



Report of the Monitoring Officer

Scrutiny Programme Committee - 20 July 2018

Swansea Bay City Deal Joint Scrutiny Committee

Purpose:	To provide members with an opportunity to comment and consider proposals to establish a Joint Scrutiny Committee for the Swansea Bay City Deal.
Policy Framework:	None.
Consultation:	Corporate Management Team, Legal, Finance and Access to Services.
Recommendation(s):	It is recommended that: 1) The Scrutiny Programme Committee notes the establishment of the Swansea Bay City Deal Joint Scrutiny Committee and reviews and provides comments prior to consideration by Council on 26 July 2018.
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1. Introduction

- 1.1 Council approval was received from each of the four local authorities of Swansea, Neath Port Talbot, Carmarthenshire and Pembrokeshire to sign a City Deal agreement (Heads of Terms) which was subsequently signed by UK and Welsh Governments on 20 March 2017.
- 1.2 The Joint Committee Agreement states in clause 20.1 “the Councils hereby create a Joint Scrutiny Committee with effect from the Commencement Date. The Joint Scrutiny Committee shall provide a scrutiny function to ensure greater public accountability over decisions

made by the Joint Committee and any of its sub-committees and related entities.”

- 1.3 The statutory power to establish a Joint Scrutiny Committee is set out in Section 58 Local Government (Wales) Measure 2011. The City and County of Swansea Constitution also allows for establishment of a Joint Scrutiny Committee.

2. Establishing a Joint Scrutiny Committee

- 2.1 The purpose of the Joint Scrutiny Committee is to provide a scrutiny function to ensure greater public accountability over decisions made by the Joint Committee and any of its sub-committees.
- 2.2 The terms of reference of the Joint Scrutiny Committee are attached at **Appendix 1**. The terms of reference have been included as a Schedule to the Joint Committee Agreement which has in turn been approved by Welsh Government.
- 2.3 The membership of the Joint Scrutiny Committee shall be 12 non-executive members with each Council nominating three members. The Chair of the Joint Scrutiny Committee shall not be a member of the Council which is providing the Chair of the Joint Committee of the Swansea Bay City Deal.
- 2.4 Neath Port Talbot County Borough Council will be the host authority for the Joint Scrutiny arrangements.
- 2.5 The role of the Joint Scrutiny Committee is to provide advice, challenge and support to the Joint Committee and will be required to:
- a) Review and scrutinise the Joint Committee’s financial affairs;
 - b) Review and assess the Joint Committee’s risk management, internal control and corporate governance arrangements;
 - c) Review and assess the economy, efficiency and effectiveness with which resources have been used;
 - d) Make reports and recommendations to the Joint Committee in respect of points (a) to (c).
- 2.6 The terms of reference of the Joint Scrutiny Committee will need to be considered and further elaborated on by the Committee itself to ensure that scrutiny arrangements are fully robust to review the Swansea Bay City Deal and Joint Committee.
- 2.7 Officers will liaise with colleagues in the other authorities to supplement the terms of reference and to prepare a forward work programme for ultimate endorsement by members of the Joint Scrutiny Committee.

3. Way Forward

3.1 With a view to scrutiny participating in the decision to establish a Joint Scrutiny Committee the views of the Scrutiny Programme Committee are welcomed particularly relating to:

- (a) The terms of reference;
- (b) The potential skill set for nominated representatives.

4. Equality and Engagement Implications

4.1 An EIA is not required as there are no equality and engagement implications associated with this report.

5. Financial Implications

5.1 There are no financial implications associated with this report.

6. Legal Implications

6.1 There are no further legal implications associated with this report other than those referred to.

Background Papers: None

Appendices: Appendix 1 - Terms of Reference of the Joint Scrutiny Committee

Appendix 1

Schedule 12 - Terms of Reference of Joint Scrutiny Committee

1. Membership

- 1.1 The Joint Scrutiny Committee shall comprise of 12 members in total, 3 each from the 4 Constituent Authorities.
- 1.2 The membership may not include Executive Members

2. Purpose

- 2.1 The purpose of the Joint Scrutiny Committee shall be:
 - 2.1.1 Performing the overview and scrutiny function for the Swansea Bay City Region City Deal (as specified in the Swansea Bay City Deal Joint Committee Agreement) on behalf of the 4 Constituent Authorities;
 - 2.1.2 To develop a Forward Work Programme reflecting the functions under cl. 2.1.1 above;
 - 2.1.3 To seek reassurance and consider if the City Deal is operating according to the Joint Committee Agreement, its Business Plan, timetable and / or is being managed effectively;
 - 2.1.4 To monitor any City Deal Regional projects against its Programme Plan;
 - 2.1.5 To make any reports and recommendations to the Constituent Authorities, whether to their executive Boards or Full Council as appropriate, in respect of any function which has been delegated to the Joint Committee pursuant to the Joint Committee Agreement.
- 2.2 For the avoidance of doubt scrutiny of individual Authorities projects' shall be a matter for the relevant Constituent Authorities' Scrutiny Committee.

3. Chair

- 3.1 The Chair and Vice-Chair of the Joint Scrutiny Committee shall be elected by the Joint Scrutiny Committee.
- 3.2 The Chair of the Scrutiny Committee shall not be from the same Authority as the Chair of the Joint Committee.

4. Voting

- 4.1 Each member of the Joint Scrutiny Committee shall have one vote. Decisions of the Joint Scrutiny Committee shall be made by simple majority vote.
- 4.2 In the event of equality of votes the Chair of the Joint Scrutiny Committee shall have a casting vote.

5. Conflicts of Interest

- 5.1 Members of the Joint Scrutiny Committee must declare any interest either before or during the meetings of the Joint Scrutiny Committee (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

6. Proceedings of Meetings

- 6.1 The rules of procedure of the Host Authority for the scrutiny function shall apply to meetings of the Joint Scrutiny Committee.
- 6.2 Members of the Joint Scrutiny Committee shall be subject to the Codes of Conduct for Members of their Councils.

7. Quorum

- 7.1 The quorum for meetings shall be no less than 8 members, which must include at least 1 member from each of the 4 Authorities.

8. Frequency

- 8.1 The Joint Scrutiny Committee shall meet quarterly. Additional meetings may be convened by the Chair on at least 7 clear days notice.

9. Allowances

- 9.1 No allowances shall be paid

10. Servicing

- 10.1 The Host Authority for the joint scrutiny functions shall be Neath Port Talbot County Borough Council

11. Sub-Groups

- 11.1 The Joint Scrutiny Committee by agreement may create Task and Finish Groups.

12. Review

- 12.1 The Terms of reference of the Joint Scrutiny Committee shall be reviewed annually.