

Report to	Council
Date of meeting	28 th January 2025
Lead Member / Officer	Cllr Jason McLellan, Leader of the Council
Report author	Gary Williams, Corporate Director: Governance and Business
Title	Scrutiny Arrangements for the North Wales Corporate Joint Committee

1. What is the report about?

1.1. The report is about the proposed Scrutiny arrangements for the North Wales Corporate Joint Committee.

2. What is the reason for making this report?

2.1. The North Wales Corporate Joint Committee (CJC) has been established as a separate corporate body to undertake statutory functions across the whole of North Wales. Arrangements need to be made for its work to be scrutinised. This report considers draft terms of reference for a proposed Joint Overview and Scrutiny Committee (JOSC).

3. What are the Recommendations?

- 3.1. Establish the North Wales Corporate Joint Committee Joint Overview and Scrutiny Committee with the Terms of Reference as set out in Appendix 1.
- 3.2. Agree that the powers of local Scrutiny Committees provided for under The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022 shall be retained.
- 3.3. Agree the political balance of Denbighshire County Council's nominees to the joint overview and scrutiny committee (JOSC) will reflect the membership of

Denbighshire County Council rather than the membership of all North Wales councils in aggregate.

3.4. Agree that the secretariat for the Overview and Scrutiny Committee will be provided by the CJC in accordance with the Terms of Reference.

4. Report details

4.1. The North Wales Corporate Joint Committee (the CJC) was established on 1 April 2021 and subsequently gained its functions in June 2022. Currently these functions are to:

- prepare, monitor, review and revise a regional Strategic Development Plan;
- develop a Regional Transport Plan with policies for regional transport;
- have the power to do anything which is likely to promote economic wellbeing

4.2. The CJC is a separate local authority body with its own functions and membership primarily drawn from the 6 North Wales Councils and the Eryri National Park Authority. It is statutorily required to adopt most of the generic governance arrangements of a Principal Authority including a Constitution, Governance and Audit Sub-Committee, Standards Sub-Committee and other legal requirements including Performance Reviews, Equalities and Biodiversity Policies and compliance with the Welsh Language Standards.

4.3. Appendix 1 has been prepared by colleagues in Gwynedd for incorporating into or accompanying a report to be placed before the Full Council of each constituent authority. Appendix 1 sets out further information regarding the background to the proposed arrangements for Scrutiny of the CJC.

4.4. The need for Scrutiny of the CJC is enshrined in both the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022 (the Regulations) and the Statutory Guidance issued by Welsh Government. Further details of the relevant paragraphs of the statutory guidance and Regulations are contained in Appendix 1.

4.5. The Regulations require a CJC to co-operate with a “relevant” Scrutiny Committee and respond to any reports or recommendations prepared by the Scrutiny Committee. A ‘relevant’ Scrutiny Committee may be a committee of one of the constituent authorities, or, it may be a JOSOC appointed by those authorities.

- 4.6. Although a CJC is required to have its own Governance and Audit Sub-Committee, and Standards Sub-Committee, it is not required to have its own “Overview and Scrutiny” Committee. The question is, what is the most appropriate form for that Scrutiny to take?
- 4.7. Joint scrutiny arrangements have been put in place in respect of the other three CJCs in Wales. While some of these arrangements pre-date the Regulations, the statutory guidance issued by Welsh Government clearly envisages joint scrutiny arrangements for CJCs.
- 4.8. It is proposed that a JOSOC is appointed by the six constituent councils based upon the Terms of Reference attached as Appendix 2. It is envisaged that the JOSOC will comprise 12 members, 2 from each authority, to be appointed in accordance with the political balance of each authority rather than on a North Wales balance basis.
- 4.9. It is important to note that the intention is for the North Wales Economic Ambition Board to become a sub-committee of the CJC. The current arrangements for the scrutiny of the Ambition Board will therefore become the responsibility of the proposed JOSOC as and when the transfer takes place. The current arrangements require officers of Ambition North Wales to attend scrutiny committees in each of the six constituent councils so the creation of a JOSOC will reduce the number of meetings that they have to attend.
- 4.10. It is important to note that the creation of a JOSOC will not prevent local Scrutiny Committees from scrutinising local issues arising from the work of the CJC.
- 4.11. It is proposed that the secretariat for the JOSOC will be provided by the CJC but there will need to be liaison with scrutiny officers in the formulation of work programmes and any scrutiny advice required.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. The creation of a JOSOC will enable a co-ordinated regional approach to Scrutiny of the CJC which is responsible for the Strategic Development Plan, Regional Transport Plan, and in due course the North Wales Growth Deal.

5.2. The proposed decision would contribute to a prosperous Denbighshire and, as a key element of governance, the JOSOC would contribute to a well-run, high performing Council.

6. What will it cost and how will it affect other services?

6.1. It is proposed that the secretariat function for the JOSOC will be provided by the CJC which is funded by the six constituent councils. It is envisaged that there will be at least three meetings a year and there will need to be an element of co-ordination between local scrutiny officers and the CJC.

6.2. If the JOSOC is not created, then each local authority scrutiny function will need to undertake scrutiny of the CJC. The current arrangements for the scrutiny of the North Wales Economic Ambition Board involves officers of Ambition North Wales attending each of the local scrutiny committees which involves an amount of duplication.

6.3. It is not envisaged that the JOSOC will cause additional member remuneration costs.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not required for this report

8. What consultations have been carried out with Scrutiny and others?

8.1. Scrutiny Chairs and Vice Chairs have previously been consulted on the principle of establishing a JOSOC and agreed with the logic of its creation provided that Local Scrutiny committees would still be able to scrutinise issues of local importance arising from the work of the CJC. Scrutiny Chairs and Vice Chairs have also been consulted on the content of this report and confirmed their support for the proposal.

8.2. It has been agreed that each Council will consider this report as it will require approval by each participating authority.

9. Chief Finance Officer Statement

9.1. This is a key element of the governance of the CJC. The proposal would appear to reduce the potential for duplication of scrutiny activity and therefore resource across the region. The ability for local scrutiny to take place where appropriate does not appear to require any additional resource.

10. What risks are there and is there anything we can do to reduce them?

10.1. There is a risk that if a JOSOC then the scrutiny of the CJC will be fragmented. This will involve local scrutiny of the CJC which will, in all likelihood, not take a regional approach and will instead be concentrated on a more parochial basis.

10.2. There is a risk that the creation of a JOSOC will create a 'distance' between the constituent councils and the CJC. Work will need to take place to ensure that the work of the JOSOC is transparent and available to members of each constituent council.

11. Power to make the decision

11.1. s58 Local Government (Wales) Measure 2011

11.2. Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013