

Minutes of the Overview and Scrutiny Management Board

Wednesday, 4th September, 2019 at 6.00 p.m.
at the Council House, Priory Road, Dudley

Present

Councillor N Richards (Chair)
Councillor C Barnett (Vice-Chair)
Councillors T Crumpton, A Finch, J Foster, L Jones, P Lee, A Millward, M Rogers,
D Tyler and S Waltho

Also in Attendance:

Councillor P Harley (Leader of the Council)
Councillors C Bayton and A Lees (Members of the West Midlands Combined
Authority Overview and Scrutiny Committee)

Officer

S Griffiths - Democratic Services Manager/Statutory Scrutiny Officer (Chief
Executive's Directorate)

9 **Apologies for Absence**

Apologies for absence from the meeting were received on behalf of Councillors
R Burston, J Roberts and P Sahota.

10 **Appointment of Substitute Member**

It was noted that Councillor P Lee had been appointed to serve as a substitute
Member for Councillor R Burston for this meeting of the Board only.

11 **Declarations of Interest**

Councillor N Richards reported that, in accordance with the Members' Code of
Conduct, she had declared a disclosable pecuniary interest to the Monitoring Officer
in view of her employment as a Content Creator for the West Midlands Mayor.

Following advice from the Monitoring Officer, the interest was disclosed at this
meeting for transparency purposes. Agenda item No. 7 related to the development
of the overview and scrutiny arrangements operated by West Midlands Combined
Authority (WMCA). There was no conflict of interest requiring the Chair to leave the
meeting as the role of the Board was not to directly scrutinise the work/decisions of
the WMCA Overview and Scrutiny Committee or any executive decisions made by
the Mayor/WMCA.

12 **Minutes**

Resolved

That the minutes of the meeting held on 12th June, 2019 be approved as a correct record and signed.

13 **Public Forum**

No issues were raised under this agenda item.

14 **Statutory Guidance on Overview and Scrutiny**

A report of the Lead for Law and Governance (Monitoring Officer) and the Democratic Services Manager (Statutory Scrutiny Officer) was submitted on the ongoing development of the Council's overview and scrutiny arrangements taking account of the published Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities.

Following the meeting of the Board on 12th June, 2019, a briefing note on the Statutory Guidance had been circulated to all members of the Council. The Board was invited to comment on the development of any aspects of the Council's Overview and Scrutiny arrangements taking account of the Statutory Guidance and local requirements.

The following points were noted:

- The Democratic Services Manager was designated as the Statutory Scrutiny Officer pursuant to Section 9FB of the Local Government Act 2000.
- The engagement of external professional, expert or independent persons was a potential option if this was necessary in specific circumstances and subject to resources being available.
- Flexible arrangements were in place to allow political groups to appoint substitute members to serve on scrutiny reviews of specific interest to them or where members had specialised experience or knowledge. This needed to be recognised in the publication of member attendances.
- Scrutiny Committee Procedure Rule 12 referred to a time limit of 5 minutes for a Cabinet Member or Officer to make a final statement during the consideration of a 'Call-In'. This time limit was considered unnecessary.
- Scrutiny Committee Procedure Rule 9 required the inclusion of a 'Public Forum' on the agenda for all Scrutiny Committees. The Board asked that further work be undertaken to publicise relevant agenda items and to engage with the public. Consideration would be given to issuing promotional material in the same way as for the Community Forums, which could be posted on social media.

Resolved

That the points listed above be reflected in the development of the Council's overview and scrutiny arrangements taking account of the Statutory Guidance and ongoing local requirements.

15 **West Midlands Combined Authority - Overview and Scrutiny Arrangements**

A joint report of the Lead for Law and Governance (Monitoring Officer) and the Democratic Services Manager (Statutory Scrutiny Officer) was submitted on the overview and scrutiny arrangements operated by West Midlands Combined Authority (WMCA).

The report included details of the portfolio of the Cabinet Member with lead responsibility for matters relating to WMCA and information concerning the appointment of Dudley MBC members to serve on the Committees and Boards of WMCA. The WMCA overview and scrutiny annual report for 2018/19 was also circulated giving an overview of the work carried out during that municipal year.

The Statutory Guidance also applied to scrutiny in Combined Authorities, however, it was recognised that scrutiny needed to be carried out differently at a local level compared to the strategic task of scrutiny at the Combined Authority. The Centre for Public Scrutiny had undertaken a review of the role of scrutiny within a Combined Authority context and key findings were summarised in the report. An action plan was being developed for the WMCA to take forward the findings of the review.

The WMCA had developed a scrutiny protocol to communicate the role and purpose of scrutiny and this was circulated to Members. This protocol would be supplemented by a guidebook to support the operation of the overview and scrutiny function. The Board was invited to comment on the developing working arrangements to raise awareness and improve communication in respect of key scrutiny issues being considered by WMCA.

Councillors A Lees and C Bayton addressed the meeting and gave an overview of key issues, including the role of the WMCA Overview and Scrutiny Committee, the structure of the WMCA Boards/Committees, Task and Finish Groups, ongoing priorities and various constitutional and governance issues arising from the Centre for Public Scrutiny review. The focus was on delivery, implementing new ways of working and adding value through the scrutiny process.

Consideration was being given to improving communication between the WMCA and Members of Dudley MBC by newsletters, 'drop in' sessions, ad hoc presentations and general updates on the progress of key projects. Further updates would aim to give assurances that overview and scrutiny was adding value to the WMCA.

The Board welcomed the presentation and raised a number of points:

- It was noted that work in connection with the Mental Health Commission and the 'Thrive into Work' project was ongoing.

- The recent appointment of the WMCA portfolio holder for Wellbeing was noted and this would be reviewed in the future.
- Reference was made to difficulties in achieving a quorum at some WMCA meetings and the lack of remuneration paid to those Members who had significant additional responsibilities in connection with the WMCA.
- Reference was also made to the additional responsibilities and the development of skills for Members to scrutinise significant and large-scale projects. The Leader had established a Cabinet Member portfolio for WMCA and the importance of attendance at meetings was recognised to ensure the interests of the Borough were fully and properly represented.
- Comments were made regarding key projects of significance to the Borough including the DY5 Enterprise Zone, the Metro, Very Light Rail and associated transport improvements. The Leader emphasised the need for effective cross-party working to ensure the benefits were fully realised. Reference was also made to the consideration of funding for improvements in Lye.
- It was confirmed that future meetings of the WMCA Overview and Scrutiny Committee would be rotated around venues in the region.
- A query was raised as to what extent the WMCA were considering environmental issues for the wider geographical area. The issue of emissions and air quality were under active consideration by a Working Group.

The Chair thanked Councillors C Bayton and A Lees for attending the meeting and for their contributions to the discussion.

Resolved

That the ongoing development of the overview and scrutiny arrangements operated by WMCA, together with the associated working arrangements and protocols, be noted.

16 Feedback from Scrutiny Committees

The Board received an update on the work being undertaken by Scrutiny Committees, including feedback from the following meetings:

Children's Services Scrutiny Committee – 1st July, 2019

Corporate Scrutiny Committee – 2nd July, 2019

Place Scrutiny Committee – 3rd July, 2019

Health and Adult Social Care Scrutiny Committee – 10th July and 28th August, 2019

The meeting ended at 7.30 pm

CHAIR

OSMB/10