

## **North East Joint Transport Committee**

Tuesday 20th November, 2018 at 2.00 pm

Meeting to be held in a Committee Room, Gateshead Civic Centre, Regent Street, Gateshead, NE8 1HH

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## **SUPPLEMENTAL AGENDA**

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1. <b>Apologies for Absence</b>	
2. <b>Membership of the Joint Transport Committee and Appointment of Chair and Vice-Chair for the Municipal Year 2018/19</b>	<b>1 - 6</b>
3. <b>Declarations of Interest</b>	
Please remember to declare any personal interest where appropriate both verbally and by recording it on the relevant form (to be handed to the Democratic Services Officer). Please also remember to leave the meeting where any personal interest requires this.	
4. <b>Adoption of the Joint Transport Committee Standing Orders, including Rules of Procedure, and proposals in relation to the Code of Conduct for Members</b>	<b>7 - 66</b>
5. <b>Appointment of JTC Tyne and Wear Sub-Committee, JTC Overview and Scrutiny Committee and JTC Audit Committee, including Appointment of Chairs and Vice-Chairs, for the Municipal Year 2018/19</b>	<b>67 - 76</b>
6. <b>Delegation of Functions to Committees, Officers and County Councils</b>	<b>77 - 84</b>
7. <b>Proposals for an Accountable Body for the Joint Transport Committee</b>	<b>85 - 90</b>
8. <b>Transport Budget and Levies</b>	<b>91 - 104</b>
9. <b>Programme of Committee Meetings for the Municipal Year 2018/19</b>	<b>105 - 110</b>
10. <b>Date and Time of Next Meeting</b>	

18 December 2018 at 2.00pm (to be confirmed)

Contact Officer: Tel: (0191) 2116146 E-mail: [lynn.camsell@northeastca.gov.uk](mailto:lynn.camsell@northeastca.gov.uk)

**To All Members**



## North East Joint Transport Committee

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**Date:** 20 November 2018

**Subject:** Membership of the North East Joint Transport Committee and Appointment of its Chair and Vice-Chair for the Municipal Year 2018/19

**Report of:** Monitoring Officer

### Executive Summary

The purpose of this report is to invite the North East Joint Transport Committee (JTC) to confirm its membership for the municipal year 2018/19 and appoint its Chair and Vice-Chair for the same municipal year.

### Recommendations

It is recommended that:

- i. The membership of the North East Joint Transport Committee for the municipal year 2018/19 be confirmed as set out in Appendix A
- ii. The North East Joint Transport Committee appoints its Chair and Vice-Chair for the municipal year 2018/19.

## **1. Background Information**

- 1.1 In accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the **Order**), the North East Combined Authority (**NECA**) and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (**NTCA**) have appointed the Joint Transport Committee to exercise functions as specific in the Order.
- 1.2 In accordance with the Order, each combined authority must appoint members to the Joint Transport Committee as follows:
- NECA – four of its members, excluding the North East Local Enterprise Member, plus four substitute members excluding the North East Local Enterprise Member; and
- NTCA – three of its members, excluding the North East Local Enterprise Member, plus three substitute members excluding the North East Local Enterprise Member. One of the members from NTCA must be the NTCA Mayor once appointed unless the Mayor agrees otherwise.
- 1.3 Both combined authorities should have made the appointments at their inaugural meetings, and these are set out in Appendix A.

### **Confirmation of the Membership of the North East Joint Transport Committee**

- 1.4 The Joint Transport Committee is invited to confirm its membership for the municipal year 2018/19, as appointed by the constituent combined authorities.

### **Appointment of the Chair and Vice-Chair of the North East Joint Transport Committee**

- 1.5 In accordance with the Order, each year the Joint Transport Committee is required to appoint its Chair and Vice-Chair from amongst its members. The appointments must be the first business transacted at the first meeting after the appointment of members of JTC, and then annually at subsequent annual meetings. The Joint Transport Committee is invited to appoint its Chair and Vice-Chair for the municipal year 2018/19.

## **2. Proposals**

- 2.1 Members are invited to confirm membership as set out in 1.4 above and to appoint a Chair and Vice-Chair as set out in 1.5 above.

### **3. Reasons for the Proposals**

- 3.1 The proposals will enable JTC to operate effectively and in accordance with the Order that established it, JTC Standing Orders and applicable law.

### **4. Alternative Options Available**

- 4.1 There are no alternative options available.

### **5. Next Steps and Timetable for Implementation**

- 5.1 The Chair and Vice-Chair will retain the appointment for the municipal year for so long as they remain a member of the JTC.
- 5.2 Information on the appointments will be communicated to all stakeholders involved and published on websites as soon as it is practicably possible.

### **6. Potential Impact on Objectives**

- 6.1 The appointments will enable JTC to properly discharge its functions, thereby assisting in delivering on its objectives.

### **7. Financial and Other Resources Implications**

- 7.1 There are no specific financial implications arising from these recommendations.

### **8. Legal Implications**

- 8.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 requires the two Combined Authorities (NECA and NTCA) to appoint a joint transport committee to exercise functions set out in the Order. The same order requires the Joint Transport Committee to appoint its Chair and Vice-Chair at its first meeting, and then annually at subsequent annual meetings.

### **9. Key Risks**

- 9.1 There are no risks arising as a result of the proposals.

### **10. Equality and Diversity**

- 10.1 There are no specific equality and diversity implications arising from this report.

## **11. Other Impact of the Proposals**

- 11.1 The proposals comply with the principles of decision-making. The proposals would enable JTC to properly discharge its functions, therefore assisting JTC in delivering on its objectives.

## **12. Appendices**

- 12.1 Appendix A: North East Joint Transport Committee, Membership, Municipal Year 2018/19 from 20 November 2018.

## **13. Background Papers**

- 13.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.

## **14. Contact Officers**

- 14.1 Peter Judge, Monitoring Officer  
E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

## **15. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

## **16. Glossary**

JTC – Joint Transport Committee

NECA - North East Combined Authority

NTCA – North of Tyne Mayoral Combined Authority

The Order - The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018

### Joint Transport Committee (JTC)

**Membership:** 7 (4 Members from North East Combined Authority and 3 Members from the North of Tyne Combined Authority)

<b>Authority:</b>	<b>Member</b>	<b>Substitute Member</b>
<b>Appointments from the North East Combined Authority</b>		
Durham	Councillor C Marshall	Councillor S Henig
Gateshead	Councillor M Gannon	Councillor C Donovan
South Tyneside	Councillor I Malcolm	Councillor M Walsh
Sunderland	Councillor G Miller	Councillor M Mordey
<b>Appointments from the North of Tyne Combined Authority</b>		
Newcastle	Councillor N Forbes	Councillor J McCarty
North Tyneside	Mayor N Redfearn	Councillor B Pickard
Northumberland	Councillor P Jackson	Councillor W Daley

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## North East Joint Transport Committee

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**Date:** 20 November 2018

**Subject:** Adoption of the Joint Transport Committee Standing Orders, including Rules of Procedure, and proposals in relation to the Code of Conduct for Members

**Report of:** Monitoring Officer

### Executive Summary

The purpose of this report is to ask Members to endorse the Standing Orders for the Joint Transport Committee, noting the need for them to be approved by both the North East combined Authority and the North of Tyne Combined Authority before they can become effective.

### Recommendations

It is recommended that:

- i. Members approve the Standing Orders for the Joint Transport Committee (JTC) by unanimous resolution, subject to approval of each Combined Authority (NECA and NTCA);
- ii. Note that the Standing Order will be effective from the time of the resolution and the resolution of both NECA and the NTCA;
- iii. Resolve to form the committees, with terms of reference set out in Part 4 of the Standing Orders as follows:
  - The Joint Transport Committee, Audit Committee
  - The Joint Transport Committee, Overview and Scrutiny Committee
  - The Joint Transport Committee, Tyne and Wear Sub Committee
- iv. Members note the proposals in relation to Member Conduct and the Code of Conduct

## 1. Background Information

- 1.1 In accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the **Order**), the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (**NTCA**) and the North East Combined Authority (**NECA**) have established the Joint Transport Committee to exercise the functions specified in Article 9 of the Order and as set in Parts 2 and 3 of the Standing Orders (**Appendix 1**).
- 1.2 In addition, the Joint Transport Committee is constituted as a joint committee of NECA and NTCA for the purposes of Sections 101 and 102 of the Local Government Act 1972 and it is anticipated that certain powers will be delegated to it by the Combined Authorities.

### Transport Functions of the Joint Transport Committee

- 1.3 **Part 1** sets out an introduction to the Standing Orders, the role of the committee and its sub-committees, an acknowledgement of the role of NECA as host Combined Authority for transport (to be determined later on this meeting's agenda) and guidance on decision-making, authentication of documents and the process for review and revision of the Standing Orders.
- 1.4 **Part 2** of the Standing Orders identifies the powers and functions that the Joint Transport Committee shall discharge (prescribed in Section 9 of the Order) on behalf of the Combined Authorities (NECA and the NTCA) and includes a provision for the extension of those powers by delegation of functions from the Combined Authorities.
- 1.5 It is anticipated that each Combined Authority will delegate matters to the Joint Transport Committee in identical terms. This will be addressed at a future meeting and any such delegations recorded in the Standing Orders accordingly.
- 1.6 **Part 3** sets out the terms of reference of the Joint Transport Committee. The functions that requires a unanimous vote in favour in order to be carried are set out in Part 3.1(A). Those matters that fall to be determined by majority decision are set out in Part 3.1(B).
- 1.7 **Part 4** sets out the terms of reference for the two committees – Audit and Overview and Scrutiny Committee – and the sub-committee – the Tyne and Wear Sub-Committee.

- 1.8 The Order provides that the Joint Transport Committee may make arrangements for the exercise of certain functions on its behalf (delegations by it).
- 1.9 **Part 5** sets out the proposed delegations. This includes confirmation of a delegation for the acquisition and disposal of assets to Nexus and delegation to the County Councils for Northumberland and Durham. The delegations to County Councils are the subject of a separate paper to be considered by the meeting and this section will be updated to reflect the decisions made.
- 1.10 It is anticipated that the committee will in due course appoint a Proper Officer for Transport in accordance with the obligations set out in the Order. This section will also record the delegations to the Proper Officer for Transport once these are determined.
- 1.11 **Part 6** sets out provisions in relation to Proper Officers, in effect confirming that where the Standing Orders refer to a Proper Officer we are either referring to the Proper Officer for Transport or the Statutory Chief Officers of NECA, being the host Combined Authority.
- 1.12 **Part 7** sets out the rules and procedure for the committee and there are separate rules of procedure for the Audit Committee (in Part 7.2) and Overview and Scrutiny Committee (in Part 7.3).

### **Committees of the Joint Transport Committee**

- 1.13 By the Standing Orders, the Joint Transport Committee will form three Committees (and may form additional sub-committees) that will carry out functions or responsibilities delegated to them:
- Tyne and Wear Sub Committee
  - An Audit Committee
  - An Overview and Scrutiny Committee
- 1.14 The functions and responsibilities of the above Committees are detailed in Part 3.1 – Part 3.4. The functions of the Audit Committee and Overview and Scrutiny Committee reflect the obligations falling upon the Joint Transport Committee by virtue of The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

## **Code of Conduct for Members and Role of Audit Committee**

- 1.15 Members will note that the Joint Transport Committee Audit Committee's role does not extend to standards. It has been agreed that members will follow the relevant Combined Authority's Code of Conduct and will accordingly participate in Joint Transport Committee meetings in a manner consistent with those Codes. Requests for dispensation in relation to Joint Transport Committee business, or the business of any committee or sub-committee of the Joint Transport Committee, must be considered by the relevant Combined Authority in accordance with their standards regime.
- 1.16 Any breach or alleged breach of the Code of Conduct will be referred by the Monitoring Officer to the Monitoring Officer of the relevant Combined Authority or Constituent Authority and matters will be dealt with in accordance with their standards regime.
- 1.17 In addition, where in relation to any meeting a Member has declared a registerable or non-registerable personal interest in a matter, and the criteria contained in the relevant Combined Authority's Members' Code of Conduct apply (and for example no dispensation has been granted), the Member must leave the room for the duration of the discussion on that matter.

## **2. Proposals**

- 2.1 The Joint Transport Committee is recommended to endorse the Standing Orders and Rules of Procedure as appended (**Appendix 1**), which will need to be approved by each Combined Authority and become effective once both approvals are given

## **3. Reasons for the Proposals**

- 3.1 The Standing Orders will enable the Joint Transport Committee and other Committees, or Sub Committees to operate, effectively, transparently and support a system of good governance.

## **4. Alternative Options Available**

- 4.1 Members may propose alterations to the Standing Orders at the meeting or may choose not to adopt standing orders, instead requesting further work and development of alternatives. In the event the Standing Orders are not adopted the Joint Transport Committee will operate in accordance with the NECA Leadership Board Rules of Procedure and the required Joint Transport Committee Audit and Overview and Scrutiny Committees will meet in accordance with the legislative requirements.

## **5. Next Steps and Timetable for Implementation**

- 5.1 The Standing Orders will come into immediate effect once approved by each Combined Authority. In accordance with the Deed of Cooperation on the 4<sup>th</sup> July, the Committee will operate in accordance with the North East Combined Authority Rules of Procedure, adopted in accordance with the Order, until Combined Authorities approve the the Standing Orders. The Joint Transport Committee webpages are being developed. The Standing Orders will be accessible through those webpages and, it is anticipated, the websites of both Combined Authorities. The Standing Orders will be updated as additional matters are decided by the Joint Transport Committee at future meetings.
- 5.2 The Monitoring Officer will formally notify delegates of any authority they have been given by the Joint Transport Committee and take steps to constitute the relevant committees (which is a matter also to be considered later in this meeting).

## **6. Potential Impact on Objectives**

- 6.1 The adoption of this document allows a system of good governance and decision making within the Joint Transport Committee (and its Committees, and Sub Committees).

## **7. Financial and Other Resources Implications**

- 7.1 There are no specific financial implications arising from these recommendations.

## **8. Legal Implications**

- 8.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 requires the two Combined Authorities (NECA and NTCA) to appoint a joint transport committee to exercise functions set out in the Order.

## **9. Key Risks**

- 9.1 There are no risks arising as a result of the proposals.

## **10. Equality and Diversity**

- 10.1 There are no specific equality and diversity implications arising from this report.

## **11. Other Impact of the Proposals**

- 11.1 The proposals comply with the principles of decision-making and enable the Joint Transport Committee to properly discharge its functions.

## **12. Appendices**

12.1 Appendix 1 – Standing Orders and Rules of Procedure

## **13. Background Papers**

13.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.

## **14. Contact Officers**

14.1 Peter Judge, Monitoring Officer

E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

## **15. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

## **16. Glossary**

JTC – Joint Transport Committee

NECA - North East Combined Authority

NTCA – North of Tyne Mayoral Combined Authority

The Order - The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018

# **The North East Joint Transport Committee**

## **Standing Orders**

**December 2018**

These are Standing Orders made by the Joint Transport Committee appointed by the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle upon Tyne, North Tyneside and Northumberland Combined Authority

## Version Control Sheet

This document (version 1, December 2018) of the Standing Orders of the Joint Transport Committee adopted by the Joint Transport Committee on 20 November 2018 and approved by the North East Combined Authority on the 13 November and the North of Tyne Combined Authority on the 13 November was made in accordance with section 106 of the Local Government Act 1972 (subject to the provisions in Schedule 2 of the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018).

To maintain effective version control, this version control sheet will accompany any future issue of the Standing Orders and Rules of Procedure.

The version number is shown in the bottom left hand corner of each page of the Standing Orders and Rules of Procedure.

An up to date version of this document is on the Committee's web-pages and the web-pages of NECA and NTCA and shall be deemed to form part of their Constitutions.

<i>Description</i>	<i>Date</i>	<i>Most Recent Version</i>
<i>Standing Orders</i>	<i>December 2018</i>	<i>Version 1</i>



**Making Changes to the Standing Orders and Rules of Procedure**

The Monitoring Officer is required to continuously review the operation of the Standing Orders and update them at least annually. For details of how a Member or Officer can propose a change and the approval process please contact the Monitoring Officer.

## Part 1 Introduction

This document sets out the Standing Orders of the Joint Transport Committee.

### 1. The Standing Orders

In these Standing Orders:

“Combined Authorities” means NECA and NTCA and “Combined Authority” means either one of them.

“Constituent Authority” means an authority within the LA7 Area, being a member of either Combined Authority.

“Delivery Agencies” means Durham County Council, Nexus and Northumberland County Council.

“Joint Transport Committee” or “JTC” means the joint transport committee appointed by NECA and NTCA discharging the functions pursuant to Article 9 of the Second Order.

“LA7 Area” means the Local Government areas of Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland.

“NECA” means the North East Combined Authority and is the operating name of the Durham, Gateshead, South Tyneside and Sunderland Combined Authority.

“Nexus” is the Tyne and Wear Passenger Transport Executive for Tyne and Wear and the executive body of the Combined Authorities in relation to transport functions in Tyne and Wear.

“NTCA” means [the North of Tyne Combined Authority and is the operating name of] the Newcastle upon Tyne, North Tyneside and Northumberland Combined Authority established by the Second Order.

“Order” means The Durham, Gateshead, South Tyneside and Sunderland Combined Authority Order 2014 (SI 2014 No. 1012) as amended by the Second Order.

“Proper Officer for Transport” means the principal officer to assist the Joint Transport Committee designated from time to time by that committee in accordance with Article 9(5) of the Second Order.

“Second Order” means the Newcastle upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.

“Tyne and Wear Area” means the Local Government areas of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland.

“Tyne and Wear Authorities” means the Councils for the Local Government areas of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland.

A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.

## **2. The Joint Transport Committee (JTC)**

In accordance with the duty falling upon the Combined Authorities by Article 8 of the Second Order, the Joint Transport Committee is appointed by Combined Authorities for the purposes of exercising the functions conferred on the Joint Transport Committee as specified in Article 9 of the Second Order and otherwise.

## **3. Committees and Sub-Committees of the Joint Transport Committee**

The Joint Transport Committee has the following committees and sub-committees:

- the Tyne and Wear Sub-Committee<sup>1</sup>
- an Audit Committee
- an Overview and Scrutiny Committee

The JTC may establish such other sub-committees as it thinks fit to exercise its functions or make other arrangements for the exercise of its functions in accordance with Article 9(2) and (3) of the Second Order.

## **4. Joint Arrangements**

Combined Authorities have appointed the Joint Transport Committee in accordance with Article 8 of the Second Order, to discharge the functions specified in Article 9 of the Second Order.

To the extent to which the Joint Transport Committee exercises functions beyond those specified in Article 9, the Joint Transport Committee is empowered to exercise those functions when they are delegated by NECA and NTCA, each of which have power pursuant to Sections 101 and 102 of the Local Government Act 1972 to make arrangements with other local authorities to discharge their functions jointly and to form joint committees for the purposes of discharging such functions.

Together the Combined Authorities have established a Joint Transport Committee for the purpose, inter alia, of exercising the functions set out in these Standing Orders, including any delegated in identical terms by NECA and NTCA.

## **5. NECA as Accountable Body for the Joint Transport Committee**

[NECA has been appointed by the Joint Transport Committee ([and with the agreement of the Local Authorities of the LA7 Area and NTCA, in accordance with an accountable body agreement]) and has agreed to act as its accountable body

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<sup>1</sup> Note Article 9(2)(c) and 9(3).

and assume accountable body responsibilities in relation to its funding and responsibilities.

As accountable body NECA is responsible for overseeing the legal and financial management of all regional transport resources, recognising that the assets are, in many cases, jointly owned by the Combined Authorities.

NECA acknowledges that its roles as accountable body is one of administration and management to implement the decisions and directions of the Joint Transport Committee and does not involve the commercial or economic review of any decision or direction of the Joint Transport Committee or any committee holding decision making authority. However, NECA shall not be obliged to act upon any decision or direction of the Joint Transport Committee or any committee or sub-committee which is:

- a. Not made in accordance with these Standing Orders;
- b. Not made in accordance with any protocol or other agreement between the Combined Authorities or the Local Authorities of the LA7 Area;
- c. Inconsistent with the principles of probity and sound financial practice.
- d. Inconsistent with public law principles;
- e. Illegal.]

In the event that the accountable body does not feel able to act upon or implement the decision of the Joint Transport Committee, the Monitoring Officer will provide a report to the Joint Transport Committee as soon as possible, setting out reasons as to why the decision has not been implemented.

## **6. Chief Officers and Proper Officers**

NECA will engage persons who will be designated as Chief Officers and Proper Officers in accordance with Part 3.6 of these Standing Orders and Rules of Procedure. References to Head of Paid Service, Chief Finance Officer (or Section 73 Officer) or Monitoring Officer are references to these officers of NECA.

Appointments of Proper Officers of NECA are conducted in accordance with the procedural rules in the NECA Constitution. It is noted, however, that this is differentiated from the procedure for the Proper Officer for Transport which will be appointed by the Joint Transport Committee in accordance with Article 9(5) of the Second Order.

The Head of Paid Service, in agreement with the Proper Officer for Transport, on behalf of NECA, may engage staff (referred to as officers) as it considers necessary to carry out its functions as accountable body for the Joint Transport Committee and the delivery of transport functions across the LA7 Area.

Officers engaged in enacting or implementing the decisions of the Joint Transport Committee will comply with the NECA Code of Conduct for Officers set out in Part 6.2 of the NECA Constitution.

In the implementation of the decisions and directions of the Joint Transport Committee or otherwise in the discharge of NECA's functions as accountable body for the Joint Transport Committee and the delivery of transport functions across the

LA7 Area, officers will comply with NECA's financial rules and procedures, code of conduct for officers and officer member protocols. These can be found in the NECA Constitution.

Members must comply with the Code of Conduct and Standards Regimes of the Combined Authority which nominated them for membership of the Joint Transport Committee or any committee or sub-committee. Conduct and standards referrals will be made by the Monitoring Officer to the Standards Committees of the relevant Combined Authority (reference to the NTCA Standards Committee will be made via the NTCA monitoring officer).

## **7. Decision Making**

### **7.1 Responsibility for decision making**

The Joint Transport Committee will issue and keep up to date a record of what part of JTC or which individual has responsibility for particular types of decisions or decisions relating to particular areas or functions.

### **7.2 Principles of decision making**

All decisions of the Joint Transport Committee will be made in accordance with the following principles:

- a) Proportionality (meaning that the action must be proportionate to the desired outcome).
- b) Consideration of professional advice from officers.
- c) Due consultation.
- d) Consideration of the legal and financial implications.
- e) A presumption in favour of openness.
- f) Consideration of available options and outlining reasons for decisions.
- g) Respect for human rights.
- h) Promoting equality.
- i) Preventing crime and disorder
- j) Environment and sustainability.
- k) Risk management.
- l) The purpose of these Standing Orders and Rules of Procedure.

### **7.3 Decision making Committees and Sub-Committees established by the JTC**

Committees of the JTC and Sub-Committees established by the JTC<sup>2</sup> will follow the Procedural Rules set out in Part 4 of these Standing Orders.

### **7.4 Decision Making by Officers**

Officers will exercise their delegated authority in accordance with the Scheme of Delegation to Officers determined from time by the JTC and in particular will have regard to the relevant principles of decision making set out above.

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<sup>2</sup> Committees are created by the Second Order, Schedule 2, paragraph 4. The JTC has the power to create sub-committees by Article 9(2)(c).

## **8. Authentication of documents**

Documents approved by the JTC will be authenticated by the NECA Monitoring Officer, and as necessary, using the NECA Sealing procedures. The NECA Seal will be used for these purposes.

Where any document is necessary to any legal procedure or proceedings on behalf of the JTC (in the name of its accountable body, NECA), it will be signed by the Monitoring Officer or some other person duly authorised by the NECA or the Monitoring Officer, unless any enactment otherwise authorises or requires.

## **9. Review and Revision of these Standing Orders**

The Monitoring Officer of NECA will monitor and review the operation of these Standing Orders on an annual basis and, working together with the Proper Officer for Transport (if any) will make recommendations to the JTC for any amendment.

Changes to the Standing Orders will only be approved by JTC after consideration of the proposal by the Monitoring Officer and in accordance with the JTC Rules of Procedure in Part 4 of these Standing Orders.

## Part 2 Powers and functions of the Joint Transport Committee

**2.1** Article 9(1) of the Second Order makes the Joint Transport Committee exclusively competent to exercise certain transport functions of the Combined Authorities and those functions are listed at a) to h) below:-.

- a) The functions of an integrated transport authority which are exercisable by NECA and NTCA by virtue of the Order and the Second Order.
- b) The transport functions of a county council which are exercisable by NECA or NTCA by virtue of the Order or the Second Order.
- c) The functions of an integrated transport authority or county council which are exercisable by the combined authorities by virtue of the Order or the Second Order
- d) The transport functions of NECA or NTCA as an Authority under Part 2 of the Transport Act 1968.
- e) The functions of NECA or NTCA each as a combined authority under Parts 4 and 5 of the Transport Act 1985.
- f) The functions of NECA or NTCA each as a local transport authority under Part 2 of the Transport Act 2000.
- g) Anything to be done in relation to the property, rights and liabilities held jointly by NECA and NTCA previously owned by the Tyne and Wear Integrated Transport authority or subsequently acquired as a consequence of NECA being a successor of the Tyne and Wear Integrated Transport Authority.
- h) The setting of any transport levy to be issued pursuant to the Transport Levying Regulations 2002 as amended by the Second Order and issued in accordance with the Order and the Second Order.

Such other transport functions as may be delegated to it by the Combined Authorities, as a joint committee of the Combined Authorities under Section 101 of the Local Government Act 1972 and, appointed in accordance with Section 102 of the Local Government Act 1972.]

### 2.2

**2.3** The JTC may delegate the exercise of its functions (subject the requirement for unanimity set out in Part 3) to:-

- a) The Constituent Authority for the area in relation to which the function is to be exercised;
- b) An officer of the Combined Authorities; and
- c) A sub-committee appointed by the JTC.

## Part 3 Joint Transport Committee

**3.1** The Combined Authorities have appointed a Joint Transport Committee to exercise the functions specified in Article 9(1) of the Second Order and any other legislation.

**Membership** 7 (being four members appointed by NECA and three members appointed by NTCA in accordance with Schedule 2 of the Second Order). The Combined Authorities will also appoint substitute members as required by Schedule 2 of the Second Order.

**Quorum** 4 (two members or substitute members from each Combined Authority).<sup>3</sup>

**3.2** In exercising the functions set out in Part 2 above, the JTC will determine matters as follows:-

**A Questions relating to the following matters require a unanimous vote in favour by all members, or substitute members of the JTC, to be carried<sup>4</sup>:-**

- I. The adoption of any transport plan under section 108(3) of the Transport Act 2000 and the alteration or replacement of that plan under section 109(1) and (2) of that Act;
- II. Approval of, or any amendment to, or withdrawal of, spending plans related to the functions conferred on the JTC under Article 9(1) of the Second Order;
- III. Setting of any transport levy under section 74 of the Local Government Finance Act 1988 and in accordance with Regulations made thereunder;
- IV. Allocation of local transport plan funding to the individual constituent authorities and the Tyne and Wear Passenger Transport Executive (Nexus); and
- V. The delegation of the JTC's functions referred to in Article 9(2) of the Second Order.

**B All other questions that are to be decided by the Joint Transport Committee are to be decided by a majority of members, or substitute members acting in the place of members, present and voting on the question at the meeting of the Joint Transport Committee<sup>5</sup>, including:-**

<sup>3</sup> Schedule 2, paragraph 3(2) of the Second Order

<sup>4</sup> Schedule 2, paragraph 3(5) of the Second Order

<sup>5</sup> Schedule 2, paragraph 3(1) of the Second Order



- VI. Other matters that fall to be determined by the Joint Transport Committee in accordance with Article 9 of the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018, or otherwise expressly delegated in the same terms by each of the Combined Authorities.

**Information:**

1. The Chair of the Joint Transport Committee will be selected annually by the Joint Transport Committee.
2. There will be a Vice Chair of the JTC selected annually by the Joint Transport Committee who will be drawn from the members of the Committee. By protocol the Chair and Vice Chair will be drawn one from each of NECA and NTCA.
3. One named substitute member is permitted for each Constituent Authority.
4. Except for matters prescribed by Schedule 2, paragraph 3(5) – and detailed in Part A above – which must be decided by the unanimous vote in favour by all members or substitute members, any questions that are to be decided by the JTC will be decided by a majority of the members, or substitute members, of the JTC present and voting.
5. In accordance with a Deed of Co-operation made between the Constituent Authorities and the Combined Authorities on 4 July 2018 it has been agreed that:
  - a. The exercise of functions as set out above, the Transport Joint Committee shall not incur or cause to incur any expenditure other than that which the Joint Transport Committee has approved as the total budget relating to the discharge of transport functions and which is administered by the host Combined Authority for such purpose; and
  - b. The Joint Transport Committee shall have no authority in relation to the Highways Maintenance Block Funding which shall be paid individually to the Constituent Authorities in the amounts specified by the Department for Transport.

**3.3 Committees and sub-committees of the Joint Transport Committee**

The Joint Transport Committee has two committees and has formed one sub-committee and may form additional sub-committees in accordance with its own rules and procedures:

- a. A Tyne and Wear Sub-Committee (see 4.1 below);
- b. An Audit Committee (as required by the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 as amended by the Second Order) (see 4.2 below); and

- c. An Overview and Scrutiny Committee (in accordance with Paragraph 4 to Schedule 2 of the Second Order) (see 4.3 below).

## 4.1 Tyne and Wear Sub-Committee

The Tyne and Wear Sub-Committee shall be constituted as follows:

Membership	5 Members (3 Members nominated by NECA to represent Gateshead, Sunderland and South Tyneside and 2 Members nominated by NTCA to represent Newcastle upon Tyne and North Tyneside)
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Quorum	4
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The following transport functions are delegated by the JTC to Tyne and Wear Sub-Committee in respect of the area of the Tyne and Wear Authorities:

1. Considering and recommending to JTC the creation and development of:-
  - i) Advanced Quality Partnership Schemes pursuant to sections 113C to 113O of the Transport Act 2000;
  - ii) Franchising Schemes pursuant to sections 123A to 123X of the Transport Act 2000; and
  - iii) Enhanced Partnership Plans and Schemes pursuant to sections 138A to 138S of the Transport Act 2000.
2. Implementing Concessionary Travel Schemes pursuant to sections 93 to 105 of the Transport Act 1985.
3. Implementing Advanced Ticketing schemes pursuant to sections 134C to 134G of the Transport Act 2000.
4. Determining the local bus information to be made available, and the way in which it should be made available, pursuant to sections 139 to 143B of the Transport Act 2000.
5. Determining the operation, performance and development of accessible transport provision (including the provision of grants) pursuant to section 106 of the Transport Act 1985.
6. Setting tolls in relation to the Tyne Tunnel.
7. Appointing Members to the Tyne and Wear Passenger Transport Executive (Nexus), the appointment and dismissal of the Director General of Nexus and discharging all other responsibilities falling on either of the Combined Authorities pursuant to the Transport Act 1968.

8. Without limitation to the above,
  - a) authorising the acquisition, disposal and development of land held by either of the Combined Authorities or NEXUS in relation to the transport functions discharged by the Transport Joint Committee (including pursuant to sub-sections 10(1)(xx), (xxii) and (xxiii) of the Transport Act 1968);
  - b) determining the operation, performance and development of tendered bus services, bus stations/stops and passenger transport services pursuant to Section 10(1)(vi)(a) of the Transport Act 1968;
  - c) monitoring the operation and performance of the metro service and the associated activities of NEXUS and recommending appropriate action;
  - d) any other matter previously falling to be discharged by the Tyne and Wear Integrated Transport Authority prior to the creation of NECA unless such matter shall have been specifically reserved for decision by the Transport Joint Committee;
9. Monitoring the operation and performance of bus, ferry and local rail services and influencing accordingly.
10. Further transport functions as may be delegated to the Tyne and Wear Sub-Committee by the JTC as considered appropriate.

## Part 4.2 Audit Committee

An Audit Committee is formed in accordance with the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 as amended by the Second Order and constituted as follows:

Membership	9 (four Members nominated by NECA and three Members nominated by NTCA and two non-voting Independent Members who will act as Chair and Vice Chair).
Quorum	5 (not including the co-opted Independent Members or the Independent Person)

The Audit Committee is a key component of the corporate governance arrangements and is an important source of assurance about the organisation's arrangements for managing risk, maintaining an effective control environment; and reporting on financial and other performance.

### Terms of reference

The following functions are the responsibility of the Audit Committee:

1. To consider the effectiveness of the Joint Transport Committee's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements, and seek assurance from the Head of Paid Service, Internal Audit and External Audit that action is being taken on risk related issues within the organisation.
2. To consider internal audit annual report and opinion; and consider a review of the effectiveness of the Joint Transport Committee's system of internal audit.
3. To consider a review of the effectiveness of the Joint Transport Committee's system of internal control on an annual basis. This will include consideration of the Annual Governance Statement, and whether this has been prepared in accordance with proper practices in relation to internal control, whether this properly reflects the risk environment, and whether this includes actions required for improvement. Following that consideration, the Audit Committee will approve the JTC Annual Governance Statement.
4. To receive the following plans on an annual basis:
  - a) Internal Audit's Strategic Audit Plan, including Internal Audit's terms of reference, strategy and resources. The JTC Audit Committee will approve, but not direct, the JTC Strategic Audit Plan.

- b) The JTC External Auditor's Audit Service Plan, including details of any non-audit services provided.
5. To receive an interim and end of year report on the progress made by Internal Audit and External Audit in achieving their respective plans of work, so that the Committee may monitor performance in this regard.
  6. The Audit Committee may suggest that Internal Audit undertakes reviews into specific areas of concern. Internal Audit will then determine whether such work should be undertaken, having regard to the nature, materiality and gravity of the matter referred, and the corresponding importance of planned work which would be delayed by attending to the matter referred.
  7. The Audit Committee will receive external audit reports, including Annual Audit Letter, Fee Letter, Annual Governance Report, and other external audit reports as appropriate; and the reports of other regulatory and inspection agencies where these highlight internal control and risk issues.
  8. The Audit Committee will consider the scope and depth of external audit work to ensure it gives value for money.
  9. The Audit Committee will promote effective relationships between external audit and internal audit, inspection agencies and other relevant bodies, and champion the audit process.
  10. The Audit Committee will receive follow-up reports on the progress made in implementing agreed internal and external audit recommendations, in order that it may review this progress.
  11. The Audit Committee will review the accounting policies used to compile the JTC's Statement of Accounts.
  12. The Audit Committee will review key information relating to the JTC's Statement of Accounts.
  13. The Audit Committee will review the external auditor's opinion and reports on the statement of accounts, and monitor management action in response to any issues raised in relation to the accounts by external audit.
  14. The Audit Committee will ensure it is aware of the work undertaken by other committees, so it can take account of any significant internal control issues arising from this work.

## **Proceedings**

The Audit Committee will conduct its proceedings in accordance with the Audit Committee Rules of Procedure in Part 4.2 of these Standing Orders.

**Note:**

1. This Committee discharges the functions set out in the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 as amended by paragraph 5 of Schedule 2 to the Second Order.
2. In appointments to this Committee, the JTC must ensure that the Members of the Committee, taken as a whole, reflect as far as reasonably practicable, the balance of political parties prevailing amongst the Constituent Authorities across the LA7 Area (see paragraph 4(13) of Schedule 2 of the Second Order).
3. The requirement for the JTC to appoint at least one independent person to the Audit Committee is also a requirement under Article 14 (Audit Committees) of The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 as modified by the Second Order.

## Part 4.3 Overview and Scrutiny Committee

An Overview and Scrutiny Committee formed in accordance with Paragraph 4 to Schedule 2 of the Second Order and the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 as amended by the Second Order and constituted as follows:

Membership:	14	Fourteen Members – each of whom are not members of the Leadership Board or other decision making body of either Combined Authority. In appointments the JTC must have regard, as far as possible, to political balance across the LA7 Area across the life of the Committee.
Also:	2	Non-voting Independent Chair and Vice-Chair
Quorum:	11	Including the non-voting Independent Chair or Vice-Chair

Effective scrutiny arrangements are an essential component of local democracy, enhancing accountability and transparency of decision making and enabling local councillors to represent the views of their constituents. These arrangements have been established to enable local councillors, on behalf of their communities, to scrutinise and challenge the Joint Transport Committee, its committees and Nexus, and to investigate matters of strategic importance to residents within the LA7 Area with a view to influencing and adding value to the decisions.

The Overview and Scrutiny Committee can:

1. Review and scrutinise the decisions made, or other action taken by, the Joint Transport Committee or its committees in connection with the discharge of their functions.
2. Review or scrutinise a decision made in connection with the discharge of any functions which are the responsibility of the Joint Transport Committee which have not been implemented and recommend that the decision be reconsidered by the Joint Transport Committee.
3. Work closely with the Overview and Scrutiny Committees of NECA and NTCA to ensure effective and joined up scrutiny arrangements.
4. Make reports or recommendations to the Joint Transport Committee on the discharge of these functions.
5. Review and scrutinise the Joint Transport Committee's initial and final proposals in respect of plans and strategies falling within the Joint Transport Committee's remit.
6. Establish a Call-in Sub-Committee to exercise call-in powers and consider decisions taken but not implemented (See Rule 22 of the JTC Overview and



Scrutiny Procedure Rules for information about the process for calling-in decisions).

7. Investigate matters of strategic importance to residents of the LA7 Area and make reports with evidence based recommendations to the Joint Transport Committee in relation to matters falling within the Joint Transport Committee's remit.
8. Review the performance of the Joint Transport Committee against objectives within the Joint Transport Committee's Strategy.
9. Facilitate the exchange of information about the work of the Joint Transport Committee and to share information and outcomes from reviews.
10. The role of these arrangements in relation to Nexus and the County Councils of Durham and Northumberland will include:-
  - a) Review and scrutiny of each County Council's and Nexus' respective delivery of transport services against the Local Transport Plans and to make recommendations for improvement and/or changes; and
  - b) Obtaining explanations from each of the County Council's and Nexus regarding their respective delivery of transport services.
11. Make recommendations to the Joint Transport Committee on the appointment of any co-opted member to the Overview and Scrutiny Committee or its sub-committees.
12. To establish working groups to consider any matter.

### **Proceedings**

The Overview and Scrutiny Committee will conduct their proceedings in accordance with the Overview and Scrutiny Committee Rules of Procedure in Part 7.3 of these Standing Orders.

### **Note:**

1. In accordance with Article 9 of The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, as amended by the Second Order, Schedule 2, paragraph 5, the Joint Transport Committee must designate a Scrutiny Officer to support the Overview and Scrutiny Committee in discharging its functions. The Scrutiny Officer may not be an officer of a Constituent Authority.
2. In appointments to this Committee, the JTC must ensure that the Members of the Committee, taken as a whole, reflect as far as reasonably practicable, the balance of political parties prevailing amongst the Constituent Authorities across the LA7 Area (see paragraph 4(2) of The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

## Part 5 Joint Transport Committee - Delegation of Functions

The Joint Transport Committee has arranged for certain functions to be exercised on its behalf by:

1. The County Council of Durham
2. Northumberland County Council
3. Nexus
4. The Proper Officer for Transport (or as the case may be other officers of either Combined Authority – NECA or NTCA)

To the extent legally necessary, these delegations have been confirmed by both Combined Authorities.

### Delegations to County Councils

The following transport functions have been delegated by the Joint Transport Committee to each of the County Councils of Durham and Northumberland County Council in relation to their respective administrative areas:

1. Considering and recommending to Joint Transport Committee the creation and development of:-
  - i) Advanced Quality Partnership Schemes pursuant to sections 113C to 113O of the Transport Act 2000;
  - ii) Franchising Schemes pursuant to sections 123A to 123X of the Transport Act 2000; and
  - iii) Enhanced Partnership Plans and Schemes pursuant to sections 138A to 138S of the Transport Act 2000.
2. Implementing Concessionary Travel Schemes pursuant to sections 93 -105 of the Transport Act 1985.
3. Implementing Advanced Ticketing schemes pursuant to sections 134C to 134G of the Transport Act 2000.
4. Determining local bus information to be made available, and the way in which it should be made available, pursuant to sections 139 to 143B of the Transport Act 2000.
5. Determining the operation, performance and development of accessible transport provision (including the provision of grants) pursuant to section 106 of the Transport Act 1985.
6. All obligations of County Councils relating to mandatory travel concessions pursuant to sections 145A to 150 of the Transport Act 2000.
7. Those functions of County Councils set out in Part IV of the Transport Act 1985 (Passenger Transport in areas other than Integrated Transport Areas) under:

- section 63 – functions of local Councils with respect to passenger transport
- section 81 – provision, maintenance and operation of bus stations
- section 82 – bus stations: restriction on discriminatory practices.

### **Delegations to Nexus**

By virtue of the Order and Second Order Nexus is an Executive Body of NECA and NTCA for the purposes of Part 5 of the Local Transport Act 2008 and Part 6 of the Economic Development and Construction Act 2009 and is to be treated as an Officer of each Combined Authority for the purposes of Section 101 of the Local Government Act 1972<sup>6</sup>. The Joint Transport Committee exercises certain functions falling to the Integrated Transport Authority in accordance with the Transport Act 1968 and accordingly has determined the following [authority levels/delegations]:

Nexus has statutory powers to discharge functions, however, it is noted that the acquisition and disposal of capital assets (principally land) have in the past been reserved to TWSC (see TWSC paper 9 October 2014 for example).

Delegation: Nexus – acquisition and disposal of assets within the Tyne and Wear area up to a value of £250,000 per transaction.

### **Delegation to the Proper Officer for Transport**

In accordance with Article 9(5) of the Second Order the Joint Transport Committee may designate a Proper Officer for Transport being the principal officer to assist the committee in exercising its functions. For these purposes the term Proper Officer has the same meaning as in Section 270(3) of the Local Government Act 1972.

The Joint Transport Committee has made the following delegations to the Proper Officer for Transport (together with the authority to sub-delegate to officers under the Proper Officer's direction and control):

**[INSERT delegations to POT].**

### **Relationship with the Host Combined Authority**

In addition NECA, as accountable body for the Joint Transport Committee, will determine its own scheme of delegation to Chief Officers and Officers to support the effective delivery of its accountable body functions and other functions.

### **Reporting on the use of delegation**

Each of the delegations in this section will be reviewed annually and it is expected that each delegate (County Councils, Combined Authorities, Nexus, sub-committees and

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<sup>6</sup> Article 10 of the Second Order

Proper Officer) will provide a report at least once per year to the Joint Transport Committee touching upon:

- The linkages with the North East Transport Plan, agreed from time to time by the Joint Transport Committee.
- The linkages with the North East Strategic Economic Plan, agreed from time to time by the North East LEP Board.
- Key projects delivered in accordance with the delegation.
- Key outcomes from those projects.

The North East Combined Authority, as accountable body, shall also provide a report on the effectiveness of accountable body functions delivered to the Joint Transport Committee, including financial performance and the use of funding-swaps in accordance with the agreed funding-swap protocol agreed between the Chief Finance Officer of NECA and the Chief Finance Officers of NTCA and the Constituent Authorities as appropriate.

## Part 6 Role of Proper Officers

Section 112(1) of the Local Government Act 1972, provides that the NECA (as accountable body for the Joint Transport Committee) shall appoint such officers as it thinks necessary for the appropriate discharge by it of its responsibilities as accountable body for the Joint Transport Committee (and its committees and sub-committees) of such of its functions as fall to be discharged by them.

There are a number of specific references in the 1972 Act and the 1985 Local Government Act, which call for functions to be undertaken by what is termed the 'Proper Officer'. The following lists such references and identifies the Chief Officers responsible for their discharge.

### A Head of Paid Service

The Head of Paid Service is responsible for the corporate and overall strategic management of the NECA's staff in accordance with section 4 of the Local Government and Housing Act 1989.

The Head of Paid Service cannot be the Monitoring Officer.

### B Monitoring Officer

Under the provisions of the Local Government and Housing Act 1989, the NECA Leadership Board shall appoint a Monitoring Officer who will be responsible for promoting and maintaining high standards of conduct. The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budgetary issues to all Members and provide a comprehensive administrative service to the NECA.

The Monitoring Officer to the NECA is appointed the Proper Officer in relation to the following under the Local Government Act 1972:

- a) Determination of those reports which should be available for public inspection prior to a meeting of the Joint Transport Committee and any Committee or Sub-committee of the Joint Transport Committee and those which are likely to be heard in private and consequently which should not be released to the public (section 100B (2)).
- b) Provision of documents to the press, additional to committee reports (section 100B (7)).
- c) Preparing written summaries of proceedings (section 100C (2)).
- d) Making arrangements for list of, and background papers to reports, to be made available for public inspection (section 100D (1)).
- e) Determination of documents disclosing exempt information which may not be inspected by Members (section 100F (2)).
- f) Signature of Summonses to the Joint Transport Committee and its committees and Sub-committees (paragraph 4 (2) (b) of Schedule 12).
- g) Receipt of notices regarding address to which Summonses to meetings of the Joint Transport Committee, its Committees and Sub-committees are to be sent (paragraph 4 (3) of Schedule 12).

- h) Declaration and Certificates with regard to securities (section 146 (1)(a) and (b)).
- i) Deposit of documents (section 225 (1)).
- j) Certifications of photographic copies of documents (section 229 (5)).
- k) Issuing and signing of formal notices (section 234 (1) and (2)).
- l) Serving copies of Byelaws (section 236 (9) and (10)).
- m) Certification of Byelaws (section 238).

The Monitoring Officer (working with the Monitoring Officers of the NTCA and Constituent Authorities) will maintain an up to date Register of Member's interests and an up to date version of these Standing Orders and Rules and will ensure that they are widely available for consultation by Members, officers and the public.

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of information to the Monitoring Officers of the NTCA and the Constituent Authorities and to the Audit and Standards Committees of those Authorities (and the Audit and Standards Committee of NECA).

The Monitoring Officer will be the Proper Officer for receipt and acknowledgement of complaints of failure by a Member of the Joint Transport Committee to comply with the applicable Members Code of Conduct (from their Combined Authority or Constituent Authority).

The Monitoring Officer is also responsible for promoting the role of the Joint Transport Committee's overview and scrutiny committee; providing support to the Joint Transport Committee's overview and scrutiny committee and its members; and to provide support and guidance to members and officers of the Joint Transport Committee in relation to the functions of the Joint Transport Committee's overview and scrutiny committee.

The Monitoring Officer cannot be the Head of Paid Service or the Chief Finance Officer.

### **C Chief Finance Officer**

The Chief Finance Officer has responsibility for ensuring lawfulness and financial prudence of decision making. The Chief Finance Officer is appointed Proper Officer in relation to the following:

- a) receipt of money due from officers (Local Government Act 1972, section 115 (2); and
- b) administration of the financial affairs of the Joint Transport Committee (and NECA as its accountable body) (Local Government Act 1985 section 73).

### **D Proper Officer for Transport**

The Joint Transport Committee may appoint a Proper Officer for Transport in accordance with Article 9(5) of the Second Order, who will be responsible for such duties as the Joint Transport Committee shall determine including:

- a) working with the Chairs and Vice Chairs of the Joint Transport Committee, its Committees or Sub-committees to recommend the business to be considered at each meeting;
- b) Working with the staff of the North East Combined Authority to develop a committee timetable which meets the needs of the Joint Transport Committee work programme;
- c) To co-ordinate the reports on the use of delegated authority discussed in Part 4.5 of these Standing Orders;
- d) To work closely with the Chief Executives of the Constituent Authorities to determine matters of the highest strategic authority in relation to regional transport matters.

## **E General**

All officers in whose name reports are submitted to the Joint Transport Committee, or any committee or sub-committee of the Joint Transport Committee via the Monitoring Officer and Chief Finance Officer, are appointed the Proper Officers in relation to the following under the Local Government Act 1972:

- a) Compilation and retention of lists of background papers and copies of the relevant documents and reports (section 100D (1) (a)).
- b) Identifying and determining what are background papers (section 100D (5)).

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## Part 7 Rules of Procedure

These Rules apply to all meetings of the Joint Transport Committee, committee or sub-committee as appropriate and should be read in conjunction with other Parts of these Standing Orders.

References in these Rules to the 'Chair' mean the member of the Joint Transport Committee, committee or sub-committee for the time being presiding at the meeting.

These Rules are subject to any statute or other enactment whether passed before or after these Rules came into effect.

### 7.1 Joint Transport Committee Rules of Procedure

#### The Annual Meeting

The Annual Meeting will take place in May or June.

The Annual Meeting will:

- a) elect a person to preside if the Chair of the Joint Transport Committee is not present;
- b) elect the Chair of the Joint Transport Committee ;
- c) elect the Vice Chair of the Joint Transport Committee;
- d) approve the minutes of the last meeting;
- e) receive any announcements from the Chair and/or the Proper Officer for Transport and the Head of Paid Service of NECA (as accountable body);
- f) appoint the Chair and Vice Chair of the Tyne and Wear Sub-Committee, Audit Committee, Overview and Scrutiny Committee and any other committee or sub-committee considered necessary and agree a timetable of meetings;
- g) appoint the members of the Tyne and Wear Sub-Committee, Audit Committee, Overview and Scrutiny Committee and any other relevant committee or joint committee<sup>7</sup>;
- h) agree any delegation of functions to the bodies referred to in f) and g) above and any amendment to delegation set out in Part 3.5 of these Standing Orders or any other scheme of delegation;
- i) approve the policies and strategies to be included in any transport policy framework to be adopted by the Joint Transport Committee; and

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<sup>7</sup> Any in-year changes can be agreed by the Monitoring Officer. See MO4 in Part 3.7 Scheme of Delegation of Functions to Proper Officers, D Monitoring Officer.

- j) conduct any other business reserved for its Annual Meeting as set out in Part 3 - Responsibility for Functions in accordance with the following procedure rules.

### **Ordinary Joint Transport Committee Meetings**

Ordinary meetings of the Joint Transport Committee will take place in accordance with a programme decided by the Joint Transport Committee.

Ordinary meetings will:

- a) elect a person to preside if the Chair and Vice Chair are not present;
- b) approve the minutes of the last meeting;
- c) receive any declarations of interest from Members;
- d) receive any announcements from the Chair and/or the Proper Officer for Transport and/or Head of Paid Service (as accountable body);
- e) deal with any uncompleted business from the last Joint Transport Committee meeting;
- f) receive and consider reports from its Committees and Sub-committees;
- g) conduct any business reserved for it in accordance with Part 3 - Responsibility for Functions and specified in the summons to the meeting in accordance with the following procedure rules; and
- h) authorise the sealing of documents.

#### **1. Chair and Vice Chair**

The Chair and Vice Chair shall be selected annually by the Joint Transport Committee from amongst its Members and shall, unless they resign, cease to be members of either Combined Authority or become disqualified, act until their successors become entitled to act as Chair or a Vice Chair.

The election of the Chair and Vice Chair shall be the first item of business at the Annual Meeting of the Joint Transport Committee.

Subject to any Rules made by the Joint Transport Committee, anything required to be done by, to or before the Chair may be done by, to or before a Vice Chair.

At a meeting of the Joint Transport Committee the Chair shall preside. If the Chair is absent the Vice Chair shall preside. If both the Chair and Vice Chair are absent, such other Member present may choose to preside with the agreement of the other Members present.

Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

The ruling of the Chair on the interpretation of these Rules in relation to all questions of order and matters arising in debate shall be final.

## **2. Meetings of the Joint Transport Committee**

In addition to the Annual Meeting and any meeting convened by the Chair or by Members, meetings for the carrying out of general business shall be held in each year at the times and on the dates fixed at the Annual Meeting.

## **3. Extraordinary Meetings**

Those listed below may request the Monitoring Officer to convene a Joint Transport Committee meeting in addition to ordinary meetings:

- a) the Joint Transport Committee by resolution;
- b) the Chair of the Joint Transport Committee; and
- c) any three Members if they have signed a requisition presented to the Chair of the Joint Transport Committee and the Chair has refused to convene a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

The agenda for the extraordinary meeting will include the resolution, request or requisition which led to it being called and any other business agreed by the Chair, or in their absence the Vice Chair of the Joint Transport Committee, the Monitoring Officer and the Head of Paid Service. No further item of business may be conducted at an extraordinary meeting of the Joint Transport Committee other than that specified in the agenda for the meeting unless the Chair, or in their absence the Vice Chair, agree the matter is urgent and requires a decision before the next ordinary meeting of the Joint Transport Committee. The report submitted to the extraordinary meeting will set out the reason why the matter could not be determined at the next ordinary meeting of the Joint Transport Committee and this reason will be recorded in the minutes of the meeting.

## **4. Summons**

At least five clear days before a meeting the Monitoring Officer shall arrange for a notice of the time and place of the intended meeting to be published at his/her office. Where the meeting is called by Members that notice is to be signed by those Members and specify the business proposed. A summons to attend the meeting, specifying the proposed business and signed by the Monitoring Officer, is to be left at, or sent by post to, the usual place of residence of every Member or to such other place as may be requested by a Member.

Except in the case of business required by statute to be transacted at the Annual Meeting no business shall be transacted at a meeting other than that specified in the summons.

## 5. Quorum

The quorum of the Joint Transport Committee shall be at least two thirds of members save for items of business that require a unanimous decision in which case the quorum is seven voting members. No business shall be transacted at any meeting unless a quorum is present.

If a quorum is not reached 15 minutes after the time appointed for the start of the meeting, the meeting will be reconvened on another date.

During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately.

Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

## 6. Duration

At any meeting which has sat continuously for three and a half hours, the Chair shall have discretion to adjourn the meeting for a short period of time unless the majority of Members present, by vote, determine it shall stand adjourned to another day, the date and time of which shall be determined by the Chair.

## 7. Declaration of Interests in Meetings

Where a Member attends a meeting of the Joint Transport Committee they must declare registerable and non-registerable personal interests as defined in the Members' Code of Conduct either at the start of the meeting, or otherwise as soon as the interest becomes apparent in the course of the meeting.

In addition, where in relation to any meeting a Member has declared a registerable or non-registerable personal interest in a matter, and the criteria contained in paragraph 17 of the Members' Code of Conduct apply, the Member must leave the room for the duration of the discussion on that matter.

## 8. Access to information

In accordance with the Local Government Act 1972 as amended:

- a) All meetings of the Joint Transport Committee, its committees and sub-committees shall be open to the public unless it is likely in view of the nature of the business to be transacted that either confidential information (as defined in section 100A (3) of the 1972 Act) or information falling within one of the categories of exempt information in Schedule 12A (as amended) of the 1972 Act would be disclosed.
- b) Members of the public and media may take photographs, film, audio-record or report via social media the proceedings of any meeting of the Joint Transport Committee, its committees and sub-committees where the meeting is open to the

public. The Chair of the meeting may withdraw consent to film, record or photograph a meeting at any time in the event that it is carried out in a manner that interferes with the proper conduct of the meeting.

- c) Copies of the agenda, and reports open to the public will be available for public inspection at least five clear days before a meeting. If an item is added to the agenda later, the revised agenda and any additional report will be open to inspection from the time it was added to the agenda.
- d) The NECA (as accountable body) will make available for public inspection for six years after a meeting the minutes of the meeting (but excluding any part of the minutes when the meeting was not open to the public or which disclose confidential or exempt information), a summary of any proceedings not open to the public where the minutes open to inspection would not otherwise provide a reasonably fair and coherent record, the agenda for the meeting and reports relating to items when the meeting was open to the public.
- e) The author of any report will set out in it a list of those documents (called background papers) relating to the report which in his/her opinion disclose any facts or matters on which the report is based and which have been relied on to a material extent in preparing the report (except for documents which are published works or which disclose confidential or exempt information). Such background papers will remain available for public inspection for four years from the date of the meeting.
- f) Where information is withheld under these provisions the fact must be made known to the member of the public concerned who shall be advised of the categories of information being withheld and the way in which the withholding can be challenged.

## **9. Disturbance**

No member of the public shall interrupt or take part in the proceedings of any meeting. If any member of the public interrupts or takes part in the proceedings at any meeting, the Chair shall warn him/her and if he/she continues the interruption the Chair shall order his/her removal.

The Chair may at any time, if he/she thinks it desirable in the interests of order, adjourn or suspend a meeting for a time to be named by him/her.

## **10. Order of Business**

The Joint Transport Committee on a motion duly seconded and carried without debate, or on motion by the Chair, which shall not require to be seconded, may vary the order of business as set out on the agenda.

## 11. Motions and Amendments

### Notice

- (1) A Member may by notice of motion given in writing raise any matter relating to the functions of the Joint Transport Committee.
- (2) Notice of every motion, other than a motion which under Rule 11 (8) may be moved without notice, shall be signed by the Member giving the notice, and delivered not later than seven working days before the day of the meeting at the office of the Monitoring Officer, by whom it shall be dated.
- (3) The Monitoring Officer shall include in the summons for every meeting all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such notice indicated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- (4) If a motion included in the summons is not moved either by the Member who gave notice of the motion or by some Member on his/her behalf it shall, unless postponed by consent of the Joint Transport Committee, be treated as withdrawn and shall not be moved without fresh notice.
- (5) No motion to rescind any resolution passed within the last six months shall be proposed unless the notice thereof bears the names of at least three Members of the Joint Transport Committee. When any such motion has been disposed of by the Joint Transport Committee it shall not be open to any Member to propose a similar motion within a further period of six months unless the suspension of Standing Orders has been carried.
- (6) A motion or amendment may be withdrawn by the mover with the consent of his/her seconder and of the Joint Transport Committee, which consent shall be signified without debate, and no Member may speak upon it after the mover has asked permission for its withdrawal unless such permission shall have been refused.

### Amendments

- (7) Any member who intends to move an amendment to a motion included on the agenda for a meeting shall give written notice of the amendment (before noon on the day before the meeting) to the Monitoring Officer who will notify the Chair, the Vice Chair or other Member likely to preside at the meeting.

The Chair may in his/her discretion waive the requirements to comply with Rule 11 (7) but unless there are exceptional circumstances, a request of the Chair to exercise such discretion should be made before the meeting.

The amendment must be relevant to the motion and cannot negate the motion.

### Motions without notice

- (8) The following motions and amendments may be moved without notice:

- a) appointment of a Chair of the meeting at which the motion is made;
- b) motions relating to the accuracy of the minutes, closure adjournment, proceeding to the next business, or the motion “that the question be now put”;
- c) variation of the order of business;
- d) appointment of a committee or members of committee, arising from an item on the agenda of the meeting;
- e) that leave be given to withdraw a motion;
- f) suspension of these Rules;
- g) a motion under Section 100(A)(4) of the Local Government Act 1972 to exclude the Press and Public
- h) that a Member named under Rule 13(6) not be heard further or do leave the meeting;
- i) that a deputation be received; or
- j) giving the consent of the Joint Transport Committee where such consent is required under these Rules.

### During debate

- (9) When a motion is under debate, no further motion shall be received except the following:
  - a) to amend the motion (in these Rules called “an amendment”);
  - b) that the Joint Transport Committee do now adjourn;
  - c) that the debate be adjourned;
  - d) that the question be now put; or
  - e) that the Joint Transport Committee proceed to the next business.
- (10) If the motion “that the Joint Transport Committee do now adjourn” is carried, any outstanding business shall be printed on the agenda of the next ordinary meeting or of such meeting as shall be specified in the adjournment notice and given priority at the next meeting.
- (11) If the motion “that the debate be adjourned” is carried, the discussion shall be resumed at the next ordinary meeting. When a debate resumes any Member who would have had a right to speak or reply in the adjourned debate shall have the same right in the resumed debate.
- (12) If the motion “that the question be now put” is carried, the motion or amendment under debate shall, subject to the right of reply of the mover of the original motion, be forthwith put.
- (13) When a motion “that the Joint Transport Committee do proceed to the next business” is carried, no further debate shall take place on the matter under discussion.

## **12. Suspension of Standing Orders**

All of these Rules of Procedure, except the mandatory standing orders relating to the right to have an individual vote recorded and no requirement to submit minutes to extraordinary meetings, may be suspended by motion on notice or without notice if at least one half of the whole number of Members are present.

Suspension of these procedure rules can only be for the duration of the meeting and must only be moved in exceptional circumstances where the Chair of the Joint Transport Committee is satisfied that the reasons for the exceptional circumstances can be sufficiently justified. The reasons for the exceptional circumstances must be given by the mover of the motion and the Chair's reasons for considering the exceptional circumstances will be recorded in the minutes of the meeting.

### **13. Rules of Debate**

The following rules shall apply to the conduct of debate at meetings of the Joint Transport Committee:

- (1) Members shall address the Chair. A Member who speaks shall confine his/her remarks strictly to the motion or report under discussion or to a personal explanation or a question of order.
- (2) A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order shall relate only to an alleged breach of a Rule or statutory provision and the Member shall immediately specify the Rule or Statutory provision and the way it has allegedly been broken. No Member may use unbecoming or offensive language.
- (3) A Member may make a personal explanation. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final. When making a point of personal explanation, Members must await the conclusion of the relevant Member's speech.
- (4) The ruling of the Chair on a point of order or the admissibility of a personal explanation shall be final and shall not be open to discussion.
- (5) Where a Notice of Motion has been placed on the agenda, the Chair shall allow the mover the right of reply to the debate before putting the matter to the vote, but otherwise the conduct of the meeting shall be at the discretion of the Chair.
- (6) The Chair shall call the attention of the Joint Transport Committee to continued irrelevance, repetition, unbecoming language or a breach of order by a Member and shall direct such Member, if speaking, to discontinue his/her speech, or, if the Member does not do so, to leave the meeting.

### **14. Voting**

Subject to the provisions of any enactment the Joint Transport Committee will aim to reach a consensus. If exceptionally it is not possible to reach consensus on any matter on which it is necessary to reach a decision, the matter will be put to a vote which will be decided upon by a simple majority of the members of the Joint Transport Committee present and voting at the time the question was put unless it is a matter for which there must be a unanimous decision (see Part 3.1 A).



The method of voting at meetings of the Joint Transport Committee shall be by show of hands. In the event that a vote is tied on any matter it shall be deemed not to have been carried.

If any Member wishes to have his/her name recorded as having voted against any resolution on matters when unanimity is not required, he/she may require the Monitoring Officer to do so.

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

## **15. Minutes**

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. Discussion of the minutes must be limited to their accuracy.

Wherein relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

The effect of this is that minutes will not be submitted for approval to an extraordinary meeting.

## **16. Code of Conduct and Protocols**

Members shall comply with the Code of Conduct for Members of the Combined Authority (or Constituent Authority) of which they are a member and any breach or alleged breach of the Code of Conduct will be referred by the Monitoring Officer to the monitoring officer of the relevant Combined Authority or Constituent Authority.

## **17. Officers' Interests**

If it comes to the knowledge of an officer engaged by NECA (as accountable body), that a contract in which he/she has a pecuniary interest, whether direct or indirect has been, or is proposed to be, entered into by the NECA he/she shall as soon as practicable give notice in writing to the Monitoring Officer of the fact that he/she has an interest.

An officer shall be treated as having indirectly a pecuniary interest in a contract if he/she would have been so treated by virtue of Section 95 of the Local Government Act 1972 had he/she been a member of the NECA or the Joint Transport Committee i.e. the other party to the contract is a company or other person or body (other than a public body) of which the officer or his/her spouse/partner is a member or employee or partner.

**18. Financial Regulations**

The Financial Regulations of the NECA are deemed to be incorporated in and have the same force as these Rules.

**19. Sealing of Documents**

A decision of the Joint Transport Committee (or of a committee, sub-committee, person or persons to whom the Joint Transport Committee, has delegated its powers and duties) shall be sufficient authority for the sealing of any document necessary to give effect to the decision. The Common Seal of NECA will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed.

The Common Seal of the NECA shall be kept in a safe place in the custody of the Monitoring Officer and the affixing of the Common Seal shall be attested by the Monitoring Officer or other person nominated by them, unless any enactment otherwise authorises or requires, or the Combined Authority has given requisite authority to some other person.

**20. Authentication of documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Joint Transport Committee (or NECA as its accountable body), it will be signed by the Monitoring Officer or other person nominated by them, unless any enactment otherwise authorises or requires, or authority has been given to some other person.

**21. Committees**

The Joint Transport Committee shall at its Annual Meeting each year appoint such committees as are required to be appointed by or under any statute and may at any time appoint such other joint committees, committees or sub-committees as are necessary to carry out the work of the Joint Transport Committee but, subject to any statutory provision, may at any time dissolve a joint committee, committee, sub-committee or alter its membership.

No joint committee, committee or sub-committee shall continue in office longer than the next Annual Meeting.

All of the Joint Transport Committee Rules of Procedure apply to meetings of the Joint Transport Committee. All of these Rules of Procedure, except rules 11, 12, 13, 19 and 20 will, with any necessary modifications specified in the relevant committee's responsibility for functions, apply to meetings of joint committees, committees and sub-committees of the Joint Transport Committee.

Procedure Rule 14 (voting) will apply to meetings of joint committees, committees and sub-committees of the Joint Transport Committee with the amendment that in the event of an equality of votes, the Chair will have a second or casting vote.

These Rules of Procedure do not apply to the Audit Committee and the Overview and Scrutiny Committee or any working groups established by any joint committee, committee or sub-committee of the NECA. The Audit Committee and the Overview

and Scrutiny Committee have their own Rules of Procedure set out at Part 4.2 and 4.3 of these Standing Orders.

## **22. Working groups**

Any committee or sub-committee of the Joint Transport Committee can establish working groups to undertake specific studies/examinations, subject to agreement from the Joint Transport Committee (except that the Overview and Scrutiny Committee does not require consent for the creation of working groups).

In appointing working groups the committee or sub-committees will:

- a) have regard to any approved work programmes to avoid duplication of work or the undertaking of non-priority work and advice from relevant officers on the overall capacity of the Combined Authorities to support such studies;
- b) determine the remit for each working group which will be bound by the terms of that remit.
- c) determine the membership of the working group to be drawn from the membership of the committee or sub-committee with appropriate representation across the Constituent Authorities;
- d) determine whether a non-standard/flexible arrangement for the work required is preferable, for example, a joint arrangement with one or two specified Constituent Authorities.
- e) consider and either approve, amend or reject any reports and recommendations for submission to its parent committee or sub-committee, the Joint Transport Committee, an individual or outside organisation as appropriate.

Working groups may seek the assistance of Members and officers of either Combined Authority and/or outside organisations and individuals to meet the objectives of their agreed remit.

## **23. Attendance**

The Monitoring Officer shall record the attendance of each Member at each meeting of the JTC, its committees and sub-committees and it shall be the responsibility of each Member to sign such a record.

## **24. Substitutes**

Substitute Members may attend the meetings they have been appointed to as a substitute member to take the place of an ordinary member of the committee or sub-committee.

Two types of substitute can be made:

1. Where the ordinary member of the committee or sub-committee will be absent for the whole of the meeting.

Once the meeting has commenced and the substitute is present and participating the appointed Member of the relevant committee or sub-committee shall not be entitled to attend the relevant meeting as a member of the committee and this substitution shall apply for the entire meeting including where the meeting is reconvened after adjournment.

2. Where the ordinary member of the committee has a registerable or non-registerable interest in a matter which requires the Member to leave the room whilst the matter is discussed and decided upon (see for example NECA Code of Conduct for Members).

In these circumstances the substitute member will only act as a member of the committee for the duration of the discussion on that matter.

When this type of substitution is required, the Monitoring Officer and the Chair of the Joint Transport Committee should be notified prior to the commencement of the meeting.

## **25. Failure to attend Meetings**

Subject to the exceptions prescribed by statute, if a Member of the Joint Transport Committee, committee or sub-committee fails throughout a period of six consecutive months to attend any meeting of the Joint Transport Committee, committee or sub-committee to which they have been appointed, he/she shall, unless the failure to attend was due to a reason approved by the Joint Transport Committee before the end of that period, cease to be a Member of the Joint Transport Committee, committee or sub-committee (as the case may be). For the purpose of this provision the period of failure to attend shall date from the first meeting which the Member could have attended as a Member.

## **26. Resignation**

A person appointed to the office of Chair or Vice Chair or Member of the Joint Transport Committee, committee or sub-committee may at any time resign his/her office by a notice of resignation in writing signed by him/her and delivered to the Monitoring Officer and such resignation shall take effect upon receipt of that notice by the Monitoring Officer.

## **27. Appointments**

A person, so long as he/she is a Member of the Joint Transport Committee, and for twelve months after he/she ceases to be a Member of the Joint Transport Committee, shall be disqualified from being appointed by the Joint Transport Committee to any paid office.

A Member shall not solicit for any person any appointment to either Combined Authority or any Constituent Authority or recommend any person for such appointment or for promotion, but this Rule shall not prevent a Member from giving a written testimonial of a candidate's ability, experience or character for submission to either Combined Authority or any Constituent Authority with an application for appointment.

Canvassing of Members directly or indirectly for any appointment to either Combined Authority or any Constituent Authority shall disqualify the candidate for that appointment. A statement to this effect shall be included in all recruitment information for appointments.

## **28. Forward Plan**

The Forward Plan for the Joint Transport Committee (which may be published and separately and/or as part of the NECA Forward Plan) will be prepared and published by the Monitoring Officer for the purpose of giving 28 days' notice of decisions.

The purpose of the Forward Plan is, amongst other things, to provide an opportunity for people inside and outside either Combined Authority to see when decisions are going to be taken, who will be taking those decisions and what information and consultation will contribute to these decisions

The Forward Plan will be published on the NECA website (and any Joint Transport Committee webpages) and will be available for inspection at the offices of each Constituent Authority.

The Forward Plan will contain details of key and other decisions to be taken by the Joint Transport Committee and any committee with decision making authority (for example the Tyne and Wear Committee) or a Chief Officer or Officer with delegated authority from the Joint Transport Committee. Exempt information need not be included in a Forward Plan and confidential information cannot be included. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- a) the matter in respect of which a decision is to be made;
- b) the identity of the decision taker(s)
- c) notice of the intention to exclude the press and public from any meeting, or part of a meeting,
- d) the date on which, or the period within which, the decision will be taken;
- e) the steps any person might take who wishes to make representations to the Joint Transport Committee, or any relevant committee or sub-committee of the Joint Transport Committee about the matter in respect of which the decision is to be made, and the date by which those steps must be taken;
- f) a list of the documents submitted to the Joint Transport Committee, or any relevant committee or sub-committee of the Joint Transport Committee for consideration in relation to the matter and an address from which the documents are available; and
- g) a statement to indicate that other documents may be submitted to the decision maker(s) and details of the procedure for requesting copies of them.

## 29. Petitions

Any person or body wishing to present a petition to the Joint Transport Committee shall notify the Monitoring Officer in writing and provide him/her with a copy of the petition not less than 14 working days before a meeting of the relevant Committee or a Sub-Committee of the Joint Transport Committee. On receipt of such petition the Monitoring Officer shall check that it relates to the work of the Joint Transport Committee or NECA (as its accountable body) and, if so, include an appropriate item on the agenda. All petitions addressed to the Joint Transport Committee shall be reported to the next meeting of its relevant Committee or a Sub-Committee.

## 30. General Exception

A key decision of the Joint Transport Committee, committee or sub-committee of the Joint Transport Committee, not included in the Forward Plan for the requisite 28 day period can only be taken where:

- a) the Monitoring Officer has notified the Chair (or Vice Chair in their absence) of the Overview and Scrutiny Committee in writing of the matter to be decided; and
- b) at least 5 clear days have elapsed between the agenda for the meeting, which includes the matter, being made available and the date of the meeting.
- c) a notice of general exception will set out the reason why the matter could not be included on the Forward Plan and, a copy of this notice will be published on NECA's website and made available at each of NECA's offices.
- d) the notice of general exception will be sent to the Chair of the Overview and Scrutiny Committee (and the Vice Chair in their absence) and the Chair and Vice Chairs of the Committee which will decide the substantive matter in question.

## 31. Special Urgency

A key decision of the Joint Transport Committee, a committee or a sub-committee of the Joint Transport Committee not included in the Forward Plan can only be taken with less than 5 clear days' notice where:

- a) the Monitoring Officer has notified the Chair (or Vice Chair in their absence) of the Overview and Scrutiny Committee in writing of the matter to be decided and the Chair (or Vice Chair) has given consent to the matter being decided on short notice;
- b) agreement has been obtained from the Chair (or Vice Chair in their absence) of the Joint Transport Committee, that the matter is urgent and cannot be reasonably deferred;
- c) a notice setting out the reasons why the matter is urgent and cannot reasonably be deferred:
  - i. has been made available to the decision makers at (a) and (b) above;

ii. is published on the NECA's website (and the Joint Transport Committee webpages) and made available for inspection at each of the NECA offices.

d) the report submitted to the meeting will set out the reason why the matter is urgent and cannot reasonably be deferred and this reason will be recorded in the minutes of the meeting.

### **32. Key Decisions made by Officers acting under Delegated Authority**

An officer making a key decision in accordance with authority delegated to them by the decision making body or, by these Standing Orders, a scheme of delegation approved by the Joint Transport Committee or the Constitution or scheme of delegation of NECA (as accountable body) shall ensure that key decisions appear on the Forward Plan for 28 days or otherwise follow the procedures set out in 31 and 32 above.

### **33. Urgent Decisions**

Where a decision needs to be taken urgently and it is not practical to convene a quorate meeting of the appropriate body (i.e. the Joint Transport Committee, or any other committee, sub-committee of the Joint Transport Committee), the Head of Paid Service, in consultation with the Proper Officer for Transport, the Chair (or in their absence the Vice Chair) of the relevant committee, the Chief Finance Officer and the Monitoring Officer has the authority to take an urgent decision. In such circumstances, the Head of Paid Service must report that decision to the next meeting of the appropriate decision making body which would have otherwise made that decision.

### **34. Recording Decisions made in cases of General Exception or Special Urgency**

A report of decisions made following the procedure in 31, 32, and 33 and is made to the Overview and Scrutiny Committee and the Joint Transport Committee at least once annually. The report will include a summary of the subject matter of the decisions taken.

## **7.2 Audit Committee Rules of Procedure**

Subject to the provisions of any specific legislation and/or regulations relating to their operation, the Audit Committee will conduct their proceedings in accordance with the following procedure rules.

### **1. Membership**

The Audit Committee is made up from seven members from the Constituent Authorities and two non-voting co-opted Independent Members.

Any Member from the Constituent Authorities may serve as a Member of the Committee unless they are specifically excluded. Membership of the Committee is determined by the Joint Transport Committee and will be appointed annually, usually at the Annual Meeting. In-year changes to membership can be made, see Part 3.6 Scheme of Delegation of Functions to Proper Officers, Part D Monitoring Officer.

### **2. Independent Members**

The appointment of independent Members to this committee is a matter reserved to the Joint Transport Committee. The Audit Committee can make recommendations to the Joint Transport Committee on the appointment of independent members to the committee itself and/or any of its sub-committees. In making such recommendations to the Joint Transport Committee, the committee will specify the term of office to be applied in each case. The term of office for any appointed independent Member can only be extended with the express approval of the Joint Transport Committee. Independent Members appointed by the Joint Transport Committee can attend and speak at meetings of the Committee or sub-committee to which they are appointed but cannot vote.

### **3. Meetings**

Meetings for the carrying out of general business shall be held in each year at the times and on the dates fixed at the Joint Transport Committee's Annual Meeting. Notice of meetings will be given to the public.

### **4. Extraordinary Meetings**

Extraordinary meetings of the Audit Committee may be called, where possible following consultation with the Chair and Vice Chair, where it is considered necessary or appropriate or at the request of the Chair and Vice Chair or any three Members of the Committee.

Other than in exceptional circumstances, the time of commencement of extraordinary meetings should be the same as for ordinary meetings.

The agenda for the extraordinary meeting will include the item of business which led to it being called and any other business, agreed where possible by the Chair, or in their absence Vice Chair, and the Monitoring Officer, which requires a decision before the



next ordinary meeting of the Committee. No further item of business may be conducted at an extraordinary meeting of the Audit Committee other than that specified in the agenda for the meeting unless the Chair, or in their absence the Vice Chair, agree the matter is urgent and requires a decision before the next ordinary meeting of the Committee. Any report submitted to an extraordinary meeting will set out the reason why the matter could not be determined at the next ordinary meeting of the Committee and this reason will be recorded in the minutes of the meeting.

## **5. Summons**

The Monitoring Officer and Chief Finance Officer, where possible in consultation with the Chair and Vice Chair, will determine the agenda for meetings of the committee.

At least five clear working days before a meeting, an agenda will be sent to every member of the committee to their usual place of residence (or such other address as has been notified).

The agenda will give the date, time and place of each meeting and specify the order of the business to be transacted, and will be accompanied by such reports as are available.

Urgent reports on items of business may only be added to the agenda if the reasons for urgency can be sufficiently justified and the approval of the Chair of the Committee has been given. The reasons for urgency will be recorded in the minutes of the meeting.

Any matters referred to the committee by either the Joint Transport Committee or any of its committees will be placed on the agenda for the next available meeting of the committee. The committee will, at that meeting, determine the method and timetable for responding to any such referrals.

## **6. Chair**

The Chair and the Vice Chair of the Audit Committee will be the co-opted members. Meetings of the Committee will be chaired by the Chair or in the Chair's absence the Vice Chair. In the absence of both the Chair and Vice Chair, members of the committee present will elect from amongst themselves a Chair for the meeting.

## **7. Quorum**

A meeting of the Committee cannot begin until a quorum is present. The quorum for the Audit Committee will be two thirds of the membership, excluding the co-opted Members and the Independent Person.

If a quorum is not reached 15 minutes after the time appointed for the start of the meeting, the meeting will be reconvened on another date.

During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately.

Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary

meeting.

## **8. Substitutes**

Two types of substitute can be made:

1. Where the ordinary member of the Audit Committee will be absent for the whole of the meeting.

Once the meeting has commenced and the substitute is present and participating the appointed Member of the Audit Committee shall not be entitled to attend the relevant meeting as a member of the committee and this substitution shall apply for the entire meeting including where the meeting is reconvened after adjournment.

2. Where the ordinary member of the committee has a registerable or non-registerable interest in a matter which requires the Member to leave the room whilst the matter is discussed and decided upon (see for example NECA Code of Conduct for Members).

In these circumstances the substitute member will only act as a member of the committee for the duration of the discussion on that matter.

When this type of substitution is required, the Monitoring Officer and the Chair of the Audit Committee should be notified prior to the commencement of the meeting.

## **9. Duration**

At any meeting which has sat continuously for three and a half hours, the Chair shall have discretion to adjourn the meeting for a short period of time unless the majority of Members present, by vote, determine it shall stand adjourned to another day, the date and time of which shall be determined by the Chair.

## **10. Declaration of Interests in Meetings**

Where a Member attends a meeting of the Audit Committee they must declare registerable and non-registerable personal interests as defined in the Members' Code of Conduct for the relevant Combined Authority either at the start of the meeting, or otherwise as soon as the interest becomes apparent in the course of the meeting.

In addition, where in relation to any meeting a Member has declared a registerable or non-registerable personal interest in a matter, and the criteria contained in the relevant Combined Authority's Members' Code of Conduct apply, the Member must leave the room for the duration of the discussion on that matter.

## **11. Filming/Reporting at meetings**

Members of the public and media may take photographs, film, audio-record or report via social media the proceedings of Audit Committee where the meeting is open to the public.

The Chair of the meeting may withdraw consent to film, record or photograph a meeting at any time in the event that it is carried out in a manner that interferes with the proper conduct of the meeting.

## **12. Disturbance**

No member of the public shall interrupt or take part in the proceedings of any meeting. If any member of the public interrupts or takes part in the proceedings at any meeting, the Chair shall warn him/her and if he/she continues the interruption the Chair shall order his/her removal.

## **13. Order of Business**

The Audit Committee on a motion duly seconded and carried without debate, or on motion by the Chair, which shall not require to be seconded, may vary the order of business as set out on the agenda.

## **14. Voting**

Subject to the provisions of any enactment the Audit Committee will aim to reach a consensus. If exceptionally it is not possible to reach consensus on any matter on which it is necessary to reach a decision, the matter will be put to a vote which will be decided upon by a simple majority of the members of the committee present and eligible to vote at the time the question was put.

The method of voting shall be by show of hands. As the Chair of the Committee is a non-voting independent Member there is no Chair's casting vote. In the event that a vote is tied on any matter it shall be deemed not to have been carried.

Where any member of the committee requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

## **15. Minutes**

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. Discussion of the minutes must be limited to their accuracy.

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

The effect of this is that minutes will not be submitted for approval to an extraordinary meeting.

## **16. Exclusion of the Public**

Members of the public and press may only be excluded either in accordance with the Access to Information paragraph of the Joint Transport Committee Rules of Procedure (Part 4.1, paragraph 8) or when causing a disturbance.

## **17. Attendance by Members and officers**

The Audit Committee may request the attendance at a meeting of any Member, any co-opted Member, or any officer to assist the Committee in its work.

Under normal circumstances where it is felt that the attendance of a particular Member or officer would assist the Committee in its work then they will be invited to attend. In such circumstances, the Member or officer concerned should preferably be given at least 5 working days' notice of the date and time of the meeting and the nature of the business to be discussed. In circumstances where it is not possible to give 5 working days' notice, contact should be made at the earliest opportunity with the Member or officer concerned to establish their availability.

Where a Member or officer who has been invited to a meeting is not able to attend, then the Committee will consider whether or not to defer consideration of the matter to enable the Member or officer to be present.

The Monitoring Officer and the Chief Finance Officer (or their nominated representatives) will attend the meetings of the Audit Committee.

## **18. Specialist Advisers**

The appointment of specialist advisers to any body, committee or sub-committee is a matter reserved to the Joint Transport Committee. The Audit Committee can make requests to the Joint Transport Committee for the appointment of a specialist adviser. In making such requests to the Joint Transport Committee, the Committee will specify the term of the appointment and their reasons for the request.

## **19. Arrangements for dealing with complaints against Members**

Any complaints about Member's conduct will be referred to the Standard's Committee's of the relevant Combined Authority or Constituent Authority, via the monitoring officer of the relevant body.

## **Part 7.3 Overview and Scrutiny Committee Rules of Procedure**

Subject to the provisions of any specific legislation and/or regulations relating to their operation, the Overview and Scrutiny Committee will conduct their proceedings in accordance with the following procedure rules.

### **1. Membership**

Any Member of the Constituent Authorities may serve as a member of the Overview and Scrutiny Committee unless they are specifically excluded. Membership of the Committee is determined by the Joint Transport Committee and will be appointed annually, usually at the Annual Meeting.

Any elected member appointed to the Overview and Scrutiny Committee cannot also be appointed to the Joint Transport Committee or the Leadership Board of either Combined Authority or any committee of either Combined Authority holding final decision making authority (for example, the Tyne and Wear Committee or the Leadership Boards of either Combined Authority).

### **2. Independent Members**

The appointment of independent Members is a matter reserved to the Joint Transport Committee. The Overview and Scrutiny Committee can make recommendations to the Joint Transport Committee on the appointment of independent members to the committee itself and/or any of its sub-committees. In making such recommendations to the Joint Transport Committee, the committee will specify the term of office to be applied in each case. The term of office for any appointed independent Member can only be extended with the express approval of the Joint Transport Committee. Independent Members appointed by the Joint Transport Committee can attend and speak at meetings of the committee or sub-committee to which they are appointed but cannot vote.

### **3. Meetings**

Meetings for the carrying out of general business shall be held in each year at the times and on the dates fixed at the Joint Transport Committee Annual Meeting. Notice of meetings will be given to the public.

### **4. Extraordinary Meetings**

Extraordinary meetings of the Overview and Scrutiny Committee may be called, where possible following consultation with the Chair and Vice Chair, where it is considered necessary or appropriate or at the request of the Chair and Vice Chair or any three Members of the Committee.

Other than in exceptional circumstances, the time of commencement of extraordinary meetings should be the same as for ordinary meetings.

No item of business may be conducted at an extraordinary meeting of the Overview and Scrutiny Committee other than that specified in the resolution, request or requisition which led to it being called.

## **5. Summons**

The Monitoring Officer, where possible in consultation with the Chair and Vice Chair, will determine the agenda for meetings of the committee.

At least five clear working days before a meeting, an agenda will be sent to every member of the committee to their usual place of residence (or such other address as has been notified).

The agenda will give the date, time and place of each meeting and specify the order of the business to be transacted, and will be accompanied by such reports as are available.

Urgent reports on items of business may only be added to the agenda if the reasons for urgency can be sufficiently justified and the approval of the Chair of the Committee has been given. The reasons for urgency will be recorded in the minutes of the meeting.

Any matters referred to the committee by either Joint Transport Committee or any of its committees will be placed on the agenda for the next available meeting of the committee. The committee will, at that meeting, determine the method and timetable for responding to any such referrals.

## **6. Chair**

Two independent persons will fulfil the roles of Chair and Vice Chair of the Overview and Scrutiny Committee and will be appointed by the Joint Transport Committee.

## **7. Quorum**

A meeting of the Committee cannot begin until a quorum is present. The quorum for the Overview and Scrutiny Committee is two thirds of the members including the Independent Chair or Vice Chair.

If a quorum is not reached 15 minutes after the time appointed for the start of the meeting, the meeting will be reconvened on another date.

During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately.

Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **8. Duration**

At any meeting which has sat continuously for three and a half hours, the Chair shall have discretion to adjourn the meeting for a short period of time unless the majority of Members present, by vote, determine it shall stand adjourned to another day, the date and time of which shall be determined by the Chair.

## **9. Declaration of Interests in Meetings**

Where a Member attends a meeting of the Overview and Scrutiny Committee they must declare registerable and non-registerable personal interests as defined in the Members' Code of Conduct (of their relevant Combined Authority) either at the start of the meeting, or otherwise as soon as the interest becomes apparent in the course of the meeting.

In addition, where in relation to any meeting a Member has declared a registerable or non-registerable personal interest in a matter, and the criteria contained in the relevant Combined Authority's Members' Code of Conduct apply, the Member must leave the room for the duration of the discussion on that matter.

## **10. Disturbance**

No member of the public shall interrupt or take part in the proceedings of any meeting. If any member of the public interrupts or takes part in the proceedings at any meeting, the Chair shall warn him/her and if he/she continues the interruption the Chair shall order his/her removal.

## **11. Order of Business**

The Overview and Scrutiny Committee on a motion duly seconded and carried without debate, or on motion by the Chair, which shall not require to be seconded, may vary the order of business as set out on the agenda.

## **12. Voting**

Subject to the provisions of any enactment the Overview and Scrutiny Committee will aim to reach a consensus. If exceptionally it is not possible to reach consensus on any matter on which it is necessary to reach a decision, the matter will be put to a vote which will be decided upon by a simple majority of the members of the committee present and voting at the time the question was put.

Each member of the Overview and Scrutiny Committee from the Constituent Authorities is to have one vote. In the event that a vote is tied on any matter it shall be deemed not to have been carried. No member has a casting vote.

Where any member of the committee requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

### **13. Minutes**

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. Discussion of the minutes must be limited to their accuracy.

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

The effect of this is that minutes will not be submitted for approval to an extraordinary meeting.

### **14. Exclusion of Public**

Members of the public and press may only be excluded either in accordance with the Access to Information paragraph of the Joint Transport Committee Rules of Procedure (Part 4.1, paragraph 8) or when causing a disturbance.

### **15. Attendance by Members and officers**

The Overview and Scrutiny Committee may invite to a meeting any Member, co-opted Member, and others to assist the Committee in its work.

Under normal circumstances where it is felt that the attendance of a particular Member, officer, officer of Nexus or other delivery bodies or stakeholders and members of the public, would assist the Committee in its work then they will be invited to attend or submit written information. In such circumstances, the person/organisation concerned should be given at least 5 working days' notice of the date and time of the meeting and the nature of the business to be discussed. In circumstances where it is not possible to give 5 working days' notice, contact should be made at the earliest opportunity with the Member or officer concerned to establish their availability.

Where a Member of the Joint Transport Committee or officer who has been invited to a meeting is not able to attend, then the Committee will consider whether or not to defer consideration of the matter to enable the Member or officer to be present.

### **16. Specialist Advisers**

The appointment of specialist advisers to any body, committee or sub-committee is a matter reserved to the Joint Transport Committee. The Overview and Scrutiny Committee can make requests to the Joint Transport Committee for the appointment of a specialist adviser. In making such requests to the Joint Transport Committee, the Committee will specify the term of the appointment and their reasons for the request.



## 17. Reports of recommendations from Overview and Scrutiny Committee

Where Overview and Scrutiny Committee makes a report or recommendation the committee may:

- a) publish the reports or recommendations.
- b) by notice require in writing the Joint Transport Committee to consider the report or recommendations and respond to them indicating what (if any) action the Joint Transport Committee proposes to take within two months of receipt of the report or recommendations;
- c) and if the report was published, publish the response.

## 18. Involvement in the work of the Committee by the public, etc.

The Joint Transport Committee is committed to the involvement of the public and others in the work of the Overview and Scrutiny Committee.

Where members of the public and/or others have had an active role in the work of the Overview and Scrutiny Committee such involvement will be properly acknowledged. In addition, where this involvement has contributed to a particular study or examination, then the individuals and/or organisations concerned will be informed of any resulting conclusions and/or recommendations.

## 19. Work Programme

At its first meeting of the year, the Overview and Scrutiny Committee will:

- a) determine the areas of review and scrutiny that they wish to pursue during the ensuing 12 months.
- b) agree to establish Scrutiny Groups from amongst their number in order to carry out agreed areas of review and scrutiny.

The work programme will be kept under review by the Committee and the Scrutiny Officer.

The Constituent Authorities will work together to maximise the exchange of information and views, to minimise bureaucracy and make best use of the time of members and officers of other bodies or agencies.

Members of the Overview and Scrutiny Committee will, when considering reviews, determine whether the issue is more appropriately dealt with by one of the Constituent Authorities or elsewhere and will not duplicate the work of existing bodies or agencies.

Any member of the Constituent Authorities shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included in the work programme for discussion at a future meeting of the Committee.

The Scrutiny Committee shall respond, as soon as their work programme permits, to requests from the members of the Constituent Authorities and if it considers it appropriate the Joint Transport Committee, to review particular areas of NECA activity. Where they do so, the Scrutiny Committee shall report their findings and any recommendations back to the Joint Transport Committee.

Members of the Overview and Scrutiny Committee will use the following framework when considering referrals to the Overview and Scrutiny Committee:-

1. The Scrutiny Committee may determine that the item is not relevant to the functions of the Scrutiny Committee or duplicates the work of another body or agency. In these circumstances the Committee can resolve to take no action or that the issue is more appropriately dealt with by one of the Combined Authorities or Constituent Authorities, or may refer the item elsewhere e.g. to another committee.
2. That the issue is linked to an existing work programme item then it should be discussed as part of that item.
3. If the issue is a new item of business within the remit of the Committee, the Scrutiny Committee may:
  - a) Request a response in writing (with copies to all Members of the Scrutiny Committee) or
  - b) Request a presentation to a future Scrutiny Committee, or
  - c) Request a report to a future Scrutiny Committee or
  - d) Decide that the issue raised does not merit any response beyond noting the matter or
  - e) Decide to express a view or make a recommendation, by resolving accordingly, if the Committee considers it has sufficient information to make a fully informed decision.

## **20. Scrutiny Groups**

In appointing scrutiny groups, the Overview and Scrutiny Committee will:

- a) have regard to the approved work programme and advice from relevant officers on the overall capacity of either Combined Authority to support such studies;
- b) determine the remit for each scrutiny group who will be bound by the terms of that remit;
- c) determine the membership of the scrutiny group to be drawn from the membership of the committee or sub-committee;
- d) consider and either approve, amend or reject any reports and recommendations made by a scrutiny group for submission to the Joint Transport Committee, an individual or outside organisation as appropriate.

The arrangements for the attendance of Members of the Joint Transport Committee and/or officers of the Authority applicable for meetings of the Overview and Scrutiny Committee will also apply to scrutiny groups.

Scrutiny groups may seek the assistance of Members and officers of the Authority and/or outside organisations and individuals.

## **21. Scrutiny Officer and Linking Sub-regional Scrutiny with Local Scrutiny**

A Scrutiny Officer must be appointed in accordance with the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017. The role of the Scrutiny Officer is to promote the activities and purpose of the Overview and Scrutiny Committee, provide support and guidance to the Overview and Scrutiny Committee and provide support and guidance to the members of the Joint Transport Committee, committees and sub-committees in relation to the functions of the Overview and Scrutiny Committee.

The Scrutiny Officers of each Combined Authority and Constituent Authority will ensure that the work programmes and minutes relating to the work carried out by the Overview and Scrutiny Committee in scrutinising the Joint Transport Committee, its committees, sub-committees and Nexus are circulated appropriately within their own Combined Authority or Constituent Authorities scrutiny arrangements.

## **22. Call-in**

The Overview and Scrutiny Committee has the power to call-in decisions made but not yet implemented and to direct that a decision is not implemented whilst it is under review or scrutiny by the Committee. The Committee will delegate this authority to a call-in subcommittee comprising a panel of 7 Members drawn from the Scrutiny Committee (or substitutes) with a representative Member from each of the Constituent Authorities and in addition the independent Chair (or Vice-Chair). The purpose of call-in is to consider whether to recommend that a decision be reviewed by the decision taker. Call-in should only be used in exceptional circumstances. These are where members of the Committee have evidence which suggests that the decision was not taken in accordance with the principles of decision making. It cannot be used in respect of day-to-day management and operational decisions.

- (a) When a decision is taken by the Joint Transport Committee, a committee of the Joint Transport Committee, or an officer with delegated authority, the decision shall be published and shall be available normally within three working days of being made. Members of the Committee will be sent copies of the records of all such decisions by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless the Committee directs that it should be called in.

- (c) During that period, the Monitoring Officer shall call-in a decision for scrutiny by the Committee if so requested by any four members of the Committee, and shall then notify the decision-taker of the call-in. He/she shall call a meeting of the call-in sub-committee on such date as he/she may determine, where possible after consultation with the Chair of the Committee, and in any case within a period not exceeding 14 days of the decision to call-in.
- (d) If, having considered the decision, the Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker they shall hold a meeting to reconsider the decision no later than 10 days after the recommendation from the Committee is received.
- (e) If following a direction to call-in the decision, the Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the expiry of 14 days.
- (f) The decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

#### **Overview and Scrutiny Committee – Decision Making Protocol**

- (g) The Overview and Scrutiny Committee of NECA has adopted a protocol about the definition of key and on-key decisions and how it anticipates to discharge its responsibilities. The Monitoring Officer and the Scrutiny Officer responsible to the JTC Overview and Scrutiny Committee will ensure that all staff are aware of the procedures set out in this protocol. The JTC's Overview and Scrutiny Committee will operate in accordance with NECA's Overview and Scrutiny decision making protocol until a new protocol is adopted by the JTC Overview and Scrutiny Committee and consent is given to it by the Joint Transport Committee in accordance with the relevant legislation.

## North East Joint Transport Committee

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**Date:** 20 November 2018

**Subject:** Appointment of Joint Transport Committee (JTC), Tyne and Wear Sub Committee; JTC, Overview and Scrutiny Committee and JTC, Audit Committee, including the Appointment of Chairs and Vice Chairs for the Municipal Year 2018/2019

**Report of:** Monitoring Officer

### Executive Summary

This report seeks agreement and appointment to the establishment of the committees of the North East Joint Transport Committee's Tyne and Wear Sub Committee, Overview and Scrutiny Committee and Audit Committee. Including the appointment of Members to these committees. The report also seeks agreement to the appointment of Chairs and Vice Chairs for Overview and Scrutiny Committee and Audit Committee and Tyne and Wear Sub Committee for the Municipal Year 2018/19.

### Recommendations

It is recommended that the Joint Transport Committee:

- i. Appoint committees and committee members for the municipal year 2018/19, as set out in Appendix A.
- ii. Note the need to appoint or confirm the appointment of Chairs and Vice Chairs for the JTC's Overview and Scrutiny Committee and JTC, Audit Committee for the municipal year 2018/19, or in the absence of an appointment delegate to the relevant committees where appropriate.
- iii. Appoint the Chair and Vice Chair(s) of the Tyne and Wear Sub Committee for the 2018/2019 municipal year.

## 1. Background Information

- 1.1 In accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the **Order**), the North East Combined Authority (**NECA**) and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (**NTCA**) have appointed the Joint Transport Committee (JTC) to exercise functions as specific in the Order.
- 1.2 In accordance with the Order, each combined authority must appoint members to the Joint Transport Committee Overview and Scrutiny Committee, Audit Committee and Tyne and Wear Sub Committee.
- 1.3 Both combined authorities have made the appointments, and these are set out in Appendix A.

### **Joint Transport Committees - Municipal Year 2018/19**

- 1.4 Listed below are the committees noted above for the municipal year 2018/19:
  - JTC's Tyne and Wear Sub Committee; focuses on the Tyne and Wear area and in particular on the issues that would have been formerly decided by the Tyne and Wear Integrated Transport Authority
  - JTC's Audit Committee; this Committee is a key component of the corporate governance arrangements and is an important source of assurance about the Joint Transport Committees arrangements for managing risk, maintaining an effective control environment; and reporting on financial and other performance
  - JTC's Overview and Scrutiny Committee; Providing effective scrutiny arrangements, ensuring accountability and transparency of decision making for the Joint Transport Committee
- 1.5 Relevant terms of reference of the above committees are set out in the Joint Transport Committee's standing orders, as outlined in a separate report to this Committee.

- 1.6 The new Order also requires the appointment of a JTC, together with the Overview and Scrutiny and Audit Committees as outlined above. Although the Combined Authorities are under an obligation to constitute a North East Joint Transport Committee, and the two other committees are constituted by statute, under the terms of a Deed of Co-operation signed on 4 July 2018 it is agreed that the North East Joint Transport Committee will also constitute a Tyne and Wear Sub-Committee.

### **Committee Membership, Municipal Year 2018/19**

- 1.7 The nominations for the membership of the committees outlined in this report for the municipal year 2018/19, including substitute members where appropriate, are set out as Appendix A.

### **Chairs and Vice-Chairs of Committees**

- 1.8 Members are asked to note the need to appoint or confirm the appointment of Chairs and Vice Chairs of the JTC Audit Committee, and the JTC Overview and Scrutiny Committee for the municipal year 2018/19, or in the absence of an appointment, delegate to the relevant committees where appropriate.
- 1.9 The JTC is also invited to appoint the Chair and Vice Chair(s) of the JTC, Tyne and Wear Sub Committee.

## **2. Proposals**

- 2.1 The JTC is invited to approve the committees and confirm its membership proposed by the North East Combined Authority and North of Tyne Combined Authority.
- 2.2 The JTC is invited to note the need to appoint or confirm the appointment of Chairs and Vice Chairs for the JTC Audit Committee, and the JTC Overview and Scrutiny Committee for the municipal year 2018/19, or in the absence of an appointment delegate to the relevant committees where appropriate.
- 2.3 The JTC is also invited to appoint the Chair and Vice Chair(s) of the Tyne and Wear Sub Committee.

## **3. Reasons for the Proposals**

- 3.1 The proposals will enable the Joint Transport Committee to operate effectively and in accordance with the Order and the Standing Orders.

#### **4. Alternative Options Available**

- 4.1 The proposals are set out in the recommendations of this report. The alternative would be that alternative members are nominated.

#### **5. Next Steps and Timetable for Implementation**

- 5.1 The committee structure will be published on NECA's website, the Joint Transport Committee page and all stakeholders informed, as soon as practicably possible.

#### **6. Potential Impact on Objectives**

- 6.1 The appointments will enable the Joint Transport Committee and its Committees to properly discharge its functions, thereby assisting in the delivery on its objectives.

#### **7. Financial and Other Resources Implications**

- 7.1 The provision of the support arrangements for the Joint Transport Committee(s) is contained within the existing financial resources available. Any allowances paid to Members from the constituent local authorities in attending a committee will be a matter for each of the constituent local authorities and their respective remuneration panels.
- 7.2 Independent Members fees will continue to be paid in line with current arrangements and will be reviewed.

#### **8. Legal Implications**

- 8.1 The Joint Transport Committee(s), is required to make arrangements to enable relevant decision-making responsibilities, overview and scrutiny arrangements, audit arrangements and associated functions to be fulfilled. These responsibilities arise under the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 and the Openness of Local Government Body Regulations 2014, as well as the provisions for the Order creating NECA and the recent Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018. The proposals set out in this report comply with these requirements.



## **9. Key Risks**

9.1 There are no specific risk management implications arising from this report.

## **10. Equality and Diversity**

10.1 There are no specific equality and diversity implications arising from this report.

## **11. Other Impact of the Proposals**

11.1 The proposals comply with the principles of decision-making. Relevant consultation processes have been held where applicable.

## **12. Appendices**

12.1 Appendix A: Confirmed Committees and Membership 2018/19

## **13. Background Papers**

13.1 Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018

13.2 The Durham, Gateshead, South Tyneside and Sunderland Combined Authority Order 2014 (SI 2014 No.1012) as amended by the Second Order

## **14. Contact Officers**

14.1 Peter Judge, Monitoring Officer  
E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

## **15. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

## **16. Glossary**

JTC – Joint Transport Committee  
NECA – North East Combined Authority  
NTCA – North of Tyne Combined Authority

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### Joint Transport Committee, Overview and Scrutiny Committee

**Membership:** 14 (8 Members from North East Combined Authority and 6 Members from the North of Tyne Combined Authority)

<b>Authority:</b>	<b>Political Affiliation / Member</b>	<b>Political Affiliation / Substitute Member</b>
<b>Appointments from the North East Combined Authority:</b>		
Durham	Nomination awaited	Nomination awaited
	Nomination awaited	Nomination awaited
Gateshead	Councillor Eagle	Councillor Weatherley
	Councillor Patterson	Councillor Ord
South Tyneside	Councillor Ellison	Councillor Foreman
	Councillor McCabe	Councillor Smith
Sunderland	Councillor Kelly	Councillor Porthouse
	Councillor Stewart	Councillor Snowdon
<b>Appointments from the North of Tyne Combined Authority:</b>		
Newcastle	Councillor Penny-Evans	Councillor Greenhough
	Councillor Lower	Councillor Stone
North Tyneside	Councillor Glindon	Councillor Day
	Councillor Graham	Councillor Samuel
Northumberland	Councillor Sanderson	Councillor Gibson
	Councillor Castle	Councillor Stow

### Joint Transport Committee, Audit Committee

**Membership:** 7 (4 Members from North East Combined Authority and 3 Members from the North of Tyne Combined Authority)

<b>Authority:</b>	<b>Political Affiliation / Member</b>	<b>Political Affiliation / Substitute Member</b>
<b>Appointments from the North East Combined Authority:</b>		
Durham	Nomination awaited	Nomination awaited
Gateshead	Councillor H Haran	Councillor J Turnbull
South Tyneside	Councillor E Malcolm	Councillor A Huntley
Sunderland	Councillor P Stewart	Councillor V O'Neil
<b>Appointments from the North of Tyne Combined Authority:</b>		
Newcastle	Councillor A Lower	Councillor G Stone
North Tyneside	Councillor A McMullen	Councillor N Craven
Northumberland	Councillor M Swinburn	Councillor J G Watson

### Joint Transport Committee, Tyne and Wear Sub-Committee

**Membership:** 5 (1 Member from each Tyne and Wear constituent local authority from the North East Combined Authority area and North of Tyne Combined Authority area).

Authority	Member	Substitute Member
<b>Appointments from the North East Combined Authority:</b>		
Gateshead	Councillor J McElroy	Councillor M Brain
South Tyneside	Councillor G Hobson	Councillor M Walsh
Sunderland	Councillor A Wilson	Councillor D Waller
<b>Appointments from the North of Tyne Combined Authority:</b>		
Newcastle	Councillor J McCarty	Councillor A Ainsley
North Tyneside	Councillor C Johnson	Councillor B Pickard

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## North East Joint Transport Committee

---

**Date:** 20 November 2018

**Subject:** Delegation of Functions to Committees, Officers and County Councils

**Report of:** Monitoring Officer

### Executive Summary

The purpose of this report is to invite the Joint Transport Committee (JTC) to make arrangements for the exercise of its functions by formally delegating authority as set out in this paper. These delegations will be recorded and form part of the Committee's Standing Orders (Parts 5 and 6), once adopted.

### Recommendations

It is recommended that Members:

- i. Adopt a formal scheme of delegation of functions to Committees, Chief Officers and the Proper Officer for Transport.
- ii. Adopt a new (replacement) delegation to each of the two County Councils.
- iii. Agree the authority of Nexus as an officer of the Combined Authorities (in exercise of functions under the 1968 Transport Act).

## **1. Background Information**

- 1.1 In accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the **Order**), the North East Combined Authority (**NECA**) and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (**NTCA**) have appointed the Joint Transport Committee to exercise functions as specific in the Order.
- 1.2 In accordance with Article 9 of the Order the Joint Transport Committee is empowered to make arrangements for the exercise of any of its functions. These functions may, at the JTC's discretion, be exercised by an officer of either Combined Authority, any Constituent Authority of those Combined Authorities or any sub-committee appointed by the JTC.
- 1.3 In accordance with the Order, and the Order which established NECA, Nexus, the Tyne and Wear Passenger Transport Executive is an executive body of both Combined Authorities and is properly treated as an officer of each Combined Authority for the purposes of Section 101 of the Local Government Act 1972.
- 1.4 Under the previously constituted regional transport governance arrangements, the North East Transport Committee (and the relevant Combined Authority) delegated functions to:
  - Durham County Council
  - Northumberland County Council
  - Nexus
  - Officers of the Combined Authority
- 1.5 As a consequence of the making of the new Order, it is important that the Joint Transport Committee consider if delegations should remain and to confirm the delegations it wishes to make in accordance with its powers.

## **2. Proposals**

- 2.1 The Joint Transport Committee is invited to make the following arrangements for the exercise of its functions through the following delegations:



## **Delegations to County Councils**

- 2.1.1 That the transport functions of the North East Combined Authority as set out in the Appendix may be exercised by Durham County Council in the local government area of County Durham.
- 2.1.2 That the transport functions of the North of Tyne Combined Authority as set out in the Appendix may be exercised by Northumberland County Council in the local government area of Northumberland.
- 2.1.3 In each case these delegations are made subject to the obligations set out in the Appendix.

## **Delegations to Nexus**

- 2.1.4 That the Tyne and Wear Passenger Transport Executive, Nexus, has authority to acquire or dispose of assets within the Tyne and Wear area (the local government areas of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland) up to a value of £250,000 per transaction.
  - 2.1.5 The use of this delegation will be reviewed at least once annually by the Tyne and Wear Sub-Committee.
- 2.2 The use of delegations by the Joint Transport Committee may be subject to audit at the direction of its Audit Committee or subject to scrutiny or call-in by its Overview and Scrutiny Committee.

## **Delegation to Officers including the Proper Officer for Transport**

- 2.3 The decisions of the Joint Transport Committee will be implemented by NECA as the host Combined Authority, in accordance with the scheme of delegation and constitution of that Combined Authority. Once the appointment of a Proper Officer for Transport has been confirmed, the Joint Transport Committee may wish to confirm the adequacy of delegation arrangements to the Proper Officer for Transport, which will be the subject of a paper at a future meeting.

## **3. Reasons for the Proposals**

- 3.1 The adoption of formal arrangements for delegation will allow the Joint Transport Committee to not only discharge its responsibilities effectively but strengthen accountability and transparency. Decisions will be made in accordance with the standards of good decision making as set out in the relevant Combined Authorities constitution.

#### **4. Alternative Options Available**

- 4.1 Members may, by majority decision, accept, modify or reject the proposals set out in the paper.

#### **5. Next Steps and Timetable for Implementation**

- 5.1 The Monitoring Officer will communicate authority levels to the relevant delegate together with the terms of the delegation. The terms of delegation will also be recorded in Parts 5 and 6 of the JTC Standing Orders, which are of course published and available for public inspection. The Joint Transport Committee will wish to review these delegations periodically.

#### **6. Potential Impact on Objectives**

- 6.1 The appropriate arrangements for the delegation of the Joint Transport Committee's functions will allow the objectives of the Committee to be met.

#### **7. Financial and Other Resources Implications**

- 7.1 There are no specific financial implications arising from these recommendations.

#### **8. Legal Implications**

- 8.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 requires the two Combined Authorities (NECA and NTCA) to appoint a joint transport committee to exercise functions set out in the Order. The Order also stipulates that the Joint Transport Committee may arrange for the delegation of functions to an Officer of either Combined Authority.

#### **9. Key Risks**

- 9.1 There are no risks arising as a result of the proposals.

#### **10. Equality and Diversity**

- 10.1 There are no specific equality and diversity implications arising from this report.

#### **11. Other Impact of the Proposals**

- 11.1 The proposals comply with the principles of decision-making. The proposals would ensure that the County Councils, and Officers are aware of their responsibilities.

#### **12. Appendices**

- 12.1 Appendix 1: Scheme of Delegation

### **13. Background Papers**

- 13.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.
- 13.2 Standing Orders and Rules of Procedure – Joint Transport Committee (*for adoption at the Joint Transport Committee on the 20 November 2018*).

### **14. Contact Officers**

- 14.1 Peter Judge, Monitoring Officer  
E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

### **15. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

### **16. Glossary**

JTC – Joint Transport Committee

NECA - North East Combined Authority

NTCA – North of Tyne Mayoral Combined Authority

The Order - The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018

## APPENDIX

### Delegations to County Councils

The following transport functions are hereby delegated by the Joint Transport Committee to each of the County Councils of Durham and Northumberland County Council in relation to their respective administrative areas:

1. Considering and recommending to Joint Transport Committee the creation and development of:-
  - i) Advanced Quality Partnership Schemes pursuant to sections 113C to 113O of the Transport Act 2000;
  - ii) Franchising Schemes pursuant to sections 123A to 123X of the Transport Act 2000; and
  - iii) Enhanced Partnership Plans and Schemes pursuant to sections 138A to 138S of the Transport Act 2000.
2. Implementing Concessionary Travel Schemes pursuant to sections 93 -105 of the Transport Act 1985.
3. Implementing Advanced Ticketing Schemes pursuant to sections 134C to 134G of the Transport Act 2000.
4. Determining local bus information to be made available, and the way in which it should be made available, pursuant to sections 139 to 143B of the Transport Act 2000.
5. Determining the operation, performance and development of accessible transport provision (including the provision of grants) pursuant to section 106 of the Transport Act 1985.
6. All obligations of County Councils relating to mandatory travel concessions pursuant to sections 145A to 150 of the Transport Act 2000.
7. Those functions of County Councils set out in Part IV of the Transport Act 1985 (Passenger Transport in areas other than Integrated Transport Areas) under:
  - section 63 – functions of local Councils with respect to passenger transport
  - section 81 – provision, maintenance and operation of bus stations
  - section 82 – bus stations: restriction on discriminatory practices.

## **Reporting on the use of delegation**

These delegations will be reviewed annually and it is expected that each of the County Councils will provide a report at least once per year to the Joint Transport Committee touching upon:

- The linkages with the North East Transport Plan, agreed from time to time by the Joint Transport Committee.
- The linkages with the North East Strategic Economic Plan, agreed from time to time by the North East LEP Board.
- Key projects delivered in accordance with the delegation.
- Key outcomes from those projects.

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## North East Joint Transport Committee

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**Date:** 20 November 2018

**Subject:** Proposals for an Accountable Body for the Joint Transport Committee

**Report of:** Monitoring Officer

### Executive Summary

The purpose of this report is to invite Members to confirm the Accountable Body (sometimes referred to as host Combined Authority) for the Joint Transport Committee.

### Recommendations

Members are invited to:

- i. confirm that the North East Combined Authority (NECA) continue to be the accountable body for The Joint Transport Committee and the functions discharged by it;
- ii. note that accordingly NECA will host the Regional Transport Team and will be responsible for supporting these transport functions;
- iii. note the agreed definition of the role of accountable body/host Combined Authority as set out in Section 2 of this report.

## 1. Background Information

- 1.1 In accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the **Order**), the Joint Transport Committee exercises functions specified in the Order and certain other functions delegated to it by the Combined Authorities.
- 1.2 On the 4<sup>th</sup> July 2018, a Deed of Co-operation was made by NECA and the seven Constituent Authorities (and on behalf of the North of Tyne Combined Authority (NTCA)) which outlined a framework for collaborative working and strong working relationships of the two Combined Authorities and their constituent councils.
- 1.3 Clause 8.2 of the Deed provided that the Constituent Authorities would procure that NECA was the host Combined Authority for the Joint Transport Committee and the functions discharged by it. The limits of that role were also provided for in the Deed.
- 1.4 By Clause 8.4 it was agreed that in discharging its obligations as the accountable body, NECA would:
  - 1.4.1 accept responsibility for financial accountability and funding obligations to funding bodies and for overseeing the legal and financial management of those funds and ensuring that funds received are applied in accordance with the relevant objectives, criteria and terms applicable to that funding;
  - 1.4.2 implement the decisions of the Joint Transport Committee provided that where a decision is made in the following circumstances it shall not be obliged to act upon that decision and upon refusing to act it will report its reasons promptly to the Joint Transport Committee:
    - 1.4.2.1 it is not made or given in accordance with the Host Combined Authority's constitution (standing orders), including financial procedures and code of conduct;
    - 1.4.2.2 it is not made in accordance with any protocol concerning the operation of the Joint Transport Committee agreed between the Combined Authorities;
    - 1.4.2.3 it is inconsistent with the principles of probity or sound financial practice;
    - 1.4.2.4 it is inconsistent with public law principles or illegal.



- 1.5 It was further acknowledged that the role as Host Combined Authority is one of administration and management to implement the decisions and directions of the Joint Transport Committee or any sub-committee with relevant delegated authority and does not involve a commercial or economic review of any decision or direction.
- 1.6 The parties agreed that where assets in relation to transport are held jointly by both Combined Authorities they shall procure that the actions in relation thereto agreed by the Joint Transport Committee or sub-committee with relevant delegated authority shall be promptly given effect.
- 1.7 The Deed contains a mechanism which will lead to the employment of relevant staff directly by NECA on or before 1 April 2019. For practical and accounting reasons the preferred date is 1 April 2019.
- 1.8 NECA is co-ordinating a transition programme which will support the orderly transition of assets and functions to give effect to these changes.

## **2. Proposals**

- 2.1 The recommendations in this report are that Members confirm that NECA continue as the host Combined Authority and accountable body for the Joint Transport Committee and its functions which will include the employment of the Regional Transport Team and the functions necessary to enable and support the discharge of these functions.

## **3. Reasons for the Proposals**

- 3.1 The Joint Transport Committee is a statutory committee which is responsible for discharging functions on behalf of the two Combined Authorities. It has no legal personality which would permit it to hold assets or employ staff and accordingly it requires an accountable body in order to operate and discharge its functions. The proposal is also consistent with the Order and the obligations of the parties under the Deed of Co-operation.

## **4. Alternative Options Available**

- 4.1 The Joint Transport Committee could seek to appoint an alternative accountable body.

## **5. Next Steps and Timetable for Implementation**

- 5.1 NECA is currently the accountable body for transport. However, steps would need to be taken to consult with staff and to take steps to transfer records and other assets from Constituent Authorities to NECA in accordance with the terms of the Deed of Co-operation. It is noted that the Constituent Authorities have also committed to make available and accessible adequate capacity and expertise of Chief Officers and additional capacity and expert support under SLA terms from the Constituent Authorities or the other Combined Authority subject to agreeing recharging arrangements. Steps will need to be taken to

finalise SLA arrangements in relation to these commitments as necessary. These will be discussed with the Chief Executives of the Combined Authorities and Constituent Authorities.

## **6. Potential Impact on Objectives**

6.1 The appointments will enable the Joint Transport Committee to properly discharge its functions across the NTCA and NECA, thereby assisting in delivering on its objectives across the region.

## **7. Financial and Other Resources Implications**

7.1 There are no specific financial implications arising from these recommendations.

## **8. Legal Implications**

8.1 As set out in the Deed of Co-operation, the Joint Transport Committee is required to confirm the Host Authority arrangements.

## **9. Key Risks**

9.1 There are no risks arising as a result of the proposals.

## **10. Equality and Diversity**

10.1 There are no specific equality and diversity implications arising from this report.

## **11. Other Impact of the Proposals**

11.1 There are no other known impacts on the proposals.

## **12. Appendices**

12.1 None.

## **13. Background Papers**

13.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.

13.2 Deed of Cooperation – 4<sup>th</sup> July 2018.

## **14. Contact Officers**

14.1 Peter Judge, Monitoring Officer

E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

## **15. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

## **16. Glossary**

JTC – Joint Transport Committee

NECA - North East Combined Authority

NTCA – North of Tyne Mayoral Combined Authority

The Order - The Newcastle Upon Tyne, North Tyneside and Northumberland  
Combined Authority (Establishment and Functions) Order 2018

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## North East Joint Transport Committee

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**Date:** 20 November 2018  
**Subject:** Transport Budget and Levies  
**Report of:** Chief Finance Officer

### Executive Summary

The purpose of this report is to set out a summary of the proposed draft Transport revenue budget and levies for 2019/20, and provides an update on the transport revenue budget position in the current year.

### Recommendations

The Joint Transport Committee is recommended to: -

- i. Receive this report for consideration and comment;
- ii. Note the position of the current year 2018/19 Transport Budget and Levies, as set out in sections 2.1, 2.2, and 2.3 of this report;
- iii. Agree the following proposals for the basis of consultation about the 2019/20 Transport Revenue Budget:
  - a. The 2019/20 net Transport Budget and levy for Tyne and Wear is indicatively proposed to be set at £61.1m which is a further reduction of £0.7m compared with the budget and levy for 2018/19. The budget savings needed to deliver this are expected to be made by Nexus in 2019/20 without significant impact on transport services, through efficiencies and temporary use of Nexus reserves.
  - b. The indicative Transport Budget and Levy for the Durham County Council area is expected to be £15.557m, which is a small reduction of £0.140m, compared to 2018/19. At this point no significant reduction in services is envisaged.

- c. The indicative Transport Budget and Levy for the Northumberland County Council area is expected to be £6.119m, which is a small reduction of £0.032m compared to 2018/19. At this point no significant reduction in services is envisaged.
  - d. That the Tyne Tunnel Tolls are proposed to be increased to keep pace with inflation and the increase in the shadow toll payable to the concessionaire TT2, in line with the concession contract and the agreed approach to the funding of the Tyne Tunnels, as set out in section 2.5.5.
- iv. Note that the budget proposals for Transport will be subject to a consultation process of two months, including reports to the Audit and Standards and Oversight and Scrutiny Committees and to the North East England Chamber of Commerce; as well as being available for comment on the web site and through individual councils' budget consultation processes, as considered necessary.
  - v. Note the intention to consider and approve the Transport Revenue Budget and to set the Transport Levies for 2019/20 at a meeting in January (potentially 22 January) after taking into account any comments received on the proposals for 2019/20.

## 1. Background Information

1.1 This report sets out a summary of the proposed draft Transport revenue budget and levies for 2019/20, and an update on the revenue position in the current year.

1.2 The Transport budget for 2018/19 was agreed by the NECA Leadership Board at its meeting on 16 January 2018, when total transport levies of £83.648m were set.

## 2. Proposals

### 2.1 Transport Revenue Budgets 2018/19 Forecast and 2019/20 Proposals

2.1.1 As the Transport levies and revenue grants are normally fixed for the year there is no change in Levies payable and minimal change in the NECA revenue budget itself. Any surplus or deficit against the budgets for the three main delivery agencies (Durham County Council, Northumberland County Council and Nexus) is retained or managed within the reserves of that organisation. The significant change is a £3.333m reduction in the grant payable to Nexus later in the year, with £3.333m being paid instead to a Metro Fleet Replacement Reserve as a second year contribution towards the match funding contribution that is required by the Department for Transport.

*Table 1: 2018/19 Transport Levies and Grants*

	<b>2018/19 Original Budget</b>	<b>2018/19 Forecast</b>	<b>Spend to date Oct 2018</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
Total Transport Levies	(83,648)	(83,648)	(41,824)
Grant to Durham	15,692	15,692	7,846
Grant to Northumberland	6,146	6,146	3,073
Grant to Nexus	59,700	56,367	29,850
Contribution to Metro Fleet Replacement Reserve		3,333	0
Retained Transport Levy Budget	2,110	2,108	879
<b>Contribution (to)/from NECA Transport reserves</b>	<b>-</b>	<b>(2)</b>	<b>(176)</b>

2.1.2 The overall total proposed net revenue budget for Transport in 2019/20 is £82.776m. This represents a net cash reduction of £0.872m (1.04%) on the budget for 2018/19 agreed by the NECA Leadership Board in January 2018. Information about the draft budget and the levies for each of the three areas covered by the Joint Transport Committee (JTC) are summarised in the table below and set out in more detail in the following sections.

Table 2: Summary of proposed transport budgets and levies 2019/20

Area	Transport Levy	Change from 2018/19
	£000	£000
Durham	15,557	(140)
Northumberland	6,119	(32)
Tyne and Wear	61,100	(700)
<b>Total</b>	<b>82,776</b>	<b>(872)</b>

## 2.2 Durham County Council

2.2.1 The budget and levy for public passenger transport activity in County Durham is expected to be in the region of £15.557m for 2019/20. This compares with a levy for 2018/19 of £15.697m.

Table 3: Draft Durham Transport Budget and Levy 2019/20

	2018/19 Original Budget	2018/19 Forecast	2019/20 Proposed Budget
	£000	£000	£000
Concessionary Fares	11,940	11,940	12,059
Subsidised Services	2,850	2,553	2,558
Bus Stations	144	152	163
Bus Shelters	19	27	19
Passenger Transport Information	89	85	90
Staffing	650	650	663
Share of NECA Transport Costs	5	5	5
<b>Net Expenditure</b>	<b>15,697</b>	<b>15,412</b>	<b>15,557</b>

2.2.2 For 2018/19 an underspend of £0.285m is forecast, which will be retained by Durham County Council at the year-end. The main reasons for the projected underspend are as follows:

1. Subsidised Services - £297k under budget – this relates mainly to medium term financial plan savings made early following changes to the procurement of bus services.
2. Bus Stations - £8k over budget – this results from increased Repairs and Maintenance and vandalism.
3. Bus Shelters – £8k over budget – this results from increased repairs and maintenance.



2.2.3 Durham Council is currently developing its 2019/20 budget proposals, but some draft figures are set in the table above. At the current time, net budgets are proposed to be largely in line with the current year, with no significant adverse impact on services anticipated at this point.

## 2.3 Northumberland County Council

2.3.1 The proposed budget and levy for public transport activity in Northumberland is £6.119m for 2019/20. This compares with a budget of £6.151m for 2018/19. The budget and levy for 2018/19 and 2019/20 is summarised in the table below. :

2.3.2 *Table 4: Draft Northumberland Transport Budget and Levy 2019/20*

	<b>2018/19 Original Budget</b>	<b>2018/19 Forecast</b>	<b>2019/20 Proposed Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
Concessionary Fares	4,722	4,720	4,690
Subsidised Services	1,230	1,230	1,230
Bus Stations	23	23	23
Passenger Transport Information	25	27	25
Staffing	145	145	145
Share of NECA Transport Costs	5	5	5
<b>Net Expenditure</b>	<b>6,151</b>	<b>6,151</b>	<b>6,119</b>

2.3.3 The main areas of expenditure operated by Northumberland are:

i) Concessionary Fares – Although claims from operators are received monthly all adjustments are being reimbursed with an accurate overall rate. It is currently forecast that Concessionary Fares will break-even in 2018/19.

ii) Subsidised Bus Services – The Council supports a range of socially necessary bus services, mainly in the rural North and West areas of the County but also some in the more urban South East. It is forecast that the Council will break-even at the end of the financial year. No new routes are currently being proposed to be added to the network.

The Council is currently drafting and assessing its 2019/20 budget proposals so figures remain draft at this stage. The final medium term financial plan and budget proposals will be subject to consultation and therefore the budget may be subject to further amendments. At the current time, budgets are proposed to be largely in line with the current year with no significant changes.

## 2.4 Tyne and Wear

2.4.1 The distribution of the levy within Tyne and Wear is based on population, in accordance with the Transport Levying Bodies Regulations. The amounts levied on each individual authority will reflect the midyear population estimate for 2017 as well as the reduction in the overall total. The proposed levy for 2019/20 for each of the Tyne and Wear councils is shown below:

## 2.4.2

Table 5: Distribution of Proposed Tyne and Wear Transport Levy

	<b>2018/19 Levy</b>	<b>Proposed 2019/20 Levy</b>	<b>Proposed Reduction</b>
	£000	£000	£000
Gateshead	11,037	10,949	(88)
Newcastle	16,232	16,003	(229)
North Tyneside	11,131	11,061	(70)
South Tyneside	8,181	8,090	(91)
Sunderland	15,219	14,997	(222)
<b>Total</b>	<b>61,800</b>	<b>61,100</b>	<b>(700)</b>

The proposed levy is based on discussions with councils and represents a reduction of £0.700m compared with 2018/19. It takes into account the fact that savings are being delivered in the Nexus budget in the current year and the pressures on councils' budgets. A levy reduction of this scale for 2019/20 was envisaged previously in 2017 and can be achieved without service reductions being needed in the next two years, through use of efficiency savings and Nexus reserves.

## 2.4.3

**Tyne and Wear Levy Budget – Nexus**

The budget proposal for Nexus for 2019/20 will be discussed in more detail by the Tyne and Wear Sub Committee. At its January 2018 meeting, the Leadership Board agreed that Nexus could run a budget deficit of up to £1.934m in 2018/19, which would be funded by using its reserves. In the Revenue Budget Monitoring Report presented to the NECA's Transport North East Committee on 11 October 2018, Nexus reported that it had made a permanent reduction to its base budget requirement and it was now reporting a £1.200m surplus for 2018/19.

2.4.4 The adjustments to Nexus' base budget for 2018/19 are shown in the table below.

*Table 6: Adjustments to Nexus budget 2018/19*

	£m	£m
<b>Base budget deficit 2018/19</b>		<b>1.934</b>
<b>Budget Savings</b>		
- Concessionary travel	(0.830)	
- Metro fare income	(0.800)	
- High voltage power	(0.500)	
- Secured services	(0.310)	
- Investment income	(0.080)	
- Scholars income	(0.200)	
- Employees	(0.300)	
- Other	(0.257)	(3.277)
<b>Budget Pressures</b>		
- Commission income	0.060	
- Inflationary adjustments	0.058	
- Departure charges	0.025	0.143
<b>Revised base budget surplus 2018/19</b>		<b>(1.200)</b>

2.4.5 The proposed reduction in the Tyne and Wear transport levy of £0.7m in 2019/20 will mean that the grant made available to Nexus in 2019/20 from the Joint Transport Committee will reduce by £0.7m. Notwithstanding this, because of Nexus' improved financial position in 2018/19, it will be able to maintain frontline services during 2019/20. As in previous years, it will be necessary to plan on the basis that Nexus will need to utilise reserves in order to prepare a balanced budget. In so doing, and without any improvement in its funding from April 2021, Nexus will need to work through the Sub-Committee (and the Joint Transport Committee) in regards possible service reductions during 2020/21.

2.4.6 Against a background of medium term financial uncertainty, but with the proposed objectives of its corporate plan for 2019/20 in mind, Nexus has considered its spending plans for 2019/20, assuming its budget is being set at 'stand-still' i.e. if it were to maintain service outcomes.

2.4.7 The budget proposal is based on estimates that have a degree of uncertainty in respect of some of Nexus' largest areas of expenditure. In particular:

a. Nexus is currently in consultation with its four recognised Trades Unions (TUs) concerning pay awards for April 2018 and April 2019. Nexus' offer is the subject of a ballot at this time and the outcome is uncertain. However the 'gap' between the TUs pay claim and that which Nexus have offered (which is broadly in line with the local government settlement) is circa £0.500m in 2018/19 and £1.0m in 2019/20.

b. Whilst Metro fare revenue collected to the end of period 6 in 2018/19 is

£0.800m above the budget set in January 2018, we are continuing to see a reduction in the sales by third parties, most notably Network Ticketing Limited. If fare revenues worsen during the remainder of the year, this will have a knock-on effect in future years. In addition, the Metro fares review scheduled to come into effect in January 2019 will be considered by Tyne and Wear Sub Committee on 21 November, which will consider and agree an approach based upon another report contained elsewhere on today's agenda.

- c. The estimate for High Voltage Power is based on intelligence provided by the specialist team at NEPO who assist Nexus in its procurement of this commodity. Previous estimates have proven to be conservative due to better prices being obtained and delays in the implementation of the governments' Electricity Market Reform agenda.
- d. Whilst the majority of the secured bus services budget is subject to contract price inflation, an element of the budget is dependent on contract renewals and the vagaries of tender returns being different to the previous contractual price.

At its February 2016 meeting, the Tyne and Wear Sub-Committee established the strategic objective that Nexus should be able to balance its revenue budget without placing reliance on its revenue reserves by 2019/20 (minute 65/2016 refers). However, at that time it was anticipated that Nexus' budget deficit would have grown to £7.0m by 2017/18. Through efficiency savings and by redirecting expenditure into priority areas, Nexus has successfully managed and averted this significant budget risk. It is therefore in a position to use reserves again in 2019/20 as a means of protecting services.

For the third year a contribution of £3.333m will be made to the Metro Fleet Renewal reserve, increasing the reserve to £10m to help to achieve the £25m match funding requirement.

#### **Tyne and Wear Levy Transport Budget (non-Nexus)**

- 2.4.8 This budget primarily relates to activity inherited from the former Tyne and Wear ITA along with central transport activity. The vast majority of the budget relates to financing charges on historic debt. Additionally, there is budget provision to meet the costs of support services and governance, external audit fees and a repayment to the Tyne Tunnels for use of reserves in 2013/14 to pay off the pension deficit.
- 2.4.9 At this point no saving in the £2.1m Tyne and Wear (non-Nexus) Transport budget has been identified, as the majority of the costs relate to capital financing and are largely fixed. Any saving is likely to be marginal and will not be known until the position and costs of a new Transport Officer post and the support needed for the new Joint Transport Committee and the Tyne and Wear Sub Committee is known.

Table 7: Tyne and Wear Transport Budget (non-Nexus)

	<b>2018/19 Original Budget</b>	<b>2018/19 Forecast</b>	<b>2019/20 Proposed Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
Support Services/Staffing	220	220	220
Administration and Governance	42	40	40
Financing Charges	1,798	1,795	1,785
Transport Joint Committee	50	50	50
<b>Total Expenditure</b>	<b>2,110</b>	<b>2,108</b>	<b>2,095</b>
Contribution from Levies*	(2,110)	(2,110)	(2,110)

## 2.5 Tyne Tunnels

2.5.1 The Tyne Tunnels are accounted for as a ring-fenced account within the NECA budget, meaning that all costs relating to the tunnels are wholly funded from the tolls and Tyne Tunnels reserves, with no call on the levy or government funding.

2.5.2 Table 8: Tyne Tunnels Budget 2018/19 and 2019/20

	<b>2018/19 Original Budget</b>	<b>2018/19 Forecast</b>	<b>2019/20 Proposed Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
Tolls Income	(25,970)	(26,730)	(28,090)
Contract payments to TT2	19,480	20,298	21,197
Employees	33	-	-
Pensions	54	50	52
Support Services	80	95	95
Supplies & Services	45	45	45
Financing Charges	6,579	6,594	6,966
Interest/Other Income	(50)	(50)	(50)
Repayment from TWITA for temporary use of reserves	(240)	(240)	(240)
<b>(Surplus)/Deficit on Tyne Tunnels revenue account met from reserves</b>	<b>11</b>	<b>62</b>	<b>(25)</b>

- 2.5.3 The forecast outturn position for 2018/19 is for a small deficit of £62k, which will be met from Tyne Tunnels reserves. The forecast for tolls income is slightly higher than the original budget, taking into effect the increase in the toll on HGV Class 3 vehicles, which came into effect in March 2018. This is offset by an increase in the contract payments to TT2 whose “shadow toll” payment is due to increase by 10p in line with RPI inflation to £1.90 per vehicle from 1 January 2019. Traffic levels continue to be lower than previously experienced, which has been the case since commencement of the Silverlink works in August 2016.
- 2.5.4 The original budget for 2018/19 included provision for employee costs relating to the contract monitoring officer role. During 2018/19 this post has been vacant, with support provided instead by officers from Newcastle City Council and the support services forecast has been updated accordingly. It is assumed that this arrangement will continue into 2019/20.
- 2.5.5 The 2019/20 budget figures shown in Table 8 above assumes an increase in tolls for both Class 2 and Class 3 vehicles in line with inflation as measured by the Retail Price index. It is proposed that the toll for Class 2 Vehicles (cars and light goods vehicles) be increased by 10p from £1.70 to £1.80 and that the toll for Class 3 vehicles (Heavy Goods Vehicles) be increased by 20p from £3.40 to £3.60 in spring 2019. This is being discussed in greater detail with the Tyne and Wear Sub Committee.
- 2.5.6 The increase in toll income in 2019/20 as a result of the increase in tolls is estimated to be £1.56m. Without an increase in tolls the Tyne Tunnels account would operate at a deficit of £1.54m, next year which would be unsustainable over the life of the concession.
- 2.5.7 In terms of the formal process for the increase in Tolls, a decision to increase tolls will be taken by the Tyne and Wear Sub Committee in January. NECA as the Host Combined Authority for Transport will implement the proposed increase. This will involve advertising the proposed increase in at least one local newspaper and notifying the Department of Transport. Once notified, the Department has 21 days to determine whether to make the order and, if so, the order will be made 28 days before it comes into effect. A decision on the specific date for implementation will be taken in conjunction with TT2 Ltd, taking into account operational considerations.
- 2.5.8 While the traffic through the Tunnels is likely to increase next year, once the Silverlink junction road work have been completed, there will also be some impact from the planned road works at Testos roundabout. While any increase in traffic will increase toll income this will result in an increase in the contract payments to TT2. Given the current uncertainty around the increase in traffic flow the original budget will be based on current traffic levels with the increase evidenced in summer 2019 being reflected in the revised estimate this time next year.
- 2.6 **Regional Transport Team**
- 2.6.1 The Regional Transport Team budget is to support the Joint Transport Committee and North East LEP as a whole, on a seven authority basis. The budget includes salary costs and the items required to ensure a functional central resource across the JTC area including the development of the Transport Manifesto and Transport Plan and various research projects where value can be added at a regional level including modelling works, major schemes bid development, including

Transforming Cities fund, the Freight Quality Partnership and other research studies. During the year the team has also taken on the role of providing support to the Consortium of East Coast Main Line Authorities (ECMA), the costs of which are partly met through a recharge to other member authorities. A summary of the revenue budget for 2018/19 and proposal for 2019/20 is set out in the table below.

*Table 9: Regional Transport Team Budget 2018/19 and 2019/20*

	<b>2018/19 Original Budget</b>	<b>2018/19 Forecast</b>	<b>2019/20 Proposed Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
Expenditure			
Staffing	516	406	531
LTP4 Development	50	11	50
Research and Grant Bid Development (including Transforming Cities Fund)	199	175	200
Miscellaneous	6	5	6
Go Smarter Legacy (Bid/Match Funding)	200	200	-
<b>Total Expenditure</b>	<b>971</b>	<b>797</b>	<b>787</b>
Funded by:			
LTP Integrated Transport Block	(500)	(500)	(500)
LGF Programme Management	(150)	(97)	(150)
Go Smarter Legacy Funding	(200)	(200)	-
Carried forward balances from 2017/18	(121)	-	(137)
<b>Total Funding</b>	<b>(971)</b>	<b>(797)</b>	<b>(787)</b>

## 2.7

### **Transforming Cities Fund**

During October, NECA was announced as one of ten shortlisted areas to progress to the next stage of bidding for the government's £840m Transforming Cities Fund. The Budget 2018 announced additional money for the Fund, increasing the amount of the fund that we can bid into by £440m to £1,280m. An additional two areas would be allowed to bid for this fund, increasing the number of bidding areas to 12.

NECA will be working with DfT to develop plans which, if successful, will be used to tackle congestion and improve transport connections across the region.

There is a need to identify revenue resources to support the bidding process and initial project design costs, which may include the use of revenue budget savings in 2018/19, and this will be included in the budget report to the January meeting of the JTC.

## 2.8 Treasury Management - Borrowing

Currently all external borrowing held by NECA relates to historic Tyne and Wear Transport activities, and the financing of the borrowing debt is met from the Tyne and Wear levy and the Tyne Tunnels budgets and is included within the proposals set out above. While the JTC has an advisory role in connection with the borrowing limits relating to transport, the Treasury Management arrangements are managed by NECA as the accountable body for the JTC and are approved by the two Combined Authorities. A proportion of the outstanding balance of the loans and investments (based on the share of Tyne and Wear population in each combined authority area) will be shown in the balance sheets of the two Combined Authorities. A summary of the actual loans outstanding at the date of the change in governance is set out in the table below, which is less than the approved capital financing requirement:

*Table 10: Historic Borrowing and the current Capital Financing Requirement*

	Principal	Interest Due	Total	NECA Share	NoTCA Share
	£000	£000	£000	£000	£000
Capital Financing Requirement	193,665		193,665	107,883	85,782
<b>Actual External Debt</b>	<b>167,333</b>	<b>2,274</b>	<b>169,607</b>	<b>94,482</b>	<b>75,125</b>

## 3. Reasons for the Proposals

3.1 The proposals are presented here to inform the JTC of work on the preparation of the 2019/20 Transport Budget and to begin the two month consultation process.

## 4. Alternative Options Available

4.1 The JTC are recommended to agree the proposals set out in this report or suggest amendments or alternative proposals to be considered as part of the budget consultation process.

## 5. Next Steps and Timetable for Implementation

5.1 The Transport budget proposals will be consulted upon with constituent councils, Overview and Scrutiny Committee, Audit and Standards Committee and with the North East England Chamber of Commerce. Detailed budget proposals will be developed and responses to consultation will be taken into account in preparing the more detailed report to the January JTC meeting.



5.2 Under the new governance arrangements the Transport Budget and levies are to be set by the Joint Transport Committee (JTC) based on a unanimous decision. The Transport levy determined by the JTC will be formally issued by the two Combined Authorities. This needs to be done before the Statutory deadline of 15<sup>th</sup> February 2019.

## **6. Potential Impact on Objectives**

6.1 The budget presented in this report is set to achieve the Transport policy objectives of the Authority.

## **7. Financial and Other Resources Implications**

7.1 The financial and other resource implications are summarised in this report where they are known. Further details which are developed as part of the budget development and consultation process will be identified in the budget report to the January 2019 Joint Transport Committee.

## **8. Legal Implications**

8.1 The JTC must approve the transport budget, levies and tolls unanimously. The Leadership Board must approve the final overall budget proposals unanimously (incorporating the budget approved by the JTC).

## **9. Key Risks**

9.1 Appropriate risk management arrangements are put in place in each budget area by the delivery agencies responsible. Reserves are maintained to help manage financial risk to the authority.

## **10. Equality and Diversity**

10.1 There are no equality and diversity implications arising from this report.

## **11. Crime and Disorder**

11.1 There are no crime and disorder implications arising from this report.

## **12. Consultation/Engagement**

12.1 The NECA Constitution requires that consultation on its budget proposals be undertaken at least two months prior to the budget being agreed. It is proposed that the 2019/20 Transport budget proposals be consulted upon including with the Overview and Scrutiny Committee, Audit and Standards Committee, constituent councils and the NEECC. The extent of public consultation will be proportionate to the impact that the proposals would have on services to the public. At this stage no significant service implications are expected.

**13. Other Impact of the Proposals**

13.1 There are no other impacts arising from this report.

**14. Appendices**

14.1 None

**15. Background Papers**

15.1 NECA Leadership Board Budget 2018/19 and Transport Levies report 16 January 2018

<https://northeastca.gov.uk/wp-content/uploads/2018/03/Leadership-Board-16-January-2018-Agenda-Pack.pdf>

**16. Contact Officers**

16.1 Paul Woods, Chief Finance Officer, [paul.woods@northeastca.gov.uk](mailto:paul.woods@northeastca.gov.uk), 07446936840

**17. Sign off**

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

## North East Joint Transport Committee

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**Date:** 20 November 2018

**Subject:** Programme of Committee Meetings, Municipal Year 2018/19

**Report of:** Monitoring Officer

### Executive Summary

The purpose of this report is to invite Members to agree a programme of committee meetings for the Municipal Year 2018/19, starting from the first meeting on 20 November 2018.

Intended to assist the Joint Transport Committee (JTC) in discharging its functions effectively, the programme has been developed in consultation with the constituent combined authorities.

### Recommendations

It is recommended that the Joint Transport Committee agrees the proposed programme of committee meetings, as set out in Appendix A.

## North East Joint Transport Committee

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### **1. Background Information**

- 1.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (the Order) requires NECA and NTCA to appoint a Joint Transport Committee in accordance with Schedule 2 to exercise functions specified by the Order.
- 1.2 To support an effective discharge of those functions, the Joint Transport Committee is invited to approve a programme of committee meetings, as set out in Appendix A.
- 1.3 The proposed programme of committee meetings was developed in consultation with the constituent combined authorities and is based around key areas of work, effective reporting structure, efficiency and requirements of internal and external audit.

### **2. Proposals**

- 2.1 The Joint Transport Committee and its committees are advised to meet according to the programme of meetings set out in Appendix A.

### **3. Reasons for the Proposals**

- 3.1 The Joint Transport Committee is required to have an effective committee structure. The proposals would help the Joint Transport Committee to discharge its functions effectively.

### **4. Alternative Options Available**

- 4.1 Whilst the programme of committee meetings was developed to ensure efficiency and effectiveness and no alternative options are proposed at this stage, a level of flexibility is required to enable the committees to add, rearrange or cancel meetings in accordance with the demands of the organisation.

### **5. Next Steps and Timetable for Implementation**

- 5.1 If agreed, the programme of meetings will be published and shared with key stakeholders.

## North East Joint Transport Committee

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### **6. Potential Impact on Objectives**

- 6.1 As part of decision-making processes, the Joint Transport Committee is required to have an effective committee structure. Having a programme of meetings will assist in the delivery of objectives.

### **7. Financial and Other Resources Implications**

- 7.1 The proposed programme of meetings was designed to minimise costs whilst supporting effective governance.

### **8. Legal Implications**

- 8.1 There are no specific legal implications arising from this report.

### **9. Key Risks**

- 9.1 The proposed programme of meetings is aimed at assisting the Joint Transport Committee with the operation of an effective governance structure. A published programme of meetings supports the effective planning of business and decision making and supports openness and transparency.

### **10. Equality and Diversity**

- 10.1 There are no specific equality and diversity implications arising from this report.

### **11. Other Impact of the Proposals**

- 11.1 The proposals comply with the principles of decision-making.
- 11.2 The proposals were designed in consultation with the constituent combined authorities.

### **12. Appendices**

- 12.1 Appendix A: Programme of Committee Meetings, Municipal Year 2018/19

### **13. Background Papers**

- 13.1 The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018.

## North East Joint Transport Committee

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### 14. Contact Officers

- 14.1 Peter Judge, Monitoring Officer  
E-mail: [peter.judge@northeastca.gov.uk](mailto:peter.judge@northeastca.gov.uk) Tel: 0734 2069 371

### 15. Sign off

- Head of Paid Service: ✓
- Monitoring Officer: ✓
- Chief Finance Officer: ✓

### 16. Glossary

- 16.1 The Order - The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018

## Joint Transport Committee

### Programme of Committee Meetings, Municipal Year 2018/19

Committee	Cycle	Date/Time	Nov 2018	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019	Jun 2019
Joint Transport Committee	4 meetings	2pm	20 Inaugural	18	22		19			
Joint Transport Tyne and Wear Sub-Committee	4 meetings	2pm	21		31			4		
Audit Committee	4 meetings	10am		19				18		
Overview and Scrutiny Committee	4 meetings	10am		20			14			

**Venues:** Meetings will rotate across various venues of the constituent authorities.

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