

**West of England Partnership
Joint Scrutiny Committee
11 December 2009**

2008/09 Scrutiny Achievements

Purpose of report

1. To outline the Joint Scrutiny Committee's work in 2008/09 and identify its achievements, taking account of comments made by the Joint Scrutiny Committee at the last meeting.

Amendments made

2. At the meeting on 30 October 2009 the Joint Scrutiny Committee requested a number of amendments. These have now been made, the main ones being expansion of the report to include:
 - The Committee's response to proposed changes to the Regional Spatial Strategy
 - Case studies of the effectiveness and outcomes of the Committee's actions
 - Tourism and rural strategy in the objectives
 - The Committee's aims and objectives for the future.

These aspects have been added and a revised version of the report is now attached in the Appendix.

Recommendation

That members approve this revised version.

Appendix: 2008/09 Joint Scrutiny Committee Achievements

Author: Sally Gregory, Policy Officer, West of England Partnership
Tel: 0117 903 6983; e mail: sally.gregory@westofengland.org

2008/09 Joint Scrutiny Committee Achievements

Background

1. The cross-party Joint Scrutiny Committee held its first meeting on 11 July 2008. The Committee's prime roles are to:
 - Scrutinise any relevant proposals from the West of England Partnership in relation to the full range of West of England Partnership activities: transport; planning, housing and infrastructure; waste management; culture, leisure & tourism; rural strategy; and skills & competitiveness;
 - Review actions taken and decisions made by the Executive Committees and other Executive bodies;
 - Make reports or recommendations to the Executive Committees and other Executive bodies as appropriate and/or the constituent authorities' respective Overview and Scrutiny Committees.

Work achieved

2. The Joint Scrutiny Committee met on 15 different occasions during 2008/09, including two workshops and two reconvened meetings. A summary of agenda items and actions agreed is included in the attached Annex.
3. The views of the Joint Scrutiny Committee, against agenda items listed in the Appendix, had a particular impact on the development of the:
 - Joint Waste Core Strategy
 - Phase 2 Joint Waste Procurement, especially the specification and evaluation criteria
 - Phase 3 Joint Waste Management Strategy, especially the preparation of the PFI Outline Business Case
 - Regional Funding Advice (RFA)
 - Multi-Area Agreement
 - Support for the RFA schemes, especially Programme Entry bids for two key Major Schemes: Rapid Transit – Ashton Vale to Temple Meads and the Weston Package
 - Profile of rail issues and support for two rail schemes in the RFA (Greater Bristol Metro and the Portishead line).

Examples of where Scrutiny has made a difference

4. The following are more detailed examples of how the work of the Joint Scrutiny Committee has affected what has happened:
 - **Consultation arrangements in connection with the Joint Core Waste Strategy**

The Joint Scrutiny Committee said: Consideration should be given to holding more than one drop-in consultation event in each Unitary Authority

area, giving priority to areas most likely to be affected by the emerging proposals for strategic waste management sites.

What happened: The number of drop-in sessions was increased to 12 across the sub-region; the West of England Partnership held 2 industry workshops; and Bath & North East Somerset and Bristol City Councils held their own consultation meetings with parish councils and neighbourhood partnerships respectively.

- **Joint Waste Management Contract Phase 2: Criteria For Evaluating Tenders and Assessing Contractors**

The Joint Scrutiny Committee said:

- i) The weighting of the quality evaluation criteria should be change as follows:

Criteria	Original weighting	Scrutiny proposal
Site and planning	30%	25%
Timescale/Programme	30%	25%
Performance risk	30%	25%
Sustainability	10%	25%

- ii) The terms of the contract should have build-in flexibility in the tonnage made available.

What happened:

- i) This was agreed.
- ii) The combined overall minimum commitment to the contractor would be binding on the authorities. Between the minimum and maximum levels contractors would be asked to provide a 'sliding scale' of prices that the authorities could take up. However, the contract would only guarantee a minimum tonnage and the contractor would only be obliged to provide treatment capacity for that minimum tonnage. If capacity in the plant permitted, and authorities wanted to contract more tonnage, they would be able to do so at the prices agreed.

- **Joint Scrutiny Committee's response to the Regional Spatial Strategy (RSS) Proposed Changes**

The Joint Committee unanimously:

- a) Objected to the scale and impact of the additional new dwellings proposed by the Secretary of State, queries the assumptions behind the proposed figures and would welcome to chance to see the evidence used to justify the proposed changes
- b) Reiterated that the maximum number of dwellings that could be accommodated in the sub-region is as already agreed by the four unitary authorities

- c) Objected to the scale of development because of the impact on local infrastructure, local communities, the local environment and the Green Belt
- d) Objected to the proposed deletion of the list of transport schemes from the draft RSS and urges the Secretary of State to reinstate them
- e) Sought confirmation from the Secretary of State that a mechanism will be put in place to enable local authorities to establish long term phasing programmes in their Core Strategies to ensure development and infrastructure is phased in with infrastructure being phased in first
- f) Objected to the proposed dilution of the policy on sustainable construction and urges the reinstatement of the policy in the draft RSS
- g) Objected to the proposed dilution of the policy on reducing energy use and renewable energy and urges the reinstatement of the policy in the draft RSS
- h) Suggested that a clear and unified response is produced which emphasises that the sub region is not opposed to growth per se, rather it is the level, location and phasing of the proposed growth without any link to the essential infrastructure and the lack of any meaningful reasoning/evidence for the Secretary of State's proposed changes which is totally unacceptable to the sub-region
- i) Given the above, that the Secretary of State should be requested to reconsider the proposed changes.

In addition, the Joint Committee also unanimously recommended that the four unitary authorities adopted a common approach to developers relating to the provision of affordable housing, with a view to preventing developers circumventing individual authority affordable housing policies.

What happened:

These resolutions were considered by the West of England Partnership Board when it discussed the response of the Partnership to the Proposed Changes with a view to submitting a joint response.

Future

- 5. During 2008/09 the Joint Scrutiny Committee's agenda was set by the major issues being undertaken by the Partnership, members agreed that in 2009/10 agenda items would include ones chosen by the Committee itself and have a greater focus on policy development. Since then they have identified three themes:
 - Ensuring a high quality, sustainable environment
 - Strengthening sub-regional economy
 - Tackling disadvantage.

It is intended that issues under these themes will be discussed by the Committee during the current year.

Annex: Joint Scrutiny Committee: Programme of work achieved during 2008/09

Annex

Joint Scrutiny Committee: Programme of work achieved during 2008/09

11 July 2008

- Joint Waste Core Strategy – Introduction to issues
- Phase 3 Outcome Business Case – Introduction to issues
- Public Forum: An item received from Friends of the Earth

25 July 2008 (reconvened from 11 July)

- Joint Waste Core Strategy - Views given; Workshop agreed
- Phase 3 Outcome Business Case - Views given
- Regional Spatial Strategy – Views given

15 August 2008

Workshop on Preferred Options Pre-Consultation Document

5 September 2008

- Joint Waste Core Strategy – Views given on the Preferred Options Pre-Consultation Draft Document and Consultation Plan for consideration by the Planning, Housing and Communities Board
- Phase 2 of the Joint Waste Strategy – Views given
- Phase 3 of the Joint Waste Strategy: Outline Business Case Affordability Assessment – To feed into discussion on 12 September
- Proposed Revised Work Programme - Noted

12 September 2008

- Phase 2 of the Joint Waste Strategy – Views given for consideration by Executive Members in relation to the Phase 2 procurement and evaluation process
- Phase 3 of the Joint Waste Strategy
- Governance arrangements – Details requested of likely financial liabilities and indemnities should a council decide not to proceed with the waste contract

23 September 2008

- Phase 3 of the Joint Waste Strategy: Draft Outline Business Case for submission to DEFRA (Department for Farming and Rural Affairs) for PFI (Public Finance Initiative) funding – Executive Members to be advised of the Joint Scrutiny Committee's support of the Outline Business Case subject to comments given for their consideration
- Constitutional arrangements - Agreed

8 October 2008 (reconvened from 23 September)

- Regional Spatial Strategy: Proposed changes – Objections unanimously agreed with a request that the Secretary of State be asked to reconsider the proposed changes; unanimous recommendation that the 4 authorities adopt a common approach to developers in relation to affordable housing
- Multi-Area Agreement – Views given
- Transport Update –Views given; future meeting to scrutinise how rapid transit schemes had been progressed to date

10 October 2008

- Summaries and responses to earlier views expressed by the Committee – Amendments made
- Transport Major Schemes (reports received):
 - A. Weston Package
 - B. Rapid Transit – Ashton Vale to Temple Meads
- Rail Update – First Great Western's bid for new trains on the Cardiff to Portsmouth service endorsed
- Joint Local Transport Plan: 2008 Progress review – Report received
- Regional Funding Advice: Regional Funding Allocation for Transport Major Schemes – Report received
- Governance: Joint Working Agreements – Report received

7 November 2008

- Public Forum: Statements received from Friends of Suburban Bristol Railways and Campaign for Better Transport
- Committee Work Programme – Report received
- Regional Investment Planning and Prioritisation in conjunction with the Regional Development Agency, Homes and Communities Agency and Regional Assembly – Workshop agreed
- Sub-Regional Delivery Plan: Assessing requirements for infrastructure investment and the delivery of mixed and sustainable communities – Report received
- Regional Funding Allocation 2 2008/09 – 2018/19: West of England Transport priorities – Report received
- West of England Rapid Transit Technology Review: Executive summary – Report noted
- West of England response to Government Consultation on the Proposed Changes to the Regional Spatial Strategy – Report received

14 November 2008

Workshop on the Regional Investment Planning and Prioritisation: West of England Submission in response to Regional Fund Advice 2008 – 2011

11 December 2008

- Joint Waste Management Contract: Phase 2 Criteria for evaluating tenders – Comments made for submission to the Joint Waste Management Committee

12 December 2008

- Public Forum: Statements received from the Campaign for Better Transport (2), the Rail, Transport and Maritime Workers Union, the Cycling Touring Club and the Bristol Greenway Network Campaign.
- Local Transport Act – Presentation received and discussion held with the Managing Director for First – Bristol, Bath and West and the Stakeholder manager for Bristol, First Great Western; officers requested to prepare a report on the impact of an Integrated Transport Authority
- Regional Funding Advice 2: Economic development, housing and regeneration, transport and skills – Comments and proposals made for consideration by officers for inclusion in the scheme
- Phase3 Waste Management Contract: Core considerations in the preparation of the output specification and tender evaluation criteria – Presentation received

- 2008/09 timetables for Waste Management Phase 2 and Phase 3 procurement – Report received
- Henbury Rail Loop and the sale of the former goods yard – Officers asked to look at Local Development Frameworks to see if transport land is protected
- Filton Bank Cycle Path – Bristol City Council to submit a feasibility study for the cycle track on the Filton Bank to a future meeting

23 January 2009

- Phase 3 Joint Waste Strategy: Draft Output Specification and Evaluation Criteria – Members proposed changes to the weighting percentages for the criteria for consideration by the Joint Waste Management Committee
- Public Forum: Statements received from the Campaign for Better Transport
- Regional Funding Advice (RFA2): West of England priorities – Report received
- Transport and air quality – Report received
- Work Programme update and WEP Forward Plan – Agreed updates to the Committee's Work Programme
- Transport Major Schemes bid (reports received):
 - A. Weston Package
 - B. Rapid Transit – Ashton Vale to Temple Meads
- Draft Joint Waste Core Strategy: Progress report – Report received

13 February 2009

- Public Forum: Statement received from the Campaign for Better Transport and consideration given to the latest lists of schemes in the South West in the Regional Development Agency's paper on RFA2.
- Multi-Area Agreement – Comments made for consideration by the Partnership's Executive and a further report requested
- Proposal for dedicated Scrutiny support – Agreed Bristol officers to prepare a draft report for consideration by the Joint Scrutiny Committee and Chief Executives

13 March 2009

- Matters arising from the minutes of 13 February – Agreed that the officers continue to seek a meeting with the Transport Minister to discuss transport priorities for the sub-region
- Greater Bristol Metro: Bid status – Presentation noted
- Multi-Area Agreement – The Joint Scrutiny Committee made a number of points during the discussion and requested an updating report to the next meeting
- Local Transport Act and Integrated Transport Authorities – A number of points made during the discussion and a further report requested to the next meeting on to how to take forward and further investigate the options available under the Act
- Consultation on Local Transport Plan 3 Guidance – Agreed that the Chair would pass on any member views to the Department for Transport as the Joint Scrutiny Committee's response.
- West of England Railway Land Asset Register – Report received and comments made during discussion.