

Report to: Overview and Scrutiny Committee

Date: 22 March 2019

Subject: **Scrutiny Work Programme 2018/19**

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1. Purpose of this report

- 1.1 To consider the Scrutiny work programme including future agenda items, formal referrals to scrutiny, reviews, call in, matters to raise at the next Combined Authority meeting and any other tasks, issues or matters the Committee resolves to undertake or consider further.

2. Information

- 2.1 The Scrutiny work programme details the planned work the Overview and Scrutiny Committee has resolved to undertake, investigate further and focus on in the current municipal year (June 2018 – June 2019) within the resources, remit and powers available to it. The work programme is considered at each meeting and can be amended and changed as the year progresses.

Referrals

- 2.2 Under Scrutiny Standing Order 9, any Member of the Overview and Scrutiny Committee, the Combined Authority or any elected Member of a West Yorkshire council or the City of York Council may formally refer a matter to the Committee for consideration. The referral must be in writing to the Scrutiny Officer. The Committee must then consider and discuss the referral and respond to the referrer explaining whether or not it will consider the matter further and why.
- 2.3 No formal referrals have been made in writing under Scrutiny Standing Order 9 for the Overview and Scrutiny Committee to consider at this meeting.

Scrutiny Reviews

- 2.4 On 13 July 2018, the Overview and Scrutiny Committee expressed an intention to begin a review of current scrutiny arrangements. The review was deferred until such a time that new statutory scrutiny guidance was published by the government. At the time of the production and publication of this report, the guidance has not yet been published. The Scrutiny Officer shall inform Members when the guidance has been published and fulfil the resolutions passed at the last Committee meeting.
- 2.5 There are no other reviews ongoing at this time.

Scrutiny agenda forward plan 2018/19

- 2.6 A summary of the current work programme is outlined in **Appendix 1**. Changes are outlined below.
- 2.7 The Corporate Plan and performance item originally earmarked for consideration at the 22 March 2019 meeting has been deferred to the 24 May 2019 meeting to accommodate the attendance of Cllr Susan Hinchcliffe, Chair of the Combined Authority, and Ben Still, the Combined Authority's Managing Director, who have been invited to the next meeting on 24 May 2019 to present and take questions from Members.
- 2.8 The next committee meeting on 24 May 2019 will also include an annual scrutiny report looking back at scrutiny activity in 2018/19 to be tabled at the Combined Authority's annual meeting on 27 June 2019 and published on the Combined Authority's website. A scrutiny section on the website is currently in development.
- 2.9 Consequently, it is proposed that the item on fuel poverty which was previously suggested for 24 May 2019 be placed on the shortlist for consideration for next municipal year's (June 2019 – June 2020) scrutiny work programme.
- 2.10 At the previous meeting, it was suggested that the Committee partake in pre-decision scrutiny of the Energy Strategy. However, officers have informed the Committee that the final version of the Energy Strategy was adopted at the December 2018 meeting of the Combined Authority and its inclusion in the April 2019 Combined Authority meeting agenda is only as an update. Energy Strategy has been added to the shortlist (**Appendix 1**).

Scrutiny working groups

- 2.11 Under Scrutiny Standing Order 7, the Overview and Scrutiny Committee may appoint working groups to consider matters more closely, fulfil 'tasks' and otherwise inform the scrutiny process.
- 2.12 At the last committee meeting, the LEP scrutiny working group was asked to report back any initial contributions to the Assurance Framework so far. The

working group discussed the general principles of how scrutiny should engage with the assurance process and contributed suggested wording to Section 3.8 ("Scrutiny") of the draft Assurance Framework 2019. The wording is attached at **Appendix 2** for information. A fuller report will form part of the Annual Scrutiny report referenced in 2.8 (above).

- 2.13 The planned Annual Scrutiny Report will also include a report on the Transport Scrutiny Working Group's deliberations in this municipal year. This will include the topics previously covered by the working group in 2018, such as:
- Accessibility, including mobility aids on Northern trains
 - Integrated Ticketing and the issue of digital inclusion
 - Rail performance
 - Linking transport with employment and planning policy
 - Employment and work – Joseph Rowntree Foundation (JRF) report entitled 'Tackling transport-related barriers to employment in low-income neighbourhoods'

Key decisions and call in

- 2.14 Members of the Overview and Scrutiny Committee may call in any decision of the Combined Authority, a decision-making committee and any key decisions taken by an officer (with the exception of urgent decisions). Key decisions are defined as any decision incurring a financial cost or saving of £1 million or more, or a decision likely to have a significant effect on two or more wards.
- 2.15 Decision makers have two days to publish notice of a decision, at which point scrutiny members have five working days to call in the decision, delaying its implementation, and formally requiring the decision maker to reconsider.
- 2.16 Five members of the Overview and Scrutiny Committee – including at least one member from two different constituent councils (West Yorkshire) – may call-in a decision by notifying the Scrutiny Officer in writing by 4.00 pm on the fifth working day following publication. The Committee then has 14 days to scrutinise the decision and make recommendations. Further information is set out in Scrutiny Standing Order 13.
- 2.17 The latest key decisions and forward plans of key decisions are published on the [key decisions section of the Combined Authority's website](#).

Matters to raise at the Combined Authority meeting on 25 April 2019

- 2.18 The Chair of the Overview and Scrutiny Committee has a standing invite to meetings of the Combined Authority as a (non-voting) observer in order to raise any scrutiny matters and convey any feedback from scrutiny members to the Combined Authority.
- 2.19 The Combined Authority's draft agenda forward plan is summarised in **Appendix 1**.

- 2.20 Currently, the agenda for the 25 April 2019 meeting of the Combined Authority plans to include an item considering the future approach of inclusive growth criteria for business grants programmes – which is also being considered by the Overview and Scrutiny Committee in Item 6 of this meeting (22 March 2019).
- 2.21 [Minutes and agendas from past meetings](#)¹ of the Combined Authority can be accessed on the Combined Authority’s website. Agendas and reports for future meetings will also be published there.

Actions for the Scrutiny Officer

- 2.22 As outlined in Scrutiny Standing Order 15, the statutory scrutiny officer provides support to the Overview and Scrutiny Committee’s work programme and all of its members in exercising their scrutiny duties and fulfilling their objectives.
- 2.23 A list of any outstanding or completed actions is included in the work programme summary attached at **Appendix 1**.

Notification of changes in membership and substitute arrangements

- 2.24 Scrutiny Standing Order 2.1 states that any changes in the membership, or substitution arrangements for any existing member, of the Overview and Scrutiny Committee must be formally ratified at a meeting of the Combined Authority – and only after a formal nomination from a local authority is received by the Monitoring (or Deputy) Officer of the Combined Authority.
- 2.25 Scrutiny Standing Order 2.4 states that a substitute may only act in the absence of a member for whom they are the designated substitute and where that member will be absent for the whole of the meeting.
- 2.26 Since the last meeting of the Overview and Scrutiny Committee, the following changes in membership were ratified at the 14 February 2019 meeting of the Combined Authority:
- Councillor Helen Douglas (York) fills the vacancy left by Councillor Jenny Brooks.
 - Councillor Steve Tulley replaces Councillor Albert Manifold as substitute member for Councillor Elizabeth Rhodes
 - Councillor Carol Thirkill replaces Councillor Joanne Dodds as substitute member for Councillor Rosie Watson
 - Councillor Michael Watson is appointed as substitute member for Councillor Liz Smaje.
- 2.27 A current list of members and their designated substitutes is attached at **Appendix 3**.

¹ <https://westyorkshire.moderngov.co.uk/ieListMeetings.aspx?Committeeld=133>

3. Financial Implications

3.1 There are no financial implications directly arising from this report.

4. Legal Implications

4.1 There are no legal implications directly arising from this report.

5. Staffing Implications

5.1 There are no staffing implications directly arising from this report.

6. External Consultees

6.1 No external consultations have been undertaken.

7. Recommendations

7.1 That the agenda forward plan and scrutiny work programme for the 2018/19 municipal year as outlined in **Appendix 1** be noted or amended.

7.2 That the changes in membership and substitute arrangements highlighted in 2.24 be noted.

7.3 That any other actions and decisions relating to the work programme be agreed.

8. Background Documents

[Scrutiny Standing Orders](#) (amended on 3 January 2019) – West Yorkshire Combined Authority.

[Past Combined Authority meeting agendas and minutes.](#)

Key decision forward plans for the Combined Authority [can be found here.](#)

9. Appendices

Appendix 1 – Scrutiny Work Programme Summary (22 March 2019)

Appendix 2 – Section 3.8 "Scrutiny" of the draft Assurance Framework 2019

Appendix 3 – List of current Overview and Scrutiny members and designated substitutes (*as of 13 March 2019*)