

Birmingham City Council

City Council

12 September 2023



Subject: West Midlands Combined Authority - Overview & Scrutiny Committee and Transport Delivery Overview & Scrutiny Committee

Report of: Chair of the WMCA's Overview & Scrutiny Committee, Councillor Cathy Bayton
Chair of the WMCA's Transport Delivery Overview & Scrutiny Committee, Councillor John McNicholas

Report author: Lyndsey Roberts, WMCA Statutory Scrutiny Officer

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1. Executive Summary

- 1.1 This report provides a summary of the work of the West Midland Combined Authority's Overview & Scrutiny Committee during 2022/23, as well as its planned work programme for 2023/24.
- 1.2 It also provides an overview of the work of the newly formed Transport Delivery Overview & Scrutiny Committee and its planned work programme for 2023/24.

2. Recommendation

- 2.1 That the report be noted.

3. Background

- 3.1 Overview & Scrutiny is a statutory requirement for the West Midlands Combined Authority to undertake. The two scrutiny committees have the responsibility to undertake this responsibility, which it does through reviewing the work of the elected Mayor of the West Midlands, the WMCA Board, Transport for West Midlands and its committees, making recommendations arising out of topic-specific scrutiny reviews and by operating a 'call-in' of policy decisions for further scrutiny where required.

- 3.2 The overview & scrutiny function produces an annual report that sets out its work over the last 12 months. The latest annual report was submitted to the WMCA's AGM on 9 June 2023 and is attached as an appendix to this report for information.
- 3.3 To help clarify the lines of accountability for transport decision-making in the WMCA, reduce duplication of meetings and provide a more effective platform for elected members to hold transport decision makers to account, at its meeting on 9 June, the WMCA Board agreed revised transport governance arrangements for 2023/24. These new arrangements included the introduction of a newly formed Transport Delivery Overview & Scrutiny Committee that replaced the former Transport Delivery Committee and Transport Scrutiny Sub-Committee.

4. Overview & Scrutiny Committee

- 4.1 During this current year, the work of the Overview & Scrutiny Committee will have a strong focus on the performance of the West Midlands Combined Authority and the outcomes delivered against its strategic aims and objectives.
- 4.2 This year's work programme will also focus on the implementation of the WMCA's Deeper Devolution Deal and its implications for enhanced scrutiny and accountability checks, the English Devolution Accountability Framework and the Government's scrutiny protocol, Levelling Up and Investment Zones, future homes strategy, affordable housing strategy, the regeneration of brownfield land and scrutiny's role in the monitoring and evaluation of the Commonwealth Games Legacy Enhancement Fund.
- 4.3 In addition to the Mayoral Q&A sessions, the committees will also explore how they can hold the WMCA's statutory and senior officers to account.
- 4.4 Scrutiny members will undertake this work programme in a range of ways, including topic-specific working group sessions, public Q&As with the Mayor and Portfolio Lead Members, spotlight sessions and 'deep dive' scrutiny reviews.
- 4.5 So far this year, the committee has commenced work on two elements of its work programme as follows:

(a) Deeper Devolution Deal – Scrutiny Implications

In announcing the Deeper Devolution Deal (a summary document setting out the detail of the deal is attached as an appendix to the report), the Government rightly highlighted the importance of governance and accountability underpinning these new powers and responsibilities. These enhanced accountabilities have been framed within the English Devolution Accountability Framework, which was published in March and formed a key part of the Government's thinking in respect of local accountability. The accountability framework seeks to ensure that mayors and other local leaders are subject to robust and effective scrutiny by local politicians and an informed public.

(b) English Devolution Accountability Framework and the Government's scrutiny protocol

To help build a culture of greater scrutiny and accountability, the WMCA is currently in dialogue with the Department for Housing, Levelling Up & Communities to help develop the contents of a scrutiny protocol that would set out the relationship between the mayor, the WMCA and its scrutiny and audit functions. It is envisaged that the protocol would be published during September/October this year.

A full report to the WMCA's scrutiny committees will be presented in October setting out requirements of the protocol in detail. Members will consider the manner and means by which the WMCA will apply the protocol to its overview and scrutiny function going forward, committing to meeting a key requirement of the Deeper Devolution Deal.

Forming part of the WMCA's wider 'accountability and scrutiny framework', the Deeper Devolution Deal also introduced the idea of the region's Members of Parliament scrutinising the Mayor in four public sessions a year covering the performance and strategic direction of the WMCA.

Scrutiny members have emphasised the importance and critical role of scrutiny within the WMCA, the benefit of it being non-party political and the requirements for scrutiny to evolve to address the new challenges. Whilst the new MPs scrutiny events are a specific requirement of the Government's Deeper Devolution Deal with the region, scrutiny members have stressed the importance of these sessions not overshadowing or duplicating the work of local scrutiny activity.

5. Mayoral Q&A Sessions

- 5.1 As part of its role in holding the Mayor of the West Midlands and WMCA Board to account, the committee will hold two Q&A sessions this year, which will focus on policy related matters that are the responsibility of the WMCA (October) and on matters relating to the proposed draft budget 2024/25 (December).

6. Transport Delivery Overview & Scrutiny Committee

- 6.1 The first meeting of the newly formed Transport Delivery Overview & Scrutiny Committee was held on 3 July. The committee received an introduction to the overview & scrutiny function within the WMCA together with examples of how scrutiny was conducted and an explanation on the differences between local authority and combined authority scrutiny. A further scrutiny briefing session on Transport for West Midlands was held on 4 September.
- 6.2 This year's work programme will have a focus on the Deeper Devolution Deal Transport Implementation Plan, finance and performance and the current challenges, delivery and performance monitoring of capital projects, rail fares reform proposals, bus delivery options, including franchising and the Ring & Ride operating model.

- 6.3 The Transport Delivery Overview & Scrutiny Committee has also introduced six Member Engagement Groups (MEGs) that provide members with an opportunity to meet and discuss in more detail transport-related issues that are grouped around broad thematic areas. These MEGs are supported by officers from Transport for West Midlands and, whilst not decision making, provide a forum for members to develop a deeper understanding of those matters that would not otherwise be able to be discussed in such detail at formal committee meetings.

7. Portfolio Lead Member for Transport - Q&A Session

- 7.1 The Transport Delivery Overview & Scrutiny Committee will hold its first Q&A session with Councillor Mike Bird, the WMCA's Portfolio Lead for Transport in October, and will be based on transport policy and delivery related matters.

8. Learning & Development

- 8.1 As part of its learning and development programme to help scrutiny members to be more effective in their role, the committees will undertake a series of training workshops throughout the year, including topic-based training, the WMCA's Investment Programme and on the detail of the draft budget 2024/25.

9. Birmingham City Council's Representation

- 9.1 The city council is represented on Overview & Scrutiny Committee by Councillor Lauren Rainbow, Councillor Jamie Tennant and Councillor Ewan Mackey. It is represented on Transport Delivery Overview & Scrutiny Committee by Councillor Robert Alden, Councillor Zaker Choudhry, Councillor Timothy Huxtable, Councillor Narinder Kaur Kooner, Councillor Mary Locke, Councillor Saddack Miah and Councillor Ian Ward.

10. Legal Implications

- 10.1 There are no direct legal implications arising from the recommendations set out in this report.

11. Financial Implications

- 11.1 There are no direct financial implications arising from this report.

12. Appendices

Appendix 1 – Annual Report

Appendix 2 - Deeper Devolution Deal – Scrutiny Implications