

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **COUNCIL**

**25<sup>th</sup> July 2018**

### **REPORT OF THE ASSISTANT CHIEF EXECUTIVE AND CHIEF DIGITAL OFFICER – MRS K JONES AND THE HEAD OF LEGAL SERVICES – MR C GRIFFITHS**

#### **Matter for Decision**

**Wards Affected:** All

#### **Establishment of a Joint Scrutiny Committee for the Swansea Bay City Region Joint Working Agreement**

#### **Purpose of the Report**

1. To confirm the establishment of a Joint Scrutiny Committee for the Swansea Bay City Region

#### **Background**

2. Clause 20 of the Joint Working Agreement for the establishment of the Swansea Bay City Region Joint Committee provides that the parties to this Joint Working Agreement will establish a Joint Scrutiny Committee to ensure greater public accountability over decisions made by the Joint Committee and any of its sub-committees and related entities.
3. The member of the Joint Scrutiny Committee shall consist of 12 members. Each of the authorities shall nominate three members for appointment to the Joint Scrutiny Committee.
4. It has been determined that Neath Port Talbot County Borough Council will be the host authority for the Joint Scrutiny Arrangements.
5. These members must be nominated by each Council and shall be an elected member of that Council but shall not be a member of that Council's executive

and shall not be a member of that Council's executive and shall not be a member of the Joint Committee

6. The role of the Joint Scrutiny Committee is to provide advice, challenge and support to the Joint Committee. The Joint Scrutiny Committee shall 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)
7. Schedule 12 of the Joint Working Agreement sets out the initial terms of reference for the Joint Scrutiny Committee (**Appendix 1**) but it is recognised that these will need to be further elaborated on by the Joint Scrutiny Committee to fully ensure that scrutiny arrangements are robust and fully review the workings of the Swansea Bay City Deal and the workings of the Joint Committee.
8. Over the summer period and prior to the commencement of the first Joint Scrutiny Meeting, officers will be liaising with colleagues in the other authorities to determine a more comprehensive set of Terms of Reference, to supplement those set out in the Joint Working Agreement and for ultimate endorsement by members of the Joint Scrutiny Committee. The names of the members will be tabled at the Council meeting of the 25<sup>th</sup> July 2018.

### **Financial Impact**

9. There are no financial impacts associated with this Report.

### **Equality Impact Assessment**

10. There are no equality impacts associated with this Report

### **Workforce Impacts**

11. There are no workforce impacts associated with this Report

### **Legal Impacts**

12. In exercise of powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers Neath Port Talbot County Borough Council may create a Joint Scrutiny Committee with any other local authorities. 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.

### **Consultation**

13. There is no requirement under the Constitution for external consultation on this item.

### **Recommendations**

14. It is recommended that:

- (a) Members approve the establishment of a Joint Scrutiny Committee for the Swansea Bay City Region Joint Working Agreement subject to the Swansea Bay City Region Joint Working Agreement being entered into by the other three local authorities;
- (b) That delegated authority be granted to the Chief Executive in consultation with the Leader of the Council to negotiate and agree a more detailed set of terms of reference for the Joint Scrutiny Committee for the Swansea Bay City Region Joint Working Agreement with the other authorities and for such terms of reference to be endorsed at the first meeting of the Joint Scrutiny Committee for the Swansea Bay City Region Joint Working Agreement;
- (c) That the Members identified in the addendum report that will be tabled before members at the Council meeting of the 25<sup>th</sup> July 2018 be appointed as the Neath Port Talbot County Borough Council members of the Joint Scrutiny Committee for the Swansea Bay City Region Joint Working Agreement

### **Reason for Proposed Decision**

15. To ensure that suitable arrangements are in place to ensure that the Council can meet the obligations set out in the Joint Working Agreement for the Swansea Bay City Region

### **Appendices**

16. None

### **List of Background Papers**

- 17. The Constitution of Neath Port Talbot County Borough Council
- 18. Draft Joint Working Agreement for the Swansea Bay City Region

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## **Appendix 1**

### **Schedule 12 of the Draft Joint Working Arrangements for Swansea Bay City Deal Region – Terms of Reference for 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