

## **Group Meetings Notified**

Conservative	9.30 am	HMS Daring Room
Labour	9.00 am	Committee Room 6
Liberal Democrat	9.30 am	Committee Room 6A

## **WEST MIDLANDS JOINT COMMITTEE**

**TO BE HELD IN COMMITTEE ROOMS  
3 AND 4 IN THE COUNCIL HOUSE,  
BIRMINGHAM ON MONDAY,  
29 APRIL 2013 AT 10.00AM**

## **A G E N D A**

1. **APOLOGIES**

**Attached**

2. **MINUTES**

To confirm the "Public" section of the Minutes of the last meeting held on 23<sup>rd</sup> January 2013.

**Attached**

3. **ITA REVIEW - UPDATE**

Report of the Chief Executive, Wolverhampton City Council

**To Follow**

4. **SHADOW BOARD TERMS OF REFERENCE - UPDATE**

Report from Director Sustainability, Transportation and Partnerships, Birmingham City Council on behalf of Secretary WMJC.

5. **DATE OF NEXT MEETING**

The next scheduled meeting is Wednesday 12th June 2013.

6. **URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

7. **EXCLUSION OF THE PUBLIC**

"That in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting: -

**Title of Report etc****Description of Exempt Information****1. Minutes**

"Private" Minutes - meeting  
on 23<sup>rd</sup> January 2013

(Part 1, Schedule 12A of the Local  
Government Act, 1972 - Paragraph 3)

**AT A OF THE WEST MIDLANDS JOINT  
COMMITTEE HELD AT THE COUNCIL HOUSE,  
BIRMINGHAM ON WEDNESDAY 23 JANUARY  
2013 AT 1.00PM**

**PRESENT:-**

**Birmingham**

Councillor Sir Albert Bore (Voting Member)  
Councillor Mike Whitby

**Coventry**

Councillor J Duggins (Voting Member)  
Councillor K Foster

**Dudley**

Councillor D Sparks (Voting Member)

**Sandwell**

Councillor D C Cooper (Substitute Voting Member)

**Solihull**

Councillor K Meeson (Voting Member)  
Councillor R Sleigh

**Walsall**

Councillor M Bird (Voting Member)

**Wolverhampton**

Councillor R Lawrence (Voting Member)

**West Midlands Fire & Rescue Authority**

Councillor M Idrees – Deputy Chair

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**APOLOGIES**

1920

Apologies were submitted on behalf of the following: -

Councillor Ian Ward – Birmingham  
Councillor D Mutton – Coventry

Councillor S Ali – Dudley  
Councillor L Jones – Dudley  
Councillor S Eling – Sandwell  
Councillor M Hughes - Sandwell  
Councillor I Hedley – Solihull  
Councillor AA Andrew - Walsall  
Councillor T Oliver - Walsall  
Councillor P Bilson - Wolverhampton  
Councillor N Patten - Wolverhampton  
Councillor J McNicholas - WMITA  
Councillor John Edwards - WMFRA

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### **CHAIRMAN**

- 1921 In the absence of the Chairman, it was agreed that Councillor Lawrence would act as Chairman for the meeting.
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### **DEATH OF LORD TARSEM KING**

- 1922 The Committee observed a minute's silence in remembrance of Lord King of West Bromwich, who had recently passed away.
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### **MINUTES**

- 1923 Minutes of the meeting held on 17 August 2012, having been previously circulated, were confirmed as a correct record.
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### **PROVISIONAL JOINT AUTHORITY BUDGETS FOR 2013/2014**

Further to discussions with Joint Authority Chairs, it was reported that the Fire & Rescue Authority precept would be increased by £5 in line with the new criteria for the eight lowest precepting FRAs in the country.

The ITA levy would not be increased and discussions around how to achieve further savings were continuing.

- 1924 **RESOLVED:-**

That the update report be noted.

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### **CO-ORDINATED SERVICES AND SHARED FACILITIES BUDGET 2012/2013**

The following joint report of the Secretary and the Strategic Director of Resources, Birmingham City Council was submitted:-

(See document No. 1)

The Chairman stated that it was essential that the West Midlands develop a transport governance structure capable of delivering innovations similar to those in other parts of the country. The expenditure referred to in Option A would provide for an expert view and appropriate legal advice.

1925

**RESOLVED:-**

- (i) That approval be given to the budget for the West Midlands Joint Committee for 2013/14 and the consequential member Authority contributions, as set out in Option A referred to in Section 3 and Appendices A and B to the report, which includes provision for one-off expenditure of £30,000 to commission necessary advice to ensure that future governance structures are fit for purpose;
- (ii) that the required member Authority contributions for the Joint Data Team contract for 2013/14, as set out in Section 4 and Appendix C be noted; and
- (iii) that the member Authority contributions for pensions of former West Midlands County Council employees, as set out in Section 5 and Appendix D, be noted.;

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**FINDINGS OF THE EXTERNAL AUDIT OF THE 2011/12 ANNUAL RETURN**

The following joint report of the Secretary and the Strategic Director of Resources, Birmingham City Council was submitted:-

(See document No. 2)

1926

**RESOLVED:-**

That the report be received and that it be noted that no issues were raised by the external auditor in respect of the 2011/2012 Annual Return.

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**WEST MIDLANDS JOINT COMMITTEE ANNUAL RISK ASSESSMENT STATEMENT**

The following report of the Secretary was submitted:-

(See document No. 3)

1927

**RESOLVED:-**

That the report be noted and that the Annual Risk Assessment statement and actions taken to mitigate risks, as set out in the Appendix to the report, be endorsed.

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## **TRANSPORT AND STRATEGIC PLANNING UPDATE**

The following report of the Chair of the Integrated Transport Authority was submitted:-

(See document No. 4)

Geoff Inskip, Chief Executive, Centro attended the meeting and outlined the contents of the report.

Councillor Sparks commented out that there was no direct rail connection between south and mid Wales, with a rail journey to mid Wales requiring travel via the Midlands. In terms of connectivity, full advantage should be taken of this and a reduction in journey time as a result of HS2 would have a dramatic effect.

Mr Inskip confirmed that the comments would be taken on board.

1828

### **RESOLVED:-**

That the update report be noted.

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## **BIRMINGHAM AIRPORT HOLDINGS LTD - ACTION TAKEN BETWEEN MEETINGS**

The following report of the District Advisers was submitted:-

(See document No. 5)

1929

### **RESOLVED:-**

That the action taken under the Birmingham Airport Holdings Ltd Districts' Side Agreement by West Midlands District Chief Executives in consultation with the Chairman in reappointing Sir Michael Hodgkinson of Nyras Capital as aeronautical adviser to the West Midlands Districts for a further 12 months from December 2012 at a remuneration of £25,000 per annum plus expenses, with David Priseman of Nyras Capital as acting alternate in his absence, as detailed in the report now submitted, be noted.

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## **MINUTES OF MEETINGS/MATTERS OF INTEREST**

### **A. West Midlands Fire and Rescue Authority**

The following report of the Chairman of the Authority was submitted: -

(See interleaved No. 6)

Councillor Mohammed Idrees, Deputy Chair of the WMFRA and Phil Loach, Deputy Chief Fire Officer attended the meeting and outlined the contents of the report, drawing particular attention to the improvements in performance indicators.

1930

**RESOLVED:-**

That the annual report of the Chairman of the West Midlands Fire and Rescue Authority be received and noted.

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**B. West Midlands Planning and Transportation Sub-Committee**

The following Minutes of meetings of the West Midlands Planning and Transportation Sub-Committee held on 3 August, 14 September and 9 November 2012 were submitted: -

(See interleaved No. 7)

1931

**RESOLVED:-**

That the Minutes of the meetings of the West Midlands Planning and Transportation Sub-Committee as now submitted be received and noted.

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**EXCLUSION OF THE PUBLIC**

1932

**RESOLVED:-**

That in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting: -

**1. Minutes**

"Private" Minutes of the meeting held on  
23 November 2011

Paragraph 3 (Part 1, Schedule  
12A of the Local Government  
Act, 1972)

**2. Birmingham Airport - Action taken  
between meetings**

Report of District Advisers

Paragraph 3 (Part 1, Schedule  
12A of the Local Government  
Act, 1972)

**WEST MIDLANDS JOINT COMMITTEE – 29 APRIL 2013**

**Report of Chief Executive, Wolverhampton City Council**

**ITA REVIEW– Update**

**1. Overview**

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 City Deals, which must contain proposals for stronger 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.

At the meeting of the West Midlands Metropolitan District Leaders Group on the 23<sup>rd</sup> of January, 2013, the Leaders 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 ITA could be taken forward.

At the March 20<sup>th</sup> leaders meeting, a preferred route to implement the changes was agreed, which is 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.

**2. Undertaking a Review of ITA Structures**

A scope of work for consultancy support to review and validate the proposed changes and identify a programme for the implementation of the proposed structures has been completed and is attached as appendix A.

It is proposed that the work will;

- Review current issues and identify objectives;
- Identify and assess options;
- Identify a preferred option and transitional arrangements; and (potentially)
- The Preparation and publication of a scheme (as it is not yet clear if it will be necessary to prepare and publish a scheme: this will be considered in liaison with specialists at the authorities and within DfT).

As indicated above, the work will review a number of options that may be possible in order to achieve the objectives, however it will not be considering the creation of a combined authority.

The review will give objective consideration to a range of options which will achieve the objectives which the Leaders are seeking to achieve as set out in January 2013.

The review will be undertaken over the next 2 months and will seek to identify a preferred options and transitional arrangements by Mid July 2013. Work will then begin to ensure that the appropriate orders are designed, with specialists at the authorities and within DfT, for Secretary of State approval.

### **3. Recommendations**

- a. To agree the following :
  - i. the scope and terms of the review as well as the timetable
  - ii. to take the review to their individual councils for noting at the AGM

**Simon Warren**  
**Chief Executive**  
**Wolverhampton City Council**

## **APPENDIX A. – TRANSPORT GOVERNANCE IN THE WEST MIDLANDS - Development of a Brief for Consultancy Support**

### **1. Introduction**

The local transport authorities in the West Midlands Metropolitan Area have identified the need to improve transport governance in the Metropolitan Area. The West Midlands Metropolitan District Leaders Group met on 23<sup>rd</sup> January to discuss the principles, with further consideration of a new potential structure at its meeting on 20<sup>th</sup> March. The issues were also considered at the meeting of the Integrated Transport Authority on 15<sup>th</sup> April.

The proposed approach is that the Integrated Transport Authority (ITA) will become a Joint Committee, comprising the seven leaders of the Metropolitan Districts, separated from the Executive, and will lead on Prioritisation, Strategy and Commissioning. This will lead to a major change in transport governance in the Metropolitan Area, with rationalisation of decision-making structures with a key focus on the Leaders. This is designed to provide stronger leadership on transport strategy and priorities, with clear linkages with the newly-formed Local Transport Bodies for Greater Birmingham and Solihull, the Black Country and Coventry & Warwickshire. This should also be designed to enable strong integration with strategic planning, regeneration and economic growth priorities across the metropolitan area.

The Metropolitan Authorities have identified the need for consultancy support to review and validate the proposed changes and identify a programme for the implementation of the proposed structures. This note sets out the issues that should be considered, together with the proposed approach to this review.

### **2. Background**

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. At present, the West Midlands Metropolitan Area has a number of complex governance arrangements, with the current ITA responsible for the preparation of the Local Transport Plan (LTP), management of LTP delivery and oversight of public transport, whilst strategic planning matters are addressed by the separate Planning and Transport Sub-Committee, acting for the West Midlands Joint Committee.

In the meantime, Local Transport Bodies have been developed to cover functional economic areas in Greater Birmingham and Solihull (including parts of Staffordshire and Worcestershire), the Black Country and Coventry & Warwickshire. The Local Transport Bodies are contiguous with the boundaries of the Local Enterprise Partnerships, which are responsible for promoting sustainable economic growth in their areas. Whilst there is a strong commitment to joint working to promote growth at the conurbation level, there is a need for more robust structures to ensure that priorities are aligned.

The government has shown a strong interest in the potential roles of Combined Authorities (CAs) in providing strong leadership, with the Greater Manchester Combined Authority already established and the development of new structures in Sheffield and Leeds City Regions and the North East. Combined Authorities provide a formal structure to lead collaboration between authorities on transport (with ITA responsibilities) and sub-regional economic development. The West Midlands leaders have indicated that a Combined Authority is not required to deliver the proposed changes in the conurbation. Instead, the preferred approach is to establish a Joint Committee to discharge the ITA's functions, with strong direct relationships with the three Local Enterprise Partnerships and Local Transport Bodies. This review will

consider how the proposed Joint Committee arrangements will ensure effective integration with strategic planning and economic development issues across the conurbation.

The government has produced guidance on the conduct of governance reviews. The first guidance was published by the Department for Transport, following enactment of the Local Transport Act 2008, describing best practice for undertaking transport governance reviews. This explains that the stages should include analysis of current problems and identifying the objectives for the area, identification and assessment of different governance options, identifying the preferred scheme and preparation and publication of the proposed scheme. It discusses the different options that are available, including contractual arrangements, joint committees, simultaneous executive meetings and other mechanisms. Consideration needs to be given to the balance of transitional costs and cost savings, benefits of improved decision making and risks associated with change.

Certain aspects of change would require changes to existing legislation and an Order to be made by the Secretary of State. These would include changes to **geographical boundaries, constitutional arrangements** and **functions**. There would be no change to the **boundary** of the West Midlands ITA, although consideration will need to be given to the implications of overlapping boundaries with the LEPs and LTBs for Greater Birmingham & Solihull (Staffordshire, Worcestershire) and Coventry & Warwickshire. The proposals would initiate major changes in **constitutional arrangements**, with the transfer of overall responsibility to District Leaders. Consideration should be given to alternative membership options and interfaces with existing structures, including the LTBs. In terms of **functions**, it is important to objectively assess the remit of the ITA. Given that the ITA has sole responsibility for the production of the Local Transport Plan, consideration must be given to the management of the wider transport network, including devolution of rail powers and control of the road network.

The government also produced draft guidance on economic prosperity boards and combined authorities in 2010. This guidance was not published (it was finalised in February 2010 before the announcement of the general election) but it provides useful guidance on the nature and functions of combined authorities and best practice in conducting a governance review. This follows a similar approach to transport-only governance reviews, including gathering evidence on the effectiveness of current arrangements, identifying and assessing alternative options, identifying the preferred option and preparation and publication of a preferred scheme.

The ultimate outcome from this work should be efficient and effective transport governance, with clear leadership, which will enable significant investment in transport infrastructure to unlock sustainable economic growth in the West Midlands. It should also enable more effective and efficient working practices and reductions in costs of service delivery.

The West Midlands currently has a complex decision-making structure and there is a need for much clearer leadership and accountability. In undertaking the review, it is important to have proper assessment of the key challenges, consideration of an appropriate range of options, a clear rationale for the preferred approach and workable transitional arrangements. These issues are captured in our approach to this review.

### **3. Proposed Approach**

The proposed approach is designed to ensure that there is a clear rationale for the proposed governance arrangements, which demonstrates to central government that the metropolitan area can deliver strong

leadership to promote sustainable economic growth in the conurbation. A phased programme of work is proposed, as follows:

- Phase 1: Review of current issues and identify objectives;
- Phase 2: Identify and assess options;
- Phase 3: Preferred option and transitional arrangements; and
- (Potentially) Phase 4: Preparation and publication of a scheme.

This note considers the work associated with Phases 1 to 3. It is not yet clear if it will be necessary to prepare and publish a scheme: this will be considered during Phase 3 in liaison with specialists at the authorities and within DfT.

### **Phase 1: Review of current issues and identify objectives**

The purpose of this phase is to review the effectiveness of current governance arrangements and the specific challenges that are faced in managing and improving the transport network. This should consider barriers to effective decision-making and delivery of transport objectives in the conurbation. The specific strengths of current decision-making structures and processes should also be identified and considered. It should demonstrate a clear understanding of the current strengths and weaknesses of the sub-regional economy and the role of transport in facilitating or constraining current activity. It should also consider the growth ambitions in each area and future transport requirements to enable this growth.

This work should identify the specific challenges that are likely to be faced in developing strategies and in identifying and prioritising transport schemes to support sustainable economic growth across the conurbation. City Regions in other parts of England have developed sophisticated approaches to assessing transport constraints and developing packages of schemes to maximise benefits to the city region as a whole. They have also developed innovative approaches to conurbation-wide funding pots. It would be helpful to consider current processes in the West Midlands and opportunities to learn from best practice elsewhere, as this could be a factor in informing future decision-making structures.

The three Local Transport Boards are currently in the process of prioritising investment for the 2015/19 spending review period, with informal mechanisms for consulting and discussing priorities. These current arrangements should be considered, specific challenges identified, and opportunities to develop best practice in assembling a transport programme that will support growth. It is important to identify opportunities for coordination between the three Local Transport Boards, to ensure a consistent approach to policy development and prioritisation of investment across the conurbation, whilst also recognising the needs of the partners in the shires.

The assessment of these issues will help to inform the objectives against which options will be assessed. These will need to include the strength of alignment with strategic planning, regeneration and economic development objectives for the conurbation. It will need to include consideration of different elements of the transport network: rail, local public transport (metro and bus) and the road network. It is important to consider treatment of roadspace and the ability of the ITA to 'direct' individual highway authorities to ensure effective bus priority to meet the ITA's wider objectives.

This phase will be underpinned by desktop research of existing evidence, review of documentation and, importantly, engagement with key stakeholders. This is likely to include Leaders, Portfolio Holders, ITA members, Centro, Senior Officers and representatives from the three LEPs. This phase will be concluded

with a brief report describing the key issues, objectives against which options will be considered and the case for change from existing arrangements.

## **Phase 2: Identify and assess options**

This needs to include objective consideration of a range of options that have the potential to address the issues and objectives described in Phase 1. The preferred option at present is to establish a Joint Committee, but consideration will need to be given to both deeper integration and lighter-touch approaches to meet the objectives. Importantly, there will also be alternative models for a Joint Committee. In particular, this needs to consider planning, regeneration and economic development at the conurbation level. Options could include oversight of these functions within the Joint Committee (alongside its ITA role), or a separate, but clearly linked decision-making process.

The merits of placing the Joint Committee on a statutory footing must also be considered: government has highlighted the importance of stability, and committing the districts to the Joint Committee model, and not exiting following changes in circumstances or political leadership.

The options will be appraised against the objectives and challenges identified in Phase 1. Consideration will also be given to the practicalities, risks and costs of introducing these new arrangements, together with potential benefits. Consultation will initially be required with Senior Officers to ensure that the assessment reflects practical experience and expectations, to be followed by engagement with Leaders on the emerging preferred option.

## **Phase 3: Preferred option and transitional arrangements**

The appraisal work and consultation in Phase 2 will lead to the identification of a preferred option, which will be explored in detail with the steering group. The outcome should be the identification of the most appropriate solution for the West Midlands, which takes into account distinct geographies whilst providing the mechanism to give a powerful voice for the conurbation, both locally and in Whitehall. In particular, it will demonstrate to DfT officials that the proposed model will provide strong integration with the strategic planning and growth agenda at a conurbation-wide level.

Based on the recommendations, and from legal opinion, the detailed scope and requirements of the governance scheme will be identified (to be undertaken at later date). From this, it will be possible to develop a programme for transition from the current to the proposed arrangements.

## **4. Programme of Work**

This review is proposed to take place during Spring / Summer 2013, with Phase 1 expected to take place during May / June, Phase 2 during June / July and Phase 3 expected to report in July 2013. During this period, the review team is expecting to engage closely with DfT officials in the development of proposals, in order that the implications are fully understood. The team will then work with DfT officials during Autumn 2013 to develop the governance scheme in more detail

**WEST MIDLANDS JOINT COMMITTEE - 29<sup>th</sup> APRIL 2013**  
**REPORT OF THE SECRETARY**  
**SHADOW ITA TERMS OF REFERENCE 2013/2014**

**1. Purpose of Report**

1.1 That Members consider proposed changes to the role and functions which will be necessary to be reflected in the Constitution of the West Midlands Joint Committee (WMJC) in order to support the future changes proposed for the ITA.

**2. Recommendations**

(a) that each District consider and authorise the (WMJC) expanded role and the changes to the Joint Committee and its Sub-Committees set out in the report, the inclusions of LEP chairs in the ITA Shadow Board and delegate its appointee(s) to support the attached report when presented to Joint Committee

(b) that the Planning and Transportation Sub Committee be asked to review and consider the attached Terms of Reference and Constitution at its next meeting **(see appendix B)**

(c) that Members agree to take forward the attached report **(appendix 1)** to its 12<sup>th</sup> June 2013 meeting subject to any comments / amendments received from Districts and the Planning and Transportation Sub-Committee.

**3. Key Proposals**

3.1 With the ongoing review of the ITA (as outlined in the report at item 3 of today's agenda) which is intended to lead at some point later in the financial year to a remodelled form of governance within the ITA. It is proposed that the following key structural and constitutional amendments are required to the existing West Midlands Joint Committee Constitution and its associated Planning & Transportation Sub-Committee (P&T Sub-Committee) arrangements in order to achieve a more coherent and coordinated approach to transport in the West Midlands Met. Area. Current proposals are set out in **Appendix C** to this report.

- a) An ITA Shadow Board is established to encompass the review of the future changes proposed for the ITA together with the transportation functions of P&T Sub-Committee.
- b) Consideration be given to the existing Road Safety Partnership and WM Canals Partnership which currently fall under the auspices of the P&T Sub-Committee as to their retention and future reporting in respect of the ITA Shadow Board/WMJC structure.

- c) That P&T Sub-Committee is refocused around its planning role and in particular the duty to co-operate contained in the Localism Act 2011.

3.2 It is proposed that The ITA Shadow Board will operate as an integral part of the existing WMJC arrangements and membership allowing members of the Shadow Board to secure the review of the ITA and to familiarise themselves with the new roles sought within the ITA as well as discharge the transportation functions previously discharged by the P&T Sub-Committee.

3.3 Officer support to the Shadow Board and Joint Committee ITA will be available through existing arrangements.

3.4 With this proposal it will be necessary to consider the Road Safety Partnership role in respect of the Joint Committee particularly with regard to supporting Joint Committee in its new role  
The Partnership acts as the principal advisor to the P&T Sub-Committee on Road Safety matters, including seeking approval to the annual programme of activity to be undertaken to achieve the WM Local Transport Plan (WMLTP) outcomes

Its key tasks, amongst others, are to:

- Co-ordinate road safety measures within the WM Met. Area encouraging collaborative working on road safety initiatives and programmes.
- Respond to Government consultation on matters affecting road safety
- Consider the use of Safety Cameras
- Monitor progress towards the traffic collision casualty reduction targets as set out in the WMLTP.
- Monitor traffic collision trends within the West Midlands to develop an understanding of the road safety issues facing the WM Met. Area

3.5 Following these changes it is proposed to rename the Planning and Transportation Sub-Committee to the Planning Co-operation and Co-ordination Sub-Committee to reflect its new role in leading on the duty to co-operate between Districts and LEP authorities. It is also intended that the Canal Partnership would continue to report to this Sub Committee.

3.6 In order to ensure close collaboration between the Local Authorities and the LEPs covering the Metropolitan geographical area. It is proposed that LEP Chairs or their nominated representative will be invited to take up ex-officio membership and attend ITA Shadow Boards/WMJC on transport and planning matters of interest. Members are asked to endorse this approach for inclusion in the revised WMJC Constitution document.

Contact Officers: Chris Tunstall and John Wynn

Tel No: 0121 303 6467 (Chris Tunstall) and 0121 303 2036 (John Wynn)

Terms of Reference, Constitution and Standing Orders 2013/14<sup>1</sup>  
**Agenda Item No 4.**

**WEST MIDLANDS JOINT COMMITTEE - 29<sup>TH</sup> APRIL 2013  
REPORT OF THE SECRETARY  
TERMS OF REFERENCE, CONSTITUTION AND STANDING ORDERS  
2013/2014**

**1. Purpose of Report**

To agree to the addition to the Terms of Reference of Joint Committee of the new ITA Shadow Board (the Shadow Board ) for 2013/14. To consider the future role of the Road Safety Sub-Committee ( Road Safety ) its move from Planning and Transportation Sub-Committee ( the Sub-Committee ) and possible future reporting to Joint Committee and to agree the name change and change of Terms of Reference of the Sub-Committee to Planning Co-operation and Co-ordination Sub-Committee.

**2. Recommendations**

- (a) That the Terms of Reference of the Shadow Board as set out in Appendix A of the report, be approved and added to the Joint Committee Terms of Reference.
- (b) That consideration be given to the role of Road Safety and it becoming a sub-committee of Joint Committee
- (c) That the name of Planning and Transportation Sub-Committee be changed to Planning Co-operation and Co-ordination Sub-Committee (the Planning Co-operation Sub)
- (d) That Planning Co-operation Sub adopts the Terms of Reference Constitution and Standing Orders set out in Appendix B
- (e) That the good work done by Members of P&T Sub-Committee be recognised.

**3. Report Detail**

3.1 With the ongoing review of the ITA which is intended to lead at some point later in the financial year to a remodelled form of governance within the ITA it is thought no longer appropriate to continue with the Sub-Committee in its current form but to establish as part of Joint Committee the Shadow Board in the form which the Districts seek to secure in the review of the ITA. This will allow members of the Shadow Board to familiarise themselves with the new roles sought within the ITA and also to discharge the functions previously discharged by the Sub-Committee

3.2 With this amendment it will be necessary to consider the remit of Road Safety and the potential of it reporting to the Joint Committee in order to support Joint Committee in its new role

3.3 Appendix C details the potential Shadow Board Arrangements

Stephen Hughes  
Secretary - WMJC

Tel No: 0121 303 6467(Chris Tunstall) and 0121 303 2036 (John Wynn)

**APPENDIX A**  
**ITA SHADOW BOARD**  
**TERMS OF REFERENCE**

1. To review the role of the ITA and its Constitution and in particular the following functions:-

- \* The formulation of general policies for the PTE to action with regard to the procurement of any public transport service requirements in the West Midlands which would not otherwise be met; and where it would be appropriate, to take any action to promote the availability of transport services and the convenience of the public.
- \* To develop policies for the promotion and encouragement of safe, integrated and economic transport facilities and services to, from and within West Midlands, to meet the needs of people living and working within it, pedestrians and the movement of freight.
- \* In relation to any expenditure on passenger transport, in the interests of the ratepayers of West Midlands, to secure the best value for money from their expenditure as a whole. In relation to subsidised transport services, to have regard to economy, efficiency and effectiveness, and the reduction of or limitation of traffic congestion, noise and air pollution.
- \* To prepare and publish the Local Transport Plan in consultation with all appropriate authorities and bodies in accordance with guidance.
- \* To prepare an annual report, together with the PTE, on the expenditure and performance of the ITA.
- \* To approve any change to the basic level of charging for transport services or to the terms of any concessionary scheme.
- \* To approve any substantial capital expenditure by the PTE.
- \* To approve any substantial amendment to rail franchise agreements.
- \* To direct the PTE to take appropriate steps to reorganise its functions to be most efficient or to approve any such proposal by the PTE.
- \* To establish, enforce and publicise travel concession schemes.
- \* To make grants for the provision of vehicles, facilities and transport services.
- \* To carry out any of the actions set out in Section 10 of the Transport Act 1968 including, by way of examples:-
  - Carrying passengers.
  - The letting of passenger vehicles and rolling stock.
  - Provision of amenities for the travelling public.
  - Acquiring land and developing it for the business of the Authority.
  - Lending money to third parties for the purposes of the business of the Authority.
- \* To make Quality Partnership Schemes and Quality Contract Schemes in accordance with the Transport Act 2000 and the Local Transport Act 2008.
- \* To take any action the Authority has determined is likely to achieve the promotion or improvement of the economy, social well being and or the environment of its area or the people resident or passing to or through it.
- \* To procure transport services without tender to meet unexpected transport needs without delay.

\* The above list of ITA functions is not exclusive and the Board shall review all of the functions of the ITA

2 To take the lead role for the Districts in developing the review of the role of the ITA and the development of reforms to the ITA under the Transport Act 2008 in accordance with the following principles :-

- The Integrated Transport Authority (ITA) will become a Joint Committee separated from the Executive ( Centro ), and will lead on Strategy and Commissioning - thus setting out a clear delineation of responsibility in a Strategy, Commissioning, Delivery model;
- Centro will continue to focus on delivering public transportation;
- External scrutiny of Centro's delivery will be undertaken by a reconstituted board, reporting to the Joint Committee ITA;
- To ensure effective and positive engagement with the LEPs through an appropriate mechanism in order to co-ordinate the work of LTBs and directly input into the Joint Committee ITA;
- The Joint Committee ITA will be supported in its redefined role by a reviewed and refreshed policy and strategy team (aligned to any other identified resources required for it to effectively execute its responsibilities). This includes utilising Centro's existing resources, but based in a local authority acting on behalf of the Joint Committee ITA, and the Joint Officers Executive Group;
- In order to ensure the proposed structures are fit for purpose and are compliant with relevant legislation, the Joint Committee ITA will commission necessary advice as to the actions, sequencing and timetabling of enacting the proposed structural changes.

3. To engage consultants, subject to funds being available, to assist the Shadow Board with research into major strategic issues when the need arises.

4. To receive, on behalf of the constituent Districts and the West Midlands Integrated Transport Authority, progress/monitoring reports in respect of the contract for the West Midlands Joint Data Team and, in consultation with the West Midlands Joint Committee to be responsible for the tendering, award and monitoring of future contracts.

5. To promote best practice in all matters within these Terms of Reference.

6. Insofar as joint working is concerned;

- ☐ Promote joint working by constituent and adjacent authorities to deliver service efficiencies
- ☐ Approve, and review as appropriate, Policy Frameworks
- ☐ Initiate reviews in respect of policy objectives and performance
- ☐ Oversee the delivery of the Road Safety Partnership Board Programme and
- ☐ assign and approve annually the funding for the Road Safety Partnership Board

- ☐ Manage and administer budgets in relation to the Core Support Team, Joint Data Team and Joint Initiatives in accordance with approved delegations
- ☐ Administer and receive reports from the West Midlands Canals Partnership

**APPENDIX B**

**PLANNING CO-OPERATION AND CO-ORDINATION SUB-COMMITTEE  
TERMS OF REFERENCE CONSTITUTION AND STANDING ORDERS**

**TERMS OF REFERENCE**

- 1 To co-ordinate and keep under review where appropriate the requirements for District Authorities to co-operate, pursuant to the duty to co-operate provisions of the Localism Act 2011, in relation to the review development and completion of local plans affecting the West Midlands
- 2 To co-ordinate and, where appropriate, present the mutual views of the District Councils on the strategic planning issues affecting the West Midlands, particularly in relation to specific changes to planning and highways transportation law, in the preparation, monitoring, implementation and review of spatial strategies and related sub-regional strategies for the Metropolitan Area and the Region as a whole.
3. To present, in conjunction with the Integrated Transport Authority where appropriate, the views of the West Midlands on planning, transportation, public transport and highways issues of a strategic nature to Government Departments, local, regional and national agencies (including the Local Government Association) and local authorities.
4. To act as a forum to seek to resolve any conflicts of interest which might arise among the Districts on matters within these Terms of Reference.
5. To consider any matter within these Terms of Reference referred to it by the West Midlands Joint Committee, by any constituent District Council, the West Midlands Integrated Transport Authority, or any agency including Government Departments
6. To receive, from the Planning and Transportation Officer Executive Group (PTOEG) and any associated groups, reports and technical advice on strategic land use planning matters and any other matter within the core business of PTOEG for which the Sub-Committee is responsible. The Chair of PTOEG or his nominee to be present at meetings of the Sub-Committee when such matters are to be discussed.
7. To promote best practice in all matters within these Terms of Reference.

**CONSTITUTION AND STANDING ORDERS**

**1. APPOINTMENT OF MEMBERS**

The Sub-Committee shall comprise [7] Members (one appointed by each of the West Midlands Districts)

**2. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

The Sub-Committee shall, at its first meeting following the appointment of Members by the Districts for the particular municipal year, appoint a Chairman and Vice-Chairman. The Chairman shall preside at all meetings at which he/she is present. In the absence of the Chairman, the Vice-Chairman, if present, shall preside. In the absence of both the Chairman and Vice-Chairman, the Sub-Committee shall appoint a Chairman for the purpose of that meeting.

**3. VOTING**

Each District shall be entitled to one vote. In the absence of a voting Member from a meeting, it will be for the relevant District to decide whether any other Member present from that District shall be the voting Member for the purpose of that particular meeting.

All matters put to the vote shall be decided by a majority of the Members present and voting thereon at the meeting. In the case of an equality of votes, the Chair shall have a second or casting vote. The method of voting shall ordinarily be by a show of hands.

**4. QUORUM**

Not less than four voting Members shall form a quorum.

**5. MEETINGS OF THE SUB-COMMITTEE**

The Secretary shall summon the Sub-Committee within a reasonable time of receiving notification of appointment from the Districts and afterwards in accordance with a calendar of meetings approved by the Sub-Committee or at any time on the requisition of the Chairman and Vice-Chairman or three other Members.

**6. URGENT DECISIONS**

The Secretary and/or Chair of the Planning and Transportation Officers Executive Group (PTOEG) in consultation with the Chairman and Vice-Chairman and Lead Opposition Spokesperson shall be authorised to make decisions on matters of urgency between normal meetings of the Sub-Committee. This includes the power to make decisions on the need to transfer package resources arising from the monitoring process. The actions of the Secretary and/or Chair of PTOEG shall be reported to the next available meeting of the Sub-Committee for confirmation.

**7. SECRETARY TO THE SHADOW BOARD**

The Secretary to the Sub-Committee shall be the Chief Executive of Wolverhampton City Council.

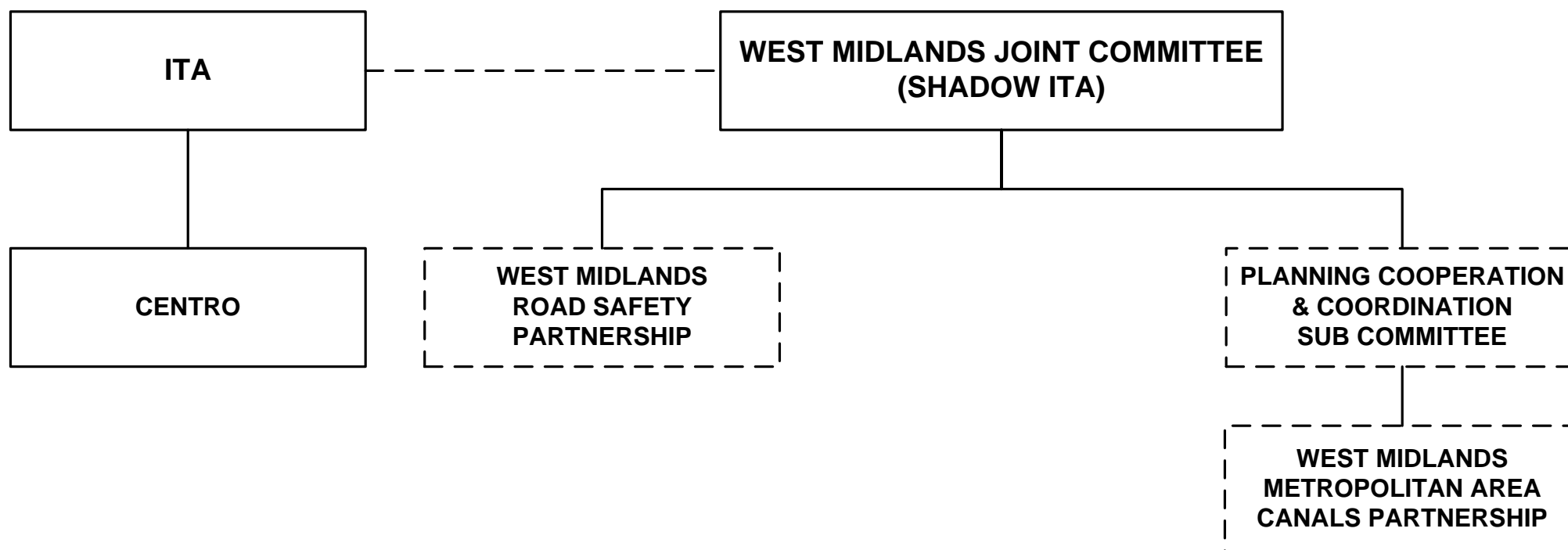
**8. MISCELLANEOUS**

Wolverhampton City Council's Standing Orders relating to Finance and

Contracts shall be applied in all matters relating to tenders, negotiations and contracts for the supply of goods, materials and services on behalf of the Sub-Committee.

# WEST MIDLANDS ITA SHADOW BOARD ARRANGEMENTS

Appendix C



24<sup>th</sup> APRIL 2013