

Cabinet  
Council

10<sup>th</sup> December 2013  
14<sup>th</sup> January 2014

**Name of Cabinet Member:**

Cabinet Member (Policy & Leadership) – Councillor Lucas

**Director Approving Submission of the report:**

Executive Director, Place

**Ward(s) affected:**

All wards in Coventry

**Title:**

Amendments to Terms of Reference for West Midlands Joint Committee

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**Is this a key decision?**

Yes - The recommended decisions will affect the governance covering transport delivery and spending in all Wards of Coventry.

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**Executive Summary:**

Cabinet are being asked to recommend to Council approval of changes to the terms of reference to the West Midlands Joint Committee which have been agreed by the Joint Committee, but which require approval by all constituent Districts. Consequently the same recommendation is being taken to all District's Cabinets and Councils.

Cabinet are also being asked authorise the Leader to support a proposal to the Secretary of States for Transport and Communities & Local Government for structural changes to the West Midlands Integrated Transport Authority (ITA) which the ITA intends to submit.

The Department for Transport has asked that the ITA can demonstrate support from all constituent Districts for the proposed structural changes. Consequently the same recommendation is being taken to all District's Cabinets and Councils.

Both these changes are related and will affect the governance covering transport delivery in all Wards of Coventry. The aim of the changes is to improve the efficiency and effectiveness of regional activity and to strengthen transport governance.

There are no direct financial implications arising from the recommendations in this report as the proposals only relate to governance arrangements at this stage. However, the WMJC and the ITA form key elements of the governance arrangements through which Government devolves funding to the West Midlands and onto each local authority.

**Recommendations:**

The Cabinet is recommended to:

1. Accept the amended terms of reference of the West Midlands Joint Committee as set out in appendix 2 insofar as they relate to executive functions of the Council, and that the Assistant Director Legal and Democratic Services and Monitoring Officer be authorised to take any necessary and consequential actions to give effect to this decision.
2. Authorise the Leader of the Council, in consultation with the Chief Executive, to send or sign a letter of support to the relevant Secretary of States in connection with the proposed structural changes to the Integrated Transport Authority.

Council is requested to accept the recommendations from Cabinet.

**List of Appendices included:**

Appendix 1 – Amended Terms of Reference for West Midlands Joint Committee, track changes version

Appendix 2 - Amended Terms of Reference for West Midlands Joint Committee, final version

**Background Papers**

None

**Other useful documents**

Reports to the West Midlands Metropolitan District Leaders Group and West Midlands Joint Committees on 23 January, 20 March, 29 April and 12 June 2013

**Has it been or will it be considered by Scrutiny?**

*No*

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes – 14<sup>th</sup> January 2014

Report title: **Amendments to Terms of Reference for West Midlands Joint Committee**

**1. Context (or background)**

- 1.1 The West Midlands Joint Committee (WMJC) comprises the seven Metropolitan District Councils of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton. It was established in 1985 following the abolition of the West Midlands County Council. The Committee is a joint committee for the purposes of Part VI of the Local Government Act 1972.
- 1.2 The overall objective of the WMJC is to co-ordinate actions on important issues affecting the local authorities in the West Midlands, and to provide a vehicle for communicating these actions and their needs to Government and other influential bodies.
- 1.3 The Government has highlighted the importance of effective governance arrangements as one of the key requirements that must be met in devolving powers and funding to sub-regions. It is recognised that strengthened transport governance is a prerequisite to furthering significant devolved funding to the West Midlands, including Growth and City Deals. These must contain proposals for strong governance across their functional economic area, so that decisions necessary for the growth of the area as a whole can be taken quickly and effectively.

**2. Options considered and recommended proposal**

- 2.1 On 23 January, 2013 the West Midlands Metropolitan District Leaders Group agreed a set of principles for transport governance, recommended them to the Joint Committee and tasked officers with exploring how transport governance relating to the West Midlands Integrated Transport Authority (ITA) could be taken forward.
- 2.2 At the Leaders meeting on 20 March, a preferred route to implement the changes was agreed, which was to put in place a shadow board (through the existing Joint Committee structure) while progressing the required review to be considered by the Secretary of State. On 29 April the WMJC subsequently agreed to undertake a governance review of the West Midlands ITA.
- 2.3 Following this, the WMJC on 12 June agreed to set up a Shadow ITA pending Secretary of State formal approval. A formal submission in connection with this matter will be made to the Secretary of State by Centro. To accommodate the establishment of the Shadow ITA and other variations in respect of the Joint Committee the seven West Midlands authorities are being recommended to endorse the revised terms of reference of the West Midlands Joint Committee as set out in Appendix 1. The amended terms of reference seek to:
- update the provisions relating to Birmingham Airport to match what has previously been agreed by the West Midlands Districts
  - provide for effective decision making between meetings
  - provide for the new duty to co-operate
  - accommodate the disbanding of the West Midlands Planning and Transportation Sub-Committee
  - create the Shadow ITA board

- 2.8 It is recommended that the Council formally endorse the revised terms of reference of the West Midlands Joint Committee, as set out in Appendix 2, as amended by the Joint Committee at its meeting on 12 June 2013.
- 2.9 It is also recommended that the Leader of the Council in consultation with the Chief Executive submits or signs a letter of support to the Secretary of State for Transport in connection with the proposed structural changes to the West Midlands ITA supporting the proposal to a change in the membership of the ITA through Part IV of the Local Government Act 1985. It is proposed that the Secretary of State alters the numbers of representatives specified in Schedule 10 to one representative per authority.

### **3. Results of consultation undertaken**

- 3.1 Birmingham City Council on behalf of the WMJC commissioned Atkins Consultancy to under interviews and consult with a range of organisations, including existing Leadership and representation from the Opposition for all the West Midlands Metropolitan Districts, the ITA Chair and Opposition Lead, the three main Local Enterprise Partnerships, Chambers of Commerce, key transport agencies and operators & adjacent Local Transport Authorities. The majority agreed that there is a strong case for change.

### **4. Timetable for implementing this decision**

- 4.1 The Shadow ITA of the WMJC has met once and is expected to meet again at each sitting of the WMJC. It is anticipated that a formal proposal for change will be submitted to the Secretary of State in early 2014.

### **5. Comments from Executive Director, Resources**

- 5.1 Financial implications  
There are no direct financial implications arising from the recommendations in this report as the proposals only relate to governance arrangements at this stage. However, the WMJC and the ITA form key elements of the governance arrangements through which Government devolves funding to the West Midlands and onto each local authority.
- 5.2 Legal implications  
The West Midlands Joint Committee is constituted under Part VI of the Local Government Act 1972. The amendments are to recognise changes that have happened since the terms of reference were last revised and to recognise the Committee's exercise of its transportation functions in support of changes proposed within the West Midlands ITA and under the Localism Act 2011.

**6. Other implications**

None

**6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

The proposed changes are designed to strengthen governance across the West Midlands Metropolitan area, so that decisions necessary for the growth of the area as a whole can be taken quickly and effectively.

**6.2 How is risk being managed?**

No specific critical risks have been identified.

**6.3 What is the impact on the organisation?**

It is proposed that the Secretary of State alters the numbers of representatives specified in Schedule 10 of Appendix 2 (relating the membership of the ITA) to one representative per authority.

**6.4 Equalities / EIA**

No equality impact assessment has been carried out as the recommendations in the report do not constitute a change in service or policy

**6.5 Implications for (or impact on) the environment**

No specific impacts

**6.6 Implications for partner organisations?**

The proposal is the same for each of the other West Midlands Metropolitan Districts.

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