

**JOINT SCRUTINY OF THE WEST of ENGLAND PARTNERSHIP  
BATH AND NORTH EAST SOMERSET COUNCIL, BRISTOL CITY  
COUNCIL, NORTH SOMERSET COUNCIL AND SOUTH  
GLOUCESTERSHIRE COUNCIL**

**11<sup>th</sup> July 2008**

**TITLE: ARRANGEMENTS FOR JOINT SCRUTINY OF THE ACTIVITIES OF  
THE WEST OF ENGLAND PARTNERSHIP**

**OFFICER PRESENTING REPORT: Stephen McNamara – Head of Legal  
Services, Bristol City Council**

**CONTACT TELEPHONE NUMBER: 0117 922 2839**

**RECOMMENDATION**

The Joint Committee is recommended to :

- (1) Note why the Joint Committee is being established.
- (2) Agree to the working arrangements for the Joint Committee (including arrangements for public forum) as set out in paragraph 4 – 7 and Appendices 1 & 2 below, and
- (3) Note the proposed terms of reference - Appendix 1 .
- (4) Confirm meeting dates and agree a work programme for the JSC– Appendix 3 .

## **Policy**

1. Each of the four councils have policies which impact upon the West of England including policies on waste, transport, planning and housing. A separate report on the agenda for this meeting details the work of the West of England Partnership and reference should be made to it .

## **Consultation**

2. Officers representing Bath and North East Somerset Council, Bristol City Council, North Somerset Council, and South Gloucestershire Council have been consulted.

## **Context**

3. The West of England Partnership (WoEP) is a voluntary partnership consisting of Leaders and two other representatives from each council with social, economic and environmental partners, as well as observers from government agencies. Until this year it had a number of sub-groups focusing on strategic issues of importance to the sub-region, such as planning, transport and the environment, economy & skills and housing.
4. Working together has enabled councils to access substantial investment from the government. As part of these discussions, the government has encouraged the Partnership to strengthen its governance and doing so is of benefit to the individual councils by giving certainty and accountability.

As a result a new structure is being introduced. This involves:

- New Joint Committees on Transport and on Waste, involving Executive Members who have delegated powers
- A new Planning, Housing and Communities Programme Board, involving Executive Members who have responsibilities for Planning and Executive Members who have responsibilities for Housing
- An existing Employment and Skills Board
- New Joint Scrutiny Arrangements
- Existing Specialist Groups focusing on:
  - Culture, Leisure and Tourism
  - Rural Strategy
- A new Delivery Company to commission transport, waste and other major infrastructure – yet to be established

These arrangements are supported by the Partnership Office and officers in each of the councils and other agencies. Please see the separate report on the agenda referred to above.

5. The Partnership has a range of social and economic partners and observers that it works with to deliver its programme. Details of these are set out at Appendix 4. These organisations will also be available to the scrutiny function to provide expert witness advice in support of its work.

## Proposal

6. It is proposed that each authority in the West of England sub-region shall establish their own scrutiny body comprising 3 non-executive members, with responsibility for the overview and scrutiny for the functions and actions of WoEP.
7. Whilst the scrutiny bodies may meet individually in their own right and as and when necessary to consider a component authority's position on a particular issue, it is proposed that they they will meet in joint session on a regular basis to carry out joint strategic scrutiny of the West of England governance arrangements. The joint meeting will be known as **the West of England Joint Scrutiny Committee** (WoEJSC). Thus the purpose is to enable the four councils to work together in an effective and efficient manner on matters of common interest pertaining to the work of WoEP. It is not possible to establish a statutory joint committee
8. Each Council has determined the terms of reference for their individual scrutiny body and it is to be noted that when these meet jointly as the WoEJSC, that their purpose is to scrutinise the work of the West of England Partnership and specifically this includes the scrutiny of any joint committee established by the respective executive to deal with waste or/and transport issues. Proposed terms of reference are included in Appendix 1.
9. It is for the Joint Scrutiny Committee to determine its working arrangements eg whether and how to allow for public forum etc. It is proposed that the working arrangements adopted in Bristol for its scrutiny meetings (with appropriate variation) be adopted – see Appendix 2. Please note that this is recommended not because it is believed that the Bristol approach is better than any other approach but as a starting point. The arrangements can be altered during the year if any problems arise in their operation

## **Dates of Meetings and Work Programme**

10. A provisional work programme will need to be agreed by the Committee. This, and proposed meeting dates are set out at Appendix 3. Also attached for members information, is the work programme for the WoE Partnership Board.

## **Dates of Partnership meetings**

11. Attached for information at Appendix 5 is a schedule of Partnership meetings planned for 2008/09

## **Legal and Resource Implications**

### **Legal**

There is no legal power to establish a joint committee. The recommendation allows for the benefits of a joint committee to be achieved by joint and co-operative working through a WoEJSC

*(Stephen McNamara Head of Legal, Bristol City Council)*

### **Financial**

None arising directly out of this report

### **Appendices:**

Appendix 1: Joint Committee Terms of Reference and working arrangements

Appendix 2 : Public forum arrangements

Appendix 3: Work programme and meeting dates

Appendix 4: List of social, economic and environmental partners and observers

Appendix 5 : Schedule of Partnership meetings 2008/09

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 Background Papers :**

None

## WoEJSC Working arrangements

### Working Arrangements

1. In order to develop arrangements between the four constituent authorities for the overview and scrutiny of the functions and actions of the West of England Partnership (WEoP), each authority in the West of England sub-region shall establish a scrutiny body comprising 3 non-executive members, with responsibility for the overview and scrutiny for the functions and actions of WEoP.
2. Whilst the scrutiny bodies may meet individually in their own right and as and when necessary, to consider a component authority's position on a particular issue, they will meet in joint session on a regular basis to carry out joint strategic scrutiny of the West of England governance arrangements. The joint meeting will be known as the West of England Joint Scrutiny Committee ('the Committee').
3. The Committee may consider the full range of West of England Partnership issues: transport, planning, housing, waste management, skills & employment, economic development, culture and rural Affairs - establishing, as necessary, short-life, smaller sub-groups to deal with urgent or substantial matters.

### Terms of Reference

4. The Committee shall:
  - scrutinise any relevant proposals from the West of England Partnership in relation to its activities outlined above;
  - 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;
5. This does not preclude consideration of other issues at any time in the future.

## **Membership**

6. The three members who have been appointed by each component authority to their respective scrutiny body which will scrutinise WEoP. Substitutes to be allowed.

## **Chair/Vice Chair**

7. The Chair and Vice Chair of the Committee will be agreed at the annual meeting.

## **Sub-Groups**

8. Short-life sub-groups of relevant scrutiny members from the constituent authorities can be appointed by the WoEJSC to deal with specific issues

## **Co-optees**

9. It is proposed that the Committee does not appoint any co-optees. Instead key stakeholders in the scrutiny process will be invited as witnesses to give evidence to the Committee on specific issues. This would allow a greater range of views to be heard and taken into account.

## **Meeting Arrangements**

10. Meetings shall be arranged to shadow the meetings of the Executive Committees and other Executive bodies as appropriate. Meetings to be held in public session conforming to the Local Government Act and Access to Information Act requirements.

## **Quorum**

11. The component authorities' WoE scrutiny bodies comprise 3 members each so the quorum of each committee is 2. When meeting jointly as WoEJSC, then 2 members (or substitutes) from each authority should therefore be present.

## **Logistics and Costs**

### **Support to the Committee**

12. The West of England Partnership is finalising its arrangements for providing support to the Committee including arranging meetings, despatching agendas, taking minutes of the meetings, carrying out any necessary research and preparing any reports.

## **Headed Paper for Agendas**

13. Logos of the relevant Councils participating in the Committee shall be included at the top of the front page of the agenda.

## **Publishing on Websites**

14. Although the West of England Partnership will dispatch papers for the meetings and will be responsible for publishing the papers on its website, it will also provide a hyperlink for the other authorities to put on their sites.

## **Public Forum**

15. See Appendix 2

## **Costs**

16. The West of England Partnership is considering a proposal by which costs incurred in supporting the Committee will be funded by the Partnership. These costs will include the despatch of agenda and papers and taking notes of meetings, meeting rooms where they cannot be on Council premises, refreshments, and the printing and despatch of papers. Any costs incurred by individual authorities in supporting their own members of the WoEJSC will be borne by themselves.

## Public Forum at WoEJSC Meetings

Members of the public may make a **statement** or present a **petition** in relation to any item on the agenda of the WoEJSC, provided that:-

- written notice is given to us, including the subject matter of your statement or petition no later than **12.00 noon on the working day before the meeting starts** \* .

(\* NB - if the meeting is on a Monday then your submission will need to be with us by 12.00 noon latest on the preceding Friday)

You may also ask a **question** of the chair. This must also relate to an item on the agenda of the meeting concerned and must be submitted to us in writing not less than 3 clear working days before the date of the meeting. A written response will, where possible, be available 1 hour before the meeting which will be circulated to all who are present and will be included subsequently, with the minutes of that meeting. Those submitting questions may ask one supplementary question in relation to each question, at the meeting.

Public forum items will be taken into account by the meeting when it considers the item to which they relate.

The Chair of the meeting has discretion to take statements, petitions and questions in an appropriate order (ie not necessarily in order of receipt). The meeting may enter a dialogue with members of the public during the public forum if appropriate. The public forum session will last for up to 30 minutes, although the Chair, with the consent of the meeting, can extend this timescale.

**Please note that** by participating in public forum business, it will be assumed that your consent is given to the recording in the minutes of the meeting of your name and the details of your submission. A copy of your full written submission will also be included with the agenda papers for the meeting which are placed in an official minute book (the public record) and will also be included on the West of England Partnership web site with the other documents for the meeting concerned.

### **Process during and after the meeting :**

Public forum items are normally the first substantive item of business on the agenda and are normally taken in the order in which they have been received. The Chair will call each submission in turn. When invited to speak, if making a statement you should ensure that your presentation is short and concise and focuses on the key issues that you would like members to consider. This will have the greatest impact. Please avoid reading out a lengthy text from a piece of paper. Remember that your time allocation may have to be strictly limited if there are a lot of submissions before the meeting.

You do not have to speak or even attend the meeting at which your public forum submission is being taken. However, you should be aware if you do not present it, then it will **not be read out** unless the Chair specifically asks for this to happen. It will nevertheless be noted by members.

As most people who participate in public forum remain present for the debate on the agenda item in which they are interested, and because minutes of the meeting will normally be published on the website in 5 clear working days, it is not normal practice to write to individuals afterwards. However, if you would like to receive an official response as to what happened to your submission at the meeting, please advise the officer named on the agenda page, and ensure that they have your full address or e-mail details. They will then contact you within 7 working days. Alternatively you may phone them (see contact number on front of agenda) to confirm the outcome.

**Draft Work Programme for 2008: WoE Joint Scrutiny Committee**

*It is proposed that all meetings are held from 2.00 – 4.00pm.*

<b>Friday 25 July</b>	Partnership governance Joint Waste Strategy: <ul style="list-style-type: none"><li>- Outline Business Case</li><li>- Procurement of Waste Treatment Capacity</li></ul>
<b>Thursday 11 September</b>	Joint Waste Strategy Multi-Area Agreement Transport Innovation Fund Sub-National Review
<b>Friday 10 October</b>	Transport Innovation Fund Major Scheme Bids: <ul style="list-style-type: none"><li>- Rapid Transit</li><li>- Weston Package</li></ul> Joint Local Transport Plan: Progress Review 'Delivery Vehicle'
<b>Friday 14 November</b>	Economic Assessment Sub-National Review Employment & Skills
<b>Friday 12 December</b>	Joint Waste Strategy: Phase 2



**West of England Partnership:  
Social, Economic & Environmental Partners & Observers**

Engaged and/or to be called upon by the Partnership, its Joint Committees, Programme Board, Specialist Groups and Joint Scrutiny

**Transport**

Industry:

First  
Rail industry  
Network Rail

Environmental interests:

Transport 2000  
Friends of the Earth  
CPRE

Other:

Business West  
UWE  
SW TUC  
Community Action (rural interests)

Observers (government and its agencies):

SWRDA  
GOSW  
SWRA  
Highways Agency  
Gloucestershire County Council  
Wiltshire County Council  
Somerset County Council  
Welsh Assembly

**Waste**

Observers:

GOSW  
Environment Agency  
Natural England

## **Planning, Housing and Communities**

### Partners:

Business West  
House Builders Federation  
National Housing Federation  
National Landlords Association: Wessex Branch  
Homes West

### Industry:

Wessex Water  
Bristol Water  
Western Power  
Bristol Port  
Bristol Airport

### Other:

Friends of the Earth  
CPRE  
SW TUC  
Shelter  
(Housing Associations)  
(Universities)  
(Consultants with specialist knowledge)

### Observers:

GOSW  
Housing Corporation/Homes & Communities Agency  
SWRDA  
English Partnerships  
Natural England  
Environment Agency

## **Economy, Employment and Skills**

### Partners

Business West  
Business Link  
Federation of Small Businesses  
CBI  
Universities – knowledge transfer / business engagement  
FE sector - knowledge transfer / business engagement  
Science City  
Social Enterprise Works

## South West TUC

Networks: eg Aerospace Forum, SW Screen, BETS (Bristol Environmental Technology Services)

Observers:

SWRDA  
Jobcentre Plus  
Learning & Skills Council

### **Culture, Leisure & Tourism**

Partners:

Arts Council South West  
Culture South West  
Museum, Libraries and Archives Council  
South West Screen  
South West Tourism  
Sport England  
WESPORT

Observers:

SWRDA  
GOSW

### **Rural**

Partners:

Community Action  
NFU  
Avon Biodiversity Partnership  
Forest of Avon  
Avon Local Councils Association

Others:

(Parishes in rural areas)

Observers:

GOSW  
SWRDA  
Commission for Rural Communities

**West of England Partnership: Meetings dates 2008/09**

<i>Date</i>	<i>Time</i>	<i>Venue</i>
<b>Partnership Board</b>		
Fri 4 July	10am – 12 noon	Bristol Council House
Fri 19 September	10am – 12 noon	BAWA
Fri 24 October	10am – 12 noon	Bristol Council House
Fri 5 December	10am – 12 noon	Brunswick Room, Guildhall, Bath
Thursday 5 February	2pm – 4pm	BAWA
Friday 13 March	10am – 12 noon	The Campus, W-S-M
TBC Thursday 23 April	2pm – 4pm	

**Joint Committee on Transport** (*venue TBC*)

It is hoped that dates can be agreed that will allow for the Joint Committee on Transport to be followed in the afternoon of the same day by the Planning, Housing and Communities Board.

TBC Monday 15 Sept.	10am – 12 noon
TBC Monday 13 October	10am – 12 noon
TBC Monday 17 Nov.	10am – 12 noon
TBC Monday 12 January	10am – 12 noon
TBC Monday 9 February	10am – 12 noon
TBC Monday 16 March	10am – 12 noon
TBC Monday 20 April	10am – 12 noon

**Joint Committee on Waste** (*venue TBC*)

TBC Monday 28 July	3.30 – 5pm
TBC Monday 16 September	3.30 – 5pm
TBC Thursday 2 October	3.30 – 5pm
TBC Thursday 11 November	3.30 – 5pm
TBC Early February	
TBC Early April	

**Planning, Housing and Communities Programme Board** (*venue TBC*)

It is hoped that dates can be agreed that will allow for the Planning, Housing and Communities Board to follow the Joint Committee on Transport in the afternoon of the same day. It is intended that the Board will have an agenda which has three sections:

1. *Planning issues (not housing related)*
2. *Planning and housing issues*
3. *Housing issues (not planning related)*

<b>Date</b>	<b>Time</b>
TBC Monday 15 September	1 – 4pm
TBC Monday 13 October	1 – 4pm
TBC Monday 17 November	1 – 4pm
TBC Monday 15 September	1 – 4pm
TBC Monday 12 January	1 – 4pm
TBC Monday 9 February	1 – 4pm
TBC Monday 16 March	1 – 4pm
TBC Monday 20 April	1 – 4pm

### **Employment and Skills Board**

Tuesday 5 August	2pm – 4pm	Learning & Skills Council
Tuesday 7 October	2pm – 4pm	Learning & Skills Council
Tuesday 2 December	2pm – 4pm	Learning & Skills Council
Tuesday 10 February	2pm – 4pm	Learning & Skills Council
Tuesday 7 April	2pm – 4pm	Learning & Skills Council

### **Culture, Leisure and Tourism Group**

Friday 5 September	10am – 12 noon	Bradley Stoke Leisure Centre
Friday 21 November	10am – 12 noon	Colston 33, Bristol
Thursday 19 February	10am – 12 noon	BANES venue TBC

### **Rural Strategy Group**

Tuesday 23 September	10am – 12 noon	Wilder House, Bristol
Thursday 20 November	10am – 12 noon	Wilder House, Bristol
Thursday 26 February	10am – 12 noon	Wilder House, Bristol