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**TEES VALLEY COMBINED AUTHORITY
OVERVIEW & SCRUTINY COMMITTEE**

Cavendish House, Stockton-On-Tees, TS17 6QY

Friday 12th July 2019 at 1.30pm

MEETING

ATTENDEES

Members

Cllr Norma Stephenson OBE	Stockton On Tees Borough Council	SBC
Cllr Chris Barlow	Stockton On Tees Borough Council	SBC
Cllr Matt Vickers	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
Cllr Robert Clark	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

OSC	APOLOGIES FOR ABSENCE	
	Apologies for absence were received from Cllrs Brown, Prince, Clark and Vickers	
OSC	DECLARATIONS OF INTEREST	
	There were no interests declared.	

<p>OSC</p>	<p>ELECTION OF CHAIR & VICE CHAIR</p> <p>Cllr John Hobson was nominated by Cllr Doris Jones. This was seconded by Cllr Brenda Loynes</p> <p>Cllr Norma Stephenson was nominated by Cllr Stephen Harker. This was seconded by Cllr Sue Jeffrey.</p> <p>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.</p> <p>The Chair asked for nominations for Vice Chair. Cllr Joan McTigue was nominated by Cllr Brenda Loynes. This was seconded by Cllr Doris Jones</p> <p>Cllr Denise Rooney was nominated by Cllr Sue Jeffrey. This was seconded by Cllr Stephen Harker.</p> <p>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.</p> <p>The Chair asked for Introductions to be made as this is the first meeting of new Committee members.</p>	
<p>OSC</p>	<p>NOTES FROM PREVIOUS MEETING</p> <p>The notes from the previous meeting were accepted as a true record</p>	
<p>OSC</p>	<p>WELCOME TO TEES VALLEY COMBINED AUTHORITY</p> <p>Julie Gilhespie, Chief Executive delivered a presentation giving Members an overview of the work and structure of the Combined Authority.</p>	
<p>OSC</p>	<p>CALL IN</p> <p>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.</p> <p>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:</p>	

- 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.

	<p>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.</p> <p>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.</p>	
OSC	<p>ASSURANCE FRAMEWORK OVERVIEW</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
OSC	<p>OVERVIEW & SCRUTINY STUDY: DIVERSITY IN THE TEES VALLEY COMBINED AUTHORITY MEMBERSHIP</p> <p>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.</p>	

	<p>Questions and comments were taken regarding the report. These can be summarised as follows:</p> <ul style="list-style-type: none"> • 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. <p>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.</p>	
<p>OSC</p>	<p>MEETINGS AND FORWARD PLAN</p> <p>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.</p> <p>It was agreed that some items should be considered for the next meeting. These were:</p> <ul style="list-style-type: none"> • Transport plan – this goes out for consultation in July. • Buses report – this will go to July Cabinet <p>Other items to be added to the Forward Plan were noted:</p> <ul style="list-style-type: none"> • 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	<p>ANY OTHER BUSINESS</p> <p>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.</p> <p>It was requested that the Combined Authority Organogram be circulated to Committee</p>	
OSC	<p>DATE OF THE NEXT MEETING</p> <p>An Extraordinary meeting will be scheduled in the next 14 days to reconsider the call-in request.</p> <p>Next Ordinary meeting TBC</p>	

Minutes agreed as a true record

Councillor Norma Stephenson OBE:.....

Date:.....

