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**West Midlands
Combined Authority**

Overview & Scrutiny Committee

Tuesday 20 November 2018 at 10.00 am

Minutes

Present

Councillor Peter Hughes (Chair)
Councillor Cathy Bayton
Councillor Liz Clements
Councillor Mike Chalk

Councillor John Cotton
Councillor Stuart Davis
Councillor Tariq Khan
Councillor Ian Shires (Vice-Chair)

Councillor Stephen Simkins

Sandwell Metropolitan Borough Council
Dudley Metropolitan Borough Council
Birmingham City Council
Worcestershire Non-Constituent Local
Authorities
Birmingham City Council
Joint Coventry/Solihull Representative
Coventry City Council
Dudley, Sandwell, Walsall and
Wolverhampton Councils
City of Wolverhampton Council

In Attendance

Councillor Mike Bird
Gareth Bradford
Councillor Daniel Barker
Councillor Jackie Taylor

Portfolio Lead for Housing & Land
Director of Housing Regeneration
Association of Black Country Authorities
Sandwell Metropolitan Borough Council

Item Title No.

19. Inquorate Meeting

In accordance with the WMCA's constitution, the meeting was inquorate. The recommendations contained within the minutes would be submitted to the WMCA Board on 11 January 2019 for formal approval and adoption.

20. Apologies for Absence

Apologies for absence were received from Councillor Joe Tildesley (Solihull), Councillor Ken Wood (Birmingham), Councillor Stephen Craddock (Walsall), Councillor Ian Shires (Association of Black Country Authorities), Councillor Angus Lees (Dudley), Councillor Dean Carroll (Shropshire), Councillor John Glass (Nuneaton & Bedworth), Paul Brown (Black Country LEP) and Mike Lyons (Greater Birmingham & Solihull LEP).

21. Chair's Remarks

(a) Inquorate meeting

Discussions were held regarding the quorum not being met and the issues posed with the quorum being of a high number. The Monitoring Officer advised the committee that discussions were being held with

Ministry of Housing Communities & Local Government in regards to the quorum level as to whether there was an opportunity to set this as a lower level. Councillor Ian Shires highlighted that the high quorum only applied to this committee, and that the Housing & Land Delivery Board did not operate under the same process, which is resulted in an inconsistent approach.

22. Call In Procedure

(a) Provisions within the Constitution relating to Call-In

The Monitoring Officer outlined the requirements for a call-in as outlined within the constitution, highlighted that the committee must scrutinise the decision within 10 clear working days of the call-in being made. The decision for a call-in would fall away if the timescale had not been met unless the Chair and Vice-Chair of the board concerned and the relevant portfolio leads agreed to an extension period.

(b) Call-In Town Centres Programme

The Chair stated that all but one member, of those committee members present, had knowledge or oversight of the Town Centres Programme report before receiving papers following the Housing & Land Delivery Board.

Councillor Ian Shires stated that the reasons for the call-in was not due to the decision on, or the selection of the chosen town centres, but related to the process in which town centres were selected. This view was echoed by Councillor Stephen Simkins and Councillor Cathy Bayton.

Councillor Mike Chalk also commented that the lack of forward plans for Board being made available to committee for consideration did not aid pre-decision scrutiny, and had probably led to the call-in.

23. Housing & Land Delivery Board - Town Centres Programme

The Chair welcomed both the Director of Housing & Regeneration and Councillor Mike Bird, Portfolio lead for Housing & Land, and invited them to give an outline of the decision making process undertaken for the Town Centres Programme leading up to the decision taken on 25 October 2018.

The Director of Housing & Regeneration explained that initially, Housing & Land Delivery Board members had specifically requested that the Combined Authority begin to look at town centre regeneration, which led to a paper being submitted to the Leaders meeting on the 20 July 2018. This paper included the principles of the Town Centres Programme and also sought agreement for expressions of interest to be submitted from the Constituent Local Authorities, outlining the key deliverables against housing regeneration.

On the 23 August 2018, an email was then sent to all Chief Executives which set out clearly the process that would be taken forward to identify town centres and the criteria to be used. The Town Centres were nominated and selected after discussions with officers from the Constituent Local Authorities, with no political input during the selection process. The

nominated Town Centres were taken to both the Leaders meeting held on the 12 October 2018, and subsequently to the Housing & Land Delivery Board on the 25 October 2018. The Director of Housing & Regeneration stressed that all seven Local Authorities were involved in the decision-making process, and that, in his view, the decision-making process for Town Centres Programme was clear.

The Director of Housing & Regeneration further explained that initially there were 17 Town Centres nominated for consideration; and the chosen centres were selected by officer sub-group. The Director of Housing & Regeneration was therefore of the opinion that appropriate individuals / boards had sight of the relevant paperwork, and been involved in the decision making process.

Councillor Stephen Simkins referenced Annex A: Recommended Wave One Town Centre Summary and highlighted that the information provided relating to Bilston was dated 2014, and that there were similar historic data relating to other centres. He questioned therefore how an informed decision could have been taken without current and up to date information and data provided. He also questioned whether officers from Wolverhampton City Council's Regeneration Section had been fully involved in the process.

Councillor Mike Bird stated that the questions should be directed towards officer and members at the seven local authorities relating to how their internal reporting mechanisms worked as, from his view, the information/analysis collated was based on what officers had provided to the Combined Authority.

During subsequent discussions, Committee Member identified that the provision of forward plans by relevant Boards, along with useful engagement with Portfolio Leads were both areas for improvement, as it was pointed out that Committee could add value to the decisions being made. Moving forward, the Director of Housing & Regeneration and Portfolio lead agreed to implement and share the Housing & Land Delivery Board forward plan and to provide short summaries on the decision made at meetings.

Councillor John Cotton, Chair of the Governance working group, highlighted that the Town Centres Call-In should be used as a case study, to draw learning from, but also to help identify mechanisms for committee to have sight of and given access to relevant information.

The WMCA Board be recommended that:

- (1) No further action be taken in response of the Town Centres Programme decision called-in from the meeting of the House & Land Delivery Board on the 25 October 2018.
- (2) A protocol for relationships between scrutiny and WMCA Leadership Team / Portfolio leads be developed.
- (3) WMCA Board and Committees have clear forward plans which were up to date and shared with Overview & Scrutiny committee members, in order to aid pre-decision scrutiny.

- (4) Pre-decision scrutiny be embedded within the WMCA.
- (5) A review of the constitution in response of the call-in process be undertaken.
- (6) The review of governance arrangement to continue, including quorum levels of the Overview & Scrutiny Committee.
- (7) To enable effective scrutiny, additional resources to identified.
- (8) Overview & Scrutiny to engage / participate in discussions regarding the next devolution deal.

[NB: Councillor Stephen Simkins declared an interest in this due to being a councillor for the ward Bilston East.]

The meeting ended at 12.15 pm.