



**West Midlands
Combined Authority**

WMCA Board

Date	9 November 2018
Report title	Report of Councillor Peter Hughes - Feedback from Overview & Scrutiny Committee Mayor's Question Time: Policy
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Report has been considered by	Programme Board - 26 October 2018

Recommendation(s) for action or decision:

The WMCA Board is recommended to:

- (1) Note the Mayoral Q&A event held with members of the Overview & Scrutiny Committee on 28 September 2018; and also note:
 - a) The committee's views on the need for a 'prescribed/dedicated' time slot within the Mayor's diary for such events.
 - b) Proposals to increase the number of events to 3 per year, in order to facilitate a wider range of questioning, and ensure greater transparency.
 - c) The continued need for the WMCA Board to ensure that pre-decision scrutiny is embedded throughout the work of the WMCA.
- (2) Approve the recommendations of Overview & Scrutiny Committee arising from the Mayoral Q&A event (section 6):

- (a) A report on Brexit, and the implications for the region, be presented to the WMCA Board as soon as possible, as it is considered that there is a need for a co-ordinated regional approach on the potential impacts and mitigations of Brexit.
 - (b) Any WMCA Air Quality Strategy should be drafted in co-ordination with all constituent authorities, and include reference to impact on non-constituent authorities; also the WMCA should develop a region-wide database for all local authorities to input into, and to access information.
 - (c) The WMCA should provide leadership on vehicle emission standards impacting on air pollution, and therefore any decision on the engine type to be used in the proposed Sprint vehicle should avoid the use of diesel; and WMCA should seek to be the market leader in environmental emissions.
 - (d) Overview & Scrutiny Committee should undertake pre-decision scrutiny on any proposals or recommendations arising out of the Ring & Ride review prior to its consideration by the WMCA Board.
- (3) Note the following questions being asked of the Mayor (section 7) which, in accordance with the WMCA's constitution, he is required to provide a written response, to the committee, within two months:
- (a) To provide a detailed breakdown on how the Mayor has utilised the £2m central Government funding allocated to the WMCA to boost mayoral capacity and resources, and whether any of this funding had been, or was intended to be, allocated to support an effective scrutiny function.
 - (b) To provide greater clarification on the extent to which the Mayor is utilising the powers provided within the Bus Services Act 2017 in respect of bus franchising.
 - (c) To provide further details on the support being provided by Transport for West Midlands to ensure vehicles operated on subsidised routes achieve high standards of environmental emissions.
 - (d) To provide further details on the number and percentage of housing delivery programme targets that would be designated as 'affordable homes', and also social housing.
 - (e) To provide further information of the economic benefits that the Mayor envisages for the region as a result of hosting the Commonwealth Games 2022, and how this will contribute to the region's inclusive growth.

1. Purpose

- 1.1 A Mayoral Q&A session was held on 28 September where members of the Overview & Scrutiny Committee questioned Andy Street on issues relating to air quality, transport, housing and other policy-related matters.
- 1.2 This report details the Overview & Scrutiny Committee's feedback from that Q&A session, together with a number of recommendations for the WMCA Board to consider that arose from the responses provided by the Mayor.

2. Background

- 2.1 On Friday 28 September, members of the Overview & Scrutiny Committee met at the Civic Centre in Wolverhampton to hold a Q&A session with the Mayor. This was the first of two sessions planned during the year. The meeting focussed on the progress made in delivering the policy objectives contained within the WMCA's 2018/19 Annual Plan.
- 2.2 The two-hour meeting was held in public and streamed live on the internet. Councillors from the Overview & Scrutiny Committee representing constituent and non-constituent authorities and the region's Local Enterprise Partnerships (LEPs) questioned the Mayor on issues as diverse as housing provision, air quality measures, transport infrastructure, Brexit preparations and the Leadership Commission's recent report on diversity in leadership roles.
- 2.3 The Overview & Scrutiny Committee then met on 9 October to further consider its findings and recommendations to put forward to the WMCA Board. These related to:
 - time allocated to Mayoral Q&As
 - pre-decision scrutiny
 - Local Industrial Strategy
- 2.4 Further details on these issues are set out below.

3. Time Allocated to Mayoral Q&As

- 3.1 In order to undertake its role effectively and hold the Mayor to account in a public session, members of the committee considered that the Mayor should allocate three hours for future Mayoral Q&A sessions. In addition, the committee would like to increase the number of Q&A sessions with the Mayor from two per year to three per year for 2019/20 so as to enable a more thematic approach to Mayoral scrutiny to be undertaken that would enable topic areas to be interrogated in greater depth.

4. Pre-Decision Scrutiny

- 4.1 The Chair of Overview & Scrutiny Committee had written to the Mayor on the importance of pre-decision scrutiny within the WMCA and the benefits it would gain by embedding this into its formal decision making process.
- 4.2 Members sought a clear commitment from the Mayor and Chief Executive that they would expect all significant policy developments to have undergone pre-decision scrutiny before they are presented to the WMCA Board for approval.
- 4.3 The Mayor welcomed pre-decision scrutiny and would work with the chair of the Overview & Scrutiny Committee on ways that this could be embedded into the decision-making processes prior to the next WMCA Board meeting.

5. Local Industrial Strategy

- 5.1 Members considered that looking at the forthcoming Local Industrial Strategy would provide a good opportunity to test out how the principle of pre-decision scrutiny could be effectively applied in practice to the decision-making process and the Mayor welcomed this proposal.

6. Issues for WMCA Board Consideration

- 6.1 Arising out of the Q&A session, there were a number of issues that Overview & Scrutiny Committee felt needed bringing to the attention of the WMCA Board for its consideration:

(a) Brexit Implications for the Region

Overview & Scrutiny Committee understood that a report had been produced on the impact of Brexit on both Birmingham and the wider region and that the decision not to publish the report had been a decision taken by Birmingham City Council.

However, Overview & Scrutiny Committee consider that there is a need for a co-ordinated approach on the potential impacts and mitigations of Brexit and therefore have requested that the WMCA Board receives further information on the detail on the work being undertaken by the WMCA and its partners and the emerging findings of the implications for the region.

(b) Air Quality

Members recognised that air quality was not the sole responsibility of the WMCA and therefore it was recommended that any WMCA Air Quality Strategy should ensure that it was co-ordinated with constituent authorities. It was also recommended that the WMCA consider developing a region-wide database for all local authorities to input into and access information.

Members were also concerned at the intention to publish a WMCA Strategic Air Quality Plan “in the middle of 2019” which appeared not to align with the timescales imposed by the Government on constituent authority interventions, such as the Birmingham city centre Clean Air Zone.

(c) Sprint Vehicle

In order to achieve clean air standards the committee considered that there should be a decline in the use of diesel engines and members were strongly opposed to the procurement of a vehicle that was a diesel hybrid. It was considered that the WMCA needed to lead the way in sustainable modes of transport, particularly regarding vehicle emissions and air pollution, and therefore recommend that the WMCA Board consider carefully any decision made on the way Sprint vehicles are to be powered, and the procurement of such vehicles.

(d) Ring & Ride Review

Overview & Scrutiny Committee would like to undertake pre-decision scrutiny of the proposals and recommendations arising out of the Ring & Ride review, prior to its consideration by the WMCA Board.

7. Questions

- 7.1 Overview & Scrutiny Committee will pursue a number of lines of enquiry arising from the Q&A session through its working groups and scrutiny champions. To support this, there were a number of follow up questions that members of the committee will be seeking a written response from the Mayor to:

(a) **Adequately Resourcing the Overview & Scrutiny Function**

In March this year, the Government responded to the House of Common's Select Committee's report on the effectiveness of local authority overview & scrutiny committees.

Concern had been expressed by MPs that effective scrutiny of the Metro Mayors might be hindered by under-resourcing, and they had called on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government was urged to make clear that scrutiny was a fundamental part of any deal and that it should be adequately resourced and supported.

The Government accepted the Select Committee's recommendation and reported that at the Budget it was announced that the Government would make available to mayoral combined authorities a total of £12m for 2018/19 and 2019/20, to boost the new mayors' capacity and resources. Combined authorities could then choose to use some of its share of this funding to resource the scrutiny and accountability arrangements.

Overview & Scrutiny Committee have therefore called for a breakdown on how the Mayor of the West Midlands has utilised the £2m allocated to the WMCA to boost his capacity and resources, and whether any has been allocated to support an effective scrutiny function, and to support Aim 10 of his Renewal Plan of the West Midlands, namely: "To be the most transparent Mayor in Britain".

(b) **Bus Services Act 2017**

The legislation provided for bus franchising powers for areas with an elected Mayor. The committee was seeking clarification as to whether the Mayor was utilising all the powers provided within the Act.

(c) **Bus Operator Recharging Proposal**

Members referred to a decision made at the WMCA Board in July 2018 to support the proposal to commit to £2.9m funding to provide bus operators with a bus station departure charge and roadside information charge 'holiday' for a period of 12 months. This would then enable vehicle investments that would have a significant improvement on air quality in the region.

Overview & Scrutiny Committee would welcome a response in relation to the assistance that Transport for West Midlands would provide to ensure those vehicles that currently operated on subsidised routes were of Euro VI Standard. Concern was also expressed on the displacement of lower emission standard vehicles to neighbouring authorities/non-constituent authorities where subsidised transport is more prevalent, and at a premium.

(d) **Housing**

Members were seeking further clarification as to the number and percentage of affordable homes and social housing being built into the housing delivery programme targets.

(e) **Commonwealth Games**

In respect of the Commonwealth Games, Overview & Scrutiny Committee would like further understanding of the economic benefits that the Mayor envisages for the region and how this event would contribute to the region's inclusive growth.

8. Response from Mayor/WMCA Board

- 8.1 The WMCA's constitution requires the Mayor and/or the Authority to respond within two months of receiving a report from its Overview & Scrutiny Committee indicating what action it proposed to take in respect of matters drawn to its attention (recommendation 2 above). The Mayor is also required to respond within two months to questions formally asked to him by the committee (recommendation 3 above).

9. Financial Implications

- 9.1 There are no direct financial implications arising out of the recommendations contained within this report. Section 7.1(a) relates to the allocation of resources provided to support the overview & scrutiny function within the WMCA.

10. Legal Implications

- 10.1 There are no direct legal implications arising out of the recommendations contained within this report. The powers and responsibilities of overview & scrutiny committee within combined authorities are specified in The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

11. Equalities Implications

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

12. Inclusive Growth Implications

- 12.1 The WMCA Board has asked for the inclusive growth implications of each board paper to be outlined in this section. We are developing a set of materials that will allow officers and partners to do this robustly, which will be reflected in WMCA Board reports from January onwards.

13. Geographical Area of Report's Implications

- 13.1 The Overview & Scrutiny Committee contains members representing constituent and non-constituent authorities. The Q&A session with the Mayor included questions relating to the delivery of policies that impact across the region's three-LEP geography.

14. Other Implications

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

15. Schedule of Background Papers

- 11.1 None.