

REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY
OVERVIEW & SCRUTINY COMMITTEE

DATE: 8TH SEPTEMBER 2023

REPORT TITLE: OPERATION OF OVERVIEW & SCRUTINY
COMMITTEE

DIRECTOR: DANIEL DICKINSON, INTERIM MONITORING
OFFICER

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1. Purpose of Report

1.1 To set out proposals and options to inform a discussion on the future operation of the Combined Authority's Overview & Scrutiny (O&S) function.

Recommendation

1.2 That Members of the O&S Committee discuss and agree the proposals around their forward work plan, ways of working and the committee's relationship to other boards and organisations.

Reasons for recommendation

1.3 The new Committee Members have asked for proposals to be brought forward to ensure the Committee is operating an effective scrutiny function on behalf of the Combined Authority.

2. Background

2.1 The May 2023 local elections and the Combined Authority Committee AGM have returned new Members and proposed Chair/Vice Chair arrangements for the Committee. At an informal meeting of O&S Members and Officers on 7 July 2023, Members discussed how they would like to see O&S operating in the forthcoming term. There was a discussion around:-

a) the potential for additional scrutiny meetings to be added to the programme

- b) effective scrutiny work programming and forward planning, along with scrutiny Member attendance at Advisory Boards
- c) reviewing the current arrangements in place for report preparation and circulation
- d) linking into best practice in the constituent unitary authorities and other combined authorities
- e) drawing on external resource to help train members and develop the Combined Authority's scrutiny function, with particular emphasis on understanding the delineation between Scrutiny and Audit

2.2 Since the 7 July meeting, Officers have met with Cllr Plowden, on behalf of the Scrutiny Committee, to further explore and develop these themes. This report goes on to provide further information for discussion in each of these areas.

3. Additional scrutiny meetings

- 3.1 It has been agreed that in addition to the 4 "ordinary" programmed meetings of the Committee, 3 additional meetings would be facilitated to allow "deep dives" into thematic issues.
- 3.2 At the informal meeting on 7 July 2023, it was proposed that the 3 additional meetings could focus on governance, the Regional Strategy refresh, ecology/net zero and programme delivery.
- 3.3 This meeting, on 8 September 2023 is the first of those 3 additional meetings and includes papers to update members on the work underway to refresh the Regional Strategy and on progress against the governance workstream of the Transformation Programme.
- 3.4 Members are asked to consider the programming and scope of the other 2 additional meetings, bearing in mind the need for officers to be able to properly plan and resource the same if the meetings are to operate to best effect.

4. Forward planning and Advisory Board attendance

- 4.1 As resolved at the CA Committee, an indicative forward plan of decisions and business to be brought forward to the CA Committee was published on the 8th June 2023. This is available at Annex 1. This plan is kept under review as milestones do change due to the complexity of some of the projects. It will be published at regular intervals.
- 4.2 The Committee is recommended to use this forward plan to develop a scrutiny programme. The proposed workshops should also assist in formulating an approach to forward planning the scrutiny work programme.
- 4.3 In addition to the 3 additional "themed" scrutiny meetings, the Committee will

continue to receive reports destined for the Combined Authority Committee and Joint Committee and so will have the opportunity to review all reports and prepare a statement to be made in person at the Combined Authority Committee and Joint Committee itself. The issue raised in respect of the timing of report preparation and circulation is addressed below.

4.4 In terms of scrutiny member attendance at the Combined Authority’s Advisory Boards, O&S Members have a standing invitation to attend the advisory boards. Constitutional arrangements are available here: [Constitution](#)

4.5 The Combined Authority’s on-line calendar of meetings can be consulted to ascertain when formal committee meetings fall, but the table below summarises the position and includes meetings of the Advisory Boards. Members may wish to review the meeting cycle going forward to assist in forward planning scrutiny work including nominating members to attend Advisory Boards in an observational capacity.

O&S CA Reports	O&S Deep Dive	B&S Board	PH&T Board	Audit
			4 Sept	
		7 Sep		
	8 Sep			
				18 Sep
2 Oct				
				15 Nov
				4 Dec
			8 Jan	
		11 Jan		
	15 Jan			
22 Jan				
			19 Feb	
		22 Feb		
				4 Mar
11 Mar				

5. Reviewing the current arrangements for report preparation and circulation

5.1 Currently, the operational practice for the ordinary O&S meetings is for those meetings to consider the business programmed for the meetings of the Combined Authority Committee and the Joint Committee that follow immediately afterwards. This sequence often means that the papers for those two committees have already been published by the time the O&S committee meets. O&S observations are then fed into the two subsequent committees through a standing agenda item at those committees for those purposes.

5.2 Discussions at the 7 July meeting and since have surfaced a desire for papers for the regular O&S meetings to be circulated to O&S Members 10 clear working days before the meeting rather than the usual 5 clear days set out in statute. Officers are currently working through the implications of this approach given the impacts

this would have on current deadlines in the drafting, clearance and briefing process. It may be that settled practice on this point is best emerging from the scrutiny development workshops discussed later in this report.

6. Linking into external best practice

- 6.1 Significant progress can be reported on this action. The Combined Authority's newly appointed Democratic Services and Scrutiny Manager has begun to make connections with her counterparts in all of the other "M10" Combined Authorities as well as the four Unitary Authorities within the West of England footprint. The establishment of this regular networking opportunity will enable the sharing of best practice on how to most effectively operate a scrutiny function in areas serviced by a Combined/Unitary regional/local government structure.
- 6.2 This work is particularly important and timely given the relatively recent emergence of the first edition of DLUHC's English Devolution Accountability Framework, part of which will include a Scrutiny Protocol. The M10 scrutiny network will provide an important opportunity to engage with DLUHC on the Protocol as it navigates the process of Ministerial clearance.
- 6.3 It is intended that the creation of a network at Officer level will open up opportunities for a similar network and Member/Chair level to ensure that experiences of best practice can be shared from both the Member and Officer dimension. This work will complement the scrutiny development workshop programme discussed below.

7. External Workshop Support

- 7.1 As discussed at the informal meeting on 7 July, Officers have liaised with staff from the Centre for Governance and Scrutiny (CfGS) to devise support for Members in exploring and arriving at best practice in operating the scrutiny function.
- 7.2 The CfGS will deliver a presentation at this meeting on the vital role of Scrutiny, and what its primary duties and responsibilities are. Further support will be sought out from either the CfGS and/or the Local Government Association (LGA) which typically takes the form of a workshop or series of workshops led by both an Officer and Member peer.
- 7.3 These further workshops offer an opportunity to discuss practice in the Combined Authority and explore best practice elsewhere, recognising that each organisation is unique, and needs to tailor its scrutiny function to meet its own particular needs and objectives. This work can often lead to helpful refinements in operational practice and in developing personal skills sets which facilitate more effective and added value scrutiny.
- 7.4 It may be opportune to also explore with the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Chair of the Audit Committee as to whether a similar offer is available and would be of interest with regards to the work of the Audit Committee, as it is important that both committees have distinct and clearly

understood roles and terms of reference.

7.5 The intention would be to offer access to any sessions across the membership of the two committees to maximise the opportunity for Member input, learning and development.

8. Risk Management/Assessment

8.1 There are no specific risk management issues arising from the content of this report.

9. Public Sector Equality Duties

9.1 There are no specific PSED considerations arising from the content of this report.

10. Climate Change Implications

10.1 There are no specific climate change implications, but it will be noted that additional time has been made in the programme to accommodate an environment themed scrutiny deep-dive which will assist in achieving the Combined Authority's priorities in this regard.

11. Finance Implications, including economic impact assessment where appropriate:

11.1 The implications arising under this heading are principally related to the officer resource required to support an increased scrutiny programme and any resulting changes to scrutiny practice, which are all currently anticipated to be absorbed within recently approved budget allocations. Steps have already been taken to increase officer resource to support this area of the Authority's operations.

11.2 However, very careful consideration of the impacts on officer resource will have to be given as any new proposals develop, to ensure that providing enhanced support to the scrutiny function does not divert resource to the detriment of operational delivery, and in particular to the time constraints under which officers operate to generate reports.

12. Legal Implications:

12.1 There are no specific legal implications arising from the content of this report. Care will be taken to ensure emerging practice remains compliant with evolving legal requirements and statutory guidance applicable to the scrutiny function.

13. Human Resources Implications:

13.1 These are referred to above under the financial resources implications sections.

14. Land/property Implications

14.1 Not applicable.

Appendices:

Appendix 1 – Combined Authority Committee Forward Plan

Background papers:

N/A

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Appendix 1

West of England Combined Authority Committee and West of England Joint Committee – Draft Forward Plan 2023/24

Publication date:

Updated: 23 Aug 2023

The draft Forward Plan seeks to anticipate (as far as possible) the decisions to be made by the West of England Combined Authority Committee and West of England Joint Committee during the 2023/24 municipal year.

The Forward Plan is updated regularly and can be viewed on the West of England Combined Authority website.

The Forward Plan aims to go beyond the minimum legal requirement for notice of key decisions to be published at least 28 days in advance of the decision-taking meeting. For all meetings, a formal agenda will be published at a minimum of 5 clear working days before the meeting.

This update covers the meetings of the West of England Combined Authority Committee and Joint Committee scheduled to be held on the following dates during the 2023-24 municipal year:

* 06 October 2023

* 26 January 2024

* 15 March 2024

Indicative agenda items scheduled for remainder of 2023/24

06 October 2023 meeting

West of England Combined Authority Committee

1. Combined Authority & Mayoral Budget Forecast
2. Audit Committee Annual Report
3. Senior/Statutory Officer Appointments
4. Transformation Programme Update
5. Climate and Ecological Strategy and Action Plan Update
6. CRSTS Re-Baselining

7. Adult Education Budget 24/25
8. Skills Bootcamps Delegations
9. Bristol Temple Quarter – Approvals and delegations for delivery
10. Supported bus funding principles
11. Future4WEST Strategic Outline Case and approval of next steps
12. Draw Down Filton Station funding

West of England Joint Committee

1. IBB Review
2. LEP Future Governance
3. LEP Budget Forecast

26 January 2024 meeting

West of England Combined Authority Committee

1. Combined Authority & Mayoral Budget Setting
2. Capital Strategy Including Treasury Management Update
3. Transformation Programme
4. Strategic Rail Pipeline
5. Electric Vehicle Strategy
6. Somer Valley Links – Approval of Outline Business Case
7. Metrowest 1 Funding/Approval to submit Full Business Case to DfT
8. Engagement and Consultation on Walking & Cycling Investment Plan

West of England Joint Committee

4. LEP Budget Setting

15 March 2024 meeting

West of England Combined Authority Committee

1. Combined Authority & Mayoral Budget Forecast
2. Transformation Programme
3. Climate and Ecological Strategy and Action Plan Update and 2024 Revision
4. Bath Riverside Outline Business Case
5. M32 Strategic Corridor Outline Business Case
6. Bristol/Bath Strategic Corridor Outline Business Case
7. Joint Local Transport Plan Consultation
8. Metrowest 2 Full Business Case