

Summary Report

Amendments to the Swansea Bay City Deal Joint Committee Agreement



- With a view to assisting the Joint Committee attached at Appendix 1 is a Schedule setting out the recommendations of both reviews and the associated amendments to the Joint Committee Agreement. The amendments have been reported to the Programme Board. An amended and tracked change Joint Committee Agreement is at Appendix 2.
- The main change is at Clause 6 which amends the Agreement to reflect the proposed appointment of an independent Programme Director and to replace the Regional Office with a Portfolio Management Office. The Programme Director is to report to and be directly accountable to the Joint Committee. The Job Description for the Programme Director is included within Schedule 14 and the role of the Portfolio Management Office will be included upon the appointment of the Programme Director.
- Clause 6.2 sets out the redistributed roles and functions which will act as a check and balance for the Swansea Bay City Deal governance arrangements as follows;
 - Carmarthenshire County Council – Accountable Body and Section 151 officer function. [retained]
 - The Council of the City and County of Swansea – Monitoring Officer function and Democratic services. [acquired from CCC]
 - Neath Port Talbot County Borough Council – Scrutiny function [retained]
 - Pembrokeshire County Council – Audit function [retained]
- Additional duties of the Accountable Body have been inserted at Clause 7. Clause 7.1(g) adds to the duties of the Accountable Body by including a duty to report to the Joint Committee on a quarterly basis detailing the amount of grant monies and council contributions received, how allocated and distributed and details of any internal charges. Clause 7.1(l) provides that the Accountable Body costs must be reported to the Joint Committee before the commencement of each financial year for agreement.
- Clause 9.3 is a standard indemnity clause which has been added as the Programme Director is directly accountable to the Joint Committee although is an employee of Carmarthenshire County Council.
- Clause 12 sets out the process for funding projects and includes a change to clause 12(g) which sets out the role of the ESB in the process. In line with the recommendations of the Internal Review reference is made to the new terms of reference of the ESB which is found at Schedule 6. In addition Clause 12.9 provides that the process for funding projects should take no longer than 6 calendar months.

- Clause 19.4 has been amended to include reference to top slicing for clarity.
- The Terms of Reference of the Joint Committee at Schedule 1 have been amended to include additional functions namely:
 - Consideration and approval of project business cases;
 - Agreeing internal recharges;
 - Consideration of Joint Scrutiny recommendations;
 - Oversee and manage the Programme Director;
 - Approving any Programme Director reports.
- Clause 5 – Voting has also been amended to include casting vote of vice chair in event the Chair is absent.
- Schedule 2 relating to the Programme Board has been amended to include the additional role of ensuring that the Programme Director and Portfolio Management Office undertakes a detailed analysis of the financial viability, deliverability and risk to the programme of the business cases prior to their being submitted to the Joint Committee.
- The Internal Review focuses on the role of the Economic Strategy Board. As a result of the Review the purpose of the Economic Strategy Board has been amended at Schedule 6 to include:
 - Oversight of business case production;
 - Consideration of regional added value;
 - Identification of opportunities for investment;
 - Production of a summary report of issues considered by the ESB to be annexed to the submission of any business cases.
- Also in line with the Review recommendations to limit the membership to the private sector the membership has been amended to delete the higher education/further education and life sciences/well-being representatives and Leaders of the Councils. This should enable focus to be on consideration of the commercial case and identification of investment opportunities.
- The quorum for the Joint Committee set out in Schedule 1 terms of reference for the Joint Committee has been amended from four to three representatives of the four Councils. In addition clause 5.1 of Schedule 1 has been added to ensure that where decisions are made relating to a specific project quorum must include a representative of the Council involved in that project.
- The terms of reference at Schedule 12 of the Joint Scrutiny Committee do not provide for scrutiny of individual Authorities projects'. The Internal Review commented that this detracts from the Regional approach of the Swansea Bay City Deal. Therefore Clause 2.2 has been amended to provide that where there is potential to impact materially on the overall portfolio of the City Deal projects and the constituent scrutiny committee agrees then the matter may be considered by the Joint Scrutiny Committee.