

REPORT OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE**DISSOLUTION OF WEST MIDLANDS JOINT COMMITTEE****1. Purpose of report:**

- 1.1 Full Council are asked to approve the dissolution of the West Midlands Joint Committee ("WMJC" or the "Committee") and approve the new arrangements for managing the remaining residual business of the Committee once the Committee is dissolved. In addition, Full Council approval is sought to establish a Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions known as West Midlands Shareholders Airport Committee.

2. Background:

- 2.1 WMJC was established in 1985 for the purpose of discharging the residual County Council functions that were deemed inappropriate to pass on to individual Metropolitan Borough Councils (MBCs). Lead responsibilities for different functions across the region were allocated eg support to Fire Authority; support to Passenger Transport Authority etc.
- 2.2 Initially meetings of the WMJC took place 3 to 4 times a year and dealt with a wide range of matters; Birmingham Airport has always been a substantial item of business but previously many transport-related matters were covered as well as more ad hoc items including waste landfill agreements, spatial planning, Environment Agency Levy.
- 2.3 Over more recent years, as other regional bodies have been introduced, particularly the West Midlands Combined Authority (WMCA), the responsibilities of WMJC have diminished. Only two short meetings per year are held now, often with few items of interest to Members. This has been commented on by voting and non-voting members recently.
- 2.4 Birmingham City Council, Coventry City Council, Dudley MBC, Sandwell MBC, Solihull MBC, Walsall Council and City of Wolverhampton Council are member authorities of WMJC with each having one voting and two non-voting members. Birmingham City Council's members are Councillor Ian Ward (voting Member), Councillor Brigid Jones and Councillor Robert Alden (non-voting Members).
- 2.5 Appendix 1 sets out the existing functions of the WMJC with recommendations on how they could be carried out in the future. These proposals were discussed and agreed by Metropolitan Chief Executives at their meeting on 27 October 2017 and again on 26 January 2018 and by Metropolitan Leaders at their meeting on 9 February 2018.
- 2.6 Since the majority of the existing business of WMJC is airport related, it is proposed that a WM Shareholders Airport Committee be established to deal with all Birmingham Airport matters. This would allow for more appropriate detailed discussion on issues related to the Districts' shareholding in Birmingham Airport. The new Committee will be administered by the Birmingham-based Airport Adviser. Appendix 2 sets out the proposals for the Airport Committee in more detail.

MOTION

Council agrees to dissolve the West Midlands Joint Committee (the “Committee”). On the dissolution, the powers and functions of the Committee will be determined in a manner agreed by each constituent local authority (as set out in Appendix 1 to this report).

Council agrees to the establishment of a new Joint Executive Committee with the other six Councils within the West Midlands for the purpose of airport decisions, known as the West Midlands Shareholders Airport Committee, as set out in Appendix 2 to this report.

Council agrees the following appointments:

- The appointment of Cllr -----(Lab) as voting member on West Midlands Shareholders Airport Committee
- The appointment of Cllr.....(Lab) and Cllr.....(Con) as observers to attend each year one of the scheduled meetings of the West Midlands Shareholders Airport Committee

Authorises the City Solicitor to negotiate, execute and complete all legal documents necessary to support and deliver this Motion.

Proposals for remaining WMJC functions

<u>FUNCTION</u>	<u>RECOMMENDATIONS</u>
1. To make nominations or appointments to the 5 balancing places of the West Midlands Police and Crime Panel.	<p>That nominations to the Panel are reviewed at Met Leaders Group meeting.</p> <p>(Nominations will be formally made by each of the Councils and through ABCA; Leaders will be asked to review the nominations and political balance on the panel)</p>
2. Matters relating to Birmingham Airport.	<p>That WM Shareholders Airport Committee be established with responsibility for all those airport related functions which currently sit with WMJC. This to include:</p> <ul style="list-style-type: none"> • The exercise of the Districts powers and rights as shareholders of the Airport Company including the manner in which the Districts' block shareholder vote is to be exercised pursuant to the Shareholders' Agreement • The appointment and removal of District Directors of the Airport Company • The determination of the manner in which the District Directors block vote is to be cast pursuant to the Shareholders' Agreement <p>The 7 Mets will need to make contributions to cover airport related costs.</p>
3. To consult and co-operate as respects matters affecting the District Councils (including the Duty to Cooperate and as appropriate with each District Council and the Joint Authorities).	That relevant items requiring a formal decision go to WMCA Board (eg planning) and any remaining items go to Met Leaders Group meeting.
<p>4. To oversee the work of and payment of the Joint Data Team contract with Mott Macdonald Ltd dated 27 March 2008.</p> <p>The JDT contract with Mott MacDonald provides services to the seven metropolitan authorities, the Highways Agency and Centro as was,</p>	Responsibility to transfer to WMCA Board. (Existing contract expires in 2018).

<p>comprising of two main elements:</p> <ul style="list-style-type: none"> • Transportation and Planning Services; and • Transportation Modelling (PRISM). <p>The contract currently runs until March 2018, costs being covered by the 7 District Councils, split according to population. (A paper was presented to WMJC in June 2015 outlining full details of the work of the team).</p>	
<p>5. To receive reports from any partnership.</p>	<p>That items go to either Met Leaders Group meetings or WMCA Board meetings as appropriate.</p>
<p>6. Approval of nominations to West Midlands Arts Trust.</p> <p>The principal activity of the Trust is, having received grant aid from West Midlands County Council, to provide a building at a peppercorn rent to the Arts Council England in order to further the arts in the West Midlands.</p>	<p>Historically Birmingham and Sandwell Councils have provided a Trustee to sit on this Board, this has been managed through WMJC. It is proposed that this is now dealt with by the Met Leaders Group.</p>
<p>7. Payment of pension costs relating to former employees of WMCC, WMRB and other employers without a successor authority.</p>	<p>That responsibility for collection of contributions remains with Wolverhampton Finance. Financial reports presented at Met Leaders Group meeting for information.</p>

Proposals for West Midlands Shareholders Airport Committee (“Airport Committee”)

Structure

- It is suggested that the Airport Committee schedules six meetings each year.

Functions

- Appoints officers to advise the Districts and Airport Committee on Birmingham Airport Holdings Limited (the “Company”).
- Exercises the powers and rights of the Districts as shareholders of the Company including the manner in which the Districts’ block shareholder vote is to be exercised.
- Appoints and removes District directors.
- Determines the manner in which the block vote is to be cast by any of the Districts’ directors.

Membership

- One voting Member from each District.
- In addition, two Councillors that are not necessarily members of the Executive (as determined by Council) from each District shall be invited to attend one of the scheduled meetings of the Airport Committee each year as observers.
- Full Council will be responsible for appointing Birmingham City Council’s one voting member of Airport Committee and two observers.

Voting

- All resolutions passed by a majority of the members present who between them represent Districts who hold at least 51% of the Districts’ total shareholding.

The Districts currently hold the following shareholding in the Company:

Birmingham	38.1%
Coventry	11.8%
Dudley	11.4%
Sandwell	11.5%
Solihull	7.6%
Walsall	10.0%
Wolverhampton	9.6%
Total District Shareholding	100%

Urgent decisions between meetings

- It is suggested that the Airport Committee may arrange for the discharge of their functions by each of the Districts’ Chief Executives or anyone authorised by any District to act in the Chief Executive’s absence acting in consultation with the Chair or vice Chair of Airport Committee.