

Report to Sheffield City Region Overview and Scrutiny Committee

Date of Meeting:	28 January 2021
Subject:	Scrutiny of the Mayoral Combined Authority's Thematic Boards
Purpose of the Report:	To advise members of the updated governance arrangements for the Mayoral Combined Authority Thematic Boards as agreed at the September 2020 MCA board.
Recommendation(s):	That OSC Members note the updated governance arrangements for the Thematic Boards and agree on the method of scrutiny of the Thematic Boards as set out in section 2.6.
Category of Report: Open Under the Freedom of Information Act and Schedule 12A of the Local Government Act 1972, this paper and any appendices will be made available under the Combined Authority Publication Scheme.	

Summary:

On 21 September 2020 the Mayoral Combined Authority (MCA) board agreed to change the governance arrangements and approved the amendment of the MCA Constitution to reflect the updated Terms of Reference of the MCA's Thematic Boards (please see Appendix A). The Thematic Boards are a joint body between the MCA and the LEP; they are the point at which they come together to make decisions on the theme within the delegated powers framework. This paper will enable the Overview and Scrutiny Committee to examine the roles, responsibilities and membership of the four thematic boards agreed at the SCR MCA Board.

At the Overview and Scrutiny Committee's agenda setting meeting on 3 December 2020 it was agreed that the committee would seek clarity on the following:

1. Transparency and openness of the thematic board meetings
2. The meeting cycle and membership
3. Arrangements for public questions.

It will fall within the remit of the MCA Overview and Scrutiny Committee to ensure that the decisions taken will be of benefit to the residents and businesses of the region, so it is, therefore, important to set out a process for robust scrutiny.

1. Introduction/Context

- 1.1 Thematic Boards were first established by the MCA in early 2019. The role of each Thematic Board is to:
 - Shape future policy development and priorities on issues related to their portfolio
 - Develop new programmes
 - Make investment decisions up to £2 million within the agreed budget and policy on business recovery and growth, as delegated by the Mayoral Combined Authority (MCA)
 - Accept grants with a value of less than £2 million
 - Monitor programme delivery and performance on business recovery and growth

- Monitor the performance of services provided to support business and develop trade and investment opportunities.

1.2 The proposal to reduce the number of Thematic Boards from 5 to 4 was agreed at MCA in September 2020. The priorities reflect those of the refreshed Strategic Economic Plan (2020-2040)

- i. Business Recovery and Growth
- ii. Education, Skills and Employability
- iii. Transport and the Environment
- iv. Housing and Infrastructure

1.3 As these Boards are not formal sub-committees of the MCA (as they include Members who are not MCA Members) the formal decision making function is delegated to an officer of the MCA who will either act in accordance with the unanimous decision of the Board or refer the decision to the MCA/LEP.

2. Matters for Consideration

2.1 OSC Member have asked for clarity on 3 specific areas in relation to the MCA's Thematic Boards:

- Transparency and openness of the thematic board meetings
- Arrangements for public questions
- The meeting cycle and membership

2.2 Transparency, openness of meetings

The Terms of Reference for each board (Appendices B, C, D and E) state that:

- Papers are made available to the public 5 clear working days before the meeting
- Key decisions will be published on the SCR MCA website 28 days in advance of the decision being made
- Meetings will be held in private and minutes made available to the public within 10 working days of the meeting taking place

2.3 Arrangements for public questions

The Terms of Reference state:

- Members of the public can submit questions and/or comments on pending decisions to the board and receive a written response.

2.4 Meeting Cycle

It was planned for each Board to meet at least on an 8-week cycle; however, this is currently under review to ensure meetings are timely to uphold timely decision making. Additional meetings, dependent on business need, will be agreed with Co-chairs and will observe publication requirements for papers, minutes and key decisions. Each Board may also determine to have informal intermediate meetings where discussion is required midcycle.

2.5 Membership

The Membership for each Thematic Board is as follows:

- a. Co-chairs - 1 Constituent Council Leader and 1 LEP Board Member
- b. One lead Chief Executive from a Constituent Council
- c. One MCA Executive Officer (Chief Executive/Director level)
- d. One Elected Member from each Constituent Authority
- e. A LEP Board Member

Membership of the Thematic Boards as at 18 January 2021 can be found in Appendix F.

2.6 Proposed Scrutiny Process

The Forward Plan lists all Key Decisions taken at the MCA board and Thematic Board meetings. OSC Members are already routinely made aware of the publication of the Forward Plan of Key Decisions, this is facilitated by the receipt of an automated email notification from the MCA's

modern.gov system. In addition, the Forward Plan of Key Decisions is a standard agenda item on each OSC agenda.

OSC Members routinely receive a copy of the MCA meeting paper packs and meeting minutes from the modern.gov system – this is an automated email which notify members as soon as papers are published on the MCA’s website.

It is proposed to enhance the current process to include OSC Members on the circulation list for meeting paper packs and draft meeting minutes for the Thematic Boards.

The proposed scrutiny model is set out below:

1. OSC Members receive automated email from MCA committee system with the following information:
 - a. Forward Plan of Key Decisions
 - b. Thematic Board Agenda/Paper Packs
 - c. MCA Board Agenda/Paper Packs
 - d. MCA Board and Thematic Board Draft minutes (published within 10 days of the meeting being held)
2. OSC Member reviews information provided.
3. If no queries or concerns are raised by OSC Members, then no further action is required. However, if this is not the case then proceed to point 4.
4. An OSC Member raises query with Lead MCA Executive Officer (informing Scrutiny Officer).
5. Scrutiny Officer will make a log of any queries raised and subsequent response (for transparency purposes).
6. If OSC Member still has concerns or queries after an informal discussion has taken place:
 - a. If the item is felt to be urgent, then the ‘Call In’ Process will be instigated and followed.
 - b. If the item is not felt to be urgent, the OSC Member should make a referral to the OSC Chair (cc Scrutiny Officer) clearly stating the objective(s)/outcomes(s) expected from reviewing the issue at a committee meeting.
 - c. The referral will be discussed at the next OSC Agenda Setting Meeting and placed on the next available OSC meeting agenda (and Work Programme) or if more urgent, the OSC will call an urgent OSC meeting.
 - d. The topic/item will be scrutinised at the next available meeting and recommendations will be put forward as appropriate.

a. Financial

There are no financial implications associated with this paper.

b. Legal

The framework for agreeing scrutiny’s role is provided in the legislation listed below. Scrutiny has the power to:

- Review or scrutinise actions taken, or decisions made by the MCA or the Mayor
- Make reports or recommendations on actions taken or decisions made by the MCA or the Mayor
- Make reports or recommendations on any issue affecting the MCA’s area or the area’s inhabitants
- “Call-In” decisions made by the MCA or the Mayor.

The legislative provisions are set out in:

- The Local Democracy, Economic Development and Construction Act 2009,

- The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017)
- Overview and Scrutiny; statutory guidance for councils and Combined Authorities (HMG 2019)

c. Risk Management

There are no risk management issues to consider.

d. Environmental

There are no environmental implications associated with this paper.

e. Equality Impact Assessment

There are no equality implications associated with this paper.

f. Performance Management/Measuring Outcomes

The Scrutiny Officer routinely monitors, and records referrals made to the Overview and Scrutiny Committee which includes data such as the source of the referral and topics/issues discussed. Monitoring is a continuous process and analysis of the data is published in the OSC Annual Report.

3. Consideration of alternative approaches

This proposal was drafted to ensure compliance with legal requirements and the optimum use of finite resources, ie, member and officer time.

4. Issues the Overview and Scrutiny Committee may wish to consider ...

OSC Members are invited to put forward any recommendations that would enhance the proposed process for scrutinising the MCA's Thematic Boards.

5. Recommendations

That the Overview and Scrutiny Committee agree to adopt the process set out in section 2.6.

6. Appendices/Annexes

Appendix A - MCA Paper 21/09/20 Governance Arrangements to Support the Leadership of Thematic Priorities

Appendix B – Terms of Reference for the Business Recovery and Growth Board

Appendix C – Terms of Reference for the Housing and Infrastructure Board

Appendix D – Terms of Reference for the Education, Skills and Employability Board

Appendix E – Terms of Reference for the Transport and Environment Board

Appendix F – Members of MCA Thematic Boards

The following section is a legal requirement

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Other sources and references: N/A	