

**Report to:** Overview and Scrutiny Committee

**Date:** 14 September 2018

**Subject:** **Scrutiny work programme**

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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 (July 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 an 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.

## Reviews

- 2.4 On 13 July 2018, the Overview and Scrutiny Committee directed the Scrutiny Officer to begin a **review of current scrutiny arrangements**. No other reviews are ongoing at this time.
- 2.5 The Committee suggested the following focuses, amongst others:
- i) **compliance with expected changes to government guidance** in December 2018 (further details below and in **Appendix 3**)
  - ii) Reviewing and ensuring **the resource capacity at the Committee's disposal matches the Committee's ambitions** and desire to widen the range of issues to be scrutinised and the variety of scrutiny methods to be used
  - iii) improving **engagement and relationships** with the **public**, local stakeholders, businesses, district councils and **experts/academics**
  - iv) revisiting **governance and working group arrangements** and other functions and processes
- 2.6 In addition to the above, other areas currently under review are call-in and **key decisions** processes, **work programming** / agenda setting, **methods of scrutiny** (i.e. 'scrutiny in the community', 'scrutiny in a day', workshops), and scrutiny **communications** (e.g. website).
- 2.7 It is proposed that informal **workshops be arranged** over the next few months involving all Overview and Scrutiny Committee members and substitutes to discuss proposals in more detail as they emerge.

## Government Scrutiny Guidance – December 2018

- 2.8 On 5 September 2018 the government announced it intends to **publish new scrutiny guidance in December 2018**. It is expected that this guidance will apply to local authorities and combined authorities equally and will be written with that in mind, though parts of the guidance will necessarily be specific to one or the other. There is an **opportunity for Members and officers to feed back** to the government **by 28 September 2018**. Further details provided by the Centre for Public Scrutiny<sup>1</sup> are attached as **Appendix 3**. A **questionnaire will be circulated to Members** separately to collate their feedback on behalf of the West Yorkshire Combined Authority as a whole.

## Agenda forward plan 2018/19

- 2.9 At the last meeting (13 July 2018), Members proposed a number of items for the Committee to consider in the 2018/19 municipal year. The Committee also suggested that it focus on two main issues at each meeting as far as possible for greater discussion and to revisit issues it has considered in the past to check on progress and the implementation of recommendations.

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<sup>1</sup> <https://www.cfps.org.uk/3323-2/>

- 2.10 A summary of proposed agenda items is outlined in **Appendix 1**.

Proposed items

- 2.11 **Government review of LEPs:** This item has been added to the agenda of this meeting as since the last Committee meeting, on 24 July 2018, the government published the findings of its **review into Local Enterprise Partnerships (LEPs)** which has many implications for geography, governance, assurance and scrutiny going forward. The government gave LEPs a deadline of 28 September 2018 to respond. Due to the tight turnaround this deadline presented, this Committee was unable to consider the Leeds City Region LEP's proposed response in more detail before it went to the LEP Board for approval.

**Key dates in the coming months:**

- 12 Sept 2018 – Leeds City Region LEP Board papers published
- 18 Sept 2018 – York, North Yorks and East Riding LEP Board meeting
- 20 Sept 2018 – Leeds City Region LEP Board meeting
- 28 Sept 2018 – Deadline for response from LEPs re: geography
- 31 Oct 2018 – Deadline for LEPs to submit implementation plans

- 2.12 It is also proposed that the **LEP Review** be brought back to the **16 November 2018** meeting so the Committee can revisit the final proposals and implementation plan, and then revisit the LEP Review again on **22 March 2018** to overview the implementation of the proposals and how they affect current strategies, governance and scrutiny going forward. Further details are highlighted in the report under **item 7 of this meeting's agenda**.
- 2.13 **Devolution:** an update on devolution is expected at the **16 November 2018** meeting as the Yorkshire Leaders (including the Sheffield City Region Mayor) are scheduled to meet on 20 September 2018 to discuss devolution. The results of the economic study commissioned earlier this year (2018) to make the economic case for One Yorkshire is also expected soon.
- 2.14 **Public engagement:** an item providing an overview of the Combined Authority's current engagement with the public – in communications, customer service feedback and decision making – is proposed for **16 November 2018**.
- 2.15 **Floods:** the **16 November 2018** scrutiny meeting is proposed to receive an update on progress flood resilience since the Committee made recommendations in its flood report on 22 September 2016 and the subsequent Flood Review recommendations approved by the Combined Authority on 1 December 2016. Progress against the recommendations has been monitored by the Combined Authority.
- 2.16 **Inclusive growth:** the **18 January 2018** is proposed as the most opportune meeting to receive an update on the inclusive growth programme and outcomes to date. A new Inclusive Growth and Public Policy Panel was formed by the Combined Authority to oversee the programme. It met for the first time on 4 September 2018 and will meet again on 4 December 2018. The

Combined Authority's new Director of Policy, Strategy and Communications is also set to start in October 2018 and will act as the lead on inclusive growth.

- 2.17 **Apprenticeships:** an item on what the Combined Authority is currently doing to facilitate and support meaningful, multi-sector apprenticeships that lead to employment is proposed for the **18 January 2018** meeting.
- 2.18 **Corporate Plan and performance:** it is proposed that the Committee consider the Corporate Plan and performance against Key Performance Indicators (KPIs) at the **22 March 2018** meeting to provide the best opportunity to review performance in the year 2018-19 and contribute to the 2019/20 Corporate Plan with a view to shaping the scrutiny work programme for 2019-20.
- 2.19 **Fuel poverty:** The Combined Authority is currently involved in tackling fuel poverty through the Better Homes Yorkshire Partnership<sup>2</sup>. The current level of fuel poor households in Leeds City Region is 11.5% (same as the English average) but rising to 18% in certain areas. Current activity tackling this issue have so far reached around 3,107 homes – out of a total of 156,000 fuel poor homes<sup>3</sup>. The **24 May 2019** scrutiny meeting is proposed as the best date to receive a report as the outcomes from the 2018/19 Better Homes programme will be clearer and the second round of the Warm Homes initiative – if the current bid is successful – is expected to begin in February 2019. Further information is available in the ['Warm Homes' report to the Green Economy Panel](#) on 24 July 2018<sup>4</sup>.
- 2.20 **Productivity:** it is proposed that productivity be considered by committee members in a workshop setting to allow for a more focused and detailed discussion.

Items not recommended for further consideration at full committee

- 2.21 After consultation with Combined Authority colleagues, the following items are not recommended for further consideration at full committee. Although the Combined Authority may fulfil an advocacy role on these issues, they fall outside the Combined Authority's current remit, powers and direct control.
- 2.22 **Fire safety in housing:** Combined Authority housing policy officers produced a short research brief (on 22 February 2018) to district housing officers following the Grenfell tragedy, highlighting areas in the region which may be at risk. This was purely a research task at the request of regional housing officer leads and it was agreed that fire safety standards are the responsibility of local councils and should continue to be handled through their own assurance processes. The Combined Authority is not a planning authority and does not manage housing stock. Any funding or strategic support the Combined Authority provides to housing related projects in the region are typically to

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<sup>2</sup> <https://www.betterhomesyorkshire.co.uk/about-us.html>

<sup>3</sup> Data last collated in 2016

<sup>4</sup> <https://westyorkshire.moderngov.co.uk/documents/s8341/item%20%20-%20Warm%20Homes%20Round%20a%20Funding.pdf>

enable delivery of projects (i.e. funds to buy or release land for development) or to support partner councils in strategic or spatial planning where it makes sense to do so at a regional level.

- 2.23 **Tourism and tourism tax:** Tourism does not fall under the Combined Authority's current remit. The LEP Board has however sought to expand its policy focus and framework to improve the 'citizen experience' through greater consideration of culture, sport and the arts within policy making – particularly in a 'place making' context. A [report on culture which included sections on tourism was submitted to the LEP Board on 13 June 2018](#)<sup>5</sup>.
- 2.24 **Plastics and waste:** A scoping exercise on waste disposal was undertaken by Combined Authority officers, in partnership with local authorities, to map out waste disposal sites and processes in a regional and spatial context. However, waste management and disposal remains within the remit of local authorities and is not an area the Combined Authority has direct control over or any defined powers or functions.

### **Working groups**

- 2.25 Under Scrutiny Standing Order 7, the Overview and Scrutiny Committee may appoint working groups to consider matters more closely or fulfil 'tasks'.
- 2.26 At its last meeting, the Committee resolved to re-appoint the **Strategic Economic Plan (SEP)** and **Transport** working groups on an **interim basis**, with the vacancy on each working group filled by Cllr M Pollard and Cllr D Ragan, respectively, and additionally set them issues to consider.
- 2.27 The Chair of the Transport Committee, Councillor Kim Groves, has been invited to the Transport Working Group meeting on 29 October 2018 to discuss the Transport Committee's priorities and agenda for the year ahead. Accessibility in transport will also feature as an issue for consideration at that meeting. Other meetings have also been scheduled in October and November to consider transport issues as they emerge. Findings will be reported back to a future meeting of this Committee.
- 2.28 The SEP Working Group's work on the Assurance Framework and the Local Inclusive Industrial Strategy (LIIS) has been delayed until the landscape emerging from the Ministerial Review of LEPs (referenced in paragraphs 2.11 – 2.12 and item 7 of this agenda) is clearer. A series of meetings will be scheduled between October and December 2018 as appropriate and findings will be reported back to this Committee.

### **Matters to raise at the Combined Authority meeting on 11 October 2018**

- 2.29 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

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<sup>5</sup> <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=150&MIId=536&Ver=4>

raise any scrutiny matters and convey any feedback from scrutiny members to the Combined Authority.

- 2.30 The Combined Authority's agenda forward plan is summarised in **Appendix 1**.
- 2.31 [Minutes and agendas from past meetings](#) of the Combined Authority can be accessed on the Combined Authority's website.

### **Key decisions and call in**

- 2.32 Members of the Overview and Scrutiny Committee may call in any decision of the Combined Authority or Transport 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.
- 2.33 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.
- 2.34 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.
- 2.35 The latest key decisions and forward plans of key decisions are published on the [key decisions section of the Combined Authority's website](#). The forward plan of key decisions from September 2018 is also attached at **Appendix 2**.

### **Actions for the scrutiny officer**

- 2.36 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 duties and fulfilling their objectives.

## **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 workshops involving members and substitutes be arranged to discuss and consider proposals as part of the review of scrutiny arrangements.

7.2 That the agenda for the rest of the municipal year's meetings as highlighted in **Appendix 1** (and outlined in **paragraphs 2.19 – 2.34**) be approved.

7.3 That the issue of productivity be considered further in detail in a workshop setting as a standalone item.

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

## **8 Background Documents**

[Scrutiny Standing Orders](#) – West Yorkshire Combined Authority.

['Strengthened Local Enterprise Partnerships'](#) – Ministerial review of LEPs. 24 July 2018. Ministry of Housing, Communities & Local Government.

Report - [Culture, Sport and Major Events in the Leeds City Region Strategy](#). LEP Board – 13 June 2018.

Report – [Warm Homes](#). Green Economy Panel – 24 July 2018.

Forward plan of key decisions from 1 September 2018

[Past agendas and minutes from meetings of the Combined Authority](#).

## **9 Appendices**

Appendix 1 – Scrutiny Work Programme Summary (14 September 2018)

Appendix 2 – Forward plan of key decisions from 1 September 2018

Appendix 3 – 'Scrutiny guidance: things to think about (Centre for Public Scrutiny)'