

Tees Valley Combined Authority Overview and Scrutiny Committee

Agenda

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Date: Thursday, 17th October, 2019 at 09:30 am

Venue: Cavendish House, Teesdale Business Park, Stockton-On-Tees, TS17 6QY

Membership

Cllr Stephenson (Chair) (Stockton-on-Tees Borough Council)
Cllr Rooney (Vice Chair) (Middlesbrough Council)
Cllr Barlow (Stockton-on-Tees Borough Council)
Cllr Black (Hartlepool Borough Council)
Cllr Brown (Hartlepool Borough Council)
Cllr Clark (Redcar and Cleveland Borough Council)
Cllr Harker (Darlington Borough Council)
Cllr Hobson (Middlesbrough Council)
Cllr Jeffrey (Redcar and Cleveland Borough Council)
Cllr Jones (Redcar and Cleveland Borough Council)
Cllr Jones (Darlington Borough Council)
Cllr Loynes (Hartlepool Borough Council)
Cllr McTigue (Middlesbrough Council)
Cllr Renton (Darlington Borough Council)
Cllr Riordan (Stockton-on-Tees Borough Council)

AGENDA

PUBLIC

1 Apologies for absence

2 Declarations of interest

3 Election of Chair and Vice Chair

4 Minutes

Minutes of the meeting held on Friday, 12th July, 2019

Minutes

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5 Notes from previous meeting

The notes from the meeting on 19th July 2019 (Non-quorate) to be tabled

Notes attached

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Tees Valley Combined Authority Overview and Scrutiny Committee

Agenda

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6 Chief Executive's Update

Chief Executive's Update attached [Page 9]

7 Strategic Transport Plan Presentation

Consultation documents can be viewed at
Visit our Page

8 Delegated Decisions

Delegated Decisions April-October 2019 attached [Page 13]

9 Meetings and Forward Plan for Civic Year 2019/2020

Forward Plan attached [Page 15]

10 Date and time of next meeting

TBC

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, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please

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Tees Valley Combined Authority Overview and Scrutiny Committee

Meeting held at Cavendish House, Teesdale Business Park, Stockton-On-Tees, TS17 6QY at 1:30 pm on Friday, 12th July, 2019.

Present:

Cllr Norma Stephenson OBE - Stockton On Tees Borough Council - SBC
Cllr Chris Barlow - Stockton On Tees Borough Council - SBC
Cllr Doris Jones - Darlington Borough Council - DBC
Cllr Mike Renton - Darlington Borough Council - DBC
Cllr Stephen Harker - Darlington Borough Council - DBC
Cllr Brenda Loynes - Hartlepool Borough Council - HBC
Cllr John Hobson - Middlesbrough Borough Council - MBC
Cllr Joan McTigue - Middlesbrough Borough Council - MBC
Cllr Denise Rooney - Middlesbrough Borough Council - MBC
Cllr Sue Jeffrey - Redcar & Cleveland Borough Council - RCBC
Cllr Chris Jones - Redcar & Cleveland Borough Council - RCBC

Officers:

Sharon Jones - Governance & Scrutiny Officer - TVCA
Julie Gilhespie - Chief Executive - TVCA
Linda Edworthy - Strategy Director - TVCA
Andrew Nixon - Monitoring Officer - TVCA

Also in attendance:

Apologies for absence:

Cllr Paddy Brown - Hartlepool Borough Council - HBC
Cllt Amy Prince - Hartlepool Borough Council - HBC
Cllr Robert Clark - Redcar & Cleveland Borough Council - RCBC
Cllr Matt Vickers - Stockton On Tees Borough Council - SBC

OSC Declarations of interest

1/19 There were no interests declared.

OSC Election of Chair and Vice Chair

2/19 Cllr John Hobson was nominated by Cllr Doris Jones. This was seconded by Cllr Brenda Loynes

Cllr Norma Stephenson was nominated by Cllr Stephen Harker. This was seconded by Cllr Sue Jeffrey.

A vote was taken for the position of Chair. Cllr Hobson received 5 votes and Cllr Stephenson 6 votes. Cllr Stephenson was therefore nominated as Chair of the Committee.

The Chair asked for nominations for Vice Chair.

Cllr Joan McTigue was nominated by Cllr Brenda Loynes. This was seconded by Cllr Doris Jones

Cllr Denise Rooney was nominated by Cllr Sue Jeffrey. This was seconded by Cllr Stephen Harker.

A vote was taken for the position of Vice Chair. Cllr McTigue received 5 votes and Cllr Rooney 6 votes. Cllr Rooney was therefore nominated as Vice Chair of the Committee.

The Chair asked for Introductions to be made as this is the first meeting of new Committee members.

OSC Minutes

3/19 The minutes from the meeting held on 17th January 2019 were accepted as a true record.

OSC Welcome to Tees Valley Combined Authority

4/19 Julie Gilhespie, Chief Executive delivered a presentation giving Members an overview of the work and structure of the Combined Authority.

OSC Call In

5/19 The Chair added an item to the agenda regarding the recent call in enacted by the Committee. This was in regard to Constitution amendments agreed by Cabinet on 28th June. The Call in was supported by five members of the Committee.

The Cabinet report regarding the Constitution amendments, the table of proposed changes, the submitted call in request form and a written response to the call in from the Combined Authority were distributed to the Committee. It was noted that it was difficult for all members to have full clarity on the issues raised as they had not had sight of some of these documents until today. The monitoring officer talked through the Cabinet report, highlighting the main points and areas for proposed amendment. These are:

- Budget – We have removed the requirement in the constitution for the Mayor to publish a draft budget by December in the previous year, to give more flexibility around the consultation process with Constituent Authorities.
- Key decisions vs all decisions – The procedure is being amended to remove the requirement to send all Combined Authority decisions to Overview and Scrutiny within 2 days and replace this with a requirement to send only key decisions within 2 days. This is due to the fact that the Combined Authority is a very different organisation with a much broader remit that was provided for by the previous draft of the Constitution and to send every decision is considered unworkable.
- Political balance – Following the recent local elections, the number of independent members across the Tees Valley has greatly increased and the Combined Authority wishes to ensure the proper representation at TVCA level of these additional members. We have therefore removed the statement about independent members across individual authorities and wider groups, in order to ensure greater flexibility in our calculations of independent members.
- Cabinet Agenda items - we have amended the rules to make it clear that it is the Chair that agrees items of business for the Cabinet agenda, and that any business raised under the category “any other business” at Cabinet meetings shall be for information only and not business requiring a decision, unless

agreed by the Chair

The Chair asked those members of the Committee who have submitted the call in to give their reasons for doing so.

The Members stated that they were concerned that the proposed changes affect the working of the Overview & Scrutiny Committee, yet the Committee were not consulted regarding these. It is felt that there was an opportunity to consult with the Committee in advance of the report being submitted to Cabinet, but this was not carried out.

The areas of concern highlighted in the Call-in request document were summarised as follows:

- The Committee only being sent key decisions and not all decisions. It is fundamental to scrutiny to see all decisions so the 2 day target for every decision should stay.
- The Draft Budget was previously published in December, removing this deadline will mean there is less time to look at the budget. It's often difficult to get engagement and discussion around the budget anyway so potentially reducing the time for this could be a problem.
- Independent groups. The issue is not about numbers or proportionality, it's about the way the groups are treated. The Combined Authority are proposing to treat all Independents as one group. Across Tees Valley as a whole they are treated separately, and they should therefore be considered as single groups rather than one big group.
- The Tees Valley Mayor determining what is on the Cabinet agenda. Overview & Scrutiny should retain their independence to put reports forward to a Cabinet agenda. There may be instances in the future where the Mayor may not want a specific report to be considered and could refuse to submit it, this goes against the purpose of Overview & Scrutiny.

In addition to the reasons given for the call in the following additional concerns were also raised:

- The Combined Authority has 4 new Cabinet members who have not worked with the Overview & Scrutiny Committee before now. It was questioned whether these Members have received any training on O&S procedures.
- As Overview & Scrutiny Members we have the right to request to see any information or documentation of the Combined Authority. This is written in the rules of procedure within the Constitution and therefore we can request to see whatever information we want. Cabinet doesn't get to choose what we get to see.
- In order to be able to class Independent Groups as one collective written permission from each individual is required and this is something that has not been carried out.

The Chair then asked for responses from the rest of the committee who were not involved in the call-in request.

Responses and comments were as follows:

- Independent Councillors represent voters across the Tees Valley. They currently represent 37% of the Tees valley voters and therefore should be represented equivocally on this committee.
- The amendments to the Constitution were sent to Monitoring officers of each local authority for consultation purposes. It was therefore the responsibility of

the Local Authority to feed this down to Combined Authority O&S members
•Papers for the Cabinet AGM were published a week before the meeting and therefore this gave every member of the committee an opportunity to see the report and understand the proposed amendments

A Request was made, and seconded, to defer a decision on the call in to allow the rest of the Committee members to digest the information presented today. The Monitoring Officer confirmed that the process does allow the decision to be deferred but that this can only be done once. A vote was taken as to whether to defer, this was agreed with a majority vote of 6.

The Chair advised that an invite will be sent for a further meeting to discuss the call-in request. This meeting must be held within the next 14 days.

The Monitoring Officer advised that an update to the Combined Authority written response would be drafted and circulated early next week to account for some of the questions and issues raised in today's meeting.

RESOLVED that a further meeting is arranged to discuss the call-in request. This meeting must be held within the next 14 days.

OSC Assurance Framework Overview

6/19

A report was circulated giving an overview of the Combined Authority Assurance Framework. It was explained that this is an important document and covers all decisions made within the Investment Plan.

A diagram of the decision making framework was distributed. This was then explained to the committee so that they have a clear understanding of how decisions are made and how the Combined Authority ensures it operates in open and transparent ways, with clarity around everyone's roles and with appropriate accountability in place.

A comment was made that the Assurance Framework will be helpful in avoiding confusion. For example, last year it was felt there was some confusion regarding the Airport and whether this project was already included in the Investment Plan or not. This new process would avoid that happening in future as it's shows a clear process. It was questioned whether Overview &Scrutiny get to look at the Assurance framework in advance of its publication to which it was advised that they do. Both the Investment Plan and Budget are agreed annually, and Overview & Scrutiny are part of the Consultation process for both of these documents.

It was also questioned how we know that we are following the Assurance Framework correctly. It was advised that we could be informed that we are to be audited at any time and that spot checks are also carried out. From an Overview & Scrutiny perspective the internal Audit plan covers the work within the Assurance framework and this can be added to the Committee agenda for a future meeting.

OSC Diversity and the Tees Valley Combined Authority – Draft report for approval

7/19

The Committee received a report regarding Diversity in the Tees Valley Combined Authority Membership. The Chair explained the background to the

report and advised that the report is ready to be submitted to Cabinet. However, due to previous meetings being inquorate it hasn't been possible to progress with this matter. The Chair stated she would like the report to be agreed for formal submission at the next cabinet meeting at the end of July.

Questions and comments were taken regarding the report. These can be summarised as follows:

- It is appreciated that a lot of work has gone into the report but some of the recommendations are related to the Local Authorities as well as the Combined Authority. It may be necessary to look at this in further detail and see how realistic it is to ask the LA's to make changes on the back of it.
- Tees Valley is made up of the five Local Authorities. If they don't make changes then it will be difficult for the Combined Authority to make changes as these follow suit.
- The Combined Authority can implement any of the changes recommended within the report, but it has no control over the Local Authorities and whether they choose to also listen to the recommendations.
- As this Committee is made up of new members it may be wise to allow them an opportunity to dissect the report and do some further work before it is then formally put to Cabinet.

After discussion a vote was taken as to whether the report is agreed for submission to Cabinet. It was decided by a majority vote not to progress the report at this stage.

RESOLVED not to progress the report at this stage.

OSC 8/19 Meetings and Forward Plan for Civic Year 2019/2020

A proposed forward plan was circulated to Members. It was explained that it is for the Committee to agree what they would like to include in their forward plan. Future meetings have also yet to be arranged as the committee should agree how regularly they wish to convene. Cabinet meetings are now quarterly, and this should be reflected in the meetings of the Overview & Scrutiny Committee.

It was agreed that some items should be considered for the next meeting.

These were:

- Transport plan – this goes out for consultation in July.
- Buses report – this will go to July Cabinet

Other items to be added to the Forward Plan were noted:

- Internal Audit report – the Internal Audit Plan will be brought to committee and from there any areas of particular interest can be identified
- Investment Plan – this will be included in the forward plan as consultation is required for this and the Budget.
- Local Industrial Strategy.
- Airport – the O&S role in the airport process needs to be clarified. The Mayor will be requested to attend a meeting and respond to questions as to how this will function.

The Chair and the Scrutiny Officer will convene separately to look at the

Forward Plan and meeting schedule in advance of the next ordinary meeting.

OSC **Any Other Business**

9/19

A question was raised as to whether the Finance sub-committee that is often utilised has a voting power. It was advised that the sub committee has no voting power and will report any findings back to the full Committee for any decision making purpose.

It was requested that the Combined Authority Organogram be circulated to Committee

OSC **Date and Time of Next Meeting:**

10/19

An Extraordinary meeting will be scheduled in the next 14 days to reconsider the call-in request.

Next Ordinary meeting TBC

OSC **Notes from previous meeting**

11/19

The informal notes from the previous meeting were accepted as a true record

Overview & Scrutiny Committee - Notes of inquorate meeting on 19th July

In Attendance

Members: Councillor Norma Stephenson, Councillor Denise Rooney, Councillor Sue Jeffrey, Councillor Paddy Brown, Councillor Stephen Harker, Councillor Doris Jones, Councillor Mike Renton, Councillor Brenda Loynes, Councillor John Hobson,

Officers: Linda Edworthy, Sarah Brackenborough, Andrew Nixon.

It was noted that the meeting was not quorate. It was confirmed by the Monitoring Officer that the meeting was not formal, and no decisions could be made. Those Councillors present agreed to go ahead with the meeting. This note is a summary of the discussion of those present.

The detail of the call-in was discussed.

In relation to the budget timetable the following was noted:

- The end of December deadline had been removed from the Constitution and there were concerns that this would make consultation with stakeholders difficult due to the legislative timing of budget approval.
- Those present discussed that there should be at least 4 weeks between publication of the draft budget and the formal Cabinet meeting to approve the final budget.

In relation to notification of decisions the following was noted:

- Clarification was sought on the process for decision making and the role of the Overview and Scrutiny Committee as there were concerns that changes could affect the performance of their role.
- It was confirmed that key decisions would be notified to the Committee within 2 working days and would be subject to call in. All other decisions would be reported to each meeting for information and would not be subject to call-in. It was noted that the forward plan of upcoming Cabinet decisions was also published 28 days in advance.
- Some Councillors noted that receiving all decisions within 2 working days could overload the Committee and were satisfied with the change.

In relation to the setting of the Cabinet agenda the following was noted:

- It was standard procedure for the Chair to agree items for the agenda and this was simply a matter of clarification within the Constitution.
- It was confirmed that this did not affect the rules of procedure for the Overview and Scrutiny Committee, which were a separate part of the Constitution and were required to be adhered to by law.
- It was suggested that wording could be added to confirm that some items were required by law.

In relation to the political balance of the Committee the following was noted:

- There were concerns that assumptions were being made about independent groups and that they had been grouped together.
- It was also acknowledged that the last elections had seen the number of independents increase significantly and they should be represented proportionately.
- The Monitoring Officer noted that the independent groups had not been grouped together as one and that each Local Authority had a different way of calculating political balance as there is no legal requirement to calculate in the same way.
- It was also noted that a recalculation had taken place since further political parties had been notified to the Monitoring Officer and that clarification was being sought from each Local Authority on this to ensure the correct information had been received.
- It was suggested that a piece of work could be carried out across the Tees Valley to set a consistent formula for all to use.

AGENDA ITEM 5**REPORT TO THE OVERVIEW AND SCRUTINY COMMITTEE****OCTOBER 17th 2019****REPORT OF CHIEF EXECUTIVE****UPDATE FROM CHIEF EXECUTIVE****SUMMARY**

This report updates members of the Overview and Scrutiny Committee on significant recent developments at the Tees Valley Combined Authority, in addition to further verbal updates to be provided at the meeting.

DETAIL**TEES VALLEY CAREERS.COM**

1. The Combined Authority is supporting all Schools and Colleges in the Tees Valley (11-18 year olds). There are currently 679 businesses engaged in supporting careers education in schools and colleges, and 88% of the education establishments In Tees Valley have a Business Enterprise Advisor working directly with the Careers Lead in the establishment.
2. Three Tees Valley applications were shortlisted and successful in the National Careers awards, these are:
 - SEND Champion of The Year – Catcote Academy, Hartlepool – Winners of this category.
 - Partnership of the Year – Carmel College, Darlington and Jacobs – Highly Commended (2nd place) in this category.
 - Careers Hub of the Year-TVCA - Commended (3rd place) in this category

ADULT EDUCATION BUDGET

3. On 1st August 2019 the Adult Education Budget was formally devolved to the Combined Authority, with an allocation of £29.5m for Academic Year 2019/20.
4. Adult Education Budget funding agreements have now been issued to all 33 providers details of which are published on the TVCA website. The first payments were made to all 33 providers in August. The first provider ILR data returns have been submitted to the ESFA and were received by the Combined Authority in September.

REGIONAL APPRENTICESHIP AWARDS

5. The North East Regional Apprenticeship awards took place on 16th September. The awards showcase the diverse and growing range of sectors engaged with apprenticeships and is open to apprentices, individuals who promote apprentices and employers of all sizes from all sectors in the North East.
6. TVCA were very proud to receive the Apprenticeship Organisation award.

STRATEGIC TRANSPORT PLAN

7. The consultation on the Strategic Transport Plan is now underway and will run until the 20th November 2019.
8. This is the first Strategic Transport Plan for the region, for the period up to 2029. It has been developed by the Combined Authority in collaboration with the five constituent Local Authorities, Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.
9. The Combined Authority is investing £256.7million into transport projects in the period 2019-2029 and this Plan will help to direct this investment. The plan has a clear vision:
“To provide a high-quality, clean, quick, affordable, reliable and safe transport network for people and freight to move within, to and from Tees Valley.”

EVENTS & FESTIVALS

10. Work continues to strengthen the calendar of events and festivals across Tees Valley, recognising the significant impact that these activities can have on the visitor economy, local pride, profile of the region and community cohesion.
11. The Culture & Tourism team is working closely with event providers to develop strategic approaches which enhance organisational capacity and resilience whilst also supporting the growth of high quality, exciting and engaging programmes.
12. Recently supported events include Hartlepool Waterfront Festival (July), Festival of Thrift (September) Middlesbrough Art Weekender (September) and new winter after-dark event, Nightfall (December).

OCTOBER CABINET

13. The next cabinet meeting will take place on 25th October. The following reports will be on the agenda:
 - Mayor’s update - a general update on the key activities of the Mayor and Combined Authority since the last Cabinet meeting, which are not covered in other reports to this meeting.

- Governance & Appointments – an update on any changes to governance arrangements or appointments within the Combined Authority – to include Chair & Vice Chair nominations for Overview & Scrutiny Committee.
- Investment Plan - £30m Business Growth Programme - presenting the outline proposals and seeking approval to allocate the £30m of Investment Plan funding to a number of proposed activity streams.
- Investment Plan Delivery Report – a report providing Cabinet with an update of delivery against the agreed ten year Investment Plan
- The Northern School of Art, New Middlesbrough Site/Facility - This report considers the request from The Northern School of Art for investment to relocate its existing Further Education facility from Acklam in Middlesbrough to a town centre location, and in doing so to support its ambition to become a specialist University in Tees Valley.

The below reports will also be on the agenda but are not for publication by virtue of paragraphs 3 of schedule 12A of the Local Government Act 1972

- Demand Responsive Transport
- Teesside International Airport
- Middlesbrough District Energy Network - Update
- Tees Valley Residual Municipal Waste Treatment Project

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REPORT TO THE TEES VALLEY COMBINED AUTHORITY
OVERVIEW & SCRUTINY COMMITTEE

17 OCTOBER 2019

REPORT OF CHIEF EXECUTIVE

DELEGATED DECISIONS APRIL-OCTOBER 2019

SUMMARY

The table below shows the Delegated Decisions signed off by the Combined Authority between April-October 2019.

RECOMMENDATIONS

It is recommended that the Combined Authority Overview & Scrutiny Committee note the table below.

DETAIL

1. The table below shows the Delegated Decisions signed off by the Combined Authority between April-October 2019.

Title	Amount	Date signed	Key Decision
Festivals & Events Programme Funding approved for several events and festivals across the Tees Valley in 2019 in advance of a programme business case coming forward to Cabinet.	320,000	19/07/2019	Yes
Darlington Rail Heritage Quarter - Business Case Development (key decision made previously) Release funding allocated by cabinet to develop the project to RIBA Stage 3 and enable survey work, site acquisition, car parking and preparation of the NLHF Bid as part of the overall business case development.	1,945,000	23/07/2019	No
Wheels to Work (key decision made previously) Funding was approved to an existing project to provide an additional 30 scooters to deal with immediate demand. Approval to extend the project further is being sought through the Integrated Transport Programme.	65,000	10/09/2019	No
Strength in Places (key decision will be made if bid successful) To agree an indicative allocation as match funding to allow submission of a final bid to the Strength in Places Fund for a Hydrogen Economy project looking at the use of Hydrogen in the Tees Valley and Leeds City Region, focusing on lowering carbon emissions and driving economic regeneration. The indicative allocation will be subject to business case and approval before any financial commitment is confirmed.	950,000	18/09/2019	No

Title	Amount	Date signed	Key Decision
Middlesbrough Station - Business Case Development (<i>key decision made previously</i>) Release funding allocated by cabinet to advance the development of train service capacity improvements, station undercroft and forecourt and passenger facility improvements.	1,250,000	07/10/2019	No

2. All key decisions are sent to the Overview & Scrutiny Committee within 2 days of being made. All other delegated decisions are provided for information at their next scheduled meeting.

FINANCIAL IMPLICATIONS

3. There are no direct financial implications arising from this report. The report derives from the Constitution and Assurance Framework for the Combined Authority, which have embedded within them the statutory financial regulations.

LEGAL IMPLICATIONS

4. The Report derives from the Constitution and the Assurance Framework for the Combined Authority which sets out the appropriate statutory framework and is legally binding.

RISK ASSESSMENT

5. The report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION & COMMUNICATION

6. Not Applicable

EQUALITY & DIVERSITY

7. Not Applicable

LOCAL ENTERPRISE PARTNERSHIP

8. Not Applicable

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**Tees Valley Combined Authority Overview & Scrutiny
Proposed Work Programme 2019/20**

Standing Items

Minutes from the Previous Meeting
Announcements from the Chief Executive
Delegated Decisions
Forward Plan
Date and Venue of the Next Meeting

Date	Venue	Item / Responsible Officer
17 th October 2019 at 9.30am	Cavendish House Teesdale Business Park Stockton On Tees TS17 6QY	Election of Chair and Vice Chair Strategic Transport Plan Meetings and Forward Plan for Civic Year 2019/2020
Dates of future meetings to be confirmed	Cavendish House Teesdale Business Park Stockton On Tees TS17 6QY	TBC

Proposed Items to be scheduled

- Annual Financial Statements & Annual Report
- Combined Authority Budget – Quarterly updates
- Combined Authority Investment Plan & Budget 2020/2021
- Portfolio Lead updates
- LEP Update
- Durham Tees Valley Airport
- Updates from Finance and Resources Sub Committee (where applicable)

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