Purpose	Date of Meeting	Lead Officer/Member
Development of the WMCA Annual Plan 2020/21	To consider and comment on the development of the Annual Plan 2020/21.	9 March 2020	Paul Clarke
Overview & Scrutiny Committee – Draft Annual Report 2019/20	To review and comment on the Annual Report that will be presented to WMCA Board on 5 June (AGM)	9 March 2020	Lyndsey Roberts
Scrutiny review into the effectiveness of the WMCA's governance structure in delivering the policy objectives of the WMCA	To consider recommendations arising out of the scrutiny review of the WMCA's Governance Structures.	9 March 2020	Chair