

Date: 1 December, 2015

Black Country Executive Joint Committee – Call-In Arrangements

Ward(s) All

Portfolios: All

Executive Summary

The Black Country Executive Joint Committee (BCJC) was established as a strategic body to be the lead decision making forum for the Black Country City Deal and Growth Deal. This report seeks to clarify the process to call-in a decision of the BCJC.

Reason for scrutiny

The report was drafted at the request of the Scrutiny Overview Committee at its meeting held in September, 2015.

Recommendation

To review and comment on the process to call in a decision of the Black Country Executive Joint Committee.

Background Papers

Black Country Executive Joint Committee Collaborative Agreement and Protocol 4.

Resource and legal considerations

None arising directly from this report.

Citizen impact:

None arising directly from this report.

Performance management:

None arising directly from this report.

Equality Implications

None arising directly from this report.

Consultation:

None.

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Report

1. The Black Country Executive Joint Committee

- 1.1 The BCJC Committee was established as a strategic body to be the lead decision making forum for the Black Country City Deal and Growth Deal.
- 1.2 It sets and reviews objectives for strategic investment across the Black Country, providing a coherent single position on the major strategic City Deal and Growth Deal issues and agrees the allocation of spending and major priorities.
- 1.3 In essence, it sets out to maximise the growth of high value manufacturing by opening up key supply chain manufacturing sites across the Black Country – Dudley, Sandwell, Walsall and Wolverhampton.
- 1.3 Membership of the BCJC is made up of the Leaders of the four Black Country Councils (voting members) together with the Chair of the Black Country Local Enterprise Partnership (non-voting member).
- 1.4 Key decisions to be taken by the BCJC are published in a Forward Plan which affords opportunity for consultation on the issues to be discussed. Once a decision is taken it is then subject to Call-In by each of the constituent Councils.

2. Call –In Arrangements

- 2.1 The Collaborative Agreement of the Black Country Executive Joint Committee confirms that the responsibility to respond to a Call-In falls to the member of the Joint Committee that represents the Authority on the Board that has instigated the Call-In.
- 2.2 Paragraph 8 of the Collaborative Agreement states: -

As and when required by an Overview and Scrutiny Committee or Board or an Audit Committee of any Party the member of the Joint Committee for the Authority whose the Overview and Scrutiny Committee or Board or Audit Committee has instigated an investigation shall take the lead responsibility for accounting for the activities of the Joint Committee to the Overview and Scrutiny Committee or Board or Audit Committee and shall attend such meetings of those committees of its Authority as necessary.

The Parties shall liaise and co operate at all times with the Authority whose Overview and or Scrutiny Committee or Audit Committee have made requests for information and or reports and use all reasonable endeavours to assist that Authority in responding to such requests but for the avoidance of doubt no Party its officers or members shall be required to attend the Overview and or Scrutiny Committee or Board or an Audit Committee of any other Party.

- 2.3 As with the Call-In arrangements of the Council, the Call-In procedure set out above will not apply where the decision taken by the Executive is deemed urgent and in need of immediate implementation. A decision will be deemed urgent only if it can be demonstrated to the Chair of the BCJC that any delay would seriously prejudice the interest of the Councils or the public generally.
- 2.4 In terms of the practical operation of Call –In, the procedure to be followed is attached as **appendix 1**.

Protocol 4 : For the practical operation of call-in procedure

1. When a decision is made by the Black Country Executive Joint Committee (BCJC) that decision will be published within two working days by the Secretariat (Walsall).
2. All Members of BCJC will receive decisions electronically via email and copies will also be placed on the website.
3. The decision notice will bear the date on which it is published and the date on which the decision (s) may be implemented on the expiry of five working days after publication unless the decision is called in.
4. For the avoidance of doubt and the practical operation of the Scrutiny process, it was agreed by the BCJC at its meeting on 26 March 2014, that each Council will continue as it currently does, with its own Scrutiny process.
5. Where an Overview and/or Scrutiny Committee/Panel chooses to call-in a decision, it can do and report under the normal procedures of its particular Council.
6. However, in addition and for transparency, when a Call-in Notice is received and accepted, the BCJC Secretariat should be notified immediately by the Chief Executive and/or Democratic Services and supplied with a copy of the Call-in Notice that gives details of the Call-in.
7. The BCJC Secretariat will then at this point advise (for information only) BCJC members and Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels of the Call-in.
8. If the Author of the report and/or the Regeneration Director with responsibility for the matter called-in is from a different local authority due to the matter being a joint project affecting more than one local authority, then this authority should provide a full briefing to the hosting authority's Regeneration Director to enable him/her to present at the Overview and/or Scrutiny Committee/Panel. **For the avoidance of doubt, Regeneration Directors will only present and be questioned by their own local authority Overview and/or Scrutiny and Performance Committee/Panel.**
9. The findings of the Overview and/or Scrutiny Committee/Panel should then be forwarded via email by the Chief Executive and/or Democratic Services to BCJC Secretariat as soon as they are received.
10. If the Overview and/or Scrutiny and Performance Committee/Panel (s) are in agreement with the BCJC decision then the response will be reported to the next available meeting of the BCJC. The BCJC Secretariat will then at this point advise (for information only) BCJC members and Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels.

11. Otherwise the BCJC will receive and consider the Overview and/or Scrutiny and Performance Committee's/Panel's recommendation(s) at a special meeting to be called within a further 10 working days from receipt of all of the Overview and/or Scrutiny and Performance Committee/Panels recommendation(s).
12. Once the BCJC has met and reached a decision on the recommendations, the BCJC Secretariat will at this point advise (for information only) Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels.

Note: The Call-in procedure set out above will not apply where the decision taken by the Executive is deemed urgent and in need of immediate implementation. A decision will be deemed urgent only if it can be demonstrated to the Chair of the BCJC that any delay would seriously prejudice the interest of the Councils or the public generally.