



North East Combined Authority, Overview and Scrutiny Committee

Tuesday 9th September, 2014 at 2.00 pm

Meeting to be held: Gateshead Civic Centre, Regent Street, Gateshead, NE8 1HH

www.northeastca.gov.uk

NOTE: Members are advised that this meeting will be followed by a Members only briefing session.

AGENDA

Page No

1. **Apologies for absence**
2. **Declarations of interest**
3. **Declarations of Interest**

Please remember to declare any personal interest where appropriate both verbally and by recording it on the relevant form (to be handed to the Democratic Services Officer).

Please also remember to leave the meeting where any personal interest requires this.

4. **Minutes of the previous meeting held on 30 July 2014** 1 - 4
5. **The Appointment of Substitute Members to the Committees, Joint Committee and Sub-Committees of the Combined Authority** 5 - 8
6. **Developing the Work Programme**

Members are requested to note the intention to circulate the above report on a supplemental agenda in accordance with the provisions of the Local Government (Access to Information) Act 1985

7. Date and time of next meeting

2:00pm Tuesday 9 December 2014 – venue to be confirmed.

Contact Officer: Brenda Joyce Tel: 0191 211 6144 E-mail: Brenda.joyce@newcastle.gov.uk

To All Members

North East Combined Authority, Overview and Scrutiny Committee

30 July 2014

Meeting held at County Hall, Durham, DH1 5UL

Present:

Councillors: Armstrong, Daley, Dillon, Eagle, Graham, A Lower, Meling, Pearson, Snowdon, Stradling and Wright

6 **APPOINTMENT OF CHAIR AND VICE-CHAIR FOR THE MUNICIPAL YEAR 2014/15**

Submitted: Report of the Monitoring Officer (previously circulated copy attached to official minutes).

The Monitoring officer introduced the report which invited members to appoint the Chair and Vice-Chair for the Municipal year 2014/15. Nominations were received for the appointment of Chair in favour of Councillors Wright and Lower. Councillor Wright's nomination was duly seconded. Upon a vote Councillor Wright was appointed unanimously.

RESOLVED – That Councillor Wright be appointed Chair for the 2014/15 Municipal Year.

(Councillor Wright in the Chair)

7 **APPOINTMENT OF VICE-CHAIR**

The Chair then sought nominations for the role of Vice Chair. Nominations were received in favour of Councillors Eagle and Doyle. Councillor Eagle's nomination was duly seconded. Upon a vote Councillor Eagle's appointment was agreed by a majority of those present with no votes against.

RESOLVED – That Councillor Eagle be appointed Vice-Chair for the 2014/15 Municipal Year.

8 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Glindon, Maxwell and Tyler.

9 **DECLARATIONS OF INTEREST**

No declarations were made.

10 MINUTES OF THE PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 12 June 2014 be approved as correct record and signed by the Chair.

11 WORK PROGRAMME

Submitted: Report of the Monitoring Officer (previously circulated copy attached to official minutes) which summarised the responses received from members of the committee for inclusion in the work programme.

In introducing the report the Monitoring officer indicated that 5 responses had been received. In relation to the suggestion 'Understanding the role of NECA and the Committee', reports which had been submitted to the Leadership Board (NELB) from each of the three thematic Leads (Transport, Economic Development and Regeneration and Employability, Inclusion and Skills Update) had also been circulated as part of the agenda for this meeting. The aim had been to provide Members with an insight into the type of information which was available and could be provided to members on a regular basis and would support them in taking an informed approach to consideration of their work programme. It was recommended that officers should develop a series of workshops to facilitate this suggestion.

Members were supportive of the suggestion to hold a series of workshops and a number of additional and related suggestions to develop the work programme were made as follows:-

- To look at best practice of scrutiny arrangements at other combined authorities (in particular Manchester) and explore the possibilities for member visits to other authorities or invite representatives of other combined authorities to visit and share their experiences, as part of the workshops.
- That Lead Members be invited to address members at the start of the workshops (10minutes), enabling members of the committee to meet them in person and to receive an overview of the subject from them.
- Utilising existing knowledge and member experience of scrutiny, to begin work now to consider a selection of transport related topics. Assessing what already exists from work undertaken by individual Councils.
- Looking at the work being done by the Leadership Board, receiving presentations and gaining an understanding of the work being done across each of the thematic groups; adding value to, understanding and influencing their decisions.
- With specific reference to item 21 of the Overview and Scrutiny Rules of Procedure, the need to set out a process map to ensure an understanding of the functions and clarity for authorities as to their role would be welcomed. It was recognised that each authority would not be working independently but within the collective working of the Combined Authority.

Following a review of the discussion it was:-

RESOLVED – That:-

- i. Workshops are arranged as proposed.

- ii. Work be undertaken to gain an understanding of the work of scrutiny (best practice) in other Combined Authorities which would be fed in to the workshops.
- iii. Arrangements to include inviting the thematic leads to address the workshops, but that the workshops proceed should this not be possible.
- iv. Presentations on the work of the Combined Authority be made at the workshops and that topics for scrutinising be taken forward arising from discussions.
- v. Details of the Leadership Board's work programme be considered to gain an understanding of their intentions, including the financial implications of their decisions.
- vi. An exercise be undertaken to provide a process map of the scrutiny arrangements of the Combined Authority to ensure an understanding of its role and functions, in particular by councils individually.

12 SUPPORT FOR OVERVIEW AND SCRUTINY

Submitted: Report of the Monitoring Officer (previously circulated copy attached to official minutes) which set out the proposals for support arrangements for the Scrutiny function of the North East Combined Authority (NECA) on an interim basis.

The Monitoring officer gave a brief introduction and Jane Robinson (Chief Executive Gateshead) as Interim Head of Paid Service for NECA gave a more detailed introduction to the report. The report had been prepared following the discussion at the last meeting when the Chief Executive of North Tyneside Council had undertaken to raise members' comments with the Chief Executives' group. The report set out the role of scrutiny, the scope of which, in relation to the Combined Authorities responsibilities, was extensive and it was recognised that the arrangements would need to reflect that. The interim Democratic Support role would continue to be provided by Newcastle, with Policy support provided by Sunderland (that being the Authority which had provided the Chair of the Committee). The policy role would include commissioning and programme development and would involve bringing others into the process as necessary, including thematic leads and officer leads from individual authorities. A programme of rotation of meetings at each authority's venues would be implemented. Close monitoring of the development of the role of scrutiny and the resources required would be necessary as the role and understanding of the NECA developed.

Karen Brown from Sunderland was in attendance at the meeting and in response to Member comments, undertook to ensure that all relevant scrutiny officers from the NECA area were kept informed and were involved in the process as required. This would meet with the principle of the Chair's Authority leading the scrutiny process whilst being supported by the resources available in other constituent authorities (paragraph 3.1 refers).

In relation to the appointment of independent advisers requiring approval of the Leadership Board (paragraph 2.9), it was confirmed that this related to the Board's financial control and would not relate to approval of the individual experts.

RESOLVED – That the proposals for supporting the Committee as set out in Part 3 of the report, and clarified at the meeting, be noted.

13 **COMMITTEE MEMBERSHIP - APPOINTMENT OF SUBSTITUTES**

A Member highlighted that the issue of appointment of substitute members had been raised at the last meeting and the expectation had been that the issue would be discussed again at this meeting.

The Monitoring Officer indicated that the appointment of substitutes to this Committee would involve a change to the NELB Constitution and any such change would require the approval of the Leadership Board. The intention was that the Constitution would be reviewed following the first six months of operation of the Combined Authority. That review would be undertaken at the Leadership Board meeting in October therefore any views expressed or recommendations made by this Committee could be fed into the review process. It was suggested that the issue be discussed in full at the next meeting.

After further discussion of the merits or otherwise of the committee having substitutes appointed it was:-

RESOLVED – That an item be placed on the agenda for the next meeting to enable the issue of appointment of substitute members for this Committee to be considered.

14 **DATE AND TIME OF FUTURE MEETING**

It was noted that the next meeting would be held at 2pm on Tuesday 9 September 2014 in Gateshead.

North East Combined Authority

Overview and Scrutiny Committee

DATE: 9 September 2014

SUBJECT: The Appointment of Substitute Members to the Committees, Joint Committee and Sub-Committees of the Combined Authority

REPORT OF: Vivienne Geary, Monitoring Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide information to the Overview and Scrutiny Committee to enable the Committee to consider whether there is a need for substitute members to the Committees and to enable appropriate recommendations to be submitted to the Leadership Board when considering future changes to the Constitution of the NECA.

RECOMMENDATIONS

That the Overview and Scrutiny Committee note the contents of the report and consider whether or not to recommend to the Leadership Board that the Constitution be amended to enable the appointment of substitute members to attend in the absence of the appointed member of the Committee.

1 Background Information

- 1.1 On the creation of the NECA there was a consensus that the administration of the NECA would be as streamlined and as efficient as possible. In accordance with that principle when the number and composition of the committees, and sub-committees of the NECA was determined, save for the Leadership Board (where there is provision in the Order establishing the NECA that there will be substitute members appointed to the Leadership Board), no provision was made for the appointment of substitute members for other committees/sub-committees of the NECA including the Overview and Scrutiny Committee.
- 1.2 To provide for the attendance of substitute Members will require the amendment of the Constitution. The Constitution can only be amended by the unanimous decision of the Leadership Board.

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- 1.3 The Overview and Scrutiny Committee is the only Committee that the NECA is obliged to have by virtue of the Order creating it. It has a membership of 14 members, 2 from each constituent authority. Its quorum is 10 and the membership is based on the political balance that prevails at each of the constituent authorities.
- 1.4 There is no legal impediment to the introduction of substitute members to the committees of the NECA including the Overview and Scrutiny Committee. If the Overview and Scrutiny Committee members recommend to the Leadership Board that there be substitute members then the names of substitute Members will be sought from the Constituent Authorities following appropriate amendment of the Constitution to accommodate this. If such a recommendation is to be made, such a substitute member would be appointed on the basis of the current eligibility criteria for membership of the Overview and Scrutiny Committee, which exclude any Member or of the Leadership Board or their substitute from that role.

In addition any substitute Member would be sought from a Constituent Authority on the basis of the political balance within that Authority.

2 Proposals

- 2.1 The Committee is invited to consider whether or not substitute members should be appointed to the Overview and Scrutiny and to make appropriate recommendations to the Leadership Board.

3 Next Steps

- 3.1 If amendments to the Authority's Constitution are recommended these will be submitted for consideration by the Leadership Board during the current review.

4 Potential Impact on Objectives

- 4.1 There is no specific impact on the Objectives of the NECA.

5 Finance and Other Resources

- 5.1 There are no direct financial or resource implications for the Authority in relation to this issue. No allowances are paid by the NECA to the members of the Overview and Scrutiny Committee. There may be an impact for individual constituent authorities depending on their arrangements for the payment of member allowances. Any payment of allowances to members of the

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constituent authorities attending committees/sub-committees of the NECA is a matter that is determined by each constituent authority.

6 Legal

- 6.1 Amendments to the Constitution such as the inclusion of provisions for the appointment of substitute members is a matter for the Leadership Board. Changes to the Constitution are agreed on a unanimous basis. There is no legal impediment to the amendment of the Constitution to enable the appointment to the Committee of substitute members.

7 Other Considerations

7.1 Consultation/Community Engagement

This is an issue arising out of views expressed at the Overview and Scrutiny Committee by the members of that Committee. The views of the Committee on the appointment or otherwise of substitute members will be conveyed to the Leadership Board when changes to the Constitution are considered.

7.2 Human Rights

There are no specific human rights implications arising from this report.

7.3 Equalities and Diversity

There are no specific equality and diversity implications arising from this report.

7.4 Risk Management

There are no specific risk management implications arising from this report.

7.5 Crime and Disorder

There are no specific crime and disorder implications arising from this report.

7.6 Environment and Sustainability

There are no specific environment and sustainability implications arising from this report.

8 Background Documents

- 8.1 The Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Constitution April 2014;

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9 Links to Plans in the Policy Framework

9.1 This report has no direct links to plans in the Policy Framework.

10 Appendices

10.1 None

11 Contact Officers

11.1 Vivienne Geary, Monitoring Officer.
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12 Sign off

- Head of Paid Service✓
- Monitoring Officer✓
- Chief Finance Officer✓