

Overview and Scrutiny Committee Agenda

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Date: Friday, 9th September, 2016 at 10.00am

Venue: Meeting Room, Cavendish House, Teesdale Business Park,
Stockton-on-Tees, TS17 6QY

Membership:

Councillor Phil Dennis - Chair (Stockton-on-Tees Borough Council)
Councillor Heather Scott – Vice Chair (Darlington Borough Council)
Councillor Ian Haszeldine (Darlington Borough Council)
Vacancy (Darlington Borough Council)
Councillor Stephen Akers-Belcher (Hartlepool Borough Council)
Councillor Marjorie James (Hartlepool Borough Council)
Councillor Kaylee Sirs (Hartlepool Borough Council)
Councillor Denise Rooney (Middlesbrough Council)
Councillor Jon Rathmell (Middlesbrough Council)
Councillor Jean Sharrocks (Middlesbrough Council)
Councillor Glyn Nightingale (Redcar and Cleveland Borough Council)
Councillor Bob Norton (Redcar and Cleveland Borough Council)
Councillor Philip Thomson (Redcar and Cleveland Borough Council)
Councillor Derrick Brown (Stockton-on-Tees Borough Council)
Councillor Norma Stephenson (Stockton-on-Tees Borough Council)

AGENDA

- 1. Introductions**
- 2. Apologies for absence**
- 3. Declarations of interest**
- 4. Presentation – Tees Valley Combined Authority**
- 5. Overview & Scrutiny Committee Work Programme**

Report attached

Overview and Scrutiny Committee Agenda

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Members of the Public - Rights to Attend Meeting

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting or for details of access to the meeting for disabled people, please contact: Peter Bell – 01642 526188 – peter.bell@stockton.gov.uk

Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in paragraphs 9 and 11 of the Tees Valley Combined Authority's (TVCA) code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the TVCA he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the Member's financial position or the financial position of a person or body described in **paragraph 17** of the code, or
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Disclosable Pecuniary Interests

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AGENDA ITEM 5

REPORT TO THE TEES VALLEY COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE

DATE 9 AUGUST 2016

REPORT OF ASSISTANT DIRECTOR (ADMINISTRATION, DEMOCRATIC & ELECTORAL SERVICES)

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

SUMMARY

The report discusses the approach to the operation of the Overview and Scrutiny Committee including the setting of a work programme for 2016/17.

RECOMMENDATIONS

That the report be noted and that the next steps be agreed.

DETAIL

Current Operating Arrangements

1. The membership of the Overview and Scrutiny Committee is comprised of three members of each of the Constituent Authorities, so that the members of the Committee taken as a whole reflects so far as reasonably practicable the balance of political parties for the time being prevailing among members of the Constituent Authorities. Wherever possible members will be reflective of the diversity of population within the Tees Valley. Members shall also have the ability to co-opt non-voting members to the Overview and Scrutiny Committee.
2. The quorum of the Committee is seven which must include members from at least three Constituent Authorities and the Chair of the Scrutiny Committee shall rotate between Constituent Authorities. The constitution of the TVCA requires the Overview and Scrutiny Committee to meet at least three times per year.
3. The work programme of the Scrutiny Committee is intended to encompass upstream work reviewing the most important strategic decisions and the direction of the TVCA, and ensuring that any decisions which are made by the TVCA are in line with its agreed policies and the Committee have the power to:
 - a. require members or substitute members of the Combined Authority to attend before it to answer questions;
 - b. invite other persons, including members of the public, to attend meetings of the committee;
 - c. review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Combined Authority;
 - d. make reports or recommendations to the Combined Authority with respect to the discharge of any functions which are the responsibility of the Combined Authority;

- e. Make reports or recommendations to the Combined Authority on matters that affect the authority's area or the inhabitants of the area.

Key Principles of Operation

4. The key principles for the operation of the scrutiny arrangements are that:
 - a. The Constituent Councils will work together to maximise the exchange of information and views, to minimize bureaucracy and make best use of the time of members and officers of other bodies or agencies.
 - b. Members of the Overview and Scrutiny Committee will, when considering reviews, determine whether the issue is more appropriately dealt with by one of the Constituent Councils or elsewhere and will not duplicate the work of existing bodies or agencies.
 - c. Subject to prior consultation, the Constituent Councils will respond positively to requests for information, or for the attendance of a member or officer at any meetings set up under these arrangements.
5. The Constitution also states that the scrutiny process will be open and transparent designed to engage the Combined Authority and where appropriate the Constituent Councils, residents and other stakeholders and that whilst different approaches to scrutiny reviews may be taken in each case, Members will seek to act in an inclusive manner and will take evidence from a wide range of opinion, including hard to reach groups. The terms of reference, timescale and outline of any review will be agreed by Overview and Scrutiny Committee members appointed at their annual meeting and where possible recommendations will be reached by consensus.
6. The Committee will also need to build up its knowledge base. For example, the Committee will be receiving performance data, which will allow the Committee to scrutinise by exception allowing Members to focus their attention on areas they can add value to rather than scanning across a range of data.
7. In addition, the Committee may wish to carry out an in depth scrutiny review into a particular matter of strategic importance.
8. Any additional work which the Committee may wish to undertake should be supportive and complementary to its statutory functions with the Committee acting act as a critical friend; a supportive, but independent voice seeking to scrutinise the TVCA in the interests of recommending appropriate changes and improvements. In addition, the work programme should avoid duplication and remain flexible and responsive.
9. To ensure the Committee carries out its responsibilities in an efficient and effective way it is proposed that a work programme is set for 2016/17 comprising:
 - Investigating matters of strategic importance
 - Performance Management Reporting
 - Reviewing upstream work and plans of the TVCA
 - Monitoring decisions to make recommendations for improvement
10. When developing the work programme, it is proposed that the Committee consult with
 - Committee Members
 - The CA
 - Other partners

- Constituent Councils
- Other key stakeholders as appropriate

11. In selecting topics, the Committee may wish to consider whether:

- there is public demand / a real need for the review
- there is a genuine opportunity through the reviews to influence policy and practice
- there is a clear focus for the review, recognising that going 'deep and narrow' can have more impact than 'broad but shallow'

12. In addition, the Committee should consider the most effective format and approach to any review, ensuring that it is tailored to the particular subject (i.e. not just carrying out all reviews in a Town Hall committee room, receiving officer presentations or commenting on official reports). There are different approaches that the Committee may wish to use to carry out their work. It may be appropriate to invite the Managing Director or his staff or staff from the Constituent Councils to a meeting to give a briefing on an issue, giving Members of the Committee an opportunity to ask questions. The Committee are able to invite other parties as witnesses to give evidence. Where the Committee decides to carry out a more substantial investigation, this can be undertaken by:

- An in-depth review, receiving evidence at formal meetings
- A focussed Task & Finish review, either carried out by a smaller group of members appointed by the Committee separate to the formal meetings, or by the full Committee

Future Developments

13. As you will be aware the remit and powers of the overview and scrutiny committee established under the Combined Authority's current constitution will be broadened with the creation of the Mayoral Combined Authority, the election of the Mayor and the formation of the Combined Authority's Cabinet, together with the introduction of new legislation regarding the designation of mayoral development areas; the creation of mayoral development corporations and the scope and operation of overview and scrutiny committees of combined authorities generally, and the committee's remit and powers will be expanded more specifically as the Devolution Deal is rolled out and implemented.

Next Steps

14. The Committee will be invited to forward items for inclusion on the Scrutiny Programme to the Chair, so that the Committee can set the 2016/17 work programme at their next meeting in October.

15. It is also proposed following the inaugural meeting to diarise scheduled dates for the Overview and Scrutiny Committee on a 6 weekly basis as follows:

September 2016 – inaugural meeting
 October 2016
 January 2017
 February 2017
 April 2017
 May 2017

16. In the meantime it is also proposed that a scrutiny training session is held for the Committee to refresh Members' awareness of principles of good scrutiny, key stages of an in depth scrutiny review and provide an opportunity for informal discussion of ways of working.

17. An informal meeting of the Overview and Scrutiny Committee was held on 1 August 2016 and a copy of the notes from that meeting is attached at Appendix 1. Also attached to the report at Appendix 2 is a list of possible priorities for the Overview and Scrutiny Committee Work Programme.

FINANCIAL IMPLICATIONS

Support to the Overview and Scrutiny Committee is currently provided by Stockton Borough Council. Any additional contributions to the costs or resources shall be determined by apportioning the costs in such proportions as the Councils unanimously agree.

LEGAL IMPLICATIONS

The proposed arrangements are being established in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009; the Tees Valley Combined Authority Order 2016 and the Combined Authority's constitution.

RISK ASSESSMENT

This (subject matter of report) is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION

See above.

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Name of Contact Officer: Sharon Jones

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Post Title: Governance Officer

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Email Address: peter.bell@stockton.gov.uk

Background Papers None

Members' Interests

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TEES VALLEY COMBINED AUTHORITY

OVERVIEW & SCRUTINY COMMITTEE

Meeting Room , Cavendish House, Teesdale Business Park, Stockton-On-Tees

Monday, 1st August 2016 at 2.00pm

INFORMAL MEETING

ATTENDEES

Members

Councillor Phil Dennis (Chair)	Stockton on Tees Borough Council	SBC
Councillor Ian Haszeldine	Darlington Borough Council	DBC
Councillor Denise Rooney	Middlesbrough Borough Council	MBC
Councillor Jean Sharrocks	Middlesbrough Borough Council	MBC
Councillor Bob Norton	Redcar & Cleveland Borough Council	R&CBC
Councillor Derrick Brown	Stockton on Tees Borough Council	SBC
Councillor Norma Stephenson	Stockton on Tees Borough Council	SBC

Apologies for absence

Councillor Christopher Akers-Belcher	Leader of Hartlepool Borough Council	HBC
Councillor Heather Scott	Darlington Borough Council	DBC
Councillor Jon Rathmell	Middlesbrough Borough Council	MBC
Councillor Philip Thomson	Redcar & Cleveland Borough Council	R&CBC

Officers

Margaret Waggott	Assistant Director of Administration, Democratic & Electoral Services	SBC
David Bond	Monitoring Officer (TVCA)	SBC
Judith Trainer	Team Leader-Electoral & Scrutiny	SBC
Nigel Hart	Team Leader-Civic, Democratic & Member Services	SBC
Garry Cummings	Section 151 Officer (TVCA)	SBC
Linda Edworthy	TVCA	TVCA
Neil Kenley	TVCA	TVCA
Richard McGuckin	Stockton-On-Tees Borough Council	SBC
Mike Robinson	Chief Executive of Middlesbrough Council	MBC
Jonathan Spruce	TVCA	TVCA

Also in attendance

Mayor Budd	Middlesbrough Borough Council and Chair of the TVCA Board	MBC
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Action

DECLARATIONS OF INTEREST

There were no interests declared.

OVERVIEW & SCRUTINY COMMITTEE-WORK PROGRAMME

Members of the OSC were welcomed to this first informal meeting to discuss the approach to the operation of the Committee, including the eventual setting of a work programme for 2016/17.

The Constitutional requirements of the OSC were noted and its work programme was intended to encompass upstream work reviewing the most important strategic decisions and the direction of the TVCA, and ensuring that any decisions made were in line with the TVCA's agreed policies. The Committee also had the power to:-

- f. require members or substitute members of the Combined Authority to attend before it to answer questions;
- g. invite other persons, including members of the public, to attend meetings of the committee;
- h. review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the

- responsibility of the Combined Authority;
- i. make reports or recommendations to the Combined Authority with respect to the discharge of any functions which are the responsibility of the Combined Authority;
 - j. make reports or recommendations to the Combined Authority on matters that affect the authority's area or the inhabitants of the area.

It was accepted that the Committee would need to build up its knowledge base of the activities of the TVCA and therefore would regularly receive performance data that would allow the Committee to scrutinise by exception allowing Members to focus their attention on areas they could add value to rather than scanning across a range of data. In addition, the Committee may wish to carry out an in depth scrutiny review into a particular matter of strategic importance.

With this in mind, members were provided with an initial list of possible priorities of TVCA for consideration from which a work programme could be drawn. These priorities were categorised as those potentially for immediate focus, with others possible for the medium and longer term.

Members would be invited at the first formal meeting of the OSC on 9th September 2016 to give consideration to the content of their work programme having also had the opportunity to receive an update from both the Chief Executive and Chair of the TVCA.

Members comments on how they wished their role to be defined were noted and summarised as follows:-

- There was general acceptance that the work of the Committee needed to be focused on CA business;
- Members were wholly supportive of necessary training being provided for the Committee;
- Members were equally supportive of receiving briefings / development opportunities presented at each Committee meeting in order to expand / develop their knowledge base;
- Members would welcome referrals to the OSC from the CA Board;
- Members would like to meet more frequently - 6 week cycle with the exception of August/December to ensure that momentum and commitment was maintained;
- Members were keen to understand what work had gone on nationally that linked to their own work programme;
- Copies of Board agendas/minutes be circulated to the OSC when issued;
- Copies of all previous minutes of the Board and Transport Committee be provided for OSC members;
- Enquires should be made to establish if there was a national network for combined authority scrutiny;
- In addition to the 'draft' list of potential topics, Members suggested that Fit with Northern Powerhouse, Brexit, Housing Growth and Attracting sovereign funds, be also added;
- The notes of this informal meeting, along with the outline report, be submitted to the next meeting for consideration.

AGREED that the report and Members comments be noted and be forwarded to the first meeting of the OSC on 9th September 2016 for consideration.

MW/JT

Appendix 2:

POSSIBLE PRIORITIES FOR THE TVCA OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The TVCA has an ambitious programme, with complex partnership relationships, and opportunities for devolution from central government.

As a democratic-led organisation, Overview and Scrutiny has a critical role in challenging and overseeing this work programme. But these arrangements are new and largely untested in other parts of the country. It is therefore helpful if, at its first meeting, the TVCA Overview and Scrutiny Panel could give consideration to its priorities for an initial work programme. Following this initial discussion, firmer proposals can be developed for agreement at the first public meeting of the Committee, on 9th September 2016.

This note provides a “menu” of possible lines of enquiry which Members will wish to consider in establishing that work programme. It is recommended that, for maximum influence, the immediate focus is on particular “live” issues which are on the current priorities of TVCA. This is not an exhaustive list, and Members may wish to propose other issues which fall within the TVCA remit for consideration.

Immediate Focus

- Overview – Discussion with the Chair and Managing Director on overall priorities, ambition and capacity to deliver.
- Transport investment priorities
- Deliver of the “single pot” approach to investment, prioritisation and assurance
- Partnership with Business
- Response to the Heseltine Review
- Budget process and financial management (as part of the Budget setting process for 2017-18)

Medium-term developments

- Establishment of the role of Tees Valley Mayoral Combined Authority and proposed Constitution
- Devolution of Adult Skills and Apprenticeship programmes
- Devolution of Employment Programmes

Longer-term developments

- Public transport – improvements to local rail services, through Rail North, and the prospect of new responsibilities through the Buses Bill
- Local Growth Fund delivery
- Opportunities for future devolution

