

**ANNUAL MEETING OF THE WEST YORKSHIRE COMBINED
AUTHORITY TO BE HELD ON THURSDAY 25 JUNE 2015 AT WEST
OFFICES, STATION RISE, YORK AT 11.00 AM**

A G E N D A

Annual Meeting Business

This part of the agenda covers constitutional and governance issues that are required to be considered annually.

1. MEMBERSHIP OF THE WEST YORKSHIRE COMBINED AUTHORITY

To consider the attached report in relation to:

- Noting the appointment of members and substitute members to the Authority by Constituent Councils and the City of York Council;
- Appointment of the LEP and substitute member;
- Granting of voting rights to the member from City of York Council and the LEP member.

2. APPOINTMENT OF THE CHAIR AND DEPUTY CHAIR OF THE WEST YORKSHIRE COMBINED AUTHORITY

(Lead Officer: Adrian Lythgo, Author: Nick Winney)

(page 9)

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Members are reminded of their responsibility to declare any disclosable pecuniary interests in any matter under consideration at this meeting.

Should you have a disclosable pecuniary interest in an item on the agenda you should not participate in any discussion on the matter, vote on the matter or remain in the meeting during discussion and voting on the matter subject to paragraph 24 (dispensations) of the Members' Code of Conduct.

If a member is unsure of the correct course of action to take, they should seek advice from the Monitoring Officer within their respective council **prior** to the meeting. Members should complete the appropriate form and hand it to the Monitoring Officer before leaving the meeting. A blank form can be obtained from the Monitoring Officer at the meeting.

5. EXCLUSION OF THE PRESS AND PUBLIC

To identify items where resolutions may be moved to exclude the press and public.

6. MINUTES OF THE MEETING HELD ON 12 MARCH 2015

(pages 14 – 23)

7. COMMITTEE ARRANGEMENTS AND APPOINTMENTS

(Member Lead: Cllr Peter Box, Author: Nick Winney)

(pages 24 - 36)

8. AMENDMENTS TO GOVERNANCE ARRANGEMENTS

(Member Lead: Cllr Peter Box, Author: Nick Winney)

(pages 37 – 121)

To consider Officer arrangements, and proposed minor amendments in respect of:

- Members' Allowance Scheme
- Officer Delegation Scheme
- Standing Orders
- New Code of Practice for recording WYCA meetings

9. WYCA REPRESENTATION ON OUTSIDE BODIES
(Member Lead: Cllr Peter Box, Author: Nick Winney)
(pages 122 – 123)

10. CALENDAR OF MEETINGS 2015/16
(Member Lead: Cllr Peter Box, Author: Nick Winney)
(pages 124 – 126)

11. GOVERNANCE AND AUDIT COMMITTEE RECOMMENDATIONS
(Member Lead: Cllr Baines, Author: Angela Taylor)
(pages 127 – 133)

For Information

**12. (a) MINUTES OF THE MEETING OF THE TRANSPORT COMMITTEE
HELD ON 27 MARCH 2015**
(pages 134 - 140)

**(b) MINUTES OF THE MEETING OF THE GOVERNANCE & AUDIT
COMMITTEE HELD ON 22 APRIL 2015**
(pages 141 - 145)

**(c) MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY
COMMITTEE HELD ON 28 APRIL 2015**
(pages 146 - 150)

**(d) MINUTES OF THE MEETING OF THE WEST YORKSHIRE & YORK
INVESTMENT COMMITTEE HELD ON 2 JUNE 2015**
(pages 151 - 157)

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Matters for Discussion and Decision

This part of the agenda covers substantive business for discussion and decision.

- 13. DEVOLUTION (Verbal item)**
(Member lead: Cllr Peter Box)

- 14. LEEDS CITY REGION GROWTH DEAL DELIVERY AND BUDGET RE-ALLOCATION FOR 2015/16**
(Member lead: Cllr David Green, Author: Rob Norreys)
(pages 158 - 172)

- 15. SKILLS CAPITAL**
(Member lead: Cllr David Green, Author: Rob Norreys)
(pages 173 - 177)

- 16. TRANSPORT SCHEME APPROVALS**
(Member Lead: Cllr David Green, Author: David Hoggarth)
(pages 178 – 185)

- 17. OFFICER ARRANGEMENTS**
(Member Lead: Cllr Peter Box, Author: Angela Taylor)
(pages 186 - 189)

- 18. WEST YORKSHIRE & YORK SUPERFAST BROADBAND DELIVERY PROJECT**
(Member lead: Cllr David Green, Author: Rob Norreys)
(pages 190 - 203)

Signed:



Head of Paid Service WYCA

Originator: Nick Winney
Secretary and Solicitor



ITEM 1

Report to: Combined Authority

Date: 25 June 2015

Subject: Membership of the West Yorkshire Combined Authority

1. Purpose

- 1.1. To note the appointment of members and substitute members to the WYCA, by Constituent Councils and the City of York Council.
- 1.2. To appoint the Leeds City Region Local Enterprise Partnership member (“the LEP member”) and substitute LEP member to the WYCA.
- 1.3. To consider voting rights to be granted to the LEP member, and to the WYCA member appointed by the City of York Council.

2. Information

Membership

- 2.1. The WYCA Order 2014 which established the WYCA, provides that the WYCA shall comprise **10 members**. Of these, eight are appointed by Constituent Councils, and one by the City of York Council. The tenth member, the LEP member, must be nominated by the LEP, and appointed by the WYCA.
- 2.2. The Order also provides for Constituent Councils and the City of York Council respectively to appoint a **substitute** for each WYCA member. The WYCA must also appoint a substitute LEP member (also nominated by the LEP) to act in the absence of the LEP member.
- 2.3. The WYCA members and their substitutes appointed by the Constituent Councils and the City of York Council are set out in **Appendix 1** to this report.
- 2.4. At their meeting of 25 March 2015, the LEP confirmed that Roger Marsh should continue as the LEP member for the municipal year 2015/16, and Bob Cryan the LEP

substitute LEP member for the same period. The WYCA must now consider their appointment to the WYCA.

Voting rights

- 2.5. The Order provides for the LEP member and the WYCA member appointed by the City of York Council to be non-voting. However, it provides that the voting members of the WYCA, (that is, WYCA members appointed by Constituent Councils), may resolve that this provision does not apply. For the 2014/15 municipal year, the WYCA granted voting rights to both the LEP member, and the WYCA member appointed by the City of York Council. These rights were exercisable at any meeting of the WYCA (including any committee or sub-committee to which those members were appointed) on any decision, subject to the following exceptions:
- budget and levy setting, and
 - the adoption of the West Yorkshire Local Transport Plan.
- 2.6. The substitute member for the LEP member, and the substitute for the WYCA member appointed by the City of York Council were also granted these voting rights, if acting in the absence of their respective member.
- 2.7. The WYCA is asked to confirm the voting rights for the LEP member, and the WYCA member appointed by the City of York Council in the same terms as for 2014/15, with a minor amendment to reflect the adoption by the WYCA of the Single Transport Plan (STP), which will set out the WYCA's vision for transport to support the LCR's Strategic Economic Plan. The STP will be the WYCA's statutory Local Transport Plan. It is proposed, therefore, that voting rights for these members are clarified to include approving the new STP, (given its strategic relevance across the LCR), with the exception of its implementation plans which relate specifically to the combined area and which are therefore not appropriate for City of York Council to vote upon.
- 2.8. As for the last municipal year it is also proposed that the substitute LEP member, and the substitute WYCA member appointed by the City of York Council are granted the voting rights, if acting in the absence of their respective member.

3. Financial Implications

- 3.1. None arising.

4. Legal Implications

- 4.1. The WYCA Order sets out membership arrangements for the WYCA, as outlined above.
- 4.2. The LEP member and WYCA member appointed by York are non-voting unless granted voting rights.

5. Staffing Implications

5.1. None arising.

6. Recommendations

6.1. That the WYCA resolve:

- a) To note the members and substitute members of the WYCA appointed by the Constituent Councils and the City of York Council, as set out in the appendix to this report.
- b) To confirm the appointment until the next annual meeting of the WYCA of:
 - Roger Marsh as the LEP member of the WYCA, and
 - Bob Cryan as substitute LEP member, to act in the absence of the LEP member
- c) That the current voting rights of the LEP and City of York Member continue during the 2015/2016 municipal year (subject to any subsequent further or alternative resolution of the voting members of the WYCA) subject to the following revisions:
 - reference to the Local Transport Plan shall mean the Single Transport Plan; and
 - the adoption of any implementation plans which are appended to the Single Transport Plan is excepted from the voting rights.

West Yorkshire Combined Authority

Members appointed by each constituent Council		
	Appointment	Substitute
Bradford	David Green	Val Slater
Calderdale	Tim Swift	Barry Collins
Kirklees	David Sheard	Peter McBride
Leeds	Judith Blake	James Lewis
Wakefield	Peter Box	Denise Jeffery
Member appointed by non constituent Council		
	Appointment	Substitute
York	Keith Aspden	Chris Steward

Members appointed by constituent councils to better achieve political balance		
	Appointment	Substitute

LEP Member – to be appointed by WYCA		
	Appointment	Substitute
LEP	Roger Marsh	Bob Cryan

Originator: Nick Winney
Secretary and Solicitor



ITEM 2

Report to: Combined Authority

Date: 25 June 2015

Subject: Appointment of the Chair and Vice Chair

1. Purpose

1.1. To appoint the Chair and Vice Chair of the WYCA.

2. Information

2.1. The WYCA Order 2014 requires the WYCA to appoint a Chair and Vice Chair each municipal year, from among its members.

3. Issues

3.1. None arising.

4. Financial Implications

4.1. None arising.

5. Legal Implications

5.1. The WYCA Order provides that no WYCA Member (or substitute) is to have a casting vote at WYCA meetings. This extends to the Chair, as reflected in the WYCA's Procedural Standing Orders.

6. Staffing Implications

6.1. None arising

7. Recommendations

7.1. To appoint the Chair and Vice Chair of the WYCA for the municipal year 2015/16.

<p>WEST YORKSHIRE COMBINED AUTHORITY</p> <p>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p>	
<p>NAME OF MEMBER:</p>	
<p>COMMITTEE: COMBINED AUTHORITY</p>	
<p>DATE: 25 JUNE 2015</p>	
<p>AGENDA ITEM NO</p>	<p>NATURE OF INTEREST</p>

Signed

In accordance with Part 4 (paragraph 19) of the WYCA Members’ Code of Conduct, you should complete this form if you have a disclosable pecuniary interest in any particular item on this agenda. (See attached appendix for schedule of disclosable pecuniary interests.) Completed forms should be handed in to the Monitoring Officer **before** leaving the meeting.

Declarations of Disclosable Pecuniary Interests

If you are present at a meeting of the Authority, and you are aware that you have a disclosable pecuniary interest in a matter to be considered, or being considered, at the meeting:

- (a) Unless you have a relevant dispensation you may not:-
 - participate, or participate further, in any discussion of the matter at the meeting; or
 - participate in any vote, or further vote, taken on the matter at the meeting.

- (b) If the interest is not entered in the Authority’s register, you must disclose the interest to the meeting (unless the interest is a sensitive interest). If the interest is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.

Disclosing Significant Interests

In accordance with Part 4 (paragraph 20) of the WYCA Members' Code of Conduct, if you are present at a meeting of the Authority and you are aware that you have any significant interest (other than a disclosable pecuniary interest) in a matter to be considered, or being considered, at the meeting, you:

- may disclose the interest to the meeting; and
- must consider whether to continue participating in the matter.

If you are unsure of the correct course of action to take, you should seek advice from the Monitoring Officer prior to the meeting.

Subject	Description of Pecuniary Interests
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Authority) made or provided within the relevant period¹ in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union.²</p>
Contracts	<p>Any contract which is made between you or a relevant person³ (or a body in which you or a relevant person has a beneficial interest⁴) and the Authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land ⁵ which is within the area of the Authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the your knowledge)—</p> <p>(a) the landlord is the Authority; and</p> <p>(b) the tenant is a body in which you or the relevant person⁶ have a beneficial interest⁷.</p>
Securities	<p>Any beneficial interest in securities⁸ of a body where—</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the Authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

¹ The relevant period means the period of 12 months ending with the day on which you notify the Monitoring Officer under paragraph 16a) and paragraph 19b) of the Code.

² Within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

³ As defined in paragraph 15b) of the Code.

⁴ “body in which the relevant person has a beneficial interest” means:

- a firm in which you or a relevant person is a partner or
- a body corporate of which you or a relevant person is a director, or in the securities of which you or a relevant person has a beneficial interest. “Director” includes a member of the committee of management of an industrial and provident society; “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

⁵ Land excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.

⁶ See footnote 18.

⁷ See footnote 19.

⁸ “Securities” as defined in footnote 19.

**PUBLIC INSPECTION OF DOCUMENTS AND ACCESS
TO MEETINGS OF THE WEST YORKSHIRE COMBINED AUTHORITY**

Inspection of Documents

- (a) Files containing documentation relating to items to be discussed at the meeting may be inspected by contacting the named officer as detailed below. Certain information may be confidential and not open to inspection.

Exempt Information

- (b) Agenda Item 18, Appendix 1 to this agenda item contains exempt information as defined in paragraph 3 of schedule 12A to the Local Government Act 1972 (*Information relating to the financial or business affairs of any particular person (including the authority holding that information)*).

Agenda Item 18, Appendix 2 to this agenda item contains exempt information as defined in paragraph 3 of schedule 12 A to the Local Government Act 1972 (*information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*).

The Committee may exclude the press and public from the meeting during the consideration of these appendices, if and so long as, it is satisfied that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In relation to Item 18, Appendix 1, it is recommended that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, because BT has requested that the information is not disclosed since the release of such information would, or would be likely, to prejudice the company's commercial interests, and therefore disclosure could undermine the process, future processes, or the outcome on this occasion, to the detriment of the WYCA and the public interest.

In relation to Item 18, Appendix 2, it is recommended that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, because it is in the interests of the WYCA and public that the Secretary and Solicitor provide legal advice to the WYCA without risk of its disclosure, as such disclosure would prejudice the WYCA's position.

Compilation of Agenda by:	Angie Shearon
Telephone No:	Leeds (0113) 251 7220
Date:	17 June 2015

ITEM 6

**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY 12 MARCH 2015 IN THE TOWN HALL, DEWSBURY**

Present:	Cllr Peter Box (Chair)	-	Wakefield MDC
	Cllr Tim Swift	-	Calderdale MBC
	Cllr David Green	-	City of Bradford MDC
	Cllr David Sheard	-	Kirklees MC
	Cllr Keith Wakefield	-	Leeds City Council
	Cllr Dafydd Williams	-	City of York Council
	Cllr Janet Battye	-	Liberal Democrat Representative (Calderdale MBC)
	Cllr Robert Light	-	Conservative Representative (Kirklees MC)
 In attendance:	 Cllr James Lewis	 -	 Chair of WYCA Transport Committee
	Adrian Lythgo	-	Combined Authority
	David Burrell	-	Combined Authority

111. Apologies for Absence

Apologies for absence were received from Councillor Andrew Carter, Roger Marsh and Bob Cryan, Leeds City Region LEP.

112. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

113. Exclusion of the Press and Public

There were no items on the agenda requiring exclusion of the press and public.

114. Minutes of the Meeting held on 29 January 2015

Resolved: That the minutes of the meeting of the WYCA held on 29 January 2015 be approved and signed by the Chair.

115. Leeds City Region Housing Requirements

The Committee considered a report detailing the key outcomes from work undertaken to consider housing requirements across Leeds City Region and to align the approaches and methodologies of all Local Planning Authorities in determining their Objective Housing Needs. Members were advised that the report sought the endorsement of the study as recommended by the LCR Planning Portfolios Board in order that evidence could be used to support Local Planning Authorities through their Local Plans.

It was reported that the study had highlighted that collectively all Local Planning Authorities were 'planning for growth' with levels of housing provision in Plans being capable of supporting LCR LEPS Strategic Economic Plan's ambitions; indicating that strategically the planning system was not a barrier to housing growth and development across the city region.

In welcoming the key outcomes of the study, members stressed that emphasis needed to be placed on how to stimulate and incentivise the housing industry to build more homes (particularly more affordable homes to address the acute shortage), consider other funding streams and alternative ways of providing housing such as Community Land Trusts) along with the creation of more construction jobs and economic activity across the region.

Resolved:

- (i) That the work undertaken to better understand both the demographic evidence for the objective assessment of housing needs within the Leeds City Region, the cross boundary impacts of housing markets and jointly planning housing provision, be endorsed.
- (ii) That the progressive and consistent approach to planning for housing growth being undertaken by all Local Planning Authorities across the city region be welcomed.
- (iii) That proposals for a policy position on housing growth and enabling and incentivising the housing industry to build more homes demonstrating the links to the delivery of both the West Yorkshire Plus Transport Fund and the LCR Strategic Economic Plan be reported to a future meeting of the WYCA.

116. Leeds City Region Growth Deal Delivery

The Committee considered a report which provided an update on preparations for the delivery of the Growth Deal and West Yorkshire Plus Transport Fund and also on progress of delivery of other Leeds City Region projects and programmes.

It was reported that since the Growth Deal announcement in July 2014 significant progress had been made and the WYCA were now in a position to commence delivery of the Transport Fund and other Growth Deal projects in April 2015.

Members were advised that on 21 January 2015 the Investment Committee had recommended the approval of funding packages for the following 6 Growth Deal funded Housing and Regeneration projects:-

- York Central
- Bradford - One City Park
- Calderdale - Northgate House
- Leeds - Brownfield Lane
- Leeds - Red Hall
- Craven - Horse Close

In this regard it was commented that agreement had now been reached with all districts that repayment of the LGF funding should either be through zero-interest loans or other overage agreements that was in line with the 'loan first' principle of the SEP and enable the Authority to build up its own investment fund.

The Committee welcomed the additional sum of £54.6m in Growth Deal Funding for the City Region giving a combined total of £627.5m awarded for the period 2015-21, the largest total for any LEP throughout the country. Details of the award were attached at Appendix 2 to the submitted report.

Outline Business Cases had been prepared for six potential housing and regeneration developments and those would be considered by the Investment Committee to determine whether the projects should proceed to the next stage. This would be the start of developing a pipeline of investment projects across the City Region to ensure that the flexibility within the Growth Deal allocation could be used to the best advantage. The six projects to be brought forward initially were:

- Bradford/ShIPLEY Canal Road Corridor
- Pioneer House, Dewsbury
- Castleford Growth Delivery Plan
- Bath Road Remediation, Leeds
- Barnsley Town Centre
- York Guildhall and Riverside

Resolved:

- (i) That the successes in delivering the Leeds City Region City Deal be noted.
- (ii) That progression of the full financial offers being developed for the six housing and regeneration projects and the BioVale project, secured in round one of Growth Deal funding, be approved.

- (iii) That the award of a further £54.6m in Growth Deal funding for the City Region be welcomed.
- (iv) That detailed work be undertaken between the Investment Committee and the LEP's Employment and Skills Panel to explore how to raise awareness of the opportunities for apprenticeships with schools, parents and young people.

117. West Yorkshire Plus Transport Fund

The Committee considered a report which sought approval to the progression through the West Yorkshire Plus Transport Fund (WY+TF) gateway process of the following schemes:-

- A629 Phase 1a : Jubilee Road to Free School Lane (Gateway 1)
- East Leeds Orbital Road (Gateway 1)

It was reported that the Investment Committee and the Transport Committee had endorsed both schemes for approval by the Combined Authority, each of which offered high value for money and were in line with the agreed Transport Assurance Framework.

In welcoming progression of the schemes through the gateway process, the Committee commented that it further demonstrated the progress made on scheme delivery. They specifically highlighted that the Jubilee Road to Free School Lane project would support the creation of 1700 new jobs and 5000 new homes would be built as part of the East Leeds Orbital Road Scheme. Summaries of the business cases for both schemes were attached at Appendix 2 to the submitted report.

It was reported that approval would be required for the following schemes to progress through the gateway process between April and June 2014:-

- Bradford - A650, Hard Ings Road - Phase 1
- Kirklees - A62, Cooper Bridge Junction
- Leeds - Aire Valley Park and Ride
- Leeds - Leeds City Centre Network Improvements

Members were advised that it was proposed that delegated approval be given to the Head of Paid Service in consultation with the Chairs of the Investment and Transport Committees who would then have the option of consulting with members of their Committees and if necessary arrange a meeting to consider the gateway(s).

Resolved:

- (i) That progression of the A629 Phase 1a: Jubilee Road to Free School Lane (Gateway 1) project through Gateway 1 be approved.

- (ii) That progression of the East Leeds Orbital Road (ELOR) project through Gateway 1 be approved.
- (iii) That approval of the future gateway(s) as set out in paragraph 2.15 of the submitted report be delegated to the Head of Paid Service in consultation with the Chairs of the Investment and Transport Committees.

118. Leeds City Region Assurance Framework

The Committee considered a report seeking approval to the Leeds City Region Growth Deal Assurance Framework.

It was recognised that the Assurance Framework attached to the submitted report was an essential tool to demonstrate that good practice, transparency and accountable governance arrangements were in place across the City Region, together with robust project and programme appraisal processes that would be adopted to ensure value for money in future investment decisions.

Members were advised that the Investment Committee had recommended the draft Assurance Framework for approval at its meeting held on 4 March 2015. They had also suggested that periodic reviews of the Assurance Framework be undertaken by the Governance and Audit Committee to ensure that it remained fit for purpose and up to date.

Resolved:

- (i) That, subject to further minor drafting amendments (outlined in paragraph 2.11 of the submitted report) the Leeds City Region Assurance Framework be approved as the basis for future investment decisions by the WYCA that fell within the scope of the Framework.
- (ii) That the Authority's Governance and Audit Committee be requested to undertake periodic reviews of the LCR Assurance Framework.

119. Rail North and Transport for the North

The Committee considered a report giving an update on Transport for the North and Rail North.

Transport for the North

It was reported that Transport for the North (TfN) were developing a high level transport strategy for the North which aimed to influence the Government's Budget announcement on 18 March 2015.

It was reported that the remit of the initial transport strategy was to build on the High Speed 3 proposal for east west connectivity set out in the One North work, but

also reflected the needs of other modes including freight, the strategic road network, travel within city regions and integrated transport services (customer service/smart ticketing). With regard to transport funding, members reiterated that there should be a single funding stream for transport encompassing all modes including road, rail and air.

The strategy had been considered by the TfN Partnership Board on 26 February 2015 and 11 March 2015 and a launch was expected in late March 2015.

Rail North

The Committee were informed that the Invitations to Tender for the Northern and Transpennine franchises were issued on 27 February 2015. Both franchises were due to commence on 1 April 2016. It was noted that Invitations to Tender represented a minimum specification, although the expectation would be that bidders would go above and beyond the specification as part of the competitive bidding process. In this respect, it was reported that the WYCA working closely with the DfT and Rail North partners, had pressed for a package of transformational investment, in line with the aspirations set out in RailPlan 7. The desired enhancements included:-

- Removal of all 'Pacer' railbus trains;
- Ordering at least 120 new-build carriages;
- Enhanced services on a number of routes including the Calder Valley, Pontefract and Harrogate Lines;
- More capacity to cater for growth and reduce overcrowding;
- Significant investment to improve rail stations across the Northern franchise;
- Introducing free wi-fi on all Northern trains by 2020 at the latest.

Members highlighted the fact that there was a clear ambition to introduce an Oyster style smart ticketing system across the rail and bus network in West Yorkshire. It was anticipated that the franchise bidding process would require co-operation with local smart ticketing schemes. Whilst good progress had been made with the MCard roll out, bus operators had not as yet committed to a single integrated ticketing system. This ambition would be pursued through the work on Bus Strategy.

Members were also given a progress update on work to develop a formal partnership agreement between Rail North Ltd and the DfT which would have a contract management and investment role in relation to the new franchises. The process of managing the train operating companies' delivery of both franchises would be transferred from the DfT to a new management team which was proposed to be hosted in Leeds by the WYCA in Wellington House. Whilst the costs of the management team would be funded through the DfT and the Rail Grant currently paid to constituent Authorities/PTEs, any other associated costs, including administration costs would be shared by all parties.

Members were advised that a further report on the financial arrangements for Rail North and the partnership would be brought to a future meeting once the Partnership Agreement had been finalised.

Resolved:

- (i) That the current position on Transport for the North be noted.
- (ii) That progress on rail franchising be noted.
- (iii) That the proposal for the Rail North/DfT Management Team to be hosted at Wellington House, as outlined in paragraph 2.10 of the submitted report be approved.
- (iv) That a further report on the financial arrangements for Rail North and the Partnership be brought to a future meeting once the Partnership Agreement had been finalised.

120. WYCA Development: Transfer of Functions

The Committee considered a report in respect of:

- The transfer of LEP functions to the West Yorkshire Combined Authority;
- The transfer of the inward investment functions from Leeds and Partners to the LEP.

It was reported that since the creation of the WYCA which had brought transport and economic functions together, the employees of the Leeds City Region LEP had provided the resource for the economic activities. Members were advised that the next stage of integrating those functions was the formal TUPE transfer of LCR/LEP employees from Leeds City Council to the WYCA and this was scheduled to take place on 1 April 2015. Budget approvals and some changes to treasury management arrangements would be required to better support the ongoing projects and programmes currently being undertaken by the LEP which were due to be completed by 2015/16.

Members were also advised that plans were in place to transfer staff from Leeds and Partners, who provided the inward investment function. Initial funding for 2015/16 had been identified and agreed by Leeds City Council which would cover the basic operational costs of staff and premises. Further work was underway to formalise the funding arrangements for 2015/16 and to forward plan for future years.

It was also reported that work was being undertaken to transfer the Regional Economic Intelligence Unit, currently based at Leeds City Council, to the WYCA later in the year.

Resolved:

- (i) That the TUPE transfer of the LEP/LCR staff from 1 April 2015 be approved.
- (ii) That the project expenditure of the LEP, as detailed in paragraph 2.4 of the submitted report, be approved.
- (iii) That the use of AAA rated money market accounts, as detailed in paragraph 2.5 of the submitted report, be approved.
- (iv) That the change in the limits for individual counterparties from £7.5m to £15m and an increase in the time limit for lending to local authorities from one year to two years, as detailed in paragraph 2.5 of the submitted report, be approved.
- (v) That the transfer of the inward investment function currently carried out by Leeds and Partners from 1 April 2015 be approved.
- (vi) That the WYCA be authorised to enter into an agreement for the assignment of the lease of premises at Exchange House, subject to the Landlord's consent being obtained.

121. Governance and Audit Committee Recommendations

The Committee considered a report which sought approval to the Internal Audit Plan which had been considered by the Governance and Audit Committee at its meeting held on 3 February 2015.

A copy of the Internal Audit Plan was attached at Appendix A of the submitted report.

Resolved: That the Internal Audit Plan 2015/16 be approved.

122. Feedback from Combined Authority Spokespersons Representing the WYCA on External Bodies

Members noted the update provided by Councillor James Lewis of the meetings of Transport for the North which he had attended on 26 February and 11 March as detailed in minute 119 above.

123. Devolution and the Manifesto

Devolution

The Combined Authority was provided with a verbal update by the Chair in respect of the current position regarding the devolution agreement for the City Region. The Chair informed members that a letter of acknowledgement had been received from

the Prime Minister in response to a letter which had been sent by the Combined Authority on 3 February seeking assistance in securing an agreement on the first stage of a devolution deal.

The Chair indicated that an announcement on the deal was expected to coincide with the Government's budget statement on 18 March 2015. Members made it clear that they would expect prior consultation on the content of the deal, particularly as WYCA had made the case to Government on a number of occasions for ambitious, transformational devolution in the North to allow local decision making to drive forward economic growth. It was emphasised that discussions should then be held with Ministers regarding the further devolution of additional powers, including the potential for fiscal devolution.

The Chair gave assurances that members would be kept informed of any news from the Treasury on the City Region deal.

Manifesto

Members were updated on progress with preparing a Manifesto for the Combined Authority to raise awareness of its work, its role in securing economic growth and in providing local transport services. It was agreed that the Manifesto should provide a clear and concise message to the public and businesses and that the comments made by members should be taken into consideration.

124. Appointments

The Committee considered a report on Calderdale Council's appointments to the West Yorkshire Combined Authority.

It was reported that the Authority's Monitoring Officer had received notification from Calderdale Council that they had appointed Councillor Jenny Lynn to replace Councillor Barry Collins as their substitute member on the Combined Authority.

Resolved: That the appointment of Councillor Jenny Lynn to replace Councillor Barry Collins as Calderdale Council's substitute member on the Combined Authority with effect from 27 February 2015 be noted.

125. Minutes of the Meeting of the Transport Committee held on 16 January 2015

Resolved: That the minutes of the meeting of the Transport Committee held on 16 January 2015 be noted.

126. Minutes of the Meeting of the Governance and Audit Committee held on 3 February 2015

Resolved: That the minutes of the meeting of the Governance and Audit Committee held on 3 February 2015 be noted.

127. Minutes of the Meeting of the Overview and Scrutiny Committee held on 10 February 2015

Resolved: That the minutes of the meeting of the Overview and Scrutiny Committee held on 10 February 2015 be noted.

Originator: Nick Winney
Secretary and Solicitor



ITEM 7

Report to: Combined Authority

Date: 25 June 2015

Subject: Committee Arrangements and Appointments

1. Purpose

- 1.1 To appoint committees of the WYCA.
- 1.2 To appoint members to WYCA committees.
- 1.3 To appoint Chairs/Deputy Chairs of WYCA committees.
- 1.4 To grant voting rights to members of WYCA committees.
- 1.5 To appoint Independent Persons.

2. Information

- 2.1. Appendices 1,2, 3, 4 and 5 set out the proposed terms of reference for the Governance and Audit Committee, the LCR Partnership Committee, the Overview and Scrutiny Committee, the Transport Committee and the West Yorkshire and York Investment Committee.
- 2.2 These appendices incorporate the following minor amendments:

Committee	Proposal
Governance and Audit Committee	Update to insert new function of advising on the LEP assurance framework: new function 5.
LCR Partnership Committee	Clarification to footnote 2, to enable matters to be referred by the Revolving Investment Fund limited company to the LCR Partnership Committee. (The company previously referred matters to the LCR Leaders' Board.)

Overview and Scrutiny Committee	Update to refer to Single Transport Plan, instead of Local Transport Plan
Transport Committee	Update to refer to Single Transport Plan, instead of Local Transport Plan
	Amendment to allow Transport Committee to make grants of up to £250,000 under transport-related wellbeing powers: new function 16.
	Technical clarification that Transport Committee can rely on ancillary and incidental powers, (referred to as general powers), when carrying out transport or transport-related functions: new function 17.

- 2.3 No changes are proposed to the terms of reference for the WY and York Investment Committee.
- 2.4 It is not proposed to re-appoint the Recruitment Committee previously appointed to carry out the recruitment process for the Executive Director of Transport. However, it is proposed that a new Recruitment Committee is established – see further item on this agenda relating to officer arrangements.

Appointments

- 2.5 Appendix 6 sets out the appointments and co-options proposed for WYCA committees. The proposals for co-optees to the Transport Committee and the Overview and Scrutiny Committee reflect nominations made by district councils for those positions.
- 2.6 Consistent with arrangements for 2014/15, the proposed co-optees onto the Governance and Audit Committee shall be the Chairs of the Audit Committees of the constituent councils and the City of York Council from time to time, and the proposed co-optees onto the West Yorkshire and York Investment Committee are the relevant portfolio holders of the constituent councils and the City of York Council from time to time.
- 2.7 Following the arrangements for 2014/15, it is proposed to appoint the WYCA Member appointed by each individual constituent council, together with the WYCA Member from York to the LCR Partnership Committee. In addition, the proposed voting co-optees to the LCR Partnership Committee are the Leaders (or Chair in relation to Craven DC) of the following LCR Councils (with substitute arrangements as for 2014/15):
- Barnsley MDC
 - Craven DC
 - Harrogate BC
 - North Yorkshire CC

- Selby DC

2.8 It is proposed that the Transport Committee will re-appoint District Consultation Sub-Committees and the Local Bus Services Working Group.

Voting Rights

2.9 It is proposed that voting rights for co-opted members remain unchanged from the last municipal year. That is, that any members from a constituent council or the City of York Council appointed to any WYCA committee or sub-committee, including the Overview and Scrutiny Committee may vote, with the exception of the City of York Council member invited to attend Transport Committee. It is proposed that this member is appointed as a non-voting member of the committee.

Appointment of Independent Persons

2.10 At the meeting of the Governance & Audit Committee held on 22 April, members agreed to advertise for the recruitment of two Independent Persons to be available to act in relation to complaints concerning allegations of a breach of the Authority's Code of Conduct by members of the Authority. They also agreed to establish a panel to interview applicants.

2.11 Although only two applications were received, both were from strong candidates who have sound knowledge/experience of local government and have served as school governors and on independent remuneration panels for the West Yorkshire district. Both have confirmed their eligibility to be independent persons.

2.12 One of the applicants is a currently serving Independent Person for the WYCA, and the other is a member of the WYCA's Independent Remuneration Panel (IRP).

2.13 In the absence of any further applications, the views of members of the Governance & Audit Committee were sought without the need to go through a formal interview process and appointment of the candidates was recommended for the WYCA to approve.

3. Financial Implications

3.1. The Members' Allowances Scheme provides for remuneration for co-opted members on some committees. Varying the number of co-opted members may therefore impact on the overall budget for Members' remuneration.

3.2. No changes to the level of remuneration for Independent Persons are proposed.

4. Legal Implications

4.1. **Political balance requirements** under S15 Local Government and Housing Act 1989 apply to the appointment of WYCA Members to WYCA ordinary committees, unless those requirements are waived in accordance with S17 of the 1989 Act. Political balance requirements do not apply to the appointment of co-optees onto WYCA committees.

- 4.2 By resolving that appointments to specific committees are to be the post holders from time to time, this:
- ensures that these committees are always populated with those members with the mandate from their respective District Council; and
 - reduces bureaucracy as the WYCA does not need to make a fresh appointment when a post holder changes due to a by-election or resignation; and
 - avoids the situation where a member appointed by the WYCA continues in post and potentially with an allowance when they have lost the mandate from their District Council, until the next meeting of the WYCA where the new appointment can be made.
- 4.3 The WYCA Order 2014 provides that members appointed from the City of York Council to the Overview and Scrutiny Committee, or to any other committee or sub-committee, shall be non-voting, but may be given voting rights by resolution of the WYCA. Co-opted Members of advisory committees may vote.
- 4.4 Section 28 of the Localism Act 2011 requires the authority to appoint at least one independent person, and for the appointment to be approved by a majority of the members of the authority.

5. Staffing Implications

- 5.1. None.

6. Consultees

- 6.1. The Governance and Audit Committee received a report on proposed governance amendments, including proposed amendments to committee terms of reference, at its meeting on 22 April 2015.
- 6.2 The views of Governance and Audit Committee members were sought in relation to the appointment of the two Independent Persons.

7. Recommendations

- 7.1 That the WYCA appoint the following committees to discharge the functions set out in the terms of reference attached to this report:
- Governance and Audit Committee (Appendix 1)
 - LCR Partnership Committee (Appendix 2)
 - Overview and Scrutiny Committee (Appendix 3)
 - Transport Committee (Appendix 4)
 - West Yorkshire and York Investment Committee (Appendix 5).

- 7.2 That the WYCA resolves in accordance with S17 Local Government and Housing Act 1989 to appoint WYCA members to the committees, as set out in the attached Appendix 6.
- 7.3 That the WYCA co-opts members to the committees, as set out in the attached Appendix 6.
- 7.4 That the WYCA appoint the Chair and Deputy Chairs (where appropriate) of the Transport Committee, the West Yorkshire & York Investment Committee, the Governance & Audit Committee, the Overview & Scrutiny Committee and the LCR Partnership Committee, as set out in the attached Appendix 6.
- 7.5 That any Member of a constituent council co-opted to any committee of the WYCA shall be a voting member of that committee, (and of any sub-committee to which they may be appointed by that committee).
- 7.6 That all co-opted members of the LCR Partnership Committee shall be voting members of that committee, and that substitute arrangements for those members will continue as for 2014/15.
- 7.7 That the WYCA resolves, in accordance with the WYCA Order 2014, that any member from the City of York Council co-opted to any committee of the WYCA (including the Overview and Scrutiny Committee) shall be a voting member of that committee, with the exception of the City of York Council member appointed to the Transport Committee, who shall be a non-voting member of that committee.
- 7.8 That appointment of the following Independent Persons be approved:-
- Ian Brown
 - Carolyn Lord

such persons to be paid £800 annually, with a further £220.19 for each day or part of a day attending at a meeting of the relevant committee at which an allegation of misconduct is considered.

8. Background Documents

- 8.1. None.

Terms of Reference

Governance and Audit Committee

The Governance and Audit Committee is authorised:

1. To advise the Authority in relation to:
 - financial management¹;
 - internal audit arrangements and reports;
 - the statement of accounts; and
 - external audit arrangements and reports, including the external annual audit letter.
2. To promote and maintain high standards of conduct by members and co-opted members of the Authority.²
3. To advise the Authority in relation to:
 - adopting, revising or replacing its Members' Code of Conduct³;
 - appointing at least one independent person⁴;
 - arrangements for investigating and making decisions about allegations of failing to comply with the Members' Code of Conduct.
4. To consider and determine any allegation of failing to comply with the Members' Code of Conduct⁵.
5. To advise the Authority in relation to the LEP assurance framework.
6. To consider and determine any matter within the delegated authority of a Director⁶, which is referred to the Committee by that Director.
7. To advise the Authority in relation to any other matter relating to corporate governance.

¹ Including the effectiveness of its system of internal control, risk management arrangements, and the annual governance statement.

² This function does not extend to adopting, revising or replacing the Members' Code of Conduct.

³ The Code applies to members and voting co-opted members of the Authority, and includes provision about registering and disclosing interests.

⁴ In accordance with Section 28(7) Localism Act 2011.

⁵ In accordance with arrangements made by the Authority.

⁶ A Director, in this context, is any officer to whom functions are directly delegated by the Authority, under the Officer Delegation Scheme.

Terms of Reference

Leeds City Region¹ Partnership Committee

The Leeds City Region Partnership Committee is authorised:

1. To act as a consultative forum in relation to any matter referred to it by the Authority²; and
2. To advise the Authority in relation to:
 - any function of the Authority relating to its role as accountable body for funding received for the Leeds City Region;
 - the Authority's duty to co-operate in relation to the planning of sustainable development; and
 - appointments to the Leeds City Region Enterprise Partnership (the LCR LEP)³.

¹ The Leeds City Region consists of the areas of those local authorities in the LCR LEP.

² This may include a matter raised (through the Chair of this committee) by any LCR authority, the LCR LEP Board or Leeds City Region RIF (GP) Limited.

³ Including any of the LCR LEP's supporting Boards and Panels.

Terms of Reference

Overview and Scrutiny Committee

The Overview and Scrutiny Committee is authorised:

1. To review or scrutinise decisions made, or other action taken in connection with functions of the Authority¹ including:
 - the provision, delivery and performance of transport services and infrastructure²;
 - proposals about the Single Transport Plan³, other plans, strategies or policies;
 - economic development and regeneration;
 - consultation across the Combined Area; and
 - corporate performance.
2. To make reports or recommendations to the Authority, with respect to functions of the Authority.
3. To receive and monitor responses to any reports or recommendations made.

¹ In relation to a decision made but not implemented, this includes the power to recommend that the decision be reconsidered by the Authority in accordance with the Scrutiny Standing Orders.

² In assessing performance, the Overview and Scrutiny Committee may consider:

- accessibility levels
- market research, customer feedback, and other satisfaction indicators; and
- outcomes, targets and priorities within relevant plans and strategies.

³ This is the Authority's Local Transport Plan

Terms of Reference Transport Committee

In accordance with the policies and strategies set by the Authority, the Transport Committee is authorised:

1. To monitor and manage the delivery of the Single Transport Plan¹ across the combined area.
2. To determine which public passenger transport services the Authority should secure to meet public transport requirements which would not otherwise be met.²
3. To formulate general policies about promoting:
 - (a) the availability and operation of public passenger transport services to meet the public passenger transport requirements the Authority consider appropriate to be met; or
 - (b) the convenience of the public in using all such available services.
4. To approve³:
 - (a) agreements in connection with rail network, station or light maintenance depots;
 - (b) arrangements for services with any person providing passenger transport services by air;
 - (c) agreements with the owner of any locomotive or other rolling stock;
 - (d) arrangements to transfer any part of an undertaking or property of the Authority;
 - (e) acquiring land⁴, developing land⁵ and, disposing of any property or, save to the extent delegated to the Executive Director of Transport, any interest in land⁶, and;

¹ This is the Authority's Single Transport Plan

² In accordance with S9A Transport Act 1968.

³ In accordance with S10 Transport Act 1968.

⁴ under S10(1)(xx)(b) Transport Act 1968.

⁵ under S10(1)(xxii) Transport Act 1968.

⁶ under S10(1)(xxiii) , with the exception of any disposals delegated to the Executive Director of Transport.

- (f) submitting a request to the Minister to authorise the compulsory purchase of land.
5. To approve⁷:
 - a) changes in the general level of charges for transport services or facilities provided by the Authority⁸; and
 - b) reductions in or waiving of such charges.⁹
 6. To make grants for transport facilities and services.¹⁰
 7. To make payments towards capital expenditure on public transport facilities.¹¹
 8. To establish or vary a local travel concession scheme and adopt arrangements for the operation, scope and application of such a scheme.¹²
 9. To make, vary, revoke or postpone a quality partnership scheme.¹³
 10. To make, continue, revoke or vary a quality contracts scheme.¹⁴
 11. To make, vary or revoke a ticketing scheme.¹⁵
 12. To consult on, and determine the availability of, local bus information and ascertain if it is being made available.¹⁶
 13. To enter into a voluntary partnership agreement relating to buses.¹⁷
 14. To direct the Executive Director of Transport to invite tenders for specified activities or descriptions of activities of the Authority.¹⁸
 15. To consider and determine any matter within the delegated authority of the Executive Director of Transport, which is referred to the Committee by the Executive Director.¹⁹

⁷ S15(2)a Transport Act 1968.

⁸ In accordance with S6 Transport Act 1983.

⁹ S15 Transport Act 1968, subject to S104(2) Transport Act 1985.

¹⁰ S106 Transport Act 1985.

¹¹ S56 Transport Act 1968.

¹² Transport Act 1985.

¹³ or postpone facilities or standards of service under a scheme.

¹⁴ Part II Transport Act 2000.

¹⁵ Part II Transport Act 2000.

¹⁶ S139 Transport Act 2000.

¹⁷ S153(2) Transport Act 2000.

¹⁸ In accordance with S8 Transport Act 1983.

¹⁹ Such as New Generation Transport and Bus Quality Contracts.

16. To exercise the power to promote wellbeing²⁰ by making grants of up to £250,000.
17. To determine any action to take in the exercise of general powers related to transport functions.²¹
18. To respond to reports and recommendations from an overview and scrutiny committee.²²
19. To advise the Authority in relation to any of its transport or transport-related functions.
20. To liaise with the West Yorkshire and York Investment Committee to promote the strategic alignment of regional transport funding investment.²³

²⁰ S99 Local Transport Act 2008.

²¹ S102B Local Transport Act 2008.

²² Of the Authority or any Constituent Council.

²³ This may be through holding joint meetings with the West Yorkshire and York Investment Committee.

Terms of Reference

West Yorkshire and York Investment Committee¹

In relation to any function of the Authority relating to:

- economic development and
- economic and transport led regeneration

the West Yorkshire and York Investment Committee is authorised:

1. To advise the Authority about:
 - a. any proposed funding submissions by the Authority;
 - b. local financial strategies, and
 - c. project management and delivery arrangements.
2. To advise the Authority on the adoption, application and review of a Single Assessment Framework (SAF) for schemes seeking funding from the Authority or the LEP.²
3. To review the impact of programmes funded by the Authority or the LEP and make recommendations to the Authority as appropriate.
4. To liaise with the Transport Committee to promote the strategic alignment of regional transport funding investment.³
5. To consider and advise the Authority about any other key issue affecting the discharge of these functions.

¹ This is an advisory committee appointed under S102(4) Local Government Act 1972.

² Including gateway criteria for entry of schemes into the SAF.

³ This may be through holding joint meetings with the Transport Committee.

APPOINTMENTS TO COMBINED AUTHORITY 2015 – 2016 (following May election)

	Bradford	Calderdale	Kirklees	Leeds	Wakefield	York	LEP
APPOINTMENTS							
Combined Authority	David Green (L)	Tim Swift (L)	David Sheard (L)	Judith Blake (L)	Peter Box (L)	Keith Aspden (LD)	Roger Marsh
Substitutes <i>Chair: Peter Box</i> <i>Dep Chair: Tim Swift</i>	Val Slater (L)	Barry Collins (L)	Peter McBride (L)	James Lewis (L)	Denise Jeffery (L)	Chris Steward (C)	Bob Cryan
Members appointed to better reflect political balance across West Yorkshire:	2 Conservative places and 1 Lib Dem place (and their substitutes) to be confirmed						N/A
Substitutes							
							CA Members
Transport Committee <i>Chair: Keith Wakefield</i> <i>Dep Chair: Eric Firth</i>	Abid Hussain (L) Michael Johnson (L) Rebecca Poulsen (C) Taj Salam (L)	David Kirton (C) Daniel Sutherland (L)	Eric Firth (L) Elizabeth Smaje (C) Amanda Stubley (L)	Neil Buckley (C) Michael Lyons (L) Christine Towler (L) Keith Wakefield (L)	Glyn Lloyd (L) Martyn Ward (L)	Ian Gillies (C) (Observer status)	Tim Swift
Member appointed to better reflect political balance across West Yorkshire:	Andrew Pinnock (LD)						
West Yorkshire & York Investment Committee <i>Chair: David Green</i> <i>Dep Chair: Roger Marsh</i>	Val Slater (L) (Post Holder)	Barry Collins (L) (Post Holder)	Peter McBride (L) (Post Holder)	Richard Lewis (L) (Post Holder)	Denise Jeffery (L) (Post Holder)	Ian Gillies (C) (Post Holder)	David Green Roger Marsh tbc
Governance and Audit <i>Chair: Ghulam Hussain</i>	Lynne Smith (L) (Post Holder)	Scott Benton (C) (Post Holder)	Hilary Richards (L) (Post Holder)	Ghulam Hussain (L) (Post Holder)	Glenn Burton (L) (Post Holder)	Neil Barnes (L) (Post Holder)	tbc
Overview and Scrutiny <i>Chair: Robert Light</i> <i>Dep Chair: tbc</i>	Cath Bacon (L) Michael Ellis (C) Fozia Shaheen (L)	Ferman Ali (L) James Baker (LD) Scott Benton (C)	Andrew Cooper (G) Robert Light (C) Marielle O'Neill (L)	Kim Groves (L) Peter Harrand (C) Jonathan Pryor (L)	Margaret Isherwood (L) Albert Manifold (L) Elizabeth Rhodes (L)	Barbara Boyce (L) Ian Cuthbertson (LD) Helen Douglas (C)	N/A
LCR Partnership Committee							David Green (L) Tim Swift (L) David Sheard (L) Judith Blake (L) Peter Box (L) Keith Aspden (LD)
Co-optees	Barnsley - Stephen Houghton (L) (Leader)	Craven - Richard Foster (C) (Leader)	Harrogate - Richard Cooper (C) (Leader)	North Yorkshire - Carl Les (C) (Leader)	Selby - Mark Crane (C) (Leader)		

ITEM 8

Report to: Combined Authority

Date: 25 June 2015

Subject: Amendments to Governance Arrangements

1. Purpose

- 1.1. To consider the report of the Independent Remuneration Panel, and changes recommended to the Members' Allowances Scheme.
- 1.2. To consider amendments to the Officer Delegation Scheme, Standing Orders and a new Code of Practice for recording WYCA meetings.

2. Information

Members' Allowances Scheme

- 2.1 At its meeting held on 12 December 2014, the WYCA agreed that a review of the Members' Allowances Scheme be undertaken by an Independent Remuneration Panel. The review was undertaken in March headed by Dr Declan Hall and involved Panel members who previously recommended the current scheme of allowances. The Panel's report, which includes an executive summary, is attached as **Appendix 1** to this report.
- 2.2 A revised Members' Allowances Scheme, which incorporates the Panel's recommendations, is attached as **Appendix 2** to this report. It is also proposed to update the Scheme by removing the reference to the payments to Independent Persons, since these are no longer co-opted Members of the WYCA.

Officer Delegation Scheme

- 2.3 **Appendix 3** is a revised Officer Delegation Scheme, which incorporates the following amendments for clarification, updating or technical reasons:

Section	Proposal
Introduction/General	Technical clarification to authorise a Director to facilitate or

Delegations	do anything conducive or incidental to a delegated function. New reference to statutory requirements relating to recording and publishing officer decisions which fall within specific statutory categories. These categories include “any decision to award a contract or incur expenditure which materially affects the authority’s financial position”. It is proposed to adopt a £500,000 threshold for this purpose. This amendment of itself <u>does not extend existing delegations</u> , but ensures that should any such decision be taken, (for example, when implementing a decision of the WYCA), it would be duly recorded and published. The Officer Delegation Scheme requires Officer decisions to be within an approved budget and taken in accordance with Contracts Standing Orders and Financial Regulations.
Functions reserved to the WYCA	Update to include approving the Strategic Economic Plan and the Single Transport Plan.
	Technical clarification to identify specific legal provisions.
	Update to include approving the LEP assurance framework.
Head of Paid Service	Technical clarification about the statutory duty to report to WYCA in specified circumstances (new footnote 7).
Executive Director of Transport ¹	Technical clarification that duty to publish the Single Transport Plan, after approval by the WYCA, rests with Director (new function 14).
Secretary and Solicitor	Update to delegate amending the LEP assurance framework to reflect changes in legislation, WYCA decisions, or for clarification purposes (new function 2s)).

Amendments to standing orders

2.4 Minor amendments are proposed to the **Procedure Rules**, as follows:

Rule	Proposal
Rule 5 (annual meeting)	Clarifies that WYCA may appoint Committee Chairs and Deputies, or leave this to a Committee.
Rule 13, footnote 18 (substitutes)	Update to reflect agreed substitute provisions for LCR Partnership Committee.
Rule 15 (quorum)	Update to reflect LCR Partnership Committee quorum previously agreed.
Rule 22 (Attendance by committee chairs)	Clarifies that Chairs of relevant committees (such as the Transport Committee) may be invited to contribute at meetings of the WYCA.

¹ The functions delegated to the Executive Director are currently carried out by the Acting Director of Transport

Rule	Proposal
Rule 23 (Recording and reporting proceedings)	Update to reflect legislative changes allowing recording and reporting of meetings.
Access to information Annex	Update to reflect legislative changes allowing recording and reporting of meetings, and requiring recording of specified officer decisions.

2.5 A revised version of the Procedure Rules and the Access to information Annex are attached as **Appendices 4 and 5** to this report.

2.6 It is also proposed that the WYCA adopt a **Code of Practice** on recording meetings. The proposed Code is attached as **Appendix 6** to this report.

2.7 On 1 April 2015, the WYCA became the accountable body for LCR LEP decisions. A new **Scrutiny Standing Order** 2.3 is therefore recommended, to provide “No member of the Leeds City Region Local Enterprise Partnership Board may be a member of an overview and scrutiny committee”. The separation of these roles would prevent any conflict of interest arising, and promote accountability.

3. Financial Implications

3.1. The overall effect of the Independent Remuneration Panel’s recommendations would result in a **budgetary saving of £8,400**, subject to any changes in the number of co-opted members on any committee for which allowances are paid.

4. Legal Implications

4.1. The WYCA may vary its standing orders at any time. The proposals ensure that the standing orders are up to date, and hence fit for purpose. The proposed amendments to the Officer Delegation Scheme, Procedure Rules and the Access to Information Annex, incorporate provisions required by the Openness of Local Government Bodies Regulations 2014/2015.

5. Staffing Implications

5.1. The Officer Delegation Scheme provides that any officer may sub-delegate their functions to another officer of suitable experience and seniority.

6. Consultees

6.1. The Governance and Audit Committee received a report outlining proposed governance amendments at its meeting on 22 April 2015.

7. Recommendations

- 7.1. That the recommendations of the Independent Remuneration Panel contained in the Panel's report attached as appendix 1 to this report are considered, and the revised **Members' Allowances Scheme** attached as appendix 2 to this report is adopted.
- 7.2 That the revised **Officer Scheme of Delegation** attached as appendix 3 to this report is approved.
- 7.3 That the revised **Procedure Rules** attached as appendix 4 to this report, and the revised **Access to information Annex** attached as appendix 5 to this report are approved.
- 7.4 That the **Code of Practice** for recording meetings attached as appendix 6 to this report is adopted.
- 7.5 That **Scrutiny Standing Orders** are amended to insert a new Standing Order 2.3 which provides "No member of the Leeds City Region Local Enterprise Partnership Board may be a member of an overview and scrutiny committee."

8. Background Documents

- 8.1. None.

**A Review
Of
Members' Allowances
For the
Co-opted Members
Of the
West Yorkshire
Combined Authority**

The Second Report

By the

Independent Remuneration Panel

**Dr Declan L. G. Hall (Chair)
Carolyn Lord
Very Reverend George Nairn-Briggs**

May 2015

Foreword

This report is the outcome of the second independent review of allowances by the independent remuneration panel (IRP or the Panel) for the co-opted Members appointed to the committees of the West Yorkshire Combined Authority (WYCA). The first review was undertaken prior to the formal establishment of the WYCA on 1 April 2014 as a scheme of allowances had to be in place for when the Authority went 'live'.

A particular difficulty with the first review was that the Panel did not have the benefit of experience of the WYCA in operation and the workload and responsibilities that would be required of its co-opted Members. The Panel recognised that the recommendations of the first review were inevitably going to be very much a 'snapshot in time', based on the Panel's knowledge as of the end of January 2014. As such it was acknowledged that the recommendations of the first review could not be seen as the Panel's definitive statement on the matter and the Panel would need to review the situation once more when experience of the roles and responsibilities had been gained.

This second review was undertaken with the benefit of experience during which it emerged that the situation remains fluid. The WYCA is still developing largely for organic reasons, which in turn has been further amplified by the emergence of English devolution on the broader political agenda. As a result, the roles and responsibilities undertaken by WYCA co-opted Members will also change but at present it is difficult to ascertain how they will change.

Thus, the recommendations of this review are not the Panel's definitive statement on allowances for the next four years. The Panel has found cause to a greater or lesser degree depending on the allowance under consideration to recommend changes. In spite of this the Panel has restricted recommended changes to the amelioration of the most glaring anomalies. However, the Panel has flagged up where it has felt there is a case for further change even though it has not done so. Events have the potential to change things so dramatically in the next couple of years that it is more prudent to wait and see. Consequently, this review is modest rather than fundamental in nature.

Dr Declan Hall

Chair of the WYCA Independent Remuneration Panel
May 2015

Executive Summary

Recommended Basic Allowance and SRAs 2015/16			
	Basic Allowance	SRA	Total per Co-opted Member
Transport Committee			
Chair	£4,500	£24,800	£29,300
Deputy Chair (Majority Group)	£4,500	£9,920	£14,420
Chairs District Consultation Sub Committees	£4,500	£1,575	£6,075
Leader of Main Opposition Group	£4,500	£7,440	£11,940
Members	£4,500		£4,500
Overview & Scrutiny Committee			
Chair	£1,350	£7,848	£9,198
Members	£1,350		£1,350
Governance & Audit Committee			
Chair		£3,891	£3,891

The Panel considered but does not recommend remuneration for the following:

- Vice Chair of the Overview and Scrutiny Committee
- Labour Spokesperson on Overview and Scrutiny Committee
- Members on the Governance and Audit Committee

The Panel also recommends that:

Confirming the '1-SRA only' rule

The WYCA maintains the 1-SRA only rule, i.e., a co-opted Member can only receive one SRA from the WYCA.

Travel and Subsistence Allowances

There is no change to the WYCA Travel and Subsistence Allowances including the approved duties and other conditions for which they may be claimed.

Dependants' Carers' Allowance (DCA)

The WYCA continue to pay a Dependants' Carers' Allowance subject to a monthly cap of £100 with receipts regardless of type or number of dependants.

The approved duties for which the DCA is claimed is based on the statutory approved duties specified in the 2003 Members' Allowances Regulations Section 7. (1).

Indexation

The allowances payable to co-opted Members on the WYCA are not indexed.

Implementation and Backdating of Recommendations

The allowances proposed in this review are implemented from the date of the WYCA Annual General Meeting on 25 June 2015.

THE SECOND REVIEW OF MEMBERS' ALLOWANCES
BY THE
INDEPENDENT REMUNERATION PANEL
FOR THE
CO-OPTED MEMBERS
APPOINTED
TO THE
WEST YORKSHIRE COMBINED AUTHORITY

May 2015

Introduction

1. This report contains the recommendations of the second independent review of allowances for Members co-opted onto the committees of the West Yorkshire Combined Authority (WYCA). The first review was carried out in January 2014 in advance of the establishment of the WYCA on 1 April 2014. The central dilemma for the Panel at the time was that it was being asked to settle on the worth of the posts under consideration without having experience of the new roles and responsibilities to be undertaken by the co-opted Members (or just Members) on the WYCA committees. Consequently the Panel has been reconvened now that that the WYCA has been in operation for almost 12 months to assess the validity of its judgements from the first report.

The Regulatory Context

2. Although the WYCA is now a statutory body there is no requirement, unlike in the constituent councils, to have an independent remuneration panel to review allowances for WYCA co-opted Members. However, the WYCA has commissioned this 2nd independent review of allowances in the spirit of transparency and openness by ensuring that the remuneration the WYCA co-opted Members continues to be subject to external scrutiny. Moreover, by providing a West Yorkshire-wide view it ensures consistency in the scope and

levels of remuneration for WYCA co-opted Members where they might otherwise be remunerated (or not as the case may be) via the allowances scheme of their nominating council.

3. The Panel has continued to apply similar principles that the panels employ in reviewing allowances schemes for their respective district councils. Consequently, the Panel has as far as practically possible followed the spirit of the *Local Authorities (Members' Allowance) (England) Regulations 2003* and 2006 Statutory Guidance on Members Allowances, unless there is a valid Combined Authority reason not to do so.
4. The WYCA reconvened its Panel consisting of the following Members:
 - Dr Declan Hall (Chair):
Chair of the Calderdale IRP (and formerly WYITA), previously an academic at the Institute of Local Government, University of Birmingham and currently an independent consultant specialising in Members allowances
 - Carolyn Lord:
Member of Leeds IRP (and formerly WYITA), IP for WYITA, solicitor in commercial practice, specialising in town and country planning and related areas of law and governor of Leeds Trinity University
 - Very Reverend George Nairn-Briggs AKL DL:
Member of Calderdale IRP, Chair of Wakefield Standards Committee; formerly a Whitehall Press Officer, Bishop's Advisor on Social Responsibility and Dean of Wakefield; currently Dean Emeritus and since 2006 a Deputy Lord Lieutenant of West Yorkshire
5. The Review was supported and serviced throughout by the following Officers:
 - David Burrell: Democratic Services Manager, WYCA
 - Angie Shearon: Office Manager, WYCA

Terms of Reference

6. The Panel was given the following terms of reference:

Background: In line with the recommendations of the First Report (January 2014 paragraph 18) the West Yorkshire Combined Authority (WYCA) Independent Remuneration Panel (the 'Panel') has been reconvened to reconsider the allowances paid to WYCA co-opted Members now that experience of their roles and responsibilities has been gained.

Role: The Panel is to consider key aspects of the allowances scheme for Members co-opted onto the WYCA committees and make recommendations for consideration by the Combined Authority.

In particular, the Panel is asked to make recommendations as to:

- Whether there is a case to recommend a Basic Allowance (BA) for all co-opted Members and the appropriate level payable where a BA is recommended
- The categories of responsibility for which a Special Responsibility Allowance (SRA) should be paid and the levels of such allowances.
- Whether a Dependants' Carers' Allowance should be payable to Members and the amount of such an allowance.
- The scope and levels payable for Travel and Subsistence Allowances.
- Whether an annual uplift should be applicable and if so what the appropriate mechanism should be.

In arriving at its recommendations the Panel is asked to take into account:

- Allowances paid in similar authorities.
- Allowances paid in the constituent authorities.
- The views of Members.
- The broader financial constraints facing the public sector.

Methodology

7. The Panel met at offices of the WYCA at Wellington House, Leeds on 6th March 2015 to consider all the relevant information and evidence (see appendix 1) and to meet with relevant Members and Officers of the WYCA (see appendix 2). The meetings with Officers were to obtain factual briefings and the meetings with Members were to obtain qualitative feedback on how Member roles have developed one year down the line and to draw out the extent to which the Panel had successfully anticipated the operation of the WYCA and the roles and responsibilities of the co-opted Members. All Members were given the opportunity to make a written submission to the Panel - one of which was received (see appendix 2).
8. Once again for benchmarking purposes the Panel took into account the allowances payable in the constituent councils and the other Combined Authorities (CAs) and the one remaining ITA, which is the West Midlands ITA (see appendices 3 and 4 for summary of main allowances paid in both groups of authorities).

Key Messages: No case for radical change in an evolving context

9. The overwhelming message from the representation received was that there was not a strong case to revisit the fundamentals of the current scheme of allowances. It was not so much a case that the Panel had made an accurate

assessment across the board in the first review but rather that the WYCA and its committees are still evolving. The Panel recognised this potential context in the first review (see First Report Paragraph 16) when it stated:

Indeed, to a certain extent the final form of the WYCA [governance arrangements] and balance of responsibilities between the WYCA and its committees are yet to be finally determined and are still evolving. Regardless of the final allocation of powers between by the WYCA and its committees, experience and further legislative changes will in all likelihood mean the practice will diverge from the theory through the process of adaptation and bedding in.

10. This has proved to be the case: the final form of the WYCA governance arrangements and balance of responsibilities between the WYCA and its committees are yet to be finally determined and are still evolving. Regardless of the final allocation of powers between by the WYCA and its committees, experience and further legislative changes will in all likelihood mean the practice will diverge from the theory through the process of adaptation and bedding in.
11. It was confirmed, probably more than the Panel anticipated, that the WYCA is not yet the 'finished article'. A reason for this is that we are in uncharted constitutional territory regarding sub-regional governance arrangements, with structures and relationships different from local government, which makes it a longer learning curve for all the participants.

Unanticipated Developments - compounding the fluid context

12. What the Panel did not and to a large extent could not anticipate was the change in the wider political and constitutional context. Since the first review English devolution has unexpectedly moved up the agenda. The prospect of sub regional and regional devolution will have a potentially massive impact on the WYCA, particularly in relation to transport. There is the Pan-Northern Alliance that has successfully lobbied for High Speed (rail) 3 (HS3) and to a lesser extent for wider devolved powers regarding transport not only in West Yorkshire but also in relation to broader northern cross connectivity. The WYCA through acquiring expanded powers and budget responsibilities, notably in relation to transport, will be required to reconsider how best to evolve its governance structures to best meet the challenges in both the short and medium term. There is still some way to go regarding the roles and responsibilities undertaken by WYCA Members.
13. Therefore the Panels' recommendations are not the definitive statement on the remuneration of WYCA co-opted Members as there are significant challenges ahead that will in all likelihood render any fundamental revision of allowances redundant within the next 12 months or so. The Panel has flagged up areas where it has cause for concern, which it will revisit when it next

convenes. Consequently the function of this review is to address any glaring anomalies and it will take a broader view when there is greater clarity regarding the role of the WYCA and its co-opted Members when English devolution is fully rolled out.

The Panel's Recommendations – the Transport Committee

The Transport Committee Basic Allowance

14. As the Basic Allowance is primarily a time based allowance the Panel adopted the approach in the 2003 Statutory Guidance in recommending the current Basic Allowance of £4,500 for Members co-opted onto the Transport Committee TC). It was based on the assumption that ordinary TC Members would have a workload equivalent to 40 days per year. This evaluation of workload was then multiplied by a day rate of £112.50 per day, the mean gross daily salary for all full time employees in West Yorkshire (2013), which produced £4,500.
15. The feedback indicated that 40 days per year may well be a high estimation of the workload required from ordinary TC co-opted Members, with a range of 12-30 days per year having been suggested as more likely, although there was a clear and strong emphasis on nearer 30 days per year. This representation on its own is not necessarily a clinching argument to revise the Basic Allowance downwards. Indeed the formal structures of the Transport Committee are flatter than that of the WYITA although this is partly counterbalanced by having fewer Members co-opted on the TC than were on the WYITA.
16. Ironically it was generally felt that TC co-opted Members are now more involved at the full committee compared to the involvement of Members at the full WYITA. There were more opportunities to specialise at the WYITA compared to the TC. The enhanced importance of the full TC puts a greater expectation on co-opted Members to acquire a wider knowledge of all transport issues and operations. As a result the rate of remuneration may need revising: instead of it being broadly based, i.e., the mean gross daily pay of all full time employees in West Yorkshire, it might be more fitting in due course to link it to a day rate that reflects the non-manual skills and knowledge co-opted Members are expected to acquire and to bring into play. This was the basis of the rate of remuneration utilised in calculating Basic Allowance for WYITA Members, which by 2013 was £150 per day and originally linked to mean gross non-manual pay for Great Britain.

Benchmarking the Transport Committee Co-opted Members Basic Allowance

17. Benchmarking (see table 1 below) against other CAs and the WYITA Transport Committee does not present a strong case to revise the Basic Allowance at this present juncture. It shows that the current WYCA TC Basic

Allowance is statistically in line with mean which is £4,426 and the median at £4,163. Even so benchmarking shows that a downward revision of the Basic Allowance of no more than 20% would still not leave the WYCA TC Basic Allowance adrift from that paid in peer authorities.

18. Despite evidence that the original variables utilised in arriving at the current Basic Allowance may not have been completely borne out by experience so far the Panel at this stage is not recommending it should be revised. The representation received did not support doing so particularly in the fluid and evolving context for the WYCA which will in all likelihood mean the Panel cannot guarantee a more robust Basic Allowance for the long term. The Panel will however revisit the Basic Allowance during its next review and will specifically test out whether 30 days per year or less is a more accurate reflection of the time expectations required from the ordinary co-opted Members of the Transport Committee.

Table 1: Main Allowances Paid in CA & WMITA TCs 2014/15

Comparator Authority	Basic Allowance	Chair's SRA	Chair's Total Remuneration	Deputy Chair's SRA
LCRCA Merseytravel Committee	£5,675	£24,308	£29,983	£9,975
GMCA Transport for Greater Manchester Committee (TfGMC) ¹	£3,825	£24,425	£28,250	£10,300
WMITA Transport Committee	£3,705	£24,480	£28,185	£17,136
West Yorkshire CA Transport Committee	£4,500	£24,800	£29,300	£9,920
Mean	£4,426	£24,503	£28,930	£11,833
Median	£4,163	£24,453	£28,775	£10,138
Lowest	£3,705	£24,308	£28,185	£9,920
Highest	£5,675	£24,800	£29,983	£17,136

19. **The Panel recommends that the current Basic Allowance (£4,500) for co-opted Members of the WYCA Transport Committee remains unaltered.**
20. The Panel reiterates that the Basic Allowance in particular will be reconsidered when the Panel next convenes, and if necessary, adjusted accordingly if experience proves that there is a case to do so.

1.

¹ TfGMC has 3 Deputy Chairs, including the Opposition Leader, each of whom chairs a main (sub) committee.

Chair of the WYCA Transport Committee

21. At the time of the first review the Panel acknowledged that the constitutional relationship between the WYCA and Transport Committee would mean the TC Chair's responsibility would not be on a par with held by the former WYITA Chair. Constitutionally, it was recognised that the TC Chair would no longer have responsibility for major strategic functions, such as the main features of the capital programme, although the Chair still leads on some of the operationally focused aspects of the capital programme such as bus shelters and the Hub programme. Regardless, the fact remained that a number of responsibilities that previously lay with the WYITA Chair and full Authority, mainly relating to financial matters such as setting budgets, borrowing, as well as the approval of the major strategies are reserved functions for which the WYCA is now ultimately accountable.
22. The Panel anticipated that the distinction between strategy and policy (reserved WYCA functions) and operational responsibilities (reserved TC functions) would not be so clear cut in reality. The Panel felt that the separation of operations and policy would mean the TC Chair taking on greater liaison and brokerage roles as the main link between the WYCA and the Transport Committee. Indeed the TC Chair does feed comments to the WYCA in respect of transport policy and strategy. For instance, the WYCA decides on the policies and spending in respect of the West Yorkshire Transport Fund but it is the TC that considers the 'gateways', in that through a process of phased appraisals and approvals it ensures that the fund criteria are being met.
23. The Panel also anticipated that the Chair of the Transport Committee through retaining overall responsibility for operational matters and remaining the 'public face' of public transport across the county would not see a significant diminution in workload - which has been borne out by experience.
24. What the Panel had not fully anticipated is the extent to which the WYCA has had to delegate to the TC Chair. This is more out of necessity than conscious choice. Regional transport has moved up the national political agenda as one vehicle to push forward regional devolution. For the WYCA to deliver a larger transport brief than envisaged it has had to delegate some of the workload and responsibility to the TC Chair. For instance, the WYCA has put the TC Chair on the board of directors of Transport for the North rather than send a full Authority Member. Whether anticipated or not there is no sign that these demands will ease up any time soon, in fact it may be the opposite in the short term with the WYCA relying more on the TC Chair and TC in general until the WYCA builds up its capacity through further structural development.
25. Despite it being a very small comparator group of four, benchmarking shows that the current TC Chair's SRA (£24,800) is on a par with peers with the mean SRA paid to the Chairs of the CA TCs and the WMITA TC being

- £24,503. Although the TC Chair's SRA is the highest this in a context where there is a difference of less than £500 between the highest and lowest.
26. In the first review the TC Chair's SRA was set with an eye on the SRA paid to the Leaders of the 5 WY constituent councils in that TC Chair's SRA should not exceed theirs as the Leaders make up the WYCA and appoint the TC chair. The picture has since been muddied by including the City of York within the benchmarking group. Although York is not a constituent Member of the WYCA its Leader is allocated a place on the WYCA, who receives an SRA of £23,530. However, for transport purposes the Leader of City of York Council has no remit regarding WY TC at present so the principle that the TC Chair should not be remunerated excessively compared to the WYCA constituent Members/Leaders still holds true.
 27. At its next review the Panel will explore further the appropriate SRA for the TC Chair where hopefully the development of the devolution agenda and its impact on the TC Chair will be more perceptible.
 28. **At this stage the Panel recommends no change to the current SRA (£24,800) paid to the Chair of the WYCA TC.**

The 2 Deputy Chairs of the Transport Committee

Deputy Chair (Majority Group)

29. At the time of the first review the Panel was informed that as with the WYITA there would be one Deputy Chair of the TC with a typical remit; namely to stand-in for the Chair when required, generally provide support and advice, attend formal and informal meetings alongside the Chair, and undertake specific tasks as required. This typical range of duties and responsibilities are being carried out by the Deputy Chair appointed from the controlling group on the TC and whose role includes chairing the Bus Services Working Group. Although it is not axiomatic that the Deputy Chair (controlling group) will always chair the Bus Services Working Group it is expected that these types of duties will be assigned to the post holder as and when necessary. No evidence was received to indicate that the current SRA (£9,920 - 40% of the Chair's SRA) needed revision.
30. **The Panel recommends no change to the current SRA (£9,920) paid to the Deputy Chair (Majority Group) of the WYCA TC.**

Deputy Chair (Minority Group) - Leader of the Opposition

31. The IRP did not consider remuneration for a Minority or 'Opposition' Group Leader during the first review as the post would not formally be recognised on the TC. Subsequently the Transport Committee appointed a second Deputy Chair of the TC who was the recognised Leader of the Minority Group, a practice that has continued since the Authority went live on 1 April 2014 with

- the second Deputy Chair receiving an SRA (£9,920), same as the first Deputy Chair (Majority Group). The IRP understands the rationale behind this move - it is a means to recognise the role of the 'Minority' Group Leader in a context where constitutionally party groups have no legal recognition on the TC.
32. The 2nd Deputy Chair's SRA is an anomaly both for what it is being paid for and the level payable. Despite receiving the same SRA the reality is that the 2 Deputy Chairs have very different roles and responsibilities. The first Deputy Chair (Majority Group) continues to be involved at the highest level in the work of the TC and has been required to stand-in for the Chair. On the other hand, the 2nd Deputy Chair (Minority Group) has not been called upon to exercise a similar range of responsibilities. Moreover, it can be assumed with as much certainty as may be permitted with the WYCA facing an indeterminate political landscape that the 2nd Deputy Chair (Minority Group) Chair will not be taking on responsibilities that merit an SRA on a par with the 1st Deputy Chair (Majority Group).
 33. This is a significant role for the 2nd Deputy Chair (Minority Group) to fulfil, e.g., the wider civic and ambassadorial roles, such as representing the WYCA TC alongside the Chair and 1st Deputy Chair at public events such as launches or in presenting a united front to Ministers, operators or other CA TCs when bidding for funds or making a case to the advantage of WY. However, these roles are not that different from the type of roles expected of any Opposition Leader on a joint committee or authority, which in effect it is. The 2nd Deputy Chair (Minority Group) largely undertakes the same roles that were carried out by the Leader of the Opposition Group when the WYITA existed. Regardless of lack of formal legal recognition the 2nd Deputy Chair (Minority Group) still seeks to provide critical challenge to the decisions of the majority group Members on the TC and voice criticism when it is felt to be appropriate. The post is a *de facto* Opposition Group Leader in lieu of being able to have a *de jure* Opposition Group Leader.
 34. The 2nd Deputy Chair's (Minority Group) current SRA (£9,920) is by no means the highest paid to 'Opposition' Leaders in other metropolitan TCs. The highest is the Opposition Leader on the TfGMC, at £10,300, but the TfGMC Opposition Leader is also one of the 3 Deputy Chairs of the full committee each of whom in turn chair a TfGMC main (sub) committee.
 35. The other point of reference for remuneration purposes, namely the constituent councils, shows that the WY TC 2nd Deputy Chairs' (Minority Group) SRA is higher than the SRA paid to the main Opposition Leaders in Kirklees (£9,820) and Wakefield (£6,721) where there is a statutory requirement to remunerate at least one Opposition Member and where they have legal recognition under legislation.
 36. The IRP has decided that the original sizing of the role of the Opposition Leader on the WYITA should be applied for now in arriving at the recommended SRA for the 2nd Deputy Chair (Minority Group) as it appears to be broadly the same role albeit it in a different context. In other words, the SRA has been arrived by setting at a ratio of 30% of the TC Chair's SRA.

Moreover, the Panel was informed that there is no legal impediment to re-badge the post of 2nd Deputy Chair to clarify that it is paid to Leader of the Opposition thus making the allowances scheme more transparent.

37. **The Panel recommends that the currently designated post of 2nd Deputy Chair is for the purposes of remuneration renamed as Leader of the Opposition and is paid an SRA of £7,440.**

Chairs of the 5 District Consultation Sub Committees

38. Under the Transport Committee there are 5 District Consultation (DC) Sub Committees (DC Subs) based on the 5 WY constituent councils. They replaced the WYITA District Liaison Committees and Passenger Consultative Committees and are the main public interface at the local level. The Chairs of the DC Subs have a dual role in that they are also the district spokesperson for transport matters in their council district although this is a role that all TC co-opted Members can reasonably expect to fulfil back at their districts to some extent and is included in the assessment of the BA.
39. The DC Sub Chairs receive an SRA of £1,575, more to recognise the workload associated with the role rather than responsibility. Thus the SRA had been arrived at by assessing the Chairs' workload at an extra 14 days per year multiplied by £112.50 (the daily rate of remuneration). The number of days was arrived at by assessing the chairing of the quarterly DC Sub meetings as requiring 8 days per year, including preparation, with an additional 6 days per year for the district spokesperson role.
40. However the Panel did not receive any evidence to support this assessment of 14 days per year. The Panel was informed that there was not a great deal of preparation for chairing the DC Sub meetings and the time commitment is closer to 4 days per year. The district spokesperson role might not be 6 days per year either; there appears to be some synergy savings time wise. Although similar arrangements exist in the other CA TCs, it is only in WY TC that these posts are remunerated.
41. The Panel puts on record that it did not hear or receive a great deal of evidence about the role of the Chairs of the DC Subs. The Panel accepts that this role may take on more importance as transport projects and services are rolled out locally and to change their SRA might be premature.
42. Consequently **the Panel recommends that the SRA for the Chairs of the District Consultation Sub Committees remains at £1,575.** During the next review the Panel will engage more widely with the Chairs of the District Consultation Sub Committees so has to obtain a more informed assessment of the role.

Co-opted Members of the Overview and Scrutiny Committee

43. The WYCA is required to appoint an Overview and Scrutiny Committee to scrutinise decisions or any other action taken in connection with the functions of the WYCA. It can send reports or recommendations to the WYCA in respect to the functions of the WYCA and monitor and receive responses to any reports or recommendations made. It can also call in decisions of the WYCA. It has 18 co-opted Members, three appointed from each of the constituent councils and three appointed by the non-constituent council (City of York). Members of the WYCA are excluded from sitting on the Overview and Scrutiny Committee. As in the nominating councils, the Overview and Scrutiny Committee, while having no decision making powers, is able to take a view across the whole of the Combined Authority as the corporate 'inward facing' committee. It is designed as the main means by which the WYCA is held to account and its performance monitored.
44. In the first review there was strong support to pay a BA to Overview and Scrutiny Committee co-opted Members. Although scrutiny members in principal councils are not remunerated, the Panel made such a recommendation on the basis that much of the work of Overview and Scrutiny, particularly in carrying out specific reviews, would be done by Scrutiny Task and Finish Working Groups in which all Overview and Scrutiny co-opted Members would be expected to take full part, including chairing the working groups on an ad hoc basis. The recommended Basic Allowance for Overview and Scrutiny co-opted Members was arrived at in the typical fashion of multiplying a time assessment of 12 days per year by £112.50 per day, which equated to £1,350.
45. However, the Panel heard that Overview and Scrutiny has not developed as envisaged. Co-opted Members are not getting involved through Scrutiny Task and Finish Working Groups as there have not been any set up so far. The Overview and Scrutiny Committee has yet to call in any decisions of the WYCA. To an extent this is understandable, Overview and Scrutiny co-opted Members are still getting to grips in understanding the various roles and functions of the WYCA and its committees and the relationship between them and the role of voluntary partnership bodies such as the Local Enterprise Partnership which has a strong role in deciding the priorities for investment in roads, buildings and facilities in the area. As with many aspects of the governance of the WYCA it is new and still evolving. It is also noted that Overview and Scrutiny in principal councils has not developed into what was envisaged - and they have had 15 years to develop and refine the model.²
46. Regardless the Panel was uncomfortable at the level of Basic Allowance when one of the main reasons for a Basic Allowance being recommended, namely working on and occasionally chairing a scrutiny Task & Finish Working Group, has not come about thus far. In effect, the co-opted Members

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² This is not a criticism of how principal councils operate rather the legislative constraints that overview and scrutiny has to operate in English local government. There are inherent structural weaknesses in the English model of overview and scrutiny, but that is beyond the remit of this Panel,

of Overview and Scrutiny are paid £1,350 for attending 5 meetings per year. The Panel's unease was compounded by the fact that scrutiny members are not remunerated in either the nominating councils or on other metropolitan TCs. *The Panel was minded to reduce this allowance until it received hard evidence that the role has developed as envisaged.* However, as with other roles where there is doubt that the remuneration has matched reality the Panel has decided to revisit this allowances during the next review where the Panel would need to see an enhanced work programme in place with some demonstrable outcomes.

47. **The Panel recommends no change to the current Basic Allowance (£1,350) for Members co-opted onto the Overview and Scrutiny Committee.**

Chair of the WYCA Overview and Scrutiny Committee

48. There is a stronger case to revisit the SRA (£11,016) paid to the Chair of the Overview and Scrutiny Committee at this juncture. It is a high SRA for a Chair whose committee has yet to find its feet despite the inherent challenges it faces in a still relatively new context. The SRA was based on the mean SRA paid to Scrutiny Chairs in the WY nominating councils in lieu of any other means by which to judge the size of the position. As a result of adopting this approach the Chair of the WYCA Overview and Scrutiny Committee receives an SRA higher than that paid to chairs of scrutiny in
- Calderdale: £7,448
 - Kirklees: £6,138
 - Wakefield: £8,890
49. In the first review the Panel had not fully appreciated the extent to which the mean was (and remains) skewed by a very high SRA (£19,321) paid to scrutiny chairs in Leeds; a higher SRA than that paid to all the Deputy Leaders in the nominating councils except in Leeds.
50. None of the scrutiny chairs in the other CAs/WMITA are remunerated (although the Chair of the Performance and Review Sub Committee in Merseytravel Committee receives an SRA of £2,660).
51. This SRA is clearly out of synch with comparative practice and the current level cannot be justified. The Panel has decided to realign the SRA paid to the Chair of the Overview and Scrutiny Committee by basing it on the mean SRA (£7,848) paid to Scrutiny Chairs in the constituent councils (including York) but with Leeds taken out the equation; Leeds is such an outlier it disproportionately skews the 'average' in a benchmarking group of only 6 councils.
52. **The recommended SRA for the Chair of the WYCA Overview and Scrutiny Committee is £7,848.**

Vice Chair of the Overview and Scrutiny Committee

53. No evidence was received to change the position the Panel took in the first review regarding the merits of recommending an SRA for the Vice Chair of the Overview and Scrutiny Committee. **The Panel does not recommend that the Vice Chair of the Overview and Scrutiny Committee is paid an SRA.**

Labour Spokesperson on Overview and Scrutiny Committee

54. In line with good practice and that often adopted in principal councils the WYCA has appointed an Opposition co-opted Member as Chair of the Overview and Scrutiny Committee. Consequently the controlling Labour group has appointed one of its co-opted members on Overview and Scrutiny as its designated spokesperson to give voice to the majority group when required.
55. The Panel considered whether this post merited an SRA and no evidence was received to support the proposition.
56. **It is not recommended that the Labour Spokesperson on the Overview and Scrutiny Committee receives an SRA.**

Chair of Governance and Audit Committee

57. The Governance and Audit Committee is not a statutory committee although its functions including standards are. The WYCA set up a Governance and Audit Committee in line with good practice; they are normally established, in varying forms, in principal councils – however in the constituent councils the audit and standards functions are typically dealt with by separate committees. The WYCA Governance & Audit Committee spent its inaugural year adopting the Code of Conduct and overseeing the establishment of audit and financial management systems. Next year the WYCA assumes the role of the accountable local authority for LEP functions and the Governance and Audit Committee will have an enhanced remit once this occurs.
58. The SRA for the Chair of the Governance & Audit Committee was arrived in the first review by basing it on the mean SRA paid to Chairs of equivalent (mostly Audit) committees in the constituent Councils, which was then £6,643. With the inclusion of York in the benchmarking group the mean is now £5,976. If the Panel maintained the approach used in the first review, i.e., adopt the revised mean of £5,976 the post holder would still be paid more than the chairs of audit in all the constituent councils except Bradford, which is an outlier in this case with an SRA of £12,564. Benchmarking with other CAs is of no help as none of them remunerate this post, although not all have this committee in place. The Panel has decided the Chair of Governance and Audit's SRA should still be based on the mean SRA (£3,891) in the constituent councils but with Bradford as an outlier taken out of the equation.

59. **The recommended SRA for the Chair of the Governance and Audit Committee is £3,891.**

Governance and Audit Committee: A Basic Allowance

60. It is expected that the co-opted Members appointed to the Governance and Audit Committee will be chairs of equivalent committees in their appointing councils thus bringing their knowledge and expertise to address what can often be technical issues. For political balance purposes an extra co-opted Member from a minority group has been appointed to the committee (as is the case with Transport Committee where that co-opted Member receives the Basic Allowance). However, this extra co-opted Member is not a chair of the equivalent committee in their appointing council and therefore receives no remuneration on either body.
61. Representation was received to consider a 'Basic Allowance' for those co-opted members on the Governance & Audit Committee not otherwise in receipt of an SRA from their nominating councils - which currently only applies to the single co-opted Member appointed for political balance. There was a perceived unfairness on two grounds: first, of the two extra co-opted members appointed for political balance purposes one gets a Basic Allowance the other doesn't, second the extra appointee is the only co-opted member on Governance & Audit not remunerated.
62. Leaving aside the Panel's doubts on the merits of paying a Basic Allowance to all Overview and Scrutiny co-opted members, at least at the current level, just by 'being left out' remuneration wise is not sufficient cause in itself to be remunerated - the other co-opted members on Governance and Audit are not remunerated for being on the committee per se but as chairs of their respective equivalent committees. No evidence was presented that the responsibility or workload for being a co-opted member of the Governance & Audit Committee is in itself significant enough to merit remuneration, particularly with quarterly meetings. Moreover, the relevant appointing council for the co-opted Member in question can if it feels the anomaly needs addressing do so via its own allowances scheme.
63. **It is not recommended that a Basic Allowance be paid to co-opted Members on the Governance & Audit Committee.**

Confirming the '1-SRA only' rule

64. The WYCA as is the norm in principal councils and joint authorities has adopted a 1-SRA rule. In other words, regardless of the number of remunerated posts a co-opted WYCA Member may hold through being on a WYCA committee (highly unlikely admittedly) that only one SRA is payable. No evidence was received to suggest that the 1-SRA only rule should be revised.

65. **The Panel recommends that the WYCA maintains the 1-SRA only rule.**

Other Allowances: Travel and Subsistence Allowances

66. No evidence was received to indicate that the current Travel and Subsistence Allowances, including the rates payable and the terms and conditions for which they may be claimed needed revising.
67. **The Panel recommends no change to the WYCA Travel and Subsistence Allowances including the approved duties and other conditions for which they may be claimed.**

Dependants' Carers' Allowance (DCA)

68. In the first review the Panel recommended that the WYCA make available a carers' allowance (known as the Dependants' Carers' Allowance or DCA at principal councils). This allowance can be claimed by co-opted Members who have dependants residing with them to assist with the care of those dependants while a co-opted Member is on a recognised WYCA related duty. The recommendation was adopted and it has been claimed by one co-opted Member on occasion.
69. While acknowledging that the need to claim a DCA is infrequent the Panel supports such an allowance as it helps reduce a barrier to public service for under-represented groups. All the constituent councils have provision for the DCA in their allowances scheme. The representation received supported the continuation of this allowance although it was felt it might be somewhat bureaucratic in its present form which the Panel acknowledges is the case.
70. **The Panels recommends that the WYCA continue to pay a Dependants' Carers' Allowance subject to a monthly cap of £100 regardless of type or number of dependants. The claimant will still be required to submit relevant receipts.**
71. **The Panel also recommends that the approved duties for which the DCA is claimed is based on the list of statutory approved duties as specified in the 2003 Members' Allowances Regulations Section 7. (1).**

Indexation

72. Although it was not adopted the Panel recommended in the first review that allowances be indexed. Annual indexation ensures allowances keep pace with inflation and efficient in that it lessens the need for substantial increases in allowances on a periodic basis. It is for this reason that the indexation of allowances is common across all UK local government - usually linked to annual percentage increase in Officer salaries, as agreed nationally. Normally

on principle the Panel would support indexation but has decided that because of the evolving context which will inevitably impact on the roles and responsibilities of WYCA co-opted Members then indexation of WYCA allowances is not appropriate at this stage. The Panel will reconsider this recommendation at the next review.

73. **The Panel does not recommend any of the allowances payable to co-opted Members on the WYCA are indexed.**

Implementation and Backdating of Recommendations

74. **The Panel further recommends that the allowances proposed in this review are implemented from the date of the WYCA Annual General Meeting on 25 June 2015.**

APPENDIX 1: Written Information Received and Considered by Panel

1. Panel Itinerary
2. Terms of reference
3. Draft Calendar of Meetings 2015/16
4. Terms of Reference for each committee
5. The First Report (January 2014) by the Panel
6. Report to Transport Committee, "Transport Committee Arrangements", 13 June 2014
7. WYCA Co-opted Members Allowances Scheme 2014/15
8. WYCA structure diagram
9. Allowances schemes (2014/15) for 5 West Yorkshire + City of York Councils, namely
 - Bradford
 - Calderdale
 - Kirklees
 - Leeds
 - Wakefield
 - York
10. Allowances schemes (2014/15) for other ITAs/Combined Authority Transport Committees namely:
 - LCR, The Merseytravel Committee
 - SCR, Transport Committee
 - NE Combined Authority TNEC
 - West Midlands ITA Centro Members
 - AGMA/GMCA Transport for Greater Manchester Committee
11. Department of Communities and Local Government (DLGC): *New Council Constitutions: Guidance on Regulation for Local Authority Allowances*, 2003

APPENDIX 2: Members & Officers Who Contributed to the Review

Members:

Cllr S. Baines:	Chair Overview & Scrutiny (Conservative - Calderdale)
Cllr P. Box:*	WYCA Chair and Leader of Wakefield (Labour)
Cllr E. Firth:	Deputy Chair of WYCA TC (Labour - Kirklees)
Cllr D. Green: **	Chair of WYCA Investment Committee (Labour - Bradford)
Cllr J. Lewis:	Chair of TC (Labour - Leeds)
Cllr H. Richards:*	Chair of Governance & Audit Committee (Labour - Kirklees)
Cllr L. Smaje:	2nd Deputy Chair & Leader of the Opposition (Conservative) Group on TC (Conservative - Kirklees)

Officers:

The Panel received a briefing from the following Officers:

David Burrell:	Democratic Services Manager, WYCA
Angela Taylor:	Director of Resources, WYCA

* interviewed via telephone

** Made written representation to the IRP

APPENDIX THREE: Summary of Allowances Schemes Used for Benchmarking Purposes

Benchmarking ITA & CA TCs - BA & SRAs Payable 2014/15									
Comparator Authority	Basic Allowance	Chairs' SRA	Chair's Total Remuneration	Deputy Chair	Chair District Liaison	Chair or Lead Main Committee	Vice Chair Main Committee	Chair Minor or Sub Committee	Leader Main Opposition Group
LCRCA Merseytravel Committee	£5,675	£24,308	£29,983	£9,975		£4,433		£2,660	£2,660
SCRCA Transport Committee	NA								
*GMCA & AGMA TfGMC	£3,825	£24,425	£28,250	£10,300		£10,300	£1,255		<u>£10,300</u>
NECA TNEC	NA								
WMITA Centro Members Committee	£3,705	£24,480	£28,185	£17,136		£8,078		£3,797	£8,078
**WYCA Transport Committee	£4,500	£24,800	£29,300	£9,920	£1,575				<u>£9,920</u>
Median	£4,163	£24,453	£28,775	£10,138		£8,078			£8,999
Mean	£4,426	£24,503	£28,930	£11,833		£7,604			£7,740
Lowest	£3,705	£24,308	£28,185	£9,920		£4,433			£2,660
Highest	£5,675	£24,800	£29,983	£17,136		£10,300			£10,300
* TfGMC: has 3 Deputy Chairs, including the Opposition Leader, and each chair a main committee									
** WYCA TC: has 2 Deputy Chairs with one being the Opposition Group Leader									

BM1 WYCA Constituent Councils: BA + Executive + Scrutiny + Audit SRAs 2014/15												
WYCA Constituent Councils	Basic Allowance	Leader's SRA	Total Leader	Deputy Leader	Cabinet SRAs	Cabinet Mbr W/O Portfolio	Dep Cabinet Members	Support Executive Members	Main O&S Chair	Scrutiny Chairs or Leads	Chair Audit	Chair Governance
Bradford	£13,043	£35,900	£48,943	£17,950	£25,130	£16,154			£12,564	£12,564	£12,654	
Calderdale	£9,931	£29,794	£39,725	£14,897	£11,918					£7,448	£5,958	£5,958
Kirklees*	£12,566	£25,155	£37,721	£18,866	£12,274				£11,047	£6,138	£2,454	
Leeds	£14,928	£38,642	£53,570	£25,301	£23,185	£19,321	£11,593	£4,830		£19,321	£7,728	
York	£7,193	£23,520	£30,713	£16,905	£14,700				£6,300	£4,200	£2,100	
Wakefield	£11,095	£33,854	£44,949	£17,710	£13,299		£5,050			£8,890	£5,050	
Highest	£14,928	£38,642	£53,570	£25,301	£25,130		£11,593		£12,564	£19,321	£12,654	
Lowest	£7,193	£23,520	£30,713	£14,897	£11,918		£5,050		£6,300	£4,200	£2,100	
Mean	£11,459	£31,144	£42,604	£18,605	£16,751		£8,322		£9,970	£9,760	£5,991	
Median	£11,831	£31,824	£42,337	£17,830	£14,000		£8,322		£11,047	£8,169	£5,504	
* Kirklees pays Members on O&S Management Committee SRA of £1,227 & Chairs of Ad Hoc Scrutiny Panels £38 per day												

BM1a WYCA Constituent Councils: BA + Executive + Scrutiny + Audit SRAs 2014/15 - with outliers removed												
WYCA Constituent Councils	Basic Allowance	Leader's SRA	Total Leader	Deputy Leader	Cabinet SRAs	Cabinet Mbr W/O Portfolio	Dep Cabinet Members	Support Executive Members	Main O&S Chair	Scrutiny Chairs or Leads	Chair Audit	Chair Governance
Bradford	£13,043	£35,900	£48,943	£17,950	£25,130	£16,154			£12,564	£12,564		
Calderdale	£9,931	£29,794	£39,725	£14,897	£11,918					£7,448	£5,958	£5,958
Kirklees*	£12,566	£25,155	£37,721	£18,866	£12,274				£11,047	£6,138	£2,454	
Leeds	£14,928	£38,642	£53,570	£25,301	£23,185	£19,321	£11,593	£4,830			£7,728	
York	£7,193	£23,520	£30,713	£16,905	£14,700				£6,300	£4,200	£2,100	
Wakefield	£11,095	£33,854	£44,949	£17,710	£13,299		£5,050			£8,890	£5,050	
Highest	£14,928	£38,642	£53,570	£25,301	£25,130		£11,593		£12,564	£12,564	£7,728	
Lowest	£7,193	£23,520	£30,713	£14,897	£11,918		£5,050		£6,300	£4,200	£2,100	
Mean	£11,459	£31,144	£42,604	£18,605	£16,751		£8,322		£9,970	£7,848	£4,658	
Median	£11,831	£31,824	£42,337	£17,830	£14,000		£8,322		£11,047	£7,448	£5,050	
* Kirklees pays Members on O&S Management Committee SRA of £1,227 & Chairs of Ad Hoc Scrutiny Panels £38 per day												

BM2 WYCA Constituent Councils: Main Regulatory SRAs										
WYCA Constituent Council	Chair Planning	V/Chair Planning	Chair Planning Sub	Chair Licensing & Regulatory/GP	Mbrs Licensing &/or Regulatory & Appeals	Chair Licensing	Chairs Licensing Subs	Chair Taxis	Appeals Chair	Area Chairs
Bradford*	£12,564			£12,564	£2,872	£12,564		£7,180	£7,180	12564
Calderdale	£8,939			£5,958					£2,979	
Kirklees*	£6,138			£4,911					£3,684	7365
Leeds*±	£13,525			£8,694	£580					10144
York	£6,300		£4,200	£6,300						
Wakefield	£8,890	£2,987		£8,360			£5,050			
Highest	£13,525			£12,564	£2,872				£7,180	
Lowest	£6,138			£4,911	£580				£2,979	
Mean	£9,393			£7,798	£1,726				£4,614	
Median	£8,915			£7,330	£1,726				£3,684	
* More than 1 Planning Panel - Bradford & Kirklees (4) & Leeds (3), Bradford also pay Planning Members SRA of £2,872										
± Leeds pay SRA to Chair Development Plan Panel £4,830										

BM3 WYCA Constituent Councils: Main Opposition Group SRAs 2014/15						
WYCA Constituent Councils	Leader Main Minority Group	Dep/Leader Main Minority Group	Shadow Cabinet Members	Main Minority Group Chief Whip	Leader 2nd Minority Group	Dep/Leader 2nd Minority Group
Bradford	£25,130	£16,154	£4,488	£12,564	£17,950	£12,564
Calderdale	£11,918				£5,958	
Kirklees	£9,820	£3,684		£7,365	£9,820	£3,684
Leeds	£23,185	£4,830		£9,274	£4,830	
York	£10,500	£6,300			£2,100	
Wakefield	£6,721					
Highest	£25,130	£16,154		£12,564	£17,950	£12,564
Lowest	£6,721	£3,684		£7,365	£2,100	£3,684
Mean	£14,546	£7,742		£9,734	£8,132	£8,124
Median	£11,209	£5,565		£9,274	£5,958	£8,124

West Yorkshire Combined Authority

Members' Allowances Scheme Municipal Year 2015/6

The West Yorkshire Combined Authority, (WYCA), in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations"), hereby makes the following scheme:

1. This scheme may be cited as the WYCA Members' Allowances Scheme, and shall have effect for the municipal year 2015/16. It shall continue in force, as amended from time to time, until revoked or amended.

2. In this scheme

"**WYCA Member**" means a member of the WYCA appointed in accordance with Schedule 1, paragraph 1 of the WYCA Order 2014

"**Co-opted Member**" means a person who is not a member of the WYCA but who is co-opted to any committee or sub-committee of the WYCA.

"**annual meeting**" means the WYCA's annual meeting held each year.

3. WYCA Members (as opposed to Co-opted Members) are only entitled to Travel and Subsistence Allowances and not any other allowances under this Scheme.

4. The basic and special responsibility allowances shall be paid to Co-opted Members as set out in Schedule 1.

5. **1-Special Responsibility Allowance (SRA) only rule**

A Co-opted Member can only receive one SRA from the WYCA .

6. **Travel and Subsistence Allowances – Approved Duties**

A WYCA Member or Co-opted Member may re-claim any costs they incur provided they are incurred whilst engaged on Approved Duties set out in Schedule 2 and within the limits specified in Schedule 3.

7. **Dependants' Carers' Allowance**

The WYCA adopts a Dependants' Carers' Allowance in relation to subject to the following terms and conditions:-

- Childcare element
 - maximum rate payable = £7.65 per hour
 - care must be provided by a registered child minder

- Other Dependants element

maximum rate payable = the hourly cost of a Home Help carer payable by Leeds City Council

For both types of care, there is a monthly cap of £100, regardless of type of number of dependants. Receipts are required and the approved duties for which the Dependants' Carers Allowance is claimed should be based on the statutory list of approved duties set out in Schedule 2.

8. Implementation and Backdating of Recommendations

The allowances are implemented from the date of the annual meeting and paragraph 11 applies.

9. Renunciation of entitlement to allowances

A member may by notice in writing given to the Chief Finance Officer elect to forego all or any part of their entitlement to an allowance under this scheme.

10. Part year Entitlements

- (1) The provision of this paragraph shall have effect to regulate the entitlements of a Co-opted Member to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that member becomes, or ceases to be, a member, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this scheme changes the amount to which a Co-opted Member is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:-
 - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the

relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- (3) Where the term of office of a Co-opted Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that member to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Co-opted Member does not subsist throughout the whole, or any period mentioned in sub-paragraph (2)(a), the entitlement of any such member to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his or her term of office as a member subsists bears to the number of days in that period.
- (5) Where a Co-opted Member has during part of, but not throughout, a year such special responsibilities as entitle them to a special responsibility allowance, that member's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she had such special responsibilities bears to the number of days in that year.
- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Co-opted Member has during part, but does not have throughout the whole, or any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as to entitle him or her to a special responsibility allowance, that member's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

Claims and Payments

11. (1) A claim for travelling and subsistence allowances under this scheme shall be made in writing within three months of the date of the duty in respect of which the entitlement to the allowance arises.
- (2) A claim for all allowances under this scheme or any allowance under any other provisions shall include, or be accompanied by, a statement signed by the claimant that he or she has:-
 - (a) Incurred the actual expenditure shown on the claim and has not made and will not make any other claim either to this or any other

organisation in respect of the matter to which their claim relates, subject;

- (b) In the case of travelling expenses to the amount being in line with the WYCA's policy to reimburse the lower of standard class bus or rail fares or the appropriate car allowance rates and;
- (c) In the case of subsistence expenses that the amount does not exceed the maximum allowance authorised by the WYCA in Schedule 3 of the scheme.

(3) Subject to any external timing constraints, payments shall be made:-

- (a) in respect of basic and special responsibility allowances, subject to sub paragraph (2), in installments of one-twelfth of the amount specified in this scheme on the last Thursday of each month;
- (b) in respect of travelling and subsistence allowances, on the last Thursday in each month for all fully completed claims received by the end of the previous week;
- (c) in respect of any emergency reimbursement of a large expense claim suitable arrangements will be made where specially requested by the Member concerned.

(4) Where a payment of one-twelfth of the amount specified in this scheme in respect of basic allowance or a special responsibility allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 8, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

12. Duplication of Allowances

No member may receive allowances from more than one authority in respect of the same duties.

SCHEDULE 1

	BASIC	SRA	Total per Co-opted Member
Transport Committee			
Chair	£4,500	£24,800	£29,300
Deputy Chair (majority group)	£4,500	£9,920	£14,420
Chair of each District Consultation Sub-Committee	£4,500	£1,575	£6,075
Leader of main opposition group	£4500	£7440	£11940
Members	£4,500	-	£4,500
Overview & Scrutiny			
Chair	£1,350	£7848	£9198
Members	£1,350	-	£1,350
Governance & Audit Committee			
Chair	-	£3891	£3891

SCHEDULE 2

APPROVED DUTIES

The following are specified as an approved duty for purpose of the payment of travelling and subsistence and Dependants' Carers' allowances:-

- (i)** A meeting of the WYCA, any committee or sub-committee of the WYCA or of any other body to which the WYCA makes appointments or nominations or of any Committee or Sub-Committee of such body.
- (ii)** Any other meeting the holding of which is authorised by the WYCA provided that it is a meeting to which members of at least two political groups have been invited.
- (iii)** Meetings of a non-commercial and non-political nature with Ministers, Members of Parliament, European Members of Parliament, representatives of Government Departments and representatives of major companies who have an involvement in public transport matters by the Chair, Deputy-Chair and Leaders of political groups, or their nominees, individually, in pairs or as a group, as representatives of the WYCA, for the purpose of discussing matters which relate to the functions of the WYCA or of a constituent or non-constituent Council represented on the WYCA, or any other council in which the WYCA has an interest in the particular function involved.
- (iv)** Conferences, seminars and study courses only when the Monitoring Officer is satisfied that they represent value for money and are being held for the purpose of discussing matters which relate to the functions of the WYCA or any functions of the local authorities in which the WYCA has an interest.
- (v)** At representative functions, official functions, responding to invitations to meet and/or address voluntary and other organisations, site visits and meetings with officers subject to the prior agreement of the Monitoring Officer.

SCHEDULE 3

TRAVELLING AND SUBSISTENCE EXPENSES

Travelling Expenses

Normally Members are expected to travel by bus or standard class rail. Claims for car allowances will therefore only be paid where there is no suitable alternative public transport available or there are special circumstances.

Standard class travel should be booked in advance for all rail travel on behalf of all Members, unless in the view of the Monitoring Officer there are special circumstances that require first class travel, for example to enable confidential conferences to be held on the train or to avoid disadvantaging members when travelling with other organisations.

Metrocards

In view of legal and auditors advice, only Co-opted Members of the Transport Committee would properly be entitled to a free Metrocard. All other members would be permitted to apply but would be required to contribute a proper proportion to the cost to the WYCA of the card, in relation to the element of personal usage that could be made of it.

Where a Member holds a Metrocard, they should use this where reasonably practicable rather than other forms of transport.

When a Member ceases to be a Co-opted Member of the Transport Committee they must give back their Metrocard, or make a proper contribution to the cost of it if they wish to keep it.

Car Mileage Rates - the HMRC mileage rates from time to time in force

Approved mileage rates		
From 2011-12	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

Passenger Rates

Where a Member carries a passenger they can claim the HMRC approved passenger mileage rate of 5p per passenger mile, in addition to the applicable mileage rates for motor cars.

Motor Cycle Mileage Rates

24p per mile (indexed to HM Revenue and Customs approved rates)

Bicycle Mileage Rate

20p per mile

General Travel Expenses

To reduce costs to the WYCA, Members should not travel independently where it would be possible to travel with another Member or Officer.

Members may claim specific reimbursement for expenditure incurred on tolls, ferries or parking fees as these are deemed to be additional to the basic car allowance rates.

In rare circumstances it is not possible to utilise public transport and a taxi has to be used. In such circumstances members must obtain receipts before reimbursement will be available.

Subsistence Allowances

In each instance only the actual cost incurred may be claimed with the following being the maximum rates claimable:¹

Day Subsistence Rates

Breakfast allowance	£7.93
Lunch allowance	£10.80
Tea allowance	£4.35
Evening meal allowance	£13.50

Note: The current total daily maximum subsistence claimable (£36.58) should not be disaggregated and applied to specific meals but a 24 hour maximum claimable to be spent upon subsistence as required.

¹ These figures are reviewed annually in line with the rates applicable to, and published by, the Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives.

Overnight Subsistence

All overnight accommodation should be booked through the WYCA's office who will seek out the most reasonably priced accommodation available to be paid for directly by the WYCA thus avoiding any claims for reimbursement.

Overseas Travel

Members are entitled to claim reasonable expenses in relation to their journey and stay, reimbursable upon production of receipts.

It is expected that the necessary travel and accommodation arrangements would be booked through the WYCA's office.

Meals Provided Free Of Charge

Members are required to deduct an appropriate amount from the subsistence allowances in respect of any meals provided free of charge by an authority or body during the period to which the allowance relates. The allowance cannot therefore be claimed where a free meal has been provided.

Meals Taken On Trains

Where main meals are taken on trains during the period for which there is an entitlement to a subsistence allowance the reasonable cost of meals (including VAT) shall be reimbursable in full. This will then replace the specific meal allowances set out above.

Note: In the case of travel abroad there are sometimes difficulties in obtaining receipts. However, for the reasons given above reimbursement will only be available where receipts are provided.

West Yorkshire Combined Authority

Officer Delegation Scheme

Introduction

General roles and responsibilities of Members and Officers

The Authority has approved policies which determine the framework in which operational decisions are made. The policies are supported by the Local Transport Plan, and strategies covering bus, rail and passenger information.

Key overarching decisions are made by Members (such as approving the budget, the capital programme and agreeing individual capital projects).

Officers implement decisions made by the Authority (or its committees). They also take measures to carry out these policies and decide day-to-day operational matters, within the framework of these decisions.

In doing so, officers are subject to other control measures. These include:-

- standing orders and financial regulations (incorporating procurement regulations and contract awards);
- Officers' Code of Conduct, a gifts and hospitality policy and a register of Directors' interests;
- organisational values;
- anti-fraud and anti-corruption policy; and
- internal audit and risk management arrangements.

Delegations by the Authority and Committees

The Authority may lawfully delegate functions to the Authority's committees or officers.

Table A in this scheme sets out:

- functions which the Authority cannot lawfully delegate, together with
- functions which the Authority has decided not to delegate.

This Officer Delegation Scheme sets out functions delegated to officers by the Authority. The Authority may also make other delegations to officers in relation to any specific matter.

The Financial Regulations, Contracts Standing Orders and other Standing Orders of the Authority also contain delegations to officers; under these, certain decisions may only be made by, or must be approved by, specified officers.

Where the Authority have appointed a committee to discharge its functions, that committee can also delegate its functions to an officer¹.

The Authority (or a committee) may continue to exercise any function which it has delegated to an officer.

Sub-delegations

Unless required by law, or expressly indicated in the scheme, an officer is not required to discharge their delegated authority personally. An officer may arrange for another officer of suitable experience and seniority to exercise their delegated authority on their behalf. However, the officer with authority delegated to them by the Authority under this scheme will remain responsible for any decision taken.

Referral of matters to the Authority or relevant committee

An officer may decide not to exercise their delegated authority in relation to any matter. If so, the officer shall refer the matter to the Authority or a relevant committee.²

When exercising their delegated authority, an officer must:

- ensure that decision conforms with and furthers policies approved by the Authority; and
- follow approved practices and procedures of the Authority, relevant Government Guidance and industry/professional best practice.

Recording Officer Decisions³

An Officer is required to make a **written record** of their decision if the decision has been delegated:

- under a specific express authorisation, or
- under the Officer Delegation Scheme where the effect of the decision is to:
 - a) grant a **permission** or **licence**;
 - b) affect the **rights of an individual**; or

¹ A committee's power to delegate may, however, be limited by the Authority, or in some circumstances by the law.

² For determination or consultation.

³ See further Access to Information Annex to the Procedure Rules

- c) award a **contract** or **incur expenditure** which, in either case, **materially affects the Authority's financial position**.

For the purposes of c) above, any award of a contract over the value of £500,000 or expenditure incurred over £500,000 will be deemed to materially affect the Authority's financial position.

An Officer may also record and publish any other decision if they consider this to be in the public interest.

The written record of the decision should be made on the **template form** attached as an Annex to this Officer Delegation Scheme.

Officer Delegation Scheme: delegations

Any reference to a **Director** within this Officer Delegation Scheme should be construed as a reference to any officer to whom functions are directly delegated by the Authority under the scheme, except where the context requires otherwise.

Any reference to a function within this Officer Delegation Scheme should be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the specified function.

Under this Officer Delegation Scheme, the Head of Paid Service may direct a Director not to exercise their delegated authority in respect of a particular matter and instead refer the matter to the relevant committee or the Authority.

General Delegations

Each Director is authorised to carry into effect without reference to the Authority or to any of its committees, matters of day-to-day management and administration in relation to functions within their remit. This includes the following:

Expenditure

1. To incur expenditure within the revenue budget in accordance with the Financial Regulations and Contracts Standing Orders.
2. To incur expenditure on capital schemes, in accordance with the Capital Programme and Financial Regulations.

Human Resources

3. To appoint staff within the approved structure in accordance with the Authority's Recruitment and Selection Procedure.

4. To appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision.

5. With the exception of:-

- granting voluntary redundancy requests;
- releasing preserved pension benefits on ill health grounds; and
- payments to officers for loss or damage to property arising out of their employment with the Authority.

to deal with employment issues arising in respect of individual officers, in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements.

Proper Officer functions

6. Each Director is appointed the Proper Officer for any function within their remit.

Miscellaneous

7. To carry out functions relating to health and safety.

8. To implement and ensure compliance with requirements relating to:-

- a) data protection;
- b) human rights;
- c) surveillance activities;
- d) freedom of information; and
- e) equality and diversity.

Table A:

Functions reserved to the West Yorkshire Combined Authority

Functions	Relevant legislation
To approve, amend, withdraw and revoke the major economic and transport investment policies and strategies for the Authority from time to time including the Strategic Economic Plan, the Single Local Growth Fund, the West Yorkshire and York Transport Fund, and any European funding strategies.	
To prepare, review, alter or replace a Single Transport Plan ⁴	S108 Transport Act 2000
To appoint the Local Enterprise Partnership Member and substitute member to the Authority. To grant any voting rights to the Local Enterprise Partnership and non-constituent Council member.	West Yorkshire Combined Authority Order 2014 (the 2014 Order) S85(5) Local Transport Act 1985 and Schedule 1 paragraph 4(5) of the 2014 Order
To appoint a Chair and Vice Chair for the Authority.	The 2014 Order 2014
To make arrangements for the discharge of functions by a committee or officer and to appoint committees.	S101 and S102 Local Government Act 1972
To appoint one or more overview and scrutiny committees , and give any voting rights to any member of any such committee appointed by the non-constituent Council.	The 2014 Order
To approve, amend, withdraw or revoke any plan or strategy for the control of the Authority's borrowing, investments or capital expenditure .	Part 1 Local Government Act 2003
To approve the Authority's budget .	
To set a levy .	Local Government Finance Act 1988; Transport Levying Bodies Regulations 1992
To approve, amend, withdraw or revoke Standing orders ⁵	The 2014 Order, Schedule 1
To consider the review of the effectiveness of the Authority's system of internal control (including internal audit), and to approve an annual	Accounts and Audit (England) Regulations 2011

⁴ This is the Authority's Local Transport Plan.

⁵ Except in so far as this function is specifically delegated under the Officer delegation scheme.

governance statement , and consider the annual audit letter . To prepare and approve the statement of accounts .	
Functions relating to a review of the Authority ⁶ .	S111-113 Local Democracy, Economic Development and Construction Act 2009
To make, amend revoke or re-enact byelaws .	S83 West Yorkshire Act 1980
To promote or oppose any Bill in Parliament.	S239 Local Government Act 1972 and s10 Transport Act 1968
To make, amend, revoke or replace a Members' Allowances Scheme .	The 2014 Order
To authorise a person to exercise a function pursuant to an Order, or to revoke any such authorisation.	S70 Deregulation and Contracting Out Act 1974
To appoint Proper Officers .	S270(3) Local Government Act 1972 (see further Officer Delegation Scheme)
To designate a Head of Paid Service , and to consider any report of the Head of Paid Service under S4 Local Government and Housing Act 1989.	S4 Local Government and Housing Act 1989
To designate a Monitoring Officer , and to consider any report of the Monitoring Officer under S5(2) Local Government and Housing Act 1989.	S5 Local Government and Housing Act 1989
To appoint a Chief Finance Officer , and to consider any report of the Chief Finance Officer under S114 Local Government Finance Act 1988.	S73 Local Government Act 1985 S114 Local Government Finance Act 1988
To appoint, discipline and dismiss Directors.	S112 Local Government Act 1972
To appoint to outside bodies .	
To adopt, revise or replace a Members' Code of Conduct .	S28 Localism Act 2011
To appoint at least one independent person .	S28(7) Localism Act 2011
To make arrangements for investigating and making decisions about allegations of failing to comply with the Members' Code of Conduct .	S28(6) Localism Act 2011

⁶ Except in so far as these functions may be specifically delegated.

To adopt, revise or replace the LEP assurance framework ⁷ .	
The publication of an annual report on the exercise and performance of transport functions .	S16 Transport Act 1968
Functions relating to road user charging schemes .	Part III Transport Act
Approval of joint quality partnership arrangements .	S114 Transport Act 2000
To approve joint quality contracts arrangements .	S124 Transport Act 2000
To approve joint ticketing arrangements .	S135 Transport Act 2000
To discharge any other function which, by virtue of any enactment, may be discharged only by the Authority, including the approval any other plan or strategy which must by law be adopted or approved by resolution of the Authority.	

⁷ Except in so far as specifically delegated to a Director.

Head of Paid Service

The Head of Paid Service is authorised:-

1. To exercise the statutory functions of the Head of Paid Service.
2. To carry out the following functions with the exception of any matter which the Chair of the Authority has directed should be referred to the Authority for determination:-
 - a) to approve⁸:-
 - the manner in which the discharge by the Authority of their different functions is coordinated;
 - the number and grades of staff required by the Authority for the discharge of their functions;
 - the organization of the Authority's staff; and
 - the appointment and proper management of the Authority's staff⁹.
 - b) to exercise any function of the Authority which is not:-
 - reserved to the Authority¹⁰,
 - within the terms of reference of any committee of the Authority; or
 - otherwise delegated to a Director.

⁸ The Head of Paid Service is under a duty to prepare a report to the Authority setting out his proposals in relation to any of the matters specified in a) where he considers this appropriate (S4(2) Local Government and Housing Act 1989).

⁹ Except so far as this has been otherwise reserved to the Authority, or otherwise delegated to a committee or officer.

¹⁰ These functions are set out in Table A to the Officer Delegation Scheme.

Executive Director of Transport

With the exception of any matter which the Head of Paid Services has directed the Executive Director of Transport to refer to the Authority or Transport Committee for determination, the Executive Director of Transport is authorised:-

1. To secure that public passenger transport services are provided as the Authority consider appropriate to meet public transport requirements which would not otherwise be met, and
2. To enter into agreements for service subsidies¹¹.
3. To take appropriate measures to carry out the Authority's general policies¹².
4. With the exception of any function within the terms of reference of the Transport Committee, to carry out any function under S10 and S10A Transport Act 1968.^{13 14}
5. With the exception of:-
 - any function reserved to the Authority¹⁵, or
 - any function within the terms of reference of the Transport Committee¹⁶, or
 - any function delegated to any other officer of the Authority

to exercise the functions of the Authority in its capacity as:-

- a) Authority responsible for administering a Travel Concession scheme (under Transport Act 1985)
- b) Travel concession authority (under Part II Transport Act 2000)
- c) Local Transport Authority (under Part II Transport Act 2000) and

¹¹ In accordance with S9A Transport Act 1968 and subject to S103 Transport Act 1985. Subsidised services must be tendered for in accordance with S89-92 Transport Act 1985.

¹² Formulated under S9A(5) Transport Act 1968.

¹³ Unless delegated to the Executive Director by that committee.

¹⁴ The Executive Director of Transport is authorised to dispose of the following interests of land for the purposes of s10: leasehold interests on normal commercial terms to tenants occupying properties owned by the Authority for uses appropriate to the business of the Authority or of benefit to the travelling public. The authority does not extend to the granting of leases on terms equivalent to a capital disposal or in circumstances where to do so could impede strategic redevelopment by the Authority.

¹⁵ Unless delegated to the Executive Director outside of this delegation scheme.

¹⁶ Unless delegated to the Executive Director by that committee.

d) Railway Funding Authority (under the Railways Act 2005).

6. To make grants for transport facilities and services.¹⁷
7. To discharge functions under S13 Railways Act 2005.
8. To keep railway passenger services under review.¹⁸
9. To invite and accept tenders in accordance with S8 Transport Act 1983.
10. To give effect to any direction given to the Authority by a minister under Part II of the Transport Act 1968.¹⁹
11. To discharge functions relating to co-operating with other authorities to secure best value from expenditure on public passenger transport.²⁰
12. To take such action as determined by the Authority in the exercise of the power to promote well-being.²¹
13. To take such action as determined by the Authority in the exercise of general powers.²²
14. To publish, supply copies, give notice and make available to the public the Single Transport Plan.²³

¹⁷ In accordance with S106 Transport Act 1985.

¹⁸ S20 Transport Act 1968.

¹⁹ S23 Transport Act 1968.

²⁰ Under S88 Transport Act 1985.

²¹ In accordance with S99-100 Local Transport Act 2008.

²² Under S102B Local Transport Act 2008.

²³ The Single Transport Plan is the Local Transport Plan for the combined area, as required by S109(3) and (4) Transport Act 2000.

Director of Resources

The Director of Resources is authorised:-

1. To exercise the statutory functions of the Chief Finance Officer.²⁴
2. With the exception of any matter which is:-
 - reserved to the Authority²⁵ or
 - which the Head of Paid Service has directed the Director of Resources to refer to the Authority or the Governance and Audit Committee for determination,

to carry out functions in relation to:-

- a) making arrangements for the proper administration of the Authority's financial affairs²⁶;
- b) human resources²⁷ ;
- c) information and communications technology;
- d) procurement and purchasing;
- e) corporate planning and policy development;
- f) corporate performance management;
- g) corporate service improvement and transformation;
- h) knowledge and information management;
- i) risk management and business continuity; and
- j) office accommodation and facilities management.

²⁴ Appointed under S73 Local Government Act 1985.

²⁵ These functions are set out in Table A to the Officer Delegation Scheme.

²⁶ This includes authority to approve Financial Regulations and Contracts Standing Orders.

²⁷ Including granting voluntary redundancy requests, and releasing preserved pension benefits on ill health grounds and payments up to £250 to officers for loss or damage to property arising out of their employment with the Authority, but excepting those functions which are otherwise specifically delegated to the Head of Paid Service.

LEP Director and Head of Economic Strategy

With the exception of:-

- any matter reserved to the Authority²⁸ unless the matter has been the subject of a recommendation by the Leeds City Region Partnership Committee and the Head of Economic Strategy proposes to exercise his authority to give effect to that recommendation;
- any matter within the terms of reference of the Transport Committee;
- any matter within the delegated authority of the Executive Director of Transport; or
- any matter which the Head of Paid Services has directed the Head of Economic Strategy to refer to the Authority for determination,

the Head of Economic Strategy is authorised to carry out any function of the Authority in relation to economic development and regeneration.

²⁸ These functions are set out in Table A to the Officer Delegation Scheme.

Secretary and Solicitor

1. To exercise the statutory functions of the Monitoring Officer²⁹.
2. With the exception of any matter:-
 - reserved to the Authority³⁰ or
 - which the Head of Paid Service has directed the Secretary and Solicitor to refer to the Authority or the Governance and Audit Committee for determination, to carry out the following functions:

Legal proceedings and settlements

- a) To take any legal action to implement a decision of the Authority.
- b) To institute, defend or participate in any proceedings or disputes where such action is necessary to give effect to a decision of the Authority or to protect the interests of the Authority.
- c) To enforce byelaws.
- d) To make payments or provide other benefits in cases of maladministration.
- e) To settle claims for or against the Authority whether or not legal proceedings have been begun subject to:
 - the value of the settlement not exceeding the Category B threshold³¹ at the time; and
 - professional advice being obtained as appropriate, that the settlement represents good value for money, and
 - the agreement of the Director of Resources.
- f) To enter into compromise agreements and undertakings with objectors to New Generation Transport³² :-
 - up to £100k; or
 - subject to the agreement of the Director of Resources, up to £500k.

²⁹ Designated under S5 Local Government Act 1989.

³⁰ These functions are set out in Table A to the Officer Delegation Scheme

³¹ For contracts within the Contracts Standing Orders.

³² Pursuant to the Objection Management Strategy.

Standards

- g) To establish, maintain and publish the register of Members' interests.
- h) Following consultation with the Chair of the Governance and Audit Committee, to consider and determine written requests for dispensations.³³
- i) To administer the appointment and remuneration of Independent Persons.³⁴
- j) To maintain and keep the register of Officers' declarations of interests.

Documentation

- k) To certify documents on behalf of the Authority.
- l) To sign or execute any legal instruments on behalf of the Authority.
- m) To authenticate the seal of the Authority and keep custody of it.
- n) To sign certificates for contracts in accordance with Local Government (Contracts) Act 1997.

Insurance and indemnities

- o) To secure all necessary and sufficient insurances and indemnities (including Officers' and public and employer's liability).

Authorising officers

- p) To authorise officers possessing such qualifications as may be required by law or in accordance with the Authority's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Authority (however described) and to issue any necessary certificates of authority.

Governance

- q) To discharge secretarial and other functions in relation to meetings of the Authority and its committees.
- r) To make any changes³⁵ to the standing orders, committees' terms of reference, or officer delegation scheme of the Authority, which are required:

³³ S33 Localism Act 2011.

³⁴ S28 Localism Act 2011.

³⁵ Any such changes shall be recorded and published.

- as a result of legislative change or decisions of the Authority;
 - to enable them to be kept up to date; or
 - for the purposes of clarification only.
- s) To make any changes³⁶ to the LCR LEP Assurance Framework which are required:
- as a result of legislative change or decisions of the Authority;
 - to enable it to be kept up to date; or
 - for the purposes of clarification only.

Members' Allowances

- t) To administer the Members' Allowances Scheme.

Interests in Land

- u) To obtain particulars of persons interested in land³⁷.

³⁶ Any such changes shall be recorded and published.

³⁷ S16 Local Government (Miscellaneous Provisions) Act 1976.

West Yorkshire Combined Authority (WYCA) Written record of an Officer decision^a	
Relevant Director^b	(Post-title)
Subject^c	
Details of the decision^d	
Reasons for the decision	
Other Options (if any) considered and rejected^e	
Option 1	
Option 2	
Option 3	
Consultation^f	
Background papers^g	
Confidential information^h not available to the public	
This written record contains confidential information (in a separate appendix)ⁱ	Y/N

Background papers contain confidential information	Y/N If yes, relevant background papers:	
Exempt information^j not available to the public		
This written record contains exempt information (in a separate appendix) ^k	Y/N If yes, <ul style="list-style-type: none"> • description of exempt information: • the reason why in public interest to maintain the exemption: 	
Background papers contain exempt information	Y/N If yes, <ul style="list-style-type: none"> • relevant background papers: • category of exempt information: • reason why in public interest to maintain exemption: 	
Decision-making Officer^l:		
Name	Post title	Signature
Date of decision^m		
Contact Officerⁿ	Name: Telephone number: E-mail:	
Authority for decision^o		
WYCA or WYCA committee gave a specific express authorisation to relevant Director ^p Or	Y/N	If yes, <ul style="list-style-type: none"> • WYCA/committee^q: • date of meeting: • item number or minute number of committee decision^r: • name of any Member who declared a conflict of interest in relation to the decision:

Officer Delegation Scheme authorises relevant Director ^s	Y/N	If yes, identify relevant provision ^t
Relevant Director sub-delegated authority to decision-making Officer ^u	Y/N	If yes, identify relevant provision ^v

^a **Guidance to WYCA Officers**

Please **forward this form to the Democratic Services Manager** when completed, as soon as possible.

The Openness of Local Government Bodies Regulations (SI 2014/2094) requires you to make a **written record** of every decision you make which could have been taken by the WYCA or one of its committees or sub-committee, but has been delegated to an officer:

- a. under a **specific express authorisation**; or
- b. under a **general authorisation** to officers to take such decisions, and the effect of the decision is to -
 - I. grant a **permission or licence**;
 - II. affect the **rights of an individual**; or
 - III. award a **contract** or incur **expenditure** which, in either case, **materially affects WYCA's financial position** (for this purpose, the WYCA require you to record any contract or expenditure over **£500,000**).

However, you may also record and publish any other decision if you consider this to be in the **public interest**.

The written record and any background papers must be made available for **public inspection** as soon as reasonably practicable, subject to exceptions in relation to **confidential** and **exempt** information - see below.

It is a **criminal offence** to

- a. intentionally obstruct any person exercising a right to inspect written records and background papers; or
- b. refuse any request to provide written records or background papers

without reasonable excuse.

^b Insert the **post title** of the Director taking the decision or who has authorised another officer to take the decision on their behalf. In this context, the term Director should be construed as a reference to any officer to whom the relevant functions are directly delegated, whatever that officer's post title. It therefore includes the Head of Paid Service, and the Secretary and Solicitor.

^c Insert **brief title**. Usually this will have the same as the title of any relevant report that was considered by a Director before making the decision (a "request for decision" report).

^d Set out the **substance** of your decision (for example "To award a contract to X to provide (services) for the sum of (£) and for a period of X"). The wording should reflect any recommendations in any request for decision report, amended as necessary to reflect the actual decision.

^e If you considered other **options**, set these out together with the reasons why each option was not favoured. Instead, you could attach any request for decision report to this written record, and refer to the relevant paragraphs. However, if you do this, you should ensure that confidential and exempt information in the request for decision report are clearly identified, and contained within a separate appendix, since any attached report will be published as part of the written record. See further footnote h and i below.

^f Set out details of who was **consulted**, (which may include individual Members, Committees, Officers or external advisers), the date of any consultation, and any information about the outcome. Again, you may chose simply to refer to any request for decision report attached to the written record – see footnote e above.

^g List all **background documents** here. These are documents other than published works that

-
- a. **relate to the subject matter** of the decision or part of the decision, and
 - b. in the opinion of the Secretary and Solicitor,
 - i. disclose any facts or matters on which the decision or an important part of the decision is based; and
 - ii. were **relied on** to a material extent in making the decision.

The Decision-making Officer must **retain any background papers** and make them available for public inspection for **4 years** from the date of the decision. Background papers may include any relevant report that was considered by the Director before the decision was taken.

^h The Regulations about written records **do not** authorise or require you to disclose confidential information in breach of the obligation of confidence.

“Confidential information” means:

- a. information provided to WYCA by a government department on terms (however expressed) which forbid the disclosure of the information to the public; or
- b. information the disclosure of which to the public is prohibited by or under any enactment or by order of a court.

ⁱ Any information which is required to be included in the written record but which is **confidential** should be attached to the written record as a **separate appendix**. The appendix should be **headed** “NOT FOR PUBLICATION – CONFIDENTIAL INFORMATION” and should identify why the information is confidential, by reference to a. or b. above. This appendix will not be published.

^j You may chose not to disclose to the public or make available for public inspection any document or part of a document, if, in the opinion of the Secretary and Solicitor, that document or part of a document contains or is likely to contain **exempt** information. “Exempt information” means information specified in Schedule 12A Local Government Act 1972. This will be information coming within **specified descriptions, and** if in all the circumstances of the case, the public interest in maintaining the exemption outweighs the **public interest**. You can find the specified descriptions of exempt information in the Access to Information Annex to the Procedure Rules.

^k Any information which is required to be included in the written record, but which is **exempt** should be attached to the written record as a **separate**

appendix. The appendix should be **headed** “NOT FOR PUBLICATION – EXEMPT INFORMATION” and should state the **description** of the exempt information and confirm that in all the circumstances of the case the **public interest** in maintaining the exemption outweighs the public interest in disclosing the information. This appendix will not be published if the Secretary and Solicitor considers that it contains exempt information.

^l Insert the name of the Officer making the decision. This will either be the **relevant Director** if they made the decision, or **another officer** if the relevant Director has sub-delegated authority under their sub-delegation scheme or otherwise in writing.

^m The Secretary and Solicitor will ensure that this written record, together with any background papers, is made available for inspection **as soon as reasonably practicable** –

- a. at all reasonable hours, at the offices of the WYCA;
- b. on the WYCA’s website; and

by such other means that WYCA considers appropriate.

ⁿ Insert the name and details of an **contact officer** who may be contacted by Members or the public about the decision. This may be the decision-making Officer or another officer on their behalf.

^o Explain how the decision-making Officer was **authorised** by the WYCA to make the decision. This may be by a specific authorisation, or under the Officer Delegation Scheme to a relevant Director. A relevant Director may also sub-delegate authority to another Officer.

^p That is, if the WYCA or a WYCA Committee has, at a formally convened meeting, specifically and expressly authorised an officer to make this decision.

^q Delete as applicable. Insert name of any relevant committee.

^r Specify the **minute number** for the relevant resolution, where this is available. You can find this from the approved minutes of meetings, which are published on the WYCA website. If there are as yet no approved minutes, please specify the item number for the relevant report.

^s The **Officer Delegation Scheme** is approved by the WYCA. You can find it on the WYCA website.

^t Identify the **relevant function** that has been delegated to the relevant Director under the Officer Delegation Scheme.

^u Each relevant Director will have a **sub-delegation scheme**.

^v The relevant provision should be identified by reference to the relevant Director's sub-delegation scheme.

**West Yorkshire Combined Authority
Procedure Standing Orders**

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Standing Orders Applying To Committees and Sub-Committees

Except for Standing Orders 3-5, 6.1 and 6.2, 7, 9.2, 15.2, and 22 these Standing Orders apply to meetings of committees and sub-committees of the Authority.

In relation to a meeting of any committee and sub-committee

- except where the context requires, references to the Authority are to the committee or sub-committee
- references to the Chair are to the Chair of the committee or sub-committee, and
- references to the Vice Chair are to the Deputy Chair of the committee or and sub-committee.

1. Definitions

In these Procedure Standing Orders:

“The Authority” means the West Yorkshire Combined Authority.

“The Constituent Councils” means the City of Bradford Metropolitan District Council, Calderdale Council, Kirklees Metropolitan Council, Leeds City Council and City of Wakefield Metropolitan District Council.

“The Area of the Authority” means the area consisting of the areas of the Constituent Councils.

“The LEP” means the Leeds City Region Local Enterprise Partnership.

“The non-constituent Council” means the City of York Council.

“The Offices of the Authority” mean Wellington House, 40-50 Wellington Street, Leeds LS1 2DE.

“The 2014 Order” means the West Yorkshire Combined Authority Order 2014.

“Standing Orders” means together these Procedure Standing Orders, the Contracts Standing Orders, the Financial Regulations of the Authority and any other procedures, protocols, rules, policies and governance from time to time adopted by the Authority and designated as Standing Orders of the Authority.

2. Interpretation

2.1. The Chair shall make any final decision about:

- how Standing Orders should be interpreted; or
- any question of procedure not provided for by the Standing Orders.

3. Membership of the Authority

3.1. The Authority comprises the members as provided by the 2014 Order¹.

3.2. Members of the Combined Authority shall be appointed in accordance with the 2014 Order.

4. Suspending and amending Standing Orders

4.1. The Authority may by resolution suspend Standing Order 18 (order of debate) for the duration of a meeting if at least 4 members of the Authority appointed by the Constituent Councils are present.

4.2. Any motion to:

- add to, vary or revoke any Standing Orders; or

¹ Schedule 1 of the 2014 Order.

- grant, vary or revoke the voting rights of the member appointed by the non-constituent Council or the LEP member

will, when proposed and seconded, stand adjourned without discussion to the next meeting of the Authority.

5. Annual Meeting

5.1. The Authority will hold an annual meeting every year, between 1 March and 30 June. It shall be held at a time fixed by the Authority, or if the Authority does not fix a time, at twelve noon.

5.2. The annual meeting will:

- a) **appoint Members²** of the Authority³;
- b) **elect the Chair and Vice Chair** of the Authority from among the members of the Authority;
- c) approve the **minutes** of the last meeting;
- d) receive any **declarations of interest** from members;
- e) receive any **announcements** from the Chair and/or Head of Paid Service;
- f) consider any recommendations made by the Governance and Audit Committee⁴
- g) appoint such **committees** as the Authority considers appropriate;
- h) appoint **committee members⁵**, after:
 - i. deciding the number of members to be appointed to each committee, and their term of office;
 - ii. allocating seats to political groups in accordance with political balance rules⁶; and

² Except where the context otherwise requires, any reference to a member in these Standing Orders shall be taken to include reference to a substitute member acting in that member's place.

³ Who are not otherwise appointed. The Authority will appoint the LEP Member and substitute LEP Member, and may resolve to grant voting rights to the LEP Member and the non-constituent Council Member. The Authority shall also note the substitute Members appointed by each Constituent Council and the non-constituent Council.

⁴ In relation to amending any governance documents.

⁵ This may include appointing the Chair and any Deputy Chair of each committee, and confirming the voting rights of any co-optees. In the absence of an appointment by the Authority, a Committee shall appoint its own Chair and any Deputy.

⁶ Subject to any arrangements approved in accordance with S17 Local Government and Housing Act 1989.

- iii. receiving nominations from Constituent Councils, the Non-constituent Council and the LEP.
- i) appoint to **outside bodies**;
- j) agree the scheme of **delegation to officers**;
- k) decide the date and time for the **ordinary meetings** of the Authority for the municipal year; and
- l) consider **any other business** set out in the notice convening the meeting.

6. Ordinary Meetings

6.1. The Authority may decide to hold any number of ordinary meetings in a municipal year, in addition to the annual meeting. Each ordinary meeting shall be held at such date and time as the Authority decides.

6.2. At an ordinary meeting, the Authority will:

- a) approve the **minutes** of the last meeting;
- b) receive any **declarations of interest** from members;
- c) receive any **announcements** from the Chair or the Head of Paid Service;
- d) deal with any business from the last ordinary meeting of the Authority;
- e) consider reports and recommendations from any **overview and scrutiny committee** of the Authority;
- f) receive **reports from any other committee** of the Authority and receive questions and answers on any of those reports;
- g) receive reports and receive questions and answers on the **subsidiary companies** of the Authority;
- h) consider **motions**; and
- i) consider **any other business** specified in the summons to the meeting, and for debate.

6.3. A committee may decide to hold any number of ordinary meetings in a municipal year. Each shall be held at such date and time as the committee decides⁷.

7. Extraordinary Meetings

7.1. The following may call an extraordinary meeting of the Authority:

⁷ The Secretary and Solicitor in consultation with the Chair of a committee, may also convene a special meeting of a committee.

- a) the Chair of the Authority at any time⁸;
- b) any three members of the Authority who have signed a requisition which has been presented to the Chair of the Authority:
 - i. if the Chair refuses to call a meeting; or
 - ii. after seven days, if the Chair has failed to call a meeting within seven days after being presented with the requisition.

8. Place of Meetings

8.1. The Authority shall hold its meetings at any place within or outside of the Area of the Authority, as the Authority directs⁹.

9. Notice of meetings

9.1. The Secretary and Solicitor shall give public notice of the time and place of a meeting by posting it at the Offices of the Authority

- at least five clear days before the meeting or,
- if the meeting is convened at shorter notice, at the time it is convened.

9.2. Where the meeting is called by three members of the Authority under Standing Order 7.1 the notice must

- be signed by those members and
- specify the business to be carried out at the meeting.

10. Summons to attend a meeting

10.1. At least five clear days before a meeting of the Authority, the Head of Paid Service will sign a summons to attend the meeting, which sets out the business to be carried out at the meeting.¹⁰

⁸ The Monitoring Officer, Head of Paid Service or the Chief Finance Officer may require the Chair to call an extraordinary meeting.

⁹ Or, in the case of urgency, any place which the Head of Paid Service, in consultation with the Chair, directs.

¹⁰ The Chair shall set the business to be considered at any ordinary meeting of the Authority in consultation with the Head of Paid Service, although the Monitoring Officer, Head of Paid Service or Chief Finance Officer may require an item to be considered at any meeting. The Chair, in consultation with the Head of Paid Service may permit any deputation referred by a Constituent Council, the Non-constituent Council or

10.2. The Secretary and Solicitor will send the summons by post to every member of the Authority or leave it at their usual place of residence¹¹.

11. Public access to agenda and reports

11.1. Subject to 11.3 below, at least five clear days before a meeting of the Authority¹², the Secretary and Solicitor will make available for inspection by the public at the Offices of the Authority

- a copy of the agenda and
- (subject to 11.4 below) reports for the meeting.

11.2. Where an item is added to an agenda, copies of which are open to inspection by the public, copies of the item (or of the revised agenda) and copies of any report for the meeting relating to the item (subject to 11.4 below), shall be open to inspection from the time the item is added to the agenda.

11.3. Nothing in 11.1 or 11.2 above requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the Authority.

11.4. If a report relates only to an item during which, in the Secretary and Solicitor's opinion, the meeting is likely not to be open to the public¹³, the Secretary and Solicitor may decide not to make the report (or part of it) open for inspection.

11.5. Where a report or any part of a report is not open to public inspection the Secretary and Solicitor:

- will mark every copy of the report (or the part) "Not for publication"; and

directly to the Authority, to be an item of business on an agenda. The Chair may also permit a spokesperson for any deputation to address the meeting.

¹¹ A member of the Authority may give notice in writing to the Monitoring Officer that the summons should be sent to the member at some other address. The Monitoring Officer may send the summons to the member by e-mail if a member has provided an e-mail address for that purpose.

¹² or where the meeting is convened at shorter notice, from the time the meeting is convened.

¹³ In accordance with Part VA Local Government Act 1972. See further Standing Order 12.

- state on every copy of the report (or the part) the description of the exempt information by virtue of which the Authority are likely to exclude the public¹⁴.

12. Public access to meetings

- 12.1. Any meeting of the Authority shall be open to the public except to the extent that the public are excluded (during the whole or part of the proceedings)
- to prevent the likely disclosure of confidential information¹⁵ or
 - by resolution, to prevent the likely disclosure of exempt information¹⁶; or
 - under Standing Order 24 relating to general disturbances.
- 12.2. A motion to exclude the press and public may be moved without notice at any meeting in relation to an item of business whenever it is likely that if members of the press or public were present for that item there would be disclosure of exempt information.¹⁷

13. Substitute Members

- 13.1. A substitute member may only act in the absence of a member:-
- for whom they are the designated substitute;
 - where the member will be absent for the whole of the meeting; and
 - where the member has notified the Secretary and Solicitor that they require the substitute to act in their absence.
- 13.2. A substitute member¹⁸ may not exercise any special powers or duties exercisable by the member for whom they are substituting.¹⁹

¹⁴ In accordance with the Local Government Act 1972 - See further Annex attached.

¹⁵ In accordance with the Local Government Act 1972 - See further Annex attached.

¹⁶ In accordance with the Local Government Act 1972 - See further Annex attached.

¹⁷ In accordance with the Local Government Act 1972 - See further Annex attached.

¹⁸ These are:

- any substitute member of the Authority appointed in accordance with the 2014 Order 2014, schedule 1 para 1(5), and (9)., or
- any substitute member of the LCR Partnership Committee (appointed by the Authority to substitute for a co-opted member of the committee), being that person notified to the Secretary and Solicitor of the Authority from time to time by the Monitoring Officer of the authority of which the co-optee is an elected member).

¹⁹ Except in respect of any voting rights granted to that member.

14. Chair (and Vice-Chair)

- 14.1. A person ceases to be Chair or Vice-Chair if they cease to be a member of the Authority.
- 14.2. If a vacancy arises in the office of Chair or Vice-Chair, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Authority²⁰.
- 14.3. At each meeting of the Authority, the Chair shall preside.
- 14.4. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside.
- 14.5. If both the Chair and Vice-Chair are absent from a meeting, the members present shall choose another member to preside.
- 14.6. The person presiding at the meeting may exercise any power or duty of the Chair.

15. Quorum

- 15.1. During any meeting if the Chair counts the number of members present and declares there is not a quorum present, the meeting will adjourn immediately to 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.
- 15.2. No business shall be transacted at a meeting of the Authority unless three members²¹ appointed by the Constituent Councils are present.
- 15.3. The quorum for each committee is as follows:-
 - the **Governance and Audit Committee**: three.
 - the **Leeds City Region Partnership Committee**: six
 - the **Transport Committee**: four, to include one co-opted member from at least three of the Constituent Councils.
 - the **West Yorkshire and York Investment Committee**: three.

²⁰ Or if that meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting (Schedule 1, para 2(3) of the 2014 Order).

²¹ Or substitute members acting in the absence of such a member.

16. Items of business

16.1. No item of business may be considered at any meeting except:-

- the business set out in the summons
- business required by law to be transacted at the annual meeting or
- business brought before the meeting as a matter of urgency in accordance with 16.2 below.

16.2. Nor may an item be considered at any meeting unless:

- a copy of the agenda including the item (or a copy of the item) has been open to public inspection for at least five clear days before the meeting²²;
or
- by reason of **special circumstances**, which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

17. Order of business

17.1. If the Chair and Vice Chair are absent from any meeting of the Authority, the meeting shall select a person to preside.

17.2. All other items of business will be dealt with in the order specified in the notice of the meeting, except that such order may be varied:-

- at the discretion of the Chair, or
- on a request agreed to by the meeting.

18. Order of debate

18.1. The Chair will introduce each item and may invite an officer to explain the item.

18.2. Each member shall then be given an opportunity to speak on the item and any recommendations contained in the report. This will be in the order decided by the Chair. Unless the Chair decides otherwise, each member shall speak only once on each item.

²² Or, where the meeting is convened at shorter notice, from the time the meeting is convened.

18.3. Any member while exercising the right to speak on the item may:

- move an **amendment** to the recommendations, or
- move that an item be **withdrawn**.

Any such motion if seconded shall be voted upon.

18.4. Subject to the outcome of any such motion, once each member who wishes to speak has done so, the Chair shall move the item, which if seconded, shall be voted upon.

19. Voting

19.1. Except as provided below, each member of the Authority is to have one vote.

19.2. The following will be non-voting members:

- the member appointed by the non-constituent Council, and
- the LEP member

unless granted voting rights by resolution of the members appointed by the Constituent Councils.

19.3. Any question will be decided by a majority of members of the Authority, present and voting on that question at a meeting.

19.4. No member is to have a casting vote.

Committees

19.5. The non-constituent Council member and the LEP member appointed to the Authority shall be non-voting members of any committee or sub-committee of the Authority, but may be given voting rights by resolution of the Authority.

Show of hands

19.6. Unless a ballot or recorded vote is demanded under Standing Order 19.7 or 19.8, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

Ballots

- 19.7. The vote will take place by ballot if the majority of members present at the meeting demand it. The Chair will announce the numerical result of the ballot immediately the result is known.

Right to require individual vote to be recorded

- 19.8. Where any member 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 recommendation, or abstained from voting.

Recorded vote

- 19.9. If any member present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

Voting on appointments

- 19.10. 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.

20. Point of order

- 20.1. A member may raise a point of order any time, by specifying how a specific Standing Order or law has been breached.
- 20.2. The Chair will hear the point immediately. The Chair's decision on the point will be final.

21. Record of attendance

- 21.1. The Secretary and Solicitor will ensure that the names of all members present during the whole or part of a meeting are recorded.

22. Attendance by Committee or Sub-Committee Chairs

22.1. The Chair of any Authority committee or sub-committee may be invited to attend and speak at any meeting of the Authority to:

- present any reports or recommendations of the committee or sub-committee; or
- answer questions about any matter in the minutes of that committee or sub-committee; or
- contribute to discussion about any matter which is relevant to the functions discharged by the committee of which they are Chair.

23. Reporting²³ Proceedings

23.1. Without prejudice to the Chair's powers in Standing Order 24, and subject to 23.2 and 23.3 while any meeting of the Authority is open to the public, any person attending may report on the meeting, and publish or disseminate the recording at the time of the meeting or after the meeting²⁴.

23.2. The Chair may decide not to permit oral reporting or oral commentary of the meeting as it takes place if the person reporting or providing the commentary is present at the meeting.

23.3. Where the public are excluded from a meeting to prevent the likely disclosure of confidential or exempt information, the Chair may also prevent any person from reporting on that meeting using methods:

- which can be used without that person's presence, and
- which enable persons not at the meeting to see or hear the proceedings at the meeting as it takes place or later.

²³ Reporting in this context means:

- Filming, photographing and making an audio recording of proceedings;
- Using any other means for enabling people not present to see or hear proceedings at a meeting as it takes place or later;
- Reporting or providing commentary on proceedings at a meeting, orally or in writing so that the report or commentary is available as the meeting takes place or later to persons not present.

²⁴ See further Access to Information Annex, and Code of Practice for recording WYCA meetings attached.

24. General disturbance

- 24.1. If a general disturbance makes orderly business impossible, the Chair may:-
- adjourn the meeting for as long as the Chair thinks necessary or
 - call for any part of the meeting room open to the public, to be cleared, if the disturbance is in that part.
- 24.2. If a member of the public interrupts proceedings, the Chair shall warn the person concerned. If they continue to interrupt, the Chair may order them to be removed from the meeting room.

Members

- 24.3. If the Chair considers at any meeting that a member is behaving improperly or offensively, or is deliberately obstructing business, the Chair may move that the member should not be heard further. If seconded, the motion will be voted on without discussion.
- 24.4. If the member continues to behave in the same way, the Chair may:
- adjourn the meeting for a specified period; or
 - move that the member leaves the meeting (such a motion will be voted on without seconding or discussion).

25. Minutes

- 25.1. Minutes of a meeting shall be recorded on loose leaves consecutively numbered.
- 25.2. The minutes of a meeting must be signed at the same or next suitable meeting²⁵ by the person presiding at that meeting, and the person signing the minutes shall also initial each leaf of the minutes.
- 25.3. No discussion shall take place upon the minutes except about their accuracy.

²⁵ The next suitable meeting is the next following meeting.

26. Conduct

Members' Interests

- 26.1. A member of the Authority shall comply with the Members' Code of Conduct, including those relating to registering and disclosing disclosable pecuniary and other interests.
- 26.2. Where a member has a disclosable pecuniary interest in a matter to be considered at a meeting, the member may attend the meeting to:
- make representations,
 - answer questions or
 - give evidence relating to the matter,
 - provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- 26.3. As soon as the member has finished²⁶, the member must leave the room. The member may not remain in the room during the discussion or vote on the matter.

Officer's interests

- 26.4. An officer must comply with the Authority's Officers' Code of Conduct.
- 26.5. The Authority shall not appoint as an officer any person who is:-
- the operator of any public passenger transport services;
 - a director of any company or an employee of any company or other person who is such an operator;
 - a director or employee of any company which is a member of a group of inter-connected bodies corporate any one or more of which is such an operator.

²⁶ Or the meeting decides that the member has finished.

and any officer who subsequently becomes such an operator, director partner or employee shall immediately vacate their office or employment with the Authority.²⁷

- 26.6. The Secretary and Solicitor shall keep a record of any notice of a pecuniary interest in a contract given by an officer under Section 117 of the Local Government Act 1972. The Secretary and Solicitor shall make the record open for inspection by any member of the Authority at the offices of the Authority.

Canvassing of and recommendations by Members

- 26.7. Any candidate who canvasses any member of the Authority directly or indirectly for any appointment under the control of the Authority, will be disqualified from appointment.
- 26.8. A member of the Authority shall not solicit any person for any appointment under the control of the Authority, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience or character for the candidate to submit to the Authority with an application for employment.

Relatives of Members or Officers

- 26.9. A candidate for any appointment under the control of the Authority who is related to any member or officer of the Authority shall, when making application, disclose that relationship to the Head of Paid Service²⁸. A candidate who fails to disclose such relationship will be:
- disqualified from appointment or
 - if appointed, liable to dismissal without notice.
- 26.10. A member or officer of the Authority shall disclose to the Head of Paid Service any relationship known to exist between the member or officer and any person who is a candidate for appointment with the Authority. The Head of Paid Service shall report any such disclosure to the Authority.

²⁷ In accordance with S9A(8) Transport Act 1968.

²⁸ or in the absence of the Head of Paid Service, the Director of Resources.

West Yorkshire Combined Authority

Access to Information Annex

Rights to attend meetings, inspect documents and record proceedings.

Part 1: Rights of the public

Part 1 summarises the rights of the public

- to attend meetings of the Authority
- to inspect and copy documents
- to be provided with documents and
- to report meetings

References to meetings of the Authority include meetings of any committee or sub-committee appointed by the Authority, including any Overview and Scrutiny Committee appointed under the 2014 Order.

These provisions do not affect any other rights to information arising under any standing orders of the Authority, or by law.

1. Public access to meetings

Any meeting of the Authority shall be open to the public except where the public is excluded (during the whole or part of the proceedings) in accordance with the following:

A Confidential information

The public **must** be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Confidential information means:-

- information given to the Authority by a Government department on terms which forbid its public disclosure or
- information the public disclosure of which is prohibited by or under an Act or Court Order.

B Exempt information

The Authority **may** resolve to exclude the public from a meeting during an item whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed to the public if the public were present during the item.

Exempt information means information falling within one of the following descriptions (as set out in Part 1 of Schedule 12A of the Local Government Act 1972):-

Description
Paragraph 1: Information relating to any individual .
Paragraph 2: Information which is likely to reveal the identity of an individual .
Paragraph 3: Information relating to the financial or business affairs¹ of any particular person (including the Authority holding that information), except information which must be registered under various statutes, such as the Companies Acts or the Charities Act 2011. “Financial or business affairs” includes contemplated, as well as past or current, activities.
Paragraph 4: Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter² arising between the Authority or a Minister of the Crown and employees of, or officer-holders under the Authority.
Paragraph 5: Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings .
Paragraph 6: Information which reveals that the Authority proposes:– (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
Paragraph 7: Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime .

Information falling within any of these descriptions is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.

Information falling within any of these descriptions may only be exempt if and so long as, in all the circumstances of the case, the **public interest** in maintaining the exemption outweighs the public interest in disclosing the information.

A resolution to exclude the public from a meeting must:-

- identify the proceedings, or the part of the proceedings, to which it applies;
- state the description of the exempt information giving rise to the exclusion of the public and;
- confirm (by referring to reasons in a relevant report or otherwise), that in all the circumstances of the case, the **public interest** in maintaining the exemption outweighs the public interest in disclosing the information.

¹ “Financial or business affairs” includes contemplated, as well as past or current, activities.

² Labour relations matter” are as specified in paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter.

C General Disturbance

Procedural Rule 24 provides for the public to be excluded from a meeting where general disturbance arises.

2. Public access to agenda and reports

The Secretary and Solicitor shall make the following open to public inspection, at the offices of the Authority³, in accordance with the Authority's Procedure Standing Orders:-

- copies of the **agenda** for a meeting of the Authority and,
- copies of any **report** for the meeting open to the public.

3. Public access to copies at the meeting

The Secretary and Solicitor will make available for the use of members of the public present at a meeting a reasonable number of copies of:-

- the **agenda** and
- those **reports** open to the public.

4. Public access to documents after a meeting

The Secretary and Solicitor will make available for inspection copies of the following for six years after a meeting:-

- the **minutes** of the meeting (excluding any part of the minutes when the meeting was not open to the public or which disclose exempt or confidential information);
- a **written summary** of any proceedings not open to the public where the minutes open to inspection would not 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.

5. Public access to background papers

The author of a report will set out in every report a list of the background papers relating to the subject matter of the report which in the author's opinion:-

- disclose any facts or matters on which the report or an important part of the report is based; and
- have been relied on to a material extent in preparing the report.

This requirement does not extend to:-

- published works or
- papers which disclose exempt or confidential information.

³ These are available on request during usual office hours

The Secretary and Solicitor will:-

- **publish a copy** of each of the background documents listed on the Authority's website at the same time as the report is available for public inspection, and
- **make a copy of each available** to the public at the offices of the Authority, on payment of a reasonable fee⁴.

The Secretary and Solicitor will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

6. Public access to written records of decisions made by officers

A decision-making Officer may be required to produce a **written record** of their decision.⁵

As soon as reasonably practicable after an officer has made a written record, the Secretary and Solicitor shall make any written record and any background papers available for inspection by the public.⁶

- at all reasonable hours, at the offices of the Authority;
- on the Authority's website; and
- by such other means that the Authority considers appropriate.

On request⁷ the Secretary and Solicitor will provide:

- a copy of the written record;
- a copy of any background papers.;

The Authority will retain each written record and make it available for public inspection for 6 years beginning with the date on which the decision was made.

The Authority will retain any background papers and make them available for public inspection for 4 years beginning with the date on which the decision was made.

⁴ A copy is taken to be open where arrangements are made to produce it to members of the public as soon as is reasonably practicable after the request to inspect the copy.

⁵ A written record is required if the decision is made:

- under a specific express authorisation, or
- under a general authorisation where the effect of the decision is to grant a permission or licence; affect the rights of an individual; or award a contract or incur expenditure which, in either case, materially affects the Authority's financial position.

An Officer may also record and publish any other decision if they consider this to be in the public interest.

⁶ The Authority is not authorised to disclose confidential information (nor required to disclose exempt information) contained in these documents or any part of a document.

⁷ and on receipt of payment of postage, copying or other necessary charges.

7. Recording proceedings⁸

The Authority will provide so far as practicable, reasonable facilities to any person attending a meeting for the purpose of reporting on the meeting.

A person attending a meeting for the purpose of reporting on it may use any communication method, including the internet, to publish, post or otherwise share the results of the person's reporting activities.

Publication and dissemination may take place at the time of the meeting or occur after the meeting.

Any person reporting on a meeting is expected to comply with the attached Code of Practice.

Part 2: Press access

The Secretary and Solicitor shall supply on request⁹ for any newspaper:-

- a copy of the **agenda** and those **reports** open to the public;
- any **further statements** necessary to indicate the nature of the items on the agenda; and
- if the Secretary and Solicitor thinks fit, copies of **any other documents supplied to members** of the Authority in connection with the item.

Procedural Standing Order 23 and rights relating to recording proceedings set out above apply to members of the press, in the same way as they apply to the public.

Part 3: Freedom of Information (FOI)

The Freedom of Information Act 2000 applies to the Authority, which therefore publishes information under a Publication Scheme. The Scheme specifies:-

- the **classes of information** which the Authority publishes or intends to publish;
- **how** information in each class is, or is intended to be, published, and
- whether the material is, or is intended to be, available to the public **free of charge** or on **payment**.

The public also has a **general right of access** to information held by the Authority, but this is subject to exemptions.

A FOI request must be submitted to and dealt with by the Secretary and Solicitor.

⁸ See further Procedural Standing Order 23. Recording in this context means:

- Filming, photographing and making an audio recording of proceedings;
- Using any other means for enabling people not present to see or hear proceedings at a meeting as it takes place or later;
- Reporting or providing commentary on proceedings at a meeting, orally or in writing so that the report or commentary is available as the meeting takes place or later to persons not present.

⁹ And on payment of postage or other necessary charges.

A FOI request must:-

- be in writing¹⁰
- state the name of the applicant
- state an address for correspondence, and
- describe the information requested.

Part 4: Members' access

Any member of the Authority is entitled to inspect any document which:-

- is in the possession of or under the control of the Authority, and
- contains material relating to any business to be transacted at a meeting of the WYCA.

unless it appears to the Secretary and Solicitor that it discloses exempt information falling within one of the following descriptions:-

- a) Information relating to the financial or business affairs of any particular person including the Authority, (except to the extent that the information relates to any terms proposed or to be proposed by or to the Authority in the course of negotiations for a contract), or
- b) Information which reveals that the Authority proposes.
 - to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - to make an order or direction under any enactment.

These rights are in addition to any other rights the member may have (such as those arising from a member's need to know at common law).

Part 5: List of Members

The Secretary and Solicitor will publish a list stating:-

- the name and address of all current members of the Authority and the constituent or non-constituent council they represent, and
- the name and address of all current members of the other Committees and any sub-committees.

A member of the public may inspect the list.

¹⁰ A request will be treated as made in writing where the text is transmitted by electronic means (e-mail), is received in legible form, and is capable of being used for subsequent reference.

Code of Practice for recording WYCA meetings

The right to record meetings are set out in Procedure Rule 23, and the Access to Information Annex to the Procedure Rules. This Code of Practice supplements those provisions.

The right to record extends only to formal meetings of the WYCA, or its committees or sub-committees which are open to the public.

Recording in this context includes filming, photographing and making an audio recording.

No recordings should be made or published in breach of this Code of Practice.

The agenda for each meeting will state that that the meeting may be recorded. We will also display signs in the meeting room stating that the meeting may be recorded.

Please inform the Chair of the meeting **before** the meeting starts, if you do not want to be recorded. The Chair will inform any person recording the meeting that you do not wish to be recorded.

If you record a meeting, you must comply with the following:

Before the meeting

Before the meeting starts, please inform the Chair (or clerk) of the committee that you want to record the meeting.

To minimise disruption, and ensure a safe environment, you must also ask the Chair's **permission** before the meeting if you wish to:

- use **large equipment** (that is, **larger** than a smart phone, tablet or compact camera)
- **move** around the room or film from different angles or
- use **lighting** for filming/**flash** photography.

Making your recording

You should record **overtly** (that is, in a way which is clearly visible to others at the meeting).

You must record from the **public seating area** and from **one fixed position**, (unless you have the Chair's permission to do otherwise).

Do not block other people's view of proceedings with your recording device.

Please put your recording device on **silent mode**.

You should **focus** recording on:

- councillors and officers attending the meeting, and any other people invited to address the meeting, who have not objected to being filmed.

Do not record any member of the public who has asked not to be recorded.

Do not record any child or young person under the age of 18 who is present unless their parents/guardians have given you written consent.

Stopping recording

You must stop recording if the Chair instructs you to¹.

Publishing recordings

You must comply with all relevant laws when recording reporting and publishing, including those relating to libel and defamation.

The WYCA will not be liable for recordings or reports made or published by you or any other person.

When you publish a recording, please publish an **explanatory statement** identifying:

- **when and where** the recording was made,
- the **context** of the discussion,
- the **main speakers** and their **role or title**.

Do not edit the recording in a way that could:

- lead anyone to misinterpret the proceedings or comments recorded
- misrepresent anyone in the recording
- show a lack of respect for anyone in the recording.

Recordings may start and end at any point of a meeting, but you should publish the material between those points without editing it, or alternatively make it clear when breaks in recordings occur.

¹ The circumstances in which the Chair may do this are set out in Procedure Rule 23

Originator: Nick Winney
Secretary and Solicitor



ITEM 9

Report to: Combined Authority

Date: 25 June 2015

Subject: WYCA Representation on Outside Bodies

1. Purpose

1.1. To consider WYCA representation on outside bodies.

2. Information

The Authority are represented on a number of outside bodies as detailed in Appendix 1 attached and are asked to consider appointments to these bodies for the municipal year 2015/16.

3. Financial Implications

3.1. None arising.

4. Legal Implications

4.1. None arising.

5. Staffing Implications

5.1. None arising.

6. Recommendations

6.1. That appointment be made to the outside bodies for the municipal year 2015/16 as detailed in Appendix 1.

APPENDIX 1

WYCA Representation on Outside Bodies

Outside Body	Nomination 2014/15	Nomination 2015/16
Transport for the North	James Lewis	
Transport for the North Partnership Board	Keith Wakefield/ Roger Marsh	
Rail North Director	James Lewis	
Rail North Alternate Director	Keith Wakefield	
Calder Valley Line Working Group	James Lewis	
City Regions Transport Special Interest Group		
Chair of Transport Committee	James Lewis	
Deputy Chair of Transport Committee	Eric Firth	
Leader of Opposition - Transport Committee	Liz Smaje	
East Coast Main Line Authorities	Eric Firth	
HS2 Regional Programme Board	James Lewis	
Leeds Station Strategic Advisory Board	James Lewis	
The Association of Rail North Partner Authorities Leaders' Committee	James Lewis Keith Wakefield (sub)	
University of Leeds – <ul style="list-style-type: none"> • Council • Strategy & Investment Committee • Audit & Risk Committee 	Roger Marsh Roger Marsh Roger Marsh	
HS2 Growth Taskforce	Roger Marsh	
Bradford Producer City Board	Roger Marsh	

ITEM 10

Report to: Combined Authority

Date: 25 June 2015

Subject: Calendar of Meetings for 2015-2016

1. Purpose

To note the calendar of meetings proposed for the Authority for 2015-2016.

2. Background Information

2.1. The proposed calendar of meetings is attached as Appendix 1 to this report.

2.2. The calendar provides dates for meetings of the Combined Authority, the Transport Committee, the Overview and Scrutiny Committee, the Governance and Audit Committee and the West Yorkshire and York Investment Committee.

2.3. Whilst it will be a matter for the Transport Committee to convene its District Consultation Sub-Committees, the calendar proposes dates for these sub-committee meetings.

3. Issues

3.1. None by virtue of this report.

4. Legal Implications

4.1. None by virtue of this report.

5. Financial Implications

5.1. None by virtue of this report.

6. Staff and resource Implications

6.1. None by virtue of this report.

7. Recommendations

7.1. That the calendar of meetings of the Authority be approved.

CALENDAR OF MEETINGS 2015/16

2015

JUNE	25	COMBINED AUTHORITY AGM (York)	11.00 am
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JULY	6	West Yorkshire & York Investment Committee	11.00 am
	8	Kirklees District Consultation Sub-Committee (Huddersfield)	11.00 am
	9	Wakefield District Consultation Sub-Committee	11.00 am
	10	Bradford District Consultation Sub-Committee	11.00 am
	13	Leeds District Consultation Sub-Committee	11.00 am
	15	Calderdale District Consultation Sub-Committee	11.00 am
	17	Seminar for New WYCA Members/Co-optees	10.30 am
	22	Overview & Scrutiny Committee	11.00 am
	23	COMBINED AUTHORITY	11.00 am
	28	Governance & Audit Committee	11.00 am
	31	TRANSPORT COMMITTEE	11.00 am

SEPTEMBER	8	West Yorkshire & York Investment Committee	11.00 am
	17	COMBINED AUTHORITY	11.00 am
	23	Overview & Scrutiny Committee	11.00 am

OCTOBER	5	Leeds District Consultation Sub-Committee	11.00 am
	6	West Yorkshire & York Investment Committee	11.00 am
	7	Kirklees District Consultation Sub-Committee (Dewsbury)	11.00 am
	9	TRANSPORT COMMITTEE	11.00 am
	13	Calderdale District Consultation Sub-Committee	11.00 am
	15	Wakefield District Consultation Sub-Committee	11.00 am
	16	Bradford District Consultation Sub-Committee	11.00 am
	27	Governance & Audit Committee	11.00 am

NOVEMBER	3	West Yorkshire & York Investment Committee	3.00 pm
	20	COMBINED AUTHORITY	11.00 am

DECEMBER	1	Overview & Scrutiny Committee	11.00 am
	11	TRANSPORT COMMITTEE	11.00 am

2016

JANUARY	12	Calderdale District Consultation Sub-Committee	11.00 am
	13	Kirklees District Consultation Sub-Committee (Huddersfield)	11.00 am
	15	Bradford District Consultation Sub-Committee	11.00 am
	18	Leeds District Consultation Sub-Committee	11.00 am
	20	West Yorkshire & York Investment Committee	11.00 am
	21	Wakefield District Consultation Sub-Committee	11.00 am

FEBRUARY	4	COMBINED AUTHORITY	11.00 am
	9	Governance & Audit Committee	11.00 am
	16	Overview & Scrutiny Committee	11.00 am
	26	TRANSPORT COMMITTEE	11.00 am
MARCH	9	West Yorkshire & York Investment Committee	11.00 am
	23	Overview & Scrutiny Committee	11.00 am
	31	COMBINED AUTHORITY	11.00 am
APRIL	4	Leeds District Consultation Sub-Committee	11.00 am
	6	Kirklees District Consultation Sub-Committee (Dewsbury)	11.00 am
	8	Bradford District Consultation Sub-Committee	11.00 am
	12	Calderdale District Consultation Sub-Committee	11.00 am
	14	Wakefield District Consultation Sub-Committee	11.00 am
	15	TRANSPORT COMMITTEE	11.00 am
	19	Governance & Audit Committee	11.00 am
JUNE	7	West Yorkshire & York Investment Committee	11.00 am
	23	COMBINED AUTHORITY AGM	11.00 am

ITEM 11

Report to: Combined Authority

Date: 25 June 2015

Subject: Governance and Audit Committee Recommendations

1. Purpose

1.1. To seek approval to decisions recommended by the Governance and Audit Committee at its meeting of 22 April 2015.

2. Information

2.1. The Governance and Audit Committee considered a number of items at its meeting on 22 June 2015. The terms of reference of this Committee reflect the position which is that under the Local Government Act 1972 s102, co-optees are not permitted to be appointed to a committee regulating and controlling the finances of the Authority. Certain issues therefore can be discussed and considered by the Committee but a number of these require consideration and formal approval by the Combined Authority, following appropriate advice and information from the Governance and Audit Committee. One such item is recommended to this meeting.

2.2. **Code of Corporate Governance.** It is widely recognised that best practice for all organisations is to have in place a Code of Corporate Governance. This should follow the guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) and explain how the six principles of good governance are demonstrated by an authority. A Code reflecting the arrangements in place at the Combined Authority was considered at the last meeting of the Governance and Audit Committee meeting and is recommended to the Authority for approval. It is attached as Appendix A for information.

3. Financial implications

3.1. None arising directly from this report.

4. Legal Implications

4.1. None arising directly from this report.

5. Staffing Implications

5.1. None arising directly from this report.

6. Consultees

6.1. This decision requested is at the recommendation of the Governance and Audit Committee.

7. Recommendations

7.1. That the WYCA approve the Code of Corporate Governance.

West Yorkshire Combined Authority

Local Code of Corporate Governance

Introduction

The definition of corporate governance is that it is about ‘how bodies ensure they do the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and culture and values, by which bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.’

The West Yorkshire Combined Authority (WYCA) has approved and adopted a code of corporate governance which is consistent with the principles of the best practice guidance issued jointly by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE). The framework is based upon the following six core principles:

1. Focussing on the purpose of the Authority and the outcomes for the community and creating and implementing a vision for the local area.
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles.
3. Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.
5. Developing the capacity and capability of members and officers to be effective.
6. Engaging with local people and other stakeholders to ensure robust public accountability.

The WYCA is committed to meeting these principles and this statement sets out how the supporting principles beneath each statement will be achieved, monitored and reviewed.

The Authority's core principles

- 1 Focussing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area.**

Supporting principles:

Exercising leadership by clearly communicating the Authority's purpose and vision and its intended outcome for citizens and service users.

The WYCA has endorsed the Leeds City Region Enterprise Partnership's Strategic Economic Plan (SEP) for the region which sets out ambitious plans to drive economic growth. Alongside this the Local Transport Plan sets out key transport plans which are supported by bus, rail, freight, asset and network management strategies. This will be relaunched later in 2015 as the Single Transport Plan which will be updated for recent transport developments and to provide clearer links to the SEP. A manifesto and strategy for West Yorkshire are being further developed to set out the full extent of the WYCA's ambitions for the region and what this means for the people of West Yorkshire and the wider economy.

Ensuring that users receive a high quality of service whether directly, or in partnership or by commissioning.

The Authority will produce regular reports setting out its targets and the achievement against them. This will include progress on key projects in the West Yorkshire plus Transport Fund and other priority schemes in the Local Growth Deal. The annual tracker survey will demonstrate satisfaction with the provision of local public transport.

Ensuring that the Authority makes best use of resources and that tax payers and service users receive excellent value for money.

The Authority will prepare a three year financial strategy which is scrutinised by Members to ensure it supports the ambitions of the WYCA. Detailed annual budgets are considered and approved by the WYCA and shared with the constituent Councils. Annual accounts are produced within three months of the year end and an audit opinion on these and on the value for money position is provided by external auditors.

- 2 Members and officers working together to achieve a common purpose with clearly defined functions and roles.**

Supporting principles:

Ensuring effective leadership throughout the Authority by being clear about executive and non executive functions.

Ensuring a constructive working relationship exists between elected Members and Officers.
Ensuring relationships between the Authority and the public are clear.

The Authority has in place a clear constitution and a Committee structure covering all aspects of its activities. Schemes of delegation have been put in place to enable Committees, the Head of Paid Service and Directors to work effectively and make decisions in a transparent way. Statutory officers with the appropriate skills and resources have been appointed and ensure advice is given on the necessary financial and procedural matters.

The ways of working are published and reviewed annually, including Standing Orders and Financial Regulations, schemes of delegation, a Members Allowance Scheme and a protocol for Member/Officer relations. An Overview and Scrutiny Committee of co-opted members from all constituent authorities includes within its terms of reference the ability to call in any decision of the WYCA.

3 Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.

Supporting principles

Ensuring members and officers exercise leadership by behaving in ways that uphold high standards of conduct and exemplify effective governance.

Ensuring that organisational values are put into practice and are effective.

The WYCA expects the highest standards of conduct and personal behaviour from its Members and employees. Robust arrangements are in place to ensure that these high standards are promoted and upheld. Organisational values have been adopted by the Authority and are reflected in policies and protocols. The Authority has issued, and keeps under regular review, a number of documents including a Member Code of Conduct, an Officer Code of Conduct, a complaints procedure and an anti fraud and anti corruption policy which includes the whistleblowing policy. All employees are trained in the values, standards, policies and procedures that WYCA expects them to adhere to.

4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.

Supporting principles

Exercising leadership by being rigorous and transparent about how decisions are made.

*Having good quality information, advice and support.
Making sure an effective risk management system is in place.
Recognising the limits of lawful action.*

The WYCA ensures that decision making is transparent and that appropriate advice is taken in reaching decisions. All key decisions of the WYCA and its Committees are made in public meetings with documents available to the public via the internet. Officer decisions are taken in accordance with the schemes of delegation in place and are recorded.

Appropriately skilled and qualified officers provide advice and input to the decision making process.

A risk management framework is in place and is overseen by the Governance and Audit Committee. A risk manual provides practical guidance to officers in recording, monitoring and managing risk through the performance management system.

The Authority has arrangements in place to ensure it collects, uses and stores information and data appropriately.

The Governance and Audit Committee oversees all governance arrangements and ensures these are operating effectively. It monitors and formally reviews the work of the internal audit function and considers the annual review produced by the Internal Audit Manager.

5 Developing the capacity and capability of members and officers to be effective

Supporting principles

*Making sure Members and Officers have the skills, knowledge, experience and resources they need to perform well.
Developing the capability of people with governance responsibilities
Encouraging new talent for membership of the Authority.*

The WYCA seeks to ensure all Members and Officers have the necessary skills and training to fulfil their roles. Members receive an induction programme when they are appointed to a Committee of the WYCA and this is supplemented by specialised training courses where appropriate. Officers are appointed using competency based job descriptions and their performance against these competencies is regularly monitored and reviewed. A detailed learning and development plan ensures that training needs are met at both an individual and an organisational level. The commitment to staff development is demonstrated in the continued re-accreditation of both the Investor in People and Customer Service Excellence standards.

6 Engaging with local people and other stakeholders to ensure robust public accountability.

Supporting principle

Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders.

The WYCA engages with stakeholders and local people in a variety of ways. Its actions are readily available to the public via the publication of all meeting papers and decisions on the internet and the public nature of all its meetings.

The WYCA fosters close links with the local District Councils, facilitated by the appointment of senior politicians from these Districts to the WYCA. The Chair of the Leeds City Region Enterprise Partnership sits on the WYCA to assist in ensuring close working with local businesses.

The District Engagement Sub-Committees provide the forum for local people to engage on public transport matters that are relevant to them. For all significant projects public consultation will be undertaken both electronically and in the form of public meetings.

Monitoring and review

It is the responsibility of the Governance and Audit Committee to keep corporate governance matters under review. As part of this process it undertakes regular reviews throughout the year with a formal review at the year end of the processes and systems in place during the year. This includes the results of the work carried out by the internal audit section. The Committee reviews the Annual Governance Statement which forms part of the statutory annual accounts which are subject to external audit. The Committee review and recommend this statement to the WYCA for consideration and approval.

**MINUTES OF THE MEETING OF THE
TRANSPORT COMMITTEE
HELD ON FRIDAY 27 MARCH 2015 IN WELLINGTON HOUSE, LEEDS**

Present: Councillor J Lewis (Chair)

Councillors R Billheimer, E Firth, A Hussain, M Johnson, D Kirton, G Lowe,
M Lyons, A Pinnock, R Poulsen, L Smaje, E Taylor and M Ward

In attendance: Councillors V Slater (Bradford), P McBride (Kirklees) R Lewis
(Leeds) and D Levene (York),

85. Apologies for Absence

Apologies for absence were received from Councillors A Carter, B Collins,
Y Crewe, T Swift, and P Caffrey (Calderdale) and D Dagger (Wakefield).

86. Chair's Remarks

The Chair reported that Councillor Ruth Billheimer was attending her last meeting.
He thanked her for her hard work and contribution as a member of the Transport
Committee.

87. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by Members at the meeting.

88. Minutes of the meeting of the Transport Committee held on 27 February 2015

Resolved: That the minutes of the Transport Committee held on 27 February 2015
be approved and signed by the Chair.

89. Transport Update

The Committee considered a report giving an update on strategic transport issues.

Transport for the North (TfN)

It was reported that the TfN Interim Strategy was launched on Friday 20 March 2015.
The plan was a long term investment plan which committed to build on the concept

of HS3 to develop a network of high quality rail connections across the North and create a Northern powerhouse which would include road, rail freight, airports and smart ticketing emulating the Transport for London (TfL) model.

The Chair commented that on behalf of the WYCA he had continued to press for an ambitious plan including recognition of the importance of improving connectivity for the whole city region and not just the links between the core cities, bringing the benefits of HS2 to the North sooner than planned.

It was reported that the next steps would include the formulation of the Governance arrangements and establishment of the detailed development. A work programme and development budget was currently being prepared focussing initially on 2015/16. Members were advised that although it was likely that the Department for Transport would be making a substantial funding contribution it was anticipated that there would also be a requirement for a local contribution. It was also reported that discussions were still ongoing in respect of the share of funding nationally and locally.

Devolution – Leeds City Region

It was reported that a devolution deal for the Leeds City Region was announced on 18 March 2015 as part of the Chancellor's Budget Statement. Members were advised that whilst the announcement contained little transport matters, further detail was expected to include enhanced co-operation with other agencies, better means of delivering local schemes and work to improve bus services as part of an integrated transport system. A copy of the WYCA press release in response to the Chancellor's announcement was attached at Appendix 1 of the submitted report.

Rail North

It was reported that the Northern and Transpennine rail franchises would be managed by the DfT and Rail North in a formal partnership agreement to be signed by both parties before the end of March 2015.

Members were informed that currently the WYCA was a co-signatory to the Northern Franchise and received a rail administrative grant from the DfT to reflect that role. Under the new partnership arrangement the DfT would continue to pay a proportionate grant to WYCA with approximately £128,000 of the grant being used to contribute to the partnership costs which were attributable to Rail North from April 2016.

Tour de Yorkshire

The Committee was informed of the work being carried out by WYCA staff for the Tour de Yorkshire which was taking place between 1-3 May 2015. This included assisting in managing the public transport implications arising from the road closure

programme and exploring any additional requirements for public transport capacity in West Yorkshire during the event.

Electrification Task Force

It was reported that the North of England Rail Electrification Task Force had published their report on 5 March 2015. The Task Force had identified lines on the Northern and Transpennine franchise currently without electrification which had now been considered and prioritised. The results had been grouped into 3 tiers, with Tier 1 being the most immediate priority. Members were advised that the lines in the Leeds City Region included:

Tier 1

- Calder Valley line
- Harrogate Line
- Selby to Hull
- Sheffield to Leeds via Barnsley
- Sheffield to Wakefield Westgate

Tier 2

- York to Scarborough
- Barnsley to Huddersfield
- Knottingley to Goole
-

Tier 3

- Pontefract to Church Fenton
- Skipton to Carlisle
- Skipton to Heysham

Ultra-Low Emission Vehicle Fund

It was reported that the DfT had announced that the WYCA had been shortlisted as one of the 12 authorities to develop a detailed bid submission by the deadline date of 31 August 2015 for a share of the £35m 'Go Ultra Low' City Scheme capital grant.

Members were advised that the WYCA's submission would be based on a series of interventions across West Yorkshire. These would target ULEV vehicle adoption by individuals and businesses through improving access to electric charging points, expanding the new West Yorkshire and York Car Club fleet, free city parking for ULEV cars and an apprenticeship programme in partnership with manufacturers and local colleges.

It was also commented that the City of York Council had also been shortlisted.

Other Transport Developments

It was reported that Pteg had been representing the interests of the larger transport authorities in contributing to the DfT's review of the Bus Service Operators' Grant (BSOG). The aim of the review was to ensure that any outcome did not penalise authorities considering the development of a Bus Quality Contract scheme. The Committee also noted a number of other pieces of work currently being undertaken by the Group:

- Liaison with the Treasury to highlight issues with the road safety based element of the Integrated Block formula used to allocate monies, which had diverted monies to smaller authorities.
- Publication of reports on freight, transport and worklessness, an air quality transport toolkit and policy futures think-pieces.

Smart Cities Programme

Members noted the work of the Smart Cities Programme. The programme was made up of the nine City Regions, the DfT and the bus operators in England with the aim of adopting a collective approach and accelerating the delivery of smart ticketing products by sharing knowledge more effectively.

Resolved - That the report be noted.

90. Local Transport Plan Approvals

The Committee considered a report which sought approval for LTP Quarter 4 2014/15 payments for the following programmes and IP2 schemes:

- LTP IP2 Integrated Transport and Highway Maintenance Blocks.
- Cycle City Ambition Grant (CCAG1) for CityConnect Programme.
- Cycle City Ambition Grant 2.
- West Yorkshire plus Transport Fund.

The report also sought funding approval for the following IP2 schemes:

- Cycle City Ambition Grant 2
- Bus Realtime Information
- Bus Strategy Development
- ICT Infrastructure Phase 2
- South Elmsall Hub
- New Shelters Programme 2015/16
- Cycle Rail Schemes

In respect of Bus Strategy Development, it was reported that the WYCA had endorsed a Bus Quality Contract as its preferred approach to ensuring local bus services support the wider economic, environmental and social policy objectives.

The Committee was also advised that following a meeting held between the Chair and Deputy Chairs of the Transport Committee and ABOWY to discuss enhancements to the partnership offer, it was considered that the revised offer fell short of the Authority's aspirations. In particular this was with regard to integrated ticketing and therefore the Committee was recommended to approve expenditure up to £1 million to continue work on the development of the Authority's Bus Strategy.

Resolved:

- (a) That the quarterly payments, as set out in Table 1 of the submitted report, be approved.
- (b) That the expenditure of £3.574m to fund the West Yorkshire Transport Fund, to be funded through reserves held by the Combined Authority and levy contributions ringfenced to support the Transport Fund be approved.
- (c) That a Quarter 1 payment of up to £8.5m, to be funded through the Local Growth Deal for the Wakefield Eastern Relief Road Scheme be approved, subject to Wakefield MDC providing confirmation that the conditions as set out in the report to the Combined Authority on 12 December 2014 had been adhered to.
- (d) That expenditure of £600,000 to fund the initial development work on the CCAG2 programme be approved.
- (e) That expenditure of £50,000 to fund the enhancement of access to bus realtime information through the provision of QR codes and BFC tags at bus stops be approved.
- (f) That expenditure of £1m to continue work on Bus Strategy Development work be approved.
- (g) That expenditure of £175,000 to fund ICT Infrastructure Phase 2 to be funded through LTP be approved.
- (h) That expenditure of £323,500 to fund the South Elmsall Hub to be funded through the LTP be approved.
- (i) That expenditure of £250,000 to fund the LTP New Shelters Programme 2015/16 to be funded through the LTP be approved.

- (j) That expenditure of £94,000 (match funding) for the Cycle Rail Fund, to be funded through the LTP be approved.

91. Engagement with Young People

The Committee considered a report on a pilot project to improve how the WYCA and bus operators engaged with and consulted young people.

It was reported that at a previous meeting, members had expressed a desire to better engage with equality groups along with an interest in trialling virtual consultation as an effective means of broadening representation in seeking passenger feedback.

It was reported that the WYCA had been working with the Youth Association on a one year pilot project. A model had now been developed for engagement and consultation which included the establishment of the interactive standing panel consisting of 100 young people between the ages of 13-25 which would meet on a 2 monthly basis. It was also proposed to train young people to undertake mystery shopping to follow up on key points identified through the Standing Panel by the Combined Authority.

Comment was also made that the bus operators were fully supportive of the project and had agreed to fund free travel tickets as incentives for both panel members and mystery shoppers.

Resolved - That the report be noted.

92. Enhancement to the Young Persons' Concessionary Travel Scheme

The Committee considered a report on proposed enhancements to the Young Persons' Concessionary Travel Scheme.

It was reported that the WYCA provided concessionary travel for all eligible categories as defined in the Transport Act 1985; including young people aged between 5-16 and 16-18 years who were in full time further education.

It was proposed to extend within the current budget provision, the entitlement to all 16-18 year olds including apprentices and other young people not in full time further education and who were therefore not eligible under the Act.

It was reported that discussions were ongoing with the larger operators with a view to securing appropriate reimbursement agreements in order to mitigate risk for all parties and other changes affecting young persons' concessionary travel which was detailed in paragraphs 2.4 - 2.5 of the submitted report.

In this respect members were advised that the operators had indicated that they would be prepared to agree to a modification of the scheme to include from

1 September 2015, all 16-18 year olds within the approved budget provision for 2015/16. That initiative would have the benefit of extending concessionary travel to young people in the age range who were in jobs, apprenticeships or part time training or education.

It was also mentioned that further work would be undertaken to consider enhancements to the scheme to include older apprentices as part of an overall approach to support the SEP as well as attracting young people to use public transport.

Resolved:

- (a) That the proposal for negotiations and consultation with the bus operators to enhance the Young Persons Concessionary Travel Scheme be endorsed.
- (b) That, subject to consultation, the revised scheme be reported to the Transport Committee for approval and the WYCA being requested to approve the associated use of well-being powers.

93. Connecting the Dales

The Committee considered a report on the outcome of the Connecting the Dales Local Sustainable Transport project.

It was reported that the project which had been financially supported by the Authority was due to end in March 2015. A leaflet setting out the achievements was circulated at the meeting.

Members were advised that since 2007 the Authority had supported the provision of a network of Sunday/Bank Holiday bus services linking West Yorkshire and the key destinations in the Dales through a grant awarded under well-being powers. The Dales and Bowland Community Interest Company who co-ordinated and ran the services were now seeking a grant of £14,500 for 2015 which represented a £3,500 increase over the previous year. To add value for West Yorkshire from the increased cost, agreement had been reached with the operator offering MetroCard holders a wider range of services and destinations.

Resolved:

- (a) That the outcome of the Connecting the Dales Local Sustainable Transport Fund Scheme be noted.
- (b) That the award of grant of £14,500 under the provision of well-being powers be approved.

**MINUTES OF THE MEETING OF THE
GOVERNANCE & AUDIT COMMITTEE
HELD ON WEDNESDAY 22 APRIL 2015 IN WELLINGTON HOUSE, LEEDS**

Present: Councillor H Richards (Chair)

Councillors S Baines, G Burton, G Hussain, N McIlveen and A Waller

In attendance: N Rayner (Deloitte)

38. Apologies for Absence

Apologies for absence were received from Councillors R Light (Kirklees) and L Smith (Bradford).

39. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

40. Minutes

Resolved - That the minutes of the meeting held on 3 February 2015 be approved.

41. External Audit Update

The Committee considered a report which provided an update on the work of the External Auditors and future audit fees and arrangements.

Audit Plan

It was reported that Deloitte had now undertaken their interim audit in relation to the 2014/15 year end. Mr Rayner, Audit Manager, attended the meeting to present the plan for the 2014/15 audit which had been informed by this work and took questions from members. A copy of the Audit Plan which outlined the scope of work to be undertaken and details of Deloitte's approach to this work and the significant audit risks identified were attached at Appendix A of the submitted report.

Fees

It was reported that following consultation, the Audit Commission had published the work programme and scales of fees for the audit of the 2015/16 accounts of principal audited bodies. Members were advised that there would be no changes to the work programme for 2015/16 and the scale of audit fees had been confirmed at a 25% reduction to the current fees from £45,000 for the current year to £33,000 for 2015/16.

It was also reported that an introductory meeting had been held with Mazars who were replacing Deloitte as the Authority's Auditor in 2015/16. They had also commented they would welcome the opportunity to attend future meetings particularly nearer the handover period.

Members were advised that the Audit Commission had closed on 31 March 2015. The regulatory environment that it supported would be continued with different elements passed to a number of different agencies. The current external Audit Contracts managed by the Audit Commission were passed to the Public Sector Audit Appointments Ltd (PSAA).

Resolved - That the 2014/15 audit plan and the position regarding future audit arrangements be noted.

42. Internal Audit Progress Report

The Committee considered a report on work undertaken by the Internal Audit Section and the key issues which had been identified.

<u>Review</u>	<u>Opinion</u>
Creditors Payments System	Well Controlled
Treasury Management	Controlled
Prepaid Tickets & Concessionary Travel	Requires Improvement
Main Accounting System	Well Controlled

Prepaid Tickets and Concessionary Travel

It was reported that the arrangements relating to the calculation and administration of prepaid ticket payments and concessionary fares reimbursement were operating satisfactorily and third parties assurances had been obtained in relation to Metro ticket stock and cash handling systems operated. However members were advised that the review had identified a number of issues to further improve the control environment and realise efficiencies. These included:

- System user access rights to be further developed and enforced.
- Responsibility for ordering, receiving and reconciling ticket stocks to be segregated between staff.

- Delay in providing the automated link between ticket sales systems provided by Yorcard Ltd and WYCA's financial management system.
- The realisation of SCIP Programme business benefits through the automation of revenue collection and systems interface be clearly identified and progress monitored.

It was also reported that the Audit Plan 2015/16 was approved by the WYCA at its meeting held on 12 March 2015 and that work had now commenced on the plan through the review of the administration of the English National Concessions Travel Scheme.

Resolved: That the report be noted.

43. Internal Controls and Financial Monitoring

The Committee considered a report on any changes to the Authority's internal control arrangements since the last meeting and to consider the current financial position.

Internal Controls

It was reported that there had been no significant changes to the arrangements for internal control within the Authority. The Committee was advised of the treasury management arrangements that were approved by the WYCA including proposals to enable more effective management of the £68m Local Growth Fund monies which the Authority had received from the Government in April 2015.

The Committee was advised that an assurance framework, similar to the Local Transport Body Framework which had been put in place by the former WYITA, had now been developed. The West Yorkshire & York Investment Committee had considered the framework and had made a recommendation which was approved by the WYCA requesting the framework be kept under regular review by the Governance and Audit Committee. It was therefore suggested that it be diarised to take place on an annual basis.

Code of Corporate Governance

The Committee was advised that in accordance with best practice a Code of Corporate Governance for the WYCA had been prepared on the basis that the governance arrangements were now well established and had been operational for some time. Members' views were requested prior to WYCA approval at its Annual General Meeting on 25 June 2015. A copy of the draft code was attached at Appendix A to the submitted report.

Key Indicators

As requested at the last meeting, members received information on key indicators which specifically related to accidents and near misses for the first three months of 2015.

Financial Monitoring

It was reported that the 2014/15 year-end figures were likely to show a saving on concessionary travel costs. Members were advised that the saving related to young persons' concessions and reflected changes that had arisen following changes both to the types of tickets available and the way in which schools transport had been provided. In this respect comment was made that work was being undertaken to extend the offer of concessionary transport for young people and that any savings achieved on current budgets could possibly assist in delivering those proposals.

It was also reported that the budget for 2015/16 was approved by the WYCA at its meeting held on 29 January 2015. The revenue budget for transport and the LEP budget were set out in Tables 1 and 2 of the submitted report.

Risk Management

It was reported that there had been no significant changes to risk since the last meeting. Members were advised that the internal audit review of risk was almost complete and the outcome would be reported to the next meeting of the Committee.

Resolved:

- (a) That the report and future work arising as outlined in the submitted report be noted.
- (b) That the Code of Corporate Governance be recommended for approval by the WYCA at its Annual General Meeting in June 2015.

44. Review of Governance

The Committee considered a report on proposals to review governance arrangements of the WYCA.

Members were advised that the brief provided an overview on the proposed changes to governance of the WYCA which predominantly related to:

- Members Allowances Scheme.
- Committee terms of reference.
- Officer delegation.
- Standing Orders.

Due to the timing of meetings, it was proposed that details of the proposed changes be circulated by email to Committee members for comment prior to them being presented to the WYCA on 25 June 2015.

Resolved: That members of the Governance and Audit Committee be requested to consider and comment on the proposed change.

45. Appointment of Independent Persons

The Committee considered a report seeking approval to establish a panel to oversee the recruitment of two Independent Persons to be available to act in relation to complaints concerning allegations of a breach of the Authority's Code of Conduct by members of the Authority.

Resolved:

- (a)** That a panel be established with no fewer than three members and to include the Chair, being members of the Governance and Audit Committee for the purpose of:
- Reviewing applications for the post of Independent Persons.
 - Interviewing applicants if necessary.
 - Making appropriate recommendations, by majority decision if not unanimously, to the Authority to make appointments at the Annual General Meeting in June.
- (b)** That there be two appointments recommended to the WYCA to deal with instances of absence or conflict of interest.

**MINUTES OF THE MEETING OF THE
 OVERVIEW & SCRUTINY COMMITTEE HELD ON
 TUESDAY 28 APRIL 2015 IN WELLINGTON HOUSE, LEEDS**

Present:	Cllr Stephen Baines MBE (Chair)	-	Calderdale MBC
	Cllr Ferman Ali	-	Calderdale MBC
	Cllr James Baker	-	Calderdale MBC
	Cllr Simon Cooke	-	City of Bradford MC
	Cllr Pauleen Grahame	-	Leeds City Council
	Cllr Kim Groves	-	Leeds City Council
	Cllr Peter Harrand	-	Leeds City Council
	Cllr Michelle Swallow	-	City of Bradford MC

In attendance:	John Henkel	-	WYCA
	Angela Taylor	-	WYCA
	Rob Norreys	-	WYCA
	Sue Cooke	-	WYCA
	Steve Heckley	-	WYCA
	Ruth Chaplin	-	WYCA

42. Apologies for Absence

Apologies for absence were received from Councillors Barbara Boyce, Andrew Cooper, Hassan Khan, Albert Manifold, Betty Rhodes and Graham Turner.

43. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

44. Exclusion of the Press and Public

There were no items on the agenda requiring exclusion of the press and public.

45. Minutes of the Meeting held on 10 February 2015

Resolved - That the minutes of the meeting held on 10 February 2015 be approved and signed by the Chair.

46. Devolution

The Committee considered a report in respect of devolution for the City Region.

Members were updated on the current position and discussed the detail of the final draft devolution agreement which was attached at Appendix 1 to the submitted report. It was reported that the agreement was still awaiting formal Ministerial sign off and publication on the Gov.uk website. This was because of publicity constraints imposed by the politically restricted period and could not be done until after the General Election. However members were advised that discussions were now being held with the Cabinet Office to develop an implementation plan for the City Region in readiness for the official agreement being released. Further information in respect of the implementation plan would be provided to a future meeting.

The Committee was disappointed that it had not been possible to arrange a meeting with Ministers in respect of the devolution deal. It was noted that the press release regarding this matter that had been requested at the previous meeting had not been issued due to the sensitivity of the ongoing negotiations on devolution prior to the budget announcement. It was requested that communications on devolution be shared with District communication officers, as well as any information on other LEP led initiatives.

At the last meeting the Committee had discussed democratic accountability in respect of devolution and the possible increased responsibilities and funding opportunities at a local level. In this respect, members were advised that WYCA had been created on the basis of earlier devolution discussions in 2012 as part of the City Deal agreement which included the establishment of the West Yorkshire Plus Transport Fund. Comment was made that more emphasis should be placed on gender balance when considering membership of the WYCA and its committees. It was recognised that because of the forthcoming elections, there could be changes to the WYCA and its Committees and this would be considered at the Annual Meeting on 25 June 2015. In respect of the Overview & Scrutiny Committee, it was reported that the Chair of the WYCA had contacted each District Leader to ask them to consider nominating the current members to serve for a second term on the Committee to maintain consistency.

Resolved -

- (a)** That the current position on devolution be noted.
- (b)** That further information in respect of the devolution implementation plan be provided to a future meeting.

47. WYCA and Employment

The Committee considered a report outlining how the WYCA provides advice and support to local residents to get them to, and into, employment and the initiatives that were currently in place.

It was reported that WYCA supported the aims of ensuring that local people had the skills and opportunities to take up employment in West Yorkshire through:

- Maximising the local job impacts of its investment programmes.
- Apprenticeships, training, skills and business support.
- Addressing cost and other barriers to accessing employment and training.

In respect of investment programmes, it was noted that the West Yorkshire Plus Transport Fund had been developed with the prioritisation on projects and programmes considering the long term impact on productivity and employment. Members noted the work undertaken to date and key points identified in relation to the Transport Fund were outlined in the submitted report.

Members were given a presentation and noted information in respect of the LEP sponsored employment and skills programmes, details of which were outlined in the submitted report and included:

- Devolved Youth Contract (DYC)
- Headstart
- Business Growth Programme
- Enterprise in Education
- Apprenticeship Hub Programme
- SME Skills Fund and Skills Service
- Skills Capital

The Committee considered that elected members were not being provided with sufficient information which was essential so that they could become involved and promote initiatives such as the apprenticeship hub scheme in their local areas. It was reported that officers continued to work closely with local authorities and, with regard to the apprenticeship hub scheme and promoting employment support offers, the WYCA used a wide range of mechanisms including print, electronic displays, web and social media.

Members discussed the role of Job Centres, supporting younger people who had additional needs and the importance for training opportunities to be available for older people to help them back into employment. It was noted that whilst some cities thrived, they also had areas of deprivation. Members requested additional information on employment figures and apprenticeships. The Committee was advised that all authorities were keen to ensure prospects were sustainable, the correct qualifications/skill sets were matched with positions and that apprenticeship schemes led to full time employment and this would continue to be closely monitored. Members also stressed that local authorities should be mindful of the skills required when considering S106 applications for new developments/schemes so that they could be provided locally.

The Committee highlighted the need for good transport links between housing and employment. It was noted that the cost and lack of availability of transport could be a significant barrier to accessing employment or training and members noted details of the West Yorkshire Travel Plan Network (TPN) and the partnership working between the WYCA and JobCentre Plus to support employability. This work focussed on ticketing,

bicycle provision, support for people in training and new ticket products and information on each of the schemes was provided in the submitted report. Members noted that the Local Transport Plan and West Yorkshire Plus Transport Fund sought to ensure proposed housing developments had connectivity to employment, although this did rely on information being provided by local authorities.

Resolved –

- (a) That the activities in place to support employment in West Yorkshire be noted.
- (b) That the future development of WYCA business planning be noted.
- (c) That additional information on employment figures and apprenticeships be made available via the Labour Market Analysis 2015 and from Local Authority Apprenticeship Hubs, which have access to data directly.

48. Single Transport Plan

The Committee considered a report on work to develop a Single Transport Plan. It was reported that WYCA was developing a Single Transport Plan (STP) for West Yorkshire which would replace the existing West Yorkshire Local Transport Plan. The STP would be a 20 year vision for developing an effective, efficient and integrated transport network that supported sustainable and low carbon economic growth for the Leeds City Region.

The Committee was advised that early consultation on the STP was taking place and this would be followed by a more formal round of consultation in Summer 2015.

Members were given a presentation on the emerging core principles for the Plan and the following comments were made:

- Challenges with the bus industry and reduced budgets for tendered services were recognised but quicker, more direct transport links needed from villages – people will not leave cars at home if it takes too long to get to a destination.
- Difficult to persuade older people to take up cycling.
- The City Connect cycle highway only links two districts.
- Need to emphasise impact on health eg. accidents/air pollution
- Look at work already done by local authorities on air quality etc. and also work done in London to improve access to local centres.
- Cross boundary ticketing.

Resolved –

- (a) That the progress in developing the Single Transport Plan be noted.
- (b) That members' comments be noted.

49. Forward Programme of Work

The Committee considered the updated work programme for the coming year.

It was noted that meeting dates for 2015/16 had been circulated and would be formally agreed at the AGM in June. Members would be notified of any changes to the calendar of meetings. It was requested that the meeting scheduled for 28 April 2016 be moved to an earlier date as its proximity to the date for local elections may affect attendance.

It was suggested that the July meeting should include an element of induction for any new members and an introduction from the Chair of the Authority to clarify any work that the WYCA may wish the Committee to undertake.

Resolved - That the forward programme of work be noted.

ITEM 12d

**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE & YORK INVESTMENT COMMITTEE
HELD ON TUESDAY 2 JUNE 2015 IN WELLINGTON HOUSE, LEEDS**

Present:	Cllr David Green (Chair)	-	WYCA/City of Bradford MDC
	Cllr Val Slater	-	City of Bradford MDC
	Cllr Peter McBride	-	Kirklees MC
	Cllr Richard Lewis	-	Leeds City Council
	Cllr Denise Jeffrey	-	Wakefield MDC
	Roger Marsh	-	WYCA/Leeds City Region LEP
In attendance:	Rob Norreys	-	WYCA/LEP
	Colin Blackburn	-	Leeds City Region
	Nigel Guy	-	Leeds City Region
	Sally Hinton	-	Leeds City Region
	Ian Gray	-	Calderdale MBC/WYCA
	David Hoggarth	-	WYCA
	Ruth Chaplin	-	WYCA
Observers:	Cllr Roy Miller	-	Barnsley MBC
	Cllr Barry Collins	-	Calderdale MBC
	Cllr Ian Gillies	-	City of York Council
	Cllr Eric Firth	-	WYCA
	Andrew Osborn	-	Barnsley MBC

58. Apologies for Absence

There were no apologies for absence.

59. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

60. Minutes of the Meeting held on 4 March 2015

Resolved - That the minutes of the West Yorkshire and York Investment Committee held on 4 March 2015 be approved and signed by the Chair.

61. Leeds City Region Growth Deal Delivery & Budget Reallocation Process

The Committee considered a report which provided an update on the delivery of the Growth Deal and West Yorkshire plus Transport Fund (WY+TF) and on progress of delivery of other Leeds City Region projects and programmes. Consideration was also given to the process of reallocating Growth Deal expenditure within the current financial year.

In respect of the progress on delivery of the Growth Deal, members noted the dashboards which were attached at Appendix 1 and the updates on the programmes and projects where there had been significant developments since the last meeting.

It was noted that there were a number of West Yorkshire plus Transport Fund projects which had red ratings and these were detailed in the submitted report. Members discussed the reasons for the slippages and noted that these were mainly due to the uncertainties about future costs or risks relating to factors or organisations outside the control of the WYCA.

Members noted progress with the 2012 City Deal projects and programmes. It was reported that in many cases delivery was meeting or exceeding targets. In particular, the results of the final evaluation report which highlighted the achievements of the local Business Growth Programme were noted.

The Committee discussed the Growth Deal expenditure reallocation procedure and the need to ensure that c£4m was reallocated and utilised during the financial year. It was noted that it would not be possible to extend or postpone the monies to future years and consideration was given to the steps outlined in the submitted report to identify replacement projects. It was agreed that any proposals to reallocate Growth Deal spending within the current financial year should be brought to the Investment Committee who would then make a recommendation to the LEP Board, WYCA or Partnership Committee.

In view of the current timescales it was noted that consideration would need to be given to the Growth Deal reallocation for the present financial year at the WYCA meeting to be held on 23 July 2015. It was recognised that delays in bringing forward schemes could occur because of land acquisition issues and members were asked to identify any such cases in their own districts as a matter of urgency as it would be necessary for the Investment Committee to consider these options at their next meeting on 6 July 2015. Any proposals should be linked to major developments of City Region significance, identified either in the Strategic Economic Plan or in local Plans.

Comment was made that some projects were also being delayed because of ESIF funding issues and further information in respect of this would be circulated to members.

Members also noted that the delays to two of the Pillar 3 projects named in the Growth Deal are largely the result of delays in European funding programmes, rather

than any factors over which we have control. Other cases may arise in the future in which projects are not withdrawn by sponsors but whose delivery is delayed by third parties or other external factors. The Committee agreed that projects or programmes delayed in these circumstances should have priority when it makes recommendations regarding funding for the following year, subject to satisfactory resolution of those external factors.

Resolved –

- (a) That progress on the Growth Deal be noted.
- (b) That the Committee make recommendations regarding the overall reallocation of 2015/16 Growth Deal spending at its meeting to be held in July 2015.
- (c) That members provide information in respect of any land acquisition issues in their Districts.
- (d) That information in respect of ESIF funding issues be circulated to members.
- (e) That agreed Growth Deal projects or programmes not withdrawn by the sponsors and which are delayed as a result of external factors should be given priority in funding decisions for the following year, subject to the successful resolution of those issues.

62. Growth Deal Housing & Regeneration Projects for 2015/16 & 2016/17 – Funding Appraisals

The Committee considered a report which sought approval to progress housing and regeneration projects that could begin delivery in 2015/6 and 2016/17.

Members discussed the summary business cases for each of the following projects, copies of which were attached to the submitted report.

- Kirklees Housing Sites - to progress to Full Business Case (with potential to begin delivery in 2015/16).
- Normanton Depot - to progress to Full Business Case (with potential to begin delivery in 2016/17).
- Barnsley Town Centre – to approve a funding package (with potential to begin delivery in 2015/16).
- York Guildhall and Riverside Digital Media Arts Centre – to approve a funding package (with potential to begin delivery in 2016/17).
- To consider the case to bring forward Local Growth Fund spending on the Brownfield Lane, Leeds project from 2016/17 to 2015/16.

With regard to the York Guildhall and Riverside Digital Media Arts Centre project, it was noted that the project is to be reviewed by the Council, and it was agreed that the decision be deferred and further information be provided for consideration at a future meeting.

It was noted that all funding agreements would be subject to successful completion of due diligence and agreements of contracts and to the availability of Local Growth Funds.

Resolved –

- (a) That the recommendations for the proposed finance package for Barnsley Town Centre, as set out in the submitted report, be approved.
- (b) That further information in respect of York Guildhall and Riverside Digital Media Arts Centre be provided at a future meeting.
- (c) That the progression of the following housing and regeneration projects to full business case be approved:
 - Kirklees Housing Sites
 - Normanton Depot
- (d) That the full draw down in 2015/16 of the £1.1m loan amount allocated to the Leeds Brownfield sites project be endorsed.
- (e) That it be noted that all funding agreements are subject to successful completion of due diligence and agreements of contracts and to the availability of Local Growth Funds.

63. Enhancing the Economic and Environmental Impacts of the West Yorkshire Plus Transport Fund Investment Programme

The Committee considered a report which provided a summary of progress with work to secure added value from the design and delivery of transport fund projects which would result in enhanced environmental and economic impacts.

It was reported that a Green Streets Guide had been produced, setting out potential benefits and opportunities and members discussed the “Green Street” approach and principles.

Members considered a series of actions to embed new green infrastructure guidance and approaches to partnership working. They also discussed the case studies which had been developed exploring options, costs and impacts for a range of different transport investment types which included:

- Aire Valley, Leeds
- Harrogate Road new line junction works

- Cooper Bridge Gyratory
- Huddersfield Road green corridor

The Committee was advised that further work would be undertaken to quantify the scale of additional GVA benefits. Members endorsed the 'Green Street' approach but considered that the added value work should be expanded to other areas including air quality and health and suggested that the Transport Portfolio Advisory Group progress this.

Resolved:

- (a) That the Green Streets approach be supported and the Green Streets Guide endorsed.
- (b) That the aim of enhancing standard transport designs with appropriately designed green infrastructure to improve their economic and environmental impacts be supported.
- (c) That the principle of enhancing transport fund projects with additional funding, such as the European Structural & Investment Fund (ESIF), to deliver enhanced green infrastructure be endorsed.
- (d) That WYCA and District Officers continue to work with Yorkshire West Local Nature Partnership to develop an appropriate programme to access ESIF funding.

64. Exclusion of the Press and Public

The West Yorkshire and York Investment Committee considered a recommendation to exclude the press and public from Appendices 1 & 2 to Agenda Item 7, which contained exempt information defined in Paragraph 3 of Schedule 12A Local Government Act 1972.

RESOLVED: It was agreed that for the reasons outlined below, the public interest would be better served by maintaining the exemption, and, therefore, the press and public were excluded from inspecting Appendices 1 & 2 to Agenda Item 7:

- (a) It was agreed that disclosure of Appendix 1, Agenda Item 7 would, or would be likely to prejudice the company's commercial interests, and could undermine the process, future processes, or the outcome on this occasion, to the detriment of the WYCA and the public interest.
- (b) It was agreed that in respect of Appendix 2, Agenda Item 7, that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because it is in the interests of the WYCA and public that the Secretary and Solicitor provide legal advice to the WYCA without risk of its disclosure, as such disclosure would prejudice the WYCA's position.

65. West Yorkshire & York Superfast Broadband Delivery Project

The Committee considered a report which provided an update on the status of the West Yorkshire and York superfast broadband delivery project Phase 2 “WYLB2”.

Members noted the progress made following the decision to proceed in procuring a private sector partner to deliver New Generation Access broadband infrastructure across West Yorkshire and York.

It was reported that there was only one supplier on the BDUK framework (BT) within the constraints of procurement rules and legislation to progress the project and tender documentation had been issued detailing the funding available and outputs required. The tender had now been received and the detailed offer was being analysed. Members had been provided with a confidential summary of the key points arising from the tender including details of how the offer seeks to deliver enhancements in priority areas. In this respect, the Committee raised some concerns about coverage in some areas and members were advised that negotiations were ongoing and they would be provided with further information as this continued.

It was noted that an urgent decision on whether or not to proceed with the project was required because the state aid exemption and framework agreement that the contract was being awarded under was due to expire on 28 June 2015. The Committee recommended that the WYCA be asked to proceed with the contract and a report would be prepared for their next meeting to be held on 25 June 2015.

Resolved:

- (a)** That the tender submission be recommended to the WYCA for approval.
- (b)** That the WYCA be recommended to enter into the following agreements:
 - (i) the BDUK grant agreement with the Department for Culture, Media and Sport;
 - (ii) the contract with BT for the installation of superfast broadband infrastructure;
 - (iii) the operational integration side letter and changes required to accelerate the build; and
 - (iv) any other documentation that the Head of Economic Development believes is necessary to implement the project which will be concluded by the Head of Economic Strategy in consultation with the Chair of the West Yorkshire & York Investment Committee and the Secretary and Solicitor.

- (c) That members be kept informed of the ongoing negotiations in respect of the priority postcodes.

REPORT FRONT SHEET

AGENDA ITEM: 14

Combined Authority: 25 June 2015

Report Title: Leeds City Region Growth Deal Delivery and Budget Re-allocation for 2015/16

Report Summary

Section 2 of the report summarises the progress made to date in the development and delivery of projects and programmes managed by the LEP and the Combined Authority, particularly those funded by the Growth Deal. Dashboards attached as an appendix to the main report show this progress in more detail.

Section 3 sets out the need to re-allocate around £4m of Growth Deal expenditure in the current financial year, and the processes that should be followed to take these decisions.

Sections 4 and 5 present the recommendations of the West Yorkshire & York Investment Committee with regard to funding for two projects (Barnsley Town Centre and Leeds Brownfield Sites) and on taking two further projects to the next stage of the appraisal process (Kirklees Housing Sites and Normanton Depot).

Possible Questions

- 1.** What additional steps need to be taken to ensure that the LEP and WYCA will be able to deliver our 2015-16 Growth Deal projects successfully?
- 2.** Have the projects for which funding is being recommended been through all the stages of the Single Appraisal Framework, as set out in the Leeds City Region Assurance Framework?
- 3.** What steps are being taken to ensure that the Combined Authority will be able to spend the entirety of our 2015/16 Growth Deal funding allocation, as required by government?

Note: The above questions may arise during the debate, but do not preclude other items for discussion and debate.

Originator: Rob Norreys
Head of Economic Strategy,
WYCA



ITEM 14

Report to: West Yorkshire Combined Authority

Date: 25 June 2015

Subject: Leeds City Region Growth Deal Delivery and Budget Re-allocation for 2015/16

1. Purpose

1.1. To update the Authority on:

- preparations for delivery of the Growth Deal and the West Yorkshire plus Transport Fund;
- progress on the delivery of other City Region projects and programmes; and
- progress towards Growth Deal budget re-allocation for 2015/16.

1.2 To consider the recommendations of the Investment Committee regarding Growth Deal funding packages for the Barnsley Town Centre and Leeds Brownfield Sites schemes.

1.3 To consider the recommendations of the Investment Committee regarding the progression of the following schemes to the next stage of appraisal: Kirklees Housing Sites and Normanton Depot.

2. Progress on delivery of Growth Deal and other City Region projects

2.1 The Combined Authority has requested regular updates on progress towards delivery of each of the projects and programmes for which we have been awarded funding under the Leeds City Region Growth Deal of July 2014, including the West Yorkshire plus Transport Fund schemes. Progress is monitored through monthly updates to a 'dashboard' utilising a traffic light 'RAG (red, amber, green) rating' system to reflect the position of each project with respect to resources, risk and deliverability. The dashboards are attached at Appendix 1 (a, b and c). Please note that the order of the reporting has changed since the March Combined Authority meeting, with all projects currently in delivery (whether Growth Deal or

other City Region schemes) now in **Appendix 1a**. The comments below summarise the key developments since the March meeting of the Combined Authority. The dashboards are available via the West Yorkshire Combined Authority website.

Dashboard: In Delivery – Growth Deal and other LEP Projects and Programmes (Appendix 1a)

2.2 **Pillar 1 – Supporting growing businesses.** The highly successful RGF-supported **Business Growth Programme** has now ended for new applicants, though work continues to ensure that a small number of large awards are drawn down. The final evaluation report shows that the local programme has achieved an outstanding performance:

- 3,405 jobs committed against a target of 2,536 (34% above target)
- 99% of the total budget spent
- a cost per job of £7,142 (much better than the target of £10,000 per job)
- a leverage ratio of public to private investment that also outperformed targets. The smaller grants scheme achieved a ratio of 1:8 against a target of 1:6, while the larger scheme achieved 1:7.5 against a target of 1:4
- 98% of the 354 businesses that received a grant said they would recommend the programme to other businesses
- a net economic impact of between £112-127m extra output (GVA) in the City Region economy. This indicates a return of £4.50–£5.20 for every £1 spent by the programme

Applications are already being processed for the continuing scheme, now funded from our Growth Deal. The new **LEP Growth Service** has also commenced, and there will be a public launch in early July. Following the winding up of Leeds & Partners, the organisation's trade and inward investment functions have now been transferred into the Combined Authority, under the '**LEP International**' umbrella.

2.3 **Pillar 2 – Developing a skilled and flexible workforce.** The **Enterprise in Education** programme has been added to the dashboard. Following the success of the small pilot, we are seeking funding to continue to deliver this activity. With regard to City Region **Apprenticeship Hubs**, the red rating has been removed following the successful negotiations with the Skills Funding Agency to extend the programme. Amber ratings remain on both this programme and on the **Youth Contract Headstart Programme** because of the challenges of meeting targets in a labour market with a reducing NEET cohort

2.4 **Pillar 3 – Building a resource smart City Region.** There have been no changes to the 'RAG' ratings of these projects. The **Better Homes** project has now commenced delivery.

2.5 **Pillar 4 – Delivering the infrastructure for growth.** BT's proposal regarding the work for Phase 2 of the **West Yorkshire and York Broadband Programme** has been submitted. This issue is covered in more detail under Agenda Item 13.

Dashboard: Project Pipeline – Growth Deal (Appendix 1b)

- 2.6 **Pillar 1 – Supporting growing businesses.** The **Digital Catapult Centre Yorkshire** has been added to the dashboard. ‘Catapults’ are a national network of centres to encourage new technology and innovation. Based in Bradford, the Centre will help to drive innovation in the creative and technology sectors across Yorkshire. The LEP’s only responsibility for this project is via a place on the Board, and the Centre will work closely with the Enterprise Zone, also based at the University.
- 2.7 **Pillar 2 – Developing a skilled and flexible workforce.** Contracts for the four **skills capital** projects approved for 2015/16 either have recently been completed or are very close to doing so. Nine projects have been shortlisted for the 2016/17 programme, and have been asked to submit their full business cases in July. Following appraisal, these will be brought to the Investment Committee for recommendation in the Autumn.
- 2.8 **Pillar 3 – Building a resource smart City Region.** As a result of delays to the start of the new European Structural & Investment Funds programme, and also of internal resource constraints, it appears that expenditure on both the **Energy Accelerator** scheme and the **Resource Efficiency Fund** will be delayed until much later in the current financial year, if not to the start of 2016/17. The York, North Yorkshire and East Riding LEP has asked the University of York to prepare a new business case for **BioVale** in time for their Board meeting on 24th July. This timing means that a final decision about the scale of 2015/16 expenditure on this project will have to be made by the LEP Board and the Combined Authority in September, which should be manageable in the context of budget adjustments over the course of the year.
- 2.9 **Pillar 4 – Delivering the infrastructure for growth: housing and regeneration.** Compared to the March report, two of the 2015/16 housing & regeneration projects supported by the Growth Deal no longer appear on the dashboard. The Horse Close, Craven project will proceed without the need for public funding, while the withdrawal of a developer means that the City Fields, Wakefield scheme will not proceed as planned this year. It is expected that contracts for the five remaining projects will be completed in the near future.

Dashboard: West Yorkshire plus Transport Fund (Appendix 1c)

- 2.10 Overall, as more projects are being developed towards Gateway 1 issues are arising which could impact on the design options and the timescales for delivery. However compared to what was presented as ‘deliverable’ by 2021 (in the December 2014 WYCA Report) the majority of projects remain on track with the following exceptions:
- The A65 Airport Link Road: options and constraints have been identified and the land assembly requirements suggest the delivery timescale (by 2021) is at risk;
 - Land issues have been identified which would delay the delivery and change the scope of the A650 Tong Street (Bradford) project. It is intended to delay the delivery of this project until after 2021, but to bring forward the Shipley to

Bradford corridor project to commence work on site before 2021. This would aim to utilise released budget;

- There is a lack of certainty affecting the process for developing the York city centre transport accessibility, and the potential role of the Transport Commission. Delivery before 2021 should be achievable if the identified solution delivers improvements as originally envisaged, i.e. sustainable radial improvements;
- There will be a short (estimated around 3 months) delay on the Aire Valley park and ride project as remediation work currently underway has been halted due to a main contractor entering administration. It is unclear at the moment if this will delay start of construction into 2016/17;
- Some Network Rail projects are not progressing to planned timescales due to a mixture of the availability of NR resources and a review of what they can achieve within this Control Period (before 2019).

The latest Portfolio Dashboard is attached. Key changes which have arisen since that last release are:

- The gateway 1 submission dates have been delayed on the A62/A644 Cooper Bridge project as costings for the scheme options are exceeding original estimates, and more cost effective solutions are being explored;
- The solutions at Cooper Bridge may require a wider review of the A62/A644 programme, including the implications from the M62 J24a junction;
- The Leeds City centre project has identified more staffing resources will be required to progress towards GW2;
- The HEBP programme has been re-classified from Red to Amber and the HNE project has moved from amber to green.

3. Growth Deal 2015/16 – budget re-allocation process

3.1 As described in paragraphs 2.8 and 2.9 above, we expect little or no spend in the current financial year 2015/6 on two schemes from Pillar 3 (Energy Accelerator and Resource Efficiency Fund) and two from Pillar 4 (City Fields and Horse Close). As Table 1 at the top of the next page demonstrates, this means that there is a requirement to re-allocate around £4m of the Growth Deal funds available to Leeds City Region for this year.

3.2 Under the terms of the Growth Deal, the LEP and the Combined Authority have the ability to re-allocate funds within the financial year, but there is no flexibility to extend or postpone expenditure into future years. It is therefore vital that the LEP and the Combined Authority are able to take decisions on re-allocation as early as possible within this financial year if we are to maintain the planned level of investment to promote economic growth and to retain our reputation as one of the leading LEPs and Combined Authorities in the country.

Table 1: Leeds City Region Growth Deal funding: original allocation by project, 2015/16 (excluding transport)

Strategic Pillar	Project / programme	2015/16 (£m)
P1 – Business support	Business Growth Programme	8.0
P2 – Skills	Skills Capital Programme	12.0
P3 – Resource smart	Energy Accelerator	0.6
	BioVale	1.0
	Resource Efficiency Fund	0.2
P4 – Infrastructure	City Fields, Wakefield	2.5
	Red Hall, Leeds	2.0
	Brownfield Sites, Leeds	0.6
	York Central	1.7
	One City Park, Bradford	0.4
	Northgate House, Halifax	0.3
	Horse Close, Craven	0.9
Total		30.2

3.3 The broad principles of how such decisions are taken are set out in the Leeds City Region Assurance Framework, agreed by both the LEP Board and the Combined Authority in March 2015. In brief, any project in receipt of Growth Deal funding is required to pass through our ‘Single Appraisal Framework’ (SAF), a test of strategic fit, value for money, economic impact and deliverability in line with Treasury principles.

3.4 The steps to identify replacement projects are as follows:

Step 1: Replacement projects should be initially considered from the same SEP strategic pillar as the project that has withdrawn, since this would normally be the best way to maintain progress towards the overall targets agreed with government. Should a situation arise where a replacement scheme cannot be identified from the same strategic pillar, the LEP/WYCA team should – alongside the investigation of options within any individual pillar – undertake the Step 2 assessment to determine the readiness of potential substitute projects across all pillars and present this information to the Investment Committee;

Step 2: Project/programme appraisal is undertaken for all investment proposals according to the guidelines set out in the City Region’s ‘Single Appraisal Framework’ to assess the readiness for delivery of projects or programmes that could substitute for the project in difficulty; and

Step 3: Recommendations on the most suitable approach to re-profiling Growth Deal expenditure should be taken first to the Investment Committee and then to the LEP and Combined Authority (or Partnership Committee) for approval.

- 3.5 Any decision to re-allocate Growth Deal spending within the present financial year will therefore be brought to the LEP Board and the Authority (or Partnership Committee) for decision following consideration by the Investment Committee.
- 3.6 Experience has shown that, from the date a funding package is approved by members, several months of due diligence and contract negotiation may be needed before project delivery actually begins. **For this reason, it would be prudent if the key decisions on Growth Deal re-allocation for the current financial year are taken no later than at the July meetings of the LEP and Combined Authority.** This timetable should allow any new projects the time to spend the funds they are allocated before the end of March 2016.
- 3.7 Following the June meeting of the Investment Committee, two of the Committee's recommendations for budget re-allocation are presented to the Combined Authority at 4.2-4.5 below. A full paper setting out a rounded overview of the Growth Deal budget for the year will be brought to the July meeting of the Authority, alongside further recommendations from the Investment Committee.

4. Funding recommendations: 2015/16 re-allocations

- 4.1 Officers in each district and in the Combined Authority have been identifying key projects that can be brought forward into the City Region pipeline to be reviewed according to the procedures of the Single Appraisal Framework. Particular attention has been paid to proposals under strategic pillars 3 and 4 (resource smart and infrastructure respectively) in view of the need to manage expenditure in these aspects of the Growth Deal programme for this year, as set out in paragraph 3.1 above. Two proposals to assist with budget management for the current financial year are presented below; more will follow at the July meeting of the Authority.

Barnsley Town Centre

- 4.2 The business case for the Barnsley Town Centre project has been assessed by the LEP's Technical Appraisal Group, and a State Aid-compliant loan-based funding arrangement was considered by the Investment Committee.
- 4.3 The town centre is identified in the Strategic Economic Plan as a strategic growth area for the Leeds City Region. The project aims to deliver a high quality town centre by regenerating the old market site that sits at its heart. Overall, the project will deliver the following key outputs:
- 651 retail/leisure jobs by 2018/19;
 - 690 retail jobs safeguarded in 2017/18 (relating to Barnsley Market);
 - 1,674 temporary construction jobs by 2018/19;
 - 14,202m² net new commercial floorspace by 2018/19;
 - 5,297m² commercial floorspace refurbished by 2016/17;
 - up to £1.079m savings to the Treasury in reduced welfare benefits and tax income receipts.

The project is scalable, and Local Growth Fund support is requested as follows:

- £1,757,000 in 2015/16 to undertake demolition works, of which there are nine phases in total over the two years;
- £888,000 in 2016/17 for demolition works;
- £1,400,000 in 2016/17 as part payment towards construction of a new passenger bridge over the Leeds-Sheffield railway line. Sheffield City Region has been approached to match fund this investment, alongside other elements of the town centre regeneration not included in the bid to Leeds City Region, and Network Rail has confirmed the remaining £1.2m required;

Recommendation:

That, subject to appropriate due diligence and the availability of funding:

- a funding package of £1.757m be agreed for this project;
- other elements of the project seeking funding are to remain under review; and
- a loan option of 0% is proposed, subject to State Aid compliance, with repayment linked to income received from business rates above the Council's Business Rate baseline over a 15 year repayment timeframe starting in 2019-20.

Leeds Brownfield Sites

4.4 The June Investment Committee also considered an amendment to the loan agreement previously made to the Leeds Brownfield Sites project. The total funding package of £1.1m for this project, named in the Growth Deal, was recommended by the Investment Committee in January 2015, and was subsequently approved by the Leaders Board. The original Local Growth Fund allocations were for £610,000 in 2015/16 and £500,000 in 2016/17.

4.5 The project is now underway and would be able to draw down the full £1.1m loan in the current financial year. This would produce the following benefits:

- it would bring forward the project outcomes, allowing 280 homes to be built more quickly;
- it would allow the Council to package up this group of sites for more effective procurement; and
- the change would also support the LEP in managing 2015/16 Growth Deal expenditure in line with the profile required by government.

Recommendation:

That the project is allowed to draw down the full £1.1m loan amount in 2015/16.

5. Other Investment Committee recommendations

5.1 'Outline' business cases for the following projects have been appraised by the Technical Appraisal Group and submitted to the Investment Committee for consideration. Projects at this stage can be passed through the next 'gateway' of the Single Appraisal Framework, which means that project sponsors are requested to

prepare a full business case for their scheme. Approval by the Combined Authority for a project to develop its full business case does not necessarily indicate that funding for the project will be agreed at any future date.

Kirklees Housing Sites

5.2 Under Strategic Pillar 4 of the Strategic Economic Plan (SEP) – delivering the infrastructure for growth – this project will accelerate delivery and improve viability on three Council owned housing sites by addressing the costs of transport access and site condition to accelerate delivery. The project will deliver:

- 540 temporary construction jobs (250 by 2020-21);
- 610 new homes (300 by 2020-21), 50 of which will be built to Passivhaus standards;
- 15.672 ha of land remediated (7.86 ha by 2020-21).

Kirklees Council as the project sponsors are requesting a Local Growth Fund loan of £1m in 2015/16, which will be repaid from the market value derived from the development of the sites.

Recommendation:

That this project progresses to Full Business Case.

Normanton Depot (Outline Business Case)

5.3 Under Pillar 4 of the SEP, this project will remediate and reuse a contaminated site to deliver employment opportunities and new homes to a deprived area and will support the wider objective of the regeneration of Normanton town centre. Running parallel with the remediation and complementing the mixed use designation is the expansion of an existing Health Centre onto the site. Overall the project will deliver the following key outputs by 2020/21:

- 196 - 217 new permanent jobs;
- 258 temporary construction jobs;
- 20 apprenticeships;
- 90 new homes;
- 5.4 ha of land remediated;
- 8,300 – 11,000m² of commercial floorspace created.

An LGF request of £4.5m that can be split between 2016/17 and 2017/18 is requested against an overall project cost of £22.6m. Repayment options are still to be explored.

Recommendation:

That this project progresses to full business case, subject to the project being able to support a loan.

5.4 The Investment Committee also considered a full business case proposal submitted for the **York Guildhall and Riverside Digital Media Arts Centre**. This put forward a proposal to refurbish the existing York Guildhall Grade 1 Listed building and thereby deliver a high profile creative and digital media hub. The Committee heard that City of York Council wishes to review the scope of the proposal, and agreed to **defer a decision** on this project to a future meeting at which revised information would be presented.

6. Financial Implications

6.1 Acceptance of the recommendations in this report would make a contribution to the required re-allocation of Growth Deal expenditure, and would not represent a commitment to any additional expenditure by the Combined Authority.

7. Legal Implications

7.1 Agreement to the funding package for Barnsley Town Centre will require legal officers at WYCA to commence work to develop the necessary contract documentation for this scheme.

8. Staffing Implications

8.1 Following the agreement of the Combined Authority, approval is in place to proceed with the recruitment necessary to deliver Growth Deal projects and programmes effectively and efficiently.

9. Consultees

9.1 Directors of the Combined Authority have been consulted in the preparation of this report.

10. Recommendations

10.1 That the progress to date in delivering the Leeds City Region Growth Deal and other projects be welcomed.

10.2 That the Authority endorses the recommendation set out in paragraphs 4.2-4.3 to agree a funding package of £1.757m to support the development of Barnsley Town Centre in 2015/16.

10.3 That the Authority endorses the recommendation set out in paragraphs 4.4-4.5 to bring forward £500,000 of expenditure on the Leeds Brownfield Sites scheme into the current financial year.

10.4 That the Authority endorses the recommendations set out in paragraphs 5.2-5.3 that the following projects should proceed to the preparation of a full business case:

- Kirklees Housing Sites

- Normanton Depot

10.5 The Authority notes that all funding agreements are subject to successful completion of due diligence and agreements of contracts, and to the availability of Local Growth Funds.

11. Background Documents

11.1 West Yorkshire Combined Authority, 12 March 2015 – Item 6, Leeds City Region Growth Deal Delivery.

11.2 West Yorkshire Combined Authority, 12 March 2015 – Item 8, Leeds City Region Assurance Framework.

IN DELIVERY: CURRENT/RECENT LEP PROJECTS AND PROGRAMMES, CORRECT AS OF 5TH JUNE 2015

Scheme Name	Delivery stage	Ownership			Management and Control				Delivery							
		Project Exec / SRO	Government contribution (£m)	Local contribution (£m)	Project / Programme Board in place	Resources in place for current stage	Current stage Milestones on track	Start date on track	Completion date on track							
Supporting growing businesses (Chief Executive lead: Kersten England)																
Export Network	Delivery	Sue Cooke (LEP)	0.005	G	0.03	G	LCR Trade and Investment Board/BIG Panel	G	Final event under current contract 30th June 2015. Discussions underway regarding future resourcing.	G	January LEP Board agreed in principle to the expansion of the Export Network and other export support. Discussions underway regarding future delivery models.	A	Mar-13	G	Jun-15	G
Inward Investment	Delivery	Sue Cooke (LEP)	0		2.25	G	LCR Trade and Investment Board/BIG Panel	G	L&P closed at end of March and the LCR Inward Investment service transferred to the LEP. Therefore the inward investment activity previously included within the SLA will be continued by the LEP International team.	A	Targets within the SLA remain valid, and as of end of March 2015 the following targets were achieved - 24 inward investment projects (20 led by the LEP) and 600 jobs from the projects (540 led by the LEP)	G	Jan-14	G	Dec-16	G
Business Growth Programme (RGF)	Delivery	Sue Cooke (LEP)	25.7	G	121	G	Appraisal Advisory Group and Investment Panel	G	LEP and LCC resources established to manage programme. LCC resources support appraisal, legal and financial.	G	RGF-funded scheme now concluded, and the LGF-funded scheme has commenced. The evaluation of the original scheme highlighted significant achievements and provided recommendations for the LGF scheme. Possibility of some underspend on RGF element due to delays in large awards being drawn down. Concerted effort now on supporting businesses to deliver their individual projects within the original timescales, but some may not proceed for valid commercial reasons.	A	Feb-13	G	May-15	G
Business Growth Programme (LGF)	Delivery	Sue Cooke (LEP)	108.0	G	18.0	G	Appraisal Advisory Committee, Investment Panel and BIG Panel	G	Yes - existing resources to extend the current BGP with linkages to the LEP Growth Service and assessment/application support from LCC.	G	The service delivery commenced from April 2015 with £470k of LGF committed to date across 3 large projects. Evaluation of RGF-funded programme is complete and was overwhelmingly positive, particularly regarding the experience of businesses. Several key recommendations will be implemented from April 2015 onwards, particularly the importance of focusing on the LEP's key growth sectors and securing additional support for LEP objectives and other projects via large grant awards.	G	Apr-15	G	Mar-18	G
Growth Service	Delivery	Sue Cooke (LEP)	1.145	G	0.625	G	BIG Panel, DoDs and Growth Hub Working Group	G	Delays in recruitment linked to the CA's job evaluation process have had an impact on resources required to deliver the project from April 15. However, all key posts will be filled by end of June 15, including LEP delivery team and 10 SME Growth Managers (proactive outreach service)	A	Service to be officially launched on 2nd July 15, but delivery commenced in April 15. The new website will go live in early June 15 and the new helpline will be operational from July 15.	A	Apr-15	A	Mar-16	A
Developing a skilled and flexible workforce (Chief Executive lead: Joanne Roney)																
City Deal: Apprenticeship Hubs and ATAs	Delivery	Sue Cooke (LEP)	4.6	G	In-kind staff time	G	Phil Ball is Championing Apprenticeships and reports into ESP Task Group and LEP Employment and Skills Panel	G	Now in the final 12 months of delivery. The central marketing contract is not being rolled over and so will cease end of Sept 15. A plan for handover and maintenance is being developed. Concerns that as the fixed term contracts of staff conclude, Hubs will start to lose key personnel.	A	At end of April 2015 1,972 SMEs engaged and 1,356 Apprenticeship starts achieved.	A	Apr-13	G	Mar-16	G
Skills Service and Skills Fund (formerly Employer Ownership of Skills Pilot)	Delivery	Sue Cooke (LEP)	17.5	G	17.5	G	Employer Ownership Pilot Management Board	G	A team of 15 LEP Skills Service staff are in place, with the exception of the Financial Controller, still to be recruited. This includes the three Chamber-managed engagement staff. A supply chain of 166 training providers is also in place.	G	171 enquiries received, 51 skills diagnostics undertaken. 19 grants approved to the value of £27,000.	G	Nov-14	G	Mar-17	G
Enterprise in Education	Delivery	Sue Cooke (LEP)	705,000 (From above budget, Employer Ownership Funds)	G	20% Cash Match In-kind	G	Employer Ownership Pilot Management Board	G	Project Manager, supported by a Project Co-ordinator (0.5) in place.	G	This project has a target to deliver Enterprise Activity with 8820 individuals to help them understand the opportunities and skills requirements of specific industries. The initial contract with Cabinet Office saw 7 LEP delivery partners recruit 103 Enterprise Advisers and 61 participating schools. Following the conclusion of the pilot, funding is being sought from existing partners to continue to deliver activity. The deadline for applications is 5/06/2015. A specification is currently being developed to aid further activity to start in the new academic year. To date due to the delay in staff recruitment this contract is behind profile, however overall outputs are achievable by contract end.	A	Nov-14	G	Mar-17	G
City Deal: Devolved Youth Contract (covers Bradford, Leeds and Wakefield only)	Delivery	Sue Cooke (LEP)	5.6	G	In-kind staff time	G	Steering Committee in place and LEP Employment and Skills Panel	G	Programme operational.	G	2,666 starts as of Dec 2014, 85% of which have progressed into positive outcomes. 49.8% have progressed into sustained employment of over 6 months. Initial target of 2,562 starts, programme extended to March 2016.	G	Sep-12	G	Mar-16	G
18-24 Youth Contract Headstart Programme	Delivery	Sue Cooke (LEP)	4.6	G	In-kind staff time	G	Project Steering Group and LEP Employment and Skills Panel	G	Full partnership, including LAs and Job Centre Plus. Utilising existing services in DWP provision.	G	The programme is currently expecting to miss the numerical jobs target by approximately 8%. However, the conversion rate of 'starts to jobs' and 'jobs to sustained jobs' (over 6 months) is currently higher than the original 30% target set by Cabinet Office. The programme is forecast to achieve a 42% conversion from starts to jobs by project close, exceeding target.	A	Apr-13	G	Sept-15. Flexible end date, based on progress achieved	G
Building a resource smart City Region (Chief Executive lead: Wallace Sampson)																
Better Homes Yorkshire	Delivery	Colin Blackburn (LEP)	4.80	G	0.45	G	Project Board in place	G	Targeted schemes are in development across the 9 participating local authorities.	G	Project has now been launched. Around 1,000 householders have registered their interest so far.	G	Mar-15	G	Mar-22	G
Green Deal Communities Fund	Delivery	George Munson (LCC)	0.75 (part of the £4.8m above)	G	0.1	G	Project board arrangements in place via Better Homes Yorkshire	G	LEP supports LCR Board; LCC support Leeds Board. £100k for training and business support, managed by LCC and delivered by Construction Housing Yorkshire.	G	Funding helps support the delivery of Better Homes Yorkshire (see above) - launched now that above contract has been signed.	G	Apr-14	G	Sep-15	G
Strategic Heat Programme	Delivery	Colin Blackburn (LEP)	0.31	G	0.0495	G	Programme Management Board and Green Economy Panel	G	Project manager in place.	G	Eight projects being developed to same stage of delivery. Tender scheduled for spring 2015 to provide feasibility studies and masterplans for 3 projects.	G	Sep-13	G	Mar-20	G
Delivering the infrastructure for growth (Chief Executive lead: Merran McRae)																
Growing Places Fund	Delivery	Colin Blackburn (LEP)	35	G	172	G	Technical Appraisal Group and Investment Panel	G	LEP resources established to manage programme. LCC and other resources support appraisal, legal and financial.	G	Currently in Round 3 (up to £6m available). £32m allocated to 13 projects that have potential to create over 5,000 jobs, an estimated GVA boost of £150m and over £172m private sector leverage. Discussions ongoing regarding the loan to OGBT.	G	Jan-12	G	Ongoing until fund spent	
Superfast West Yorkshire Phase 1	Delivery	Tom Bridges, LCC (Contract SRO), Ian Gray, Calderdale (Project SRO)	5.5	G	15.9	G	Superfast West Yorkshire Project Board	G	Project Delivery Team in place. Local resources include £11m private match.	G	Project ahead of delivery targets and scheduled to complete in September.	G	Oct-13	G	Sep-15	G
Superfast West Yorkshire Broadband Business Support Programme	Delivery	Phil Cole (LCC)	0		0.6	G	Superfast West Yorkshire Project Board	G	Project Delivery Team in place. Local resources include £11m private match.	G	Project on-schedule to achieve delivery targets. Options being considered to extend the successful programme beyond planned completion date.	G	Jan-14	G	Jun-15	G
Leeds/Bradford Super Connected Cities Programme	Delivery	Phil Cole (LCC)	12	G	0		Super Connected Cities Project Board	G	Project Delivery Team in place. Local resources include £11m private match.	G	Delivery performance is second only to London.	G	Jul-13	G	Sep-15	G
West Yorkshire and York Broadband Phase 2 Infrastructure Programme Roll-out	Procurement	Colin Blackburn, LEP (Contract SRO) Ian Gray, Calderdale (Project SRO)	7	G	8	A	West Yorkshire and York Project Board	G	LA procurement contribution confirmed, PM and implementation resources to be confirmed in May/June	A	Invitation to tender issued 23 Feb. LA partnership agreement in place. Offer from BT was submitted to Partnership on May 19. WYCA IC to consider on June 2 with a decision to be taken by WYCA on June 25 and sign off required by June 26.	G	Apr-15	G	Jun-15	G
Investment (Chief Executive lead: Tom Riordan and Joanne Roney)																
Revolving Investment Fund	Delivery	Mark Forbes (PPPU)	0		20	G	Limited company controlled by partner local authorities	G	LEP manages initial contacts and first stage expressions of interest for applications.	G	Three applications received. These are currently undergoing due diligence.	A	Jul-13	G	Ongoing until fund spent	
Leeds City Region Enterprise Zone	Delivery	Tom Bridges (LCC)	9	G	48	G	Project Board in place	G	EZ team in LCC facilitating	G	Milestones on track. Developers continue to submit monthly grant claims.	G	Jul-13	G	Ongoing until fund spent	G

PIPELINE DASHBOARD, CORRECT AS OF 5TH JUNE 2015 (NON-TRANSPORT)

Appendix 1b

Scheme Name	Stage gate	Ownership		Management and Control						Delivery								
		Project Exec / SRO	Total Project Investment (£m)	Approved LGF (£m)	Project / Programme Board in place	Resources in place for current stage	Risk Management	Current stage Milestones on track	LGF start date on track	LGF completion date on track								
Pillar 1: Supporting growing businesses (Chief Executive lead: Kersten England)																		
Bradford University Enterprise Zone	Planning (Gateway 1)	Brian Cantor (University of Bradford)	12	A	£3.8m from BIS (not LGF)		Programme Board in place. Also have stakeholder forum in place and external strategic advisory board under development.	G	Bradford University contributing bulk of capital and underwritten operating costs, with support from CBMDC and BT. ESIF funding bid being prepared.	A	No guarantee that ESIF funding will be secured.	A	Reported to BIG Panel on due diligence on March 2. Amanda Lennon to represent the LEP on the Partnership Board.	G	Apr-15	G	Mar-17	G
Digital Catapult Centre Yorkshire	Planning (Gateway 1)	Brian Cantor (University of Bradford)	£500k plus partner/in-kind support	A	£500k from National Connected Digital Economy Catapult		Partnership Board in place, with LEP representation	G	Project is aligned to the UEZ (above). Flowdown and partnership agreements being developed to secure resources.	A	Funding needs to be identified to meet expected outcomes. ESIF bid being prepared.	A	Flowdown and partnership agreement with LEP and other partners being developed.	G	Apr-15	G	Mar-18	G
Pillar 2: Developing a skilled and flexible workforce (Chief Executive lead: Joanne Roney)																		
Skills Capital Investment Programme	Procurement (Gateway 2)	Sue Cooke (LEP)	100.0	A	74.0	G	Skills Capital Appraisal Group and Employment and Skills Panel	G	WYCA and LCC legal teams working on contractual arrangements, with advice from SFA. Ongoing Gap in LEP staff resources currently being monitored.	A	Reductions in revenue funding may lead some applicants to reconsider project scope.	A	The 9 bidders going forward to full business case in Round 2 attended a briefing session on 24/04/15 and are now progressing business cases	A	Apr-16	A	Mar-17	A
Leeds City College Printworks Phase 3	Procurement (Gateway 2)	Sue Cooke (LEP)	10.0	A	9.0	G	ESP has oversight, with project management within the college	G	Yes	G	Risk management and monitoring processes forming part of contracting discussions. Colleges are assessing the impact on projects, if any, of reductions in revenue funding.	A	There has been a delay in contracting, though contracts aim to be finalised imminently.	A	Jun-15 (revised)	A	Jul-16	A
Process Manufacturing Campus, Kirklees College	Procurement (Gateway 2)	Sue Cooke (LEP)	5.1	A	3.7	G	ESP has oversight, with project management within the college	G	Yes	G	Risk management and monitoring processes forming part of contracting discussions. Colleges are assessing the impact on projects, if any, of reductions in revenue funding.	A	There has been a delay in contracting, though contracts aim to be finalised imminently.	A	Jun-15 (revised)	A	Jul-15	A
ShIPLEY College Mill Building refurbishment	Procurement (Gateway 2)	Sue Cooke (LEP)	0.4	A	0.1	G	ESP has oversight, with project management within the college	G	Yes	G	Risk management and monitoring processes forming part of contracting discussions. Colleges are assessing the impact on projects, if any, of reductions in revenue funding.	A	There has been a delay in contracting, though contracts aim to be finalised imminently.	A	Jun-15 (revised)	A	Aug-15	A
Skills Upgrade - Percival Whiteley Centre, Calderdale College	Procurement (Gateway 2)	Sue Cooke (LEP)	8.9	A	6.5	G	ESP has oversight, with project management within the college	G	Yes	G	Risk management and monitoring processes forming part of contracting discussions. Colleges are assessing the impact on projects, if any, of reductions in revenue funding.	A	The legal contract is near completion, aim to be finalised imminently.	A	Jun-15 (revised)	A	Apr-16	A
Pillar 3: Building a resource smart City Region (Chief Executive lead: Wallace Sampson)																		
LCR Energy Accelerator	Planning (Gateway 1)	Wallace Sampson	6.0	A	0.6	G	Yes	G	Project Management capacity has not been available for this programme over the last three reporting periods. Interim project management support is now being investigated	R	Delays/failure to secure ELENA funding may undermine business case or slow momentum. Lessons being learned from previous bids.	A	Delay in completing project initiation due to temporarily reduced capacity, currently 9 weeks behind schedule. Implementation now to begin in 2016 due to delays in external funding.	R	Q1 16 (revised)	A	Mar-16	A
BioVale	Planning (Gateway 1)	Debbie Smith (University of York)	33.9	A	3.0	G	Steering Group in place, MOU signed	G	HEFCE revenue funding of £2.4m approved for Biorenewables Development Centre	A	ESIF required for match - will need to respond effectively to the call	A	Business Case is currently being revised to respond to a number of key issues arising from appraisal. Now due for July 2015.	A	Q1 16 (revised)	A	Mar-17	A
Resource Efficiency Fund	Planning (Gateway 1)	Melanie Taylor (LEP)	4.4	A	1.2	G	Yes	G	New project manager in place as of Apr 28.	G	Delays to ESIF mean implementation will not commence until 2016. Report to WYCA Investment Committee in June with recommendation for ongoing commitment to provide match funding in 16/17, subject to submission of a full business case.	A	Milestones updated to reflect delays resulting from previous lack of capacity. Projection initiation scheduled to complete June 2015.	A	Q1 16 (revised)	A	Mar-20	A
Pillar 4: Delivering the infrastructure for growth (Chief Executive lead: Merran McRae)																		
East Leeds Housing Growth - Red Hall	Procurement (Gateway 2)	Martin Farrington (Leeds)	31.0	A	4.0	G	Yes	G	Project management resources in place	G	Work being done to identify and mitigate any issues which could lead to high abnormal development costs.	A	Design options being reviewed to reduce scheme costs. Specification of some elements has been reduced, and some works may be delivered by LCC to reduce costs.	A	Sep-15 (revised)	A	Mar-17	A
East Leeds Housing Growth – Brownfield Sites	Procurement (Gateway 2)	Martin Farrington (Leeds)	36.5	A	1.1	G	Yes	G	Project management resources in place	G	Market testing carried out and sites will be packaged to minimise the risk that sites may be unattractive to developers.	A	Following completion of stage 1 checks, options for undertaking the work are being reviewed to ensure value for money.	A	Jul-15 (revised)	A	Mar-17	A
York Central	Procurement (Gateway 2)	Sarah Tanburn (York)	743.7	A	1.7	G	Yes	G	Team in place but PM to be appointed	A	Flexibility in funding options maintained to mitigate risk of not obtaining ESIF match.	A	Flood resilience study has slipped to July. Flood resilience works still deliverable in 15/16 but if alternative/ additional forms of infrastructure are also to be funded, works need to be accelerated.	A	Jul-15 (revised)	A	Mar-16	A
One, City Park, Bradford	Procurement (Gateway 2)	Shelagh O'Neill (Bradford)	21.9	A	5.2	G	Unknown/TBC	A	Project management resources in place	G	Work ongoing to promote the site to mitigate the risk that there is a lack of developer interest. Discussions held with one developer.	A	Structural demolition of the Tyrils has commenced, scheduled to complete mid-July.	G	Apr-15	G	Mar-18	A
Halifax Town Centre	Procurement (Gateway 2)	Ian Gray (Calderdale)	10.8	A	1.3	G	Project Working Group	G	Project management resources in place	G	Vacant possession of building required - contingency plans to be explored should refurbishment of Princess Street and Library overrun.	A	Formal approval received to construct archive to allow clearance of Northgate House. Other interdependent projects on track.	A	Q1 16 (revised)	G	Mar-17	G

ID	Scheme Name	Stage gate	Ownership		Management and Control					Delivery							
			Project Exec / SRO	Total Project Cost to Fund (£000s)	Approved Budget (£000s)	Project / Programme Board in place	Resources in place for current stage	Current stage Milestones on track	Start date on track	Completion date on track							
Bradford																	
55	Harrogate Road/New Line Junction	GW1	Julian Jackson	7,420	A	328	G	Proj Board in Place	G	Design team recently strengthened	R	GW2 Q3 2015/16	A	Mar-17	A	Dec-17	A
06	Bradford - Keighley A650 Hard Ings Road and town centre improvements - Phase 1 Hard Ings Road only	Mandated	Julian Jackson	10,300	G	118	G	Proj. Board in place	G	Core Team resource availability currently an increasing issue.	A	GW2 Q2 2016/17	A	Q2 2017/18	A	Dec-17	R
06	Bradford - Keighley A650 Hard Ings Road and town centre improvements - Phase 2 Town Centre Works	Mandated	Julian Jackson								Core Team resource availability currently an increasing issue.		Scope of work still being developed				
00	Bradford Forster Square Station Gateway	Pre - Mandate	Julian Jackson	12,500	G	95	G	Proj. Board in place	G	PM from WYCA Central Pool required to take scheme forward	A	Mandate to GW1 May 2015	G		G	Jul-14	G
00	Bradford Interchange Station Gateway	Pre - Mandate	Julian Jackson	16,000	R		R		R	PM from WYCA Central Pool required to take scheme forward	R	Mandate to GW1 June 2015	R		R		R
14	A650 Tong Street Improvements	Mandated	Julian Jackson	7,100	R	50	R	Proj. Board in place	G	Project is appropriately resourced through a combination of internal and external resources.	G	GW1 November 2015	G	2015	R	2021	A
Calderdale																	
20.1	Halifax- Huddersfield A629 Corridor Improvements - Phase 1 - Elland Wood Bottom - Free School Lane	Ph. 1a GW1 Ph. 1b Mandated	Ian Gray	16,230	G	712	G	Project Board Established	G	Project Manager for Phase 1 in post Procurement workshop held 2 Feb	A	GW1 for Phase 1b Jul 15	A	Jul-16	A	Mar-19	G
20.4	Phase 4a - Halifax town centre , eastern relief road - Define Town Centre Masterplan	Mandated	Ian Gray	57,100	G	340	G	Project Board Established	G	Interim Project Manager in post	G	Jun-15	G	Feb-16	G	Sep-20	G
20.4	Halifax Station Gateway	Mandated	Ian Gray	150	G	150	A	Prog Board	G	Brief for architectural Masterplan in development	G	GW1 Dec 15	G	2015/16	A	2019/20	G
	Calderdale Strategic Modelling	Mandated	Ian Gray	159	G	159	G		G		G		G		G		G
Kirklees																	
18.a	A62/A644 Cooper Bridge Junction	Mandated	Richard Hadfield	69,300	R	100	G	Proj. Board in place	G	Detailed design possibly mixture of outsourced and internal	R	GW1 On Hold Due to increased costs other options for this scheme are being considered but they are dependent upon the interaction with J24a M62, Kirklees Traffic Model and so the way forward will not be fully determined until December 2015.	R	Nov-17	R	Nov-20	R
18.a	A62 and A644 corridors including Ravensthorpe Relief Road	Mandated	Richard Hadfield			R	400	G	Proj. Board in place	G	Internal resource	A	GW1 TBC	R	2017	A	2024
17	A653 Dewsbury to Leeds Corridor	Mandated	Richard Hadfield	12,500	A	80	A	Proj. Board in place	A	Feasibility outsourced as per the mandate. Further resources (financial and staff) will be required to get to GW1. It is proposed that GW1 will be achieved 1 year from now- IE within the feasibility	A	GW1 Sept 15	A	2019	A	2021	A
00	Huddersfield Station Gateway	Pre - Mandate		5,000	G	20	A	Project Board established	G	Gateway and GRIP delivery will involve procurement through WYCA framework	G	GW1 Dec 15	G	2017	G	2018	G
	M62 Junction 24a	Pre - Mandate		12,850	A		A		A	HA is currently resourcing the high level work (staff and financially) through their Framework.	A		A		A		A
	Kirklees Strategic Modelling	Mandated	Richard Hadfield	135	G	135	G	Project Board	G		G		G	2014	G	Mar-15	R
Leeds																	
07	East Leeds Orbital Road	GW1	Martin Farrington	76,233	G	5060	G	Major Proj.Board	G	In House	G	GW1 Jan 15	G	Jan-18	G	Oct-20	G
34	Leeds city centre network improvements – Phase 1 and City Centre Transport Strategy modelling	Updated Mandate Provided	Gary Bartlett	36,500	R	238	R	Major Proj.Board	G	GW2 Development resource requirements TBC	A	GW1 July 2015	A	Jan-19	A	Nov-21	A
04	A65 - LBIA Link Road	Mandated	Gary Bartlett	35,700	R	210	A	Major Proj.Board	G	Mouchel/LCC - some additional resource required to speed up work	A	GW1 Aug 2016	A	2019	R	2021	R
08	Aire Valley - Leeds Integrated Transport Package – Phase 1	GW1	Gary Bartlett	11,490	G	510	G	LCC / WYCA Project Board in place	G	LCC team progressing detailed design and WYCA procurement of bus service	G	GW2/3 June 2015	G	Autumn 2015	G	2016	G
Wakefield																	

ID	Scheme Name	Stage gate	Ownership		Management and Control						Delivery							
			Project Exec / SRO	Total Project Cost to Fund (£000s)	Approved Budget (£000s)	Project / Programme Board in place	Resources in place for current stage	Current stage Milestones on track	Start date on track	Completion date on track								
09	Wakefield Eastern Relief Road	GW3	Neil Rogers	33,053	G	up to 33,053	G		G	Gateways 1-3 fully resourced - potential recruitment required for site supervision	G	Start on site March 2015	G	2015	G	Mar-17	A	
10	Pontefract Northern	On Site	Neil Rogers	1,654	G	1654	G		G	Project now complete	G	Start on site 2 June 14	G	Jun-14	G	Feb-15	G	
	Wakefield Kirkgate Highways	Mandated	Neil Rogers	5,500	G	41	G		G		G	GW 1 & 2 June 2015	G	Apr-16	G		G	
	Glasshoughton Southern Link Road	Pre - Mandate	Neil Rogers	6,000	A			Project Board/Governance in place	G	Gateways 1-3 fully resourced	G	Apr-15	G	Start on site early 2016	G	TBC	A	
WY Combined Authority																		
33	East Leeds Parkway	Mandated	David Hoggarth	10,100	R	50	G	Awaiting clarity on scope	A	New Project Manager appointed - Project Assistant resource will be required	A	Awaiting clarity on Project scope	R	2017	R	Dec-18	R	
28	Calder Valley (Caldervale Line)	Mandated	David Hoggarth	20,000	R	280	G	Project Board in place	G	Milner Royd GRIP3 completion, June 2015 – Unlikely to lead to GW1 Submission soon as works not deliverable till CP6. New PM appointed 2015	R	TBC	R	2016	R	2017	R	
45	Rail Package (Parking only) – Phase 1	Mandated	David Hoggarth	176	G	177	G	Board now established	G	Design and Construction work streams to be produced to either Network Rail or the current TOC, via: Section 56 Grant Contract agreement TBC	G	GW1 July 2015	G	2015	A	2015-18	A	
00	Castleford Gateway	Pre-mandate	David Hoggarth											2015		2016		
26	NGT to Aire Valley	Pre-mandate	Dave Haskins	98,300		TBC						TBC		2019		2022		
	Highways Efficiency Bus Package	Part Mandate	David Hoggarth	Tranche 1 - 3 158,000	A		A		A	Resource requirement for tranche 1 feasibility work identified and included in mandate to be taken to June OSG and TPAG	A	Leeds-Bradford Corridor Scheme GW1 Sept 2015	A	2016	A	2025	A	
00	Leeds Station Masterplan	Pre-mandate		20,000	A	100	G	Yes	G	New Project Manager in place	G	Gateway 1 and 2 submission Autumn 2015	A	2015	A	2018	A	
44	Highway Network Efficiency (UTMC)	Mandated	Richard Hadfield	7,300	G	30	A		A	Need to outsource the identifying of the locations of the targeted improvement's Detailed design starts December 2015 which will be a combination of outsourced and internal resources.	A	GW1 Dec 2015	G	Apr-16	A	2018	A	
York																		
57ei	Public Transport Improvements	Mandated	TBC	9,100	G	50	G	Yes	G	Internal PM resources available but no resources currently allocated.	A	Gateway 1 of PT elements delayed whilst CYC Congestion Commission considers the package of measures to be brought forward	R	2015	R	2018	R	
57a	York Outer Ring Road Improvements Phases 1 and 2	GW1	TBC	37,600	G	452	G	Board In Place	G	Recruitment of project resource still to be undertaken – Construction Project Manager and Project Assistant	A	GW2 for first junction Aug 2015	A	Mar-16	G	2020	G	
57g	York Central Access	Mandated	TBC	27,000	G	50	G	Yes	G	Feasibility & outline design - outsourced Detailed design to be outsourced Additional project resource required for bridge/civil engineering Delivery/site supervision: procurement options to be explored	A	GW1 December 2015 - exception report provided for March OSG	G	2017	G	2019/2020	G	

REPORT FRONT SHEET

AGENDA ITEM: 15

Combined Authority: 25 June 2015

Report Title: Skills Capital

Report Summary

The report seeks endorsement for the WYCA role in delivering the LEP skills capital programme and specifically for approving the expenditure associated with four 'Round One' projects due to commence in 15/16.

Possible Questions

- 1. Do members agree to take on responsibility for delivering the skills capital programme within the overall Growth Deal settlement?**
- 2. Do members accept the conclusions of the LEP Skills Capital Appraisal Panel, LEP and Leaders' Board in approving the four 'Round One' projects which are now ready for contract and incurring expenditure?**
- 3. Are members happy to proceed with the appraisal of business cases in relation to the Round Two shortlist, prior to receiving recommendations for approval later this Autumn?**

Note: The above questions may arise during the debate, but do not preclude other items for discussion and debate.

ITEM 15

Report to: Combined Authority

Date: 25 June 2015

Subject: Skills Capital

1. Purpose

1.1 The purpose of this report is to provide the Combined Authority with an overview of the Skills Capital programme, for which it is now the accountable body, including Round One (2015/16) and the new Round Two (2016/17).

2. Information

2.1 The LEP's Local Growth Fund (LGF) deal includes £79m for Skills Capital, for a four year programme of investment in further education and skills facilities. The programme aims to ensure a high quality environment for students and to support our priority sectors by linking the investment more closely to the future skills needs of the economy.

ROUND ONE (15/16)

2.2 The four Skills Capital proposals below, amounting to £17.2m of LGF with £7m match funding already approved, are now nearing contracted agreement:

- Kirklees College (£3,100,996)
- Leeds City College (£8,998,358)
- Shipley College (£119,000)
- Calderdale College (£4,970,000)

ROUND TWO PROJECTS (2016/17)

2.3 A call for Expressions of Interest (EOI) was published in January 2015, for which sixteen EOIs have been received totalling £105m requesting LGF funding of £82m. The Skills Capital Appraisal Panel shortlisted these to nine, collectively seeking

£56.9m with a match of £18.6m, which were endorsed and approved at both the LEP Board and LCR Leaders' Board in late March. A list of the projects is attached at **Appendix 1**.

- 2.4 Since then, the LEP Secretariat has met with all nine project sponsors and written to those not progressing further with feedback. The briefing took place in late April and bidders have been asked to submit their full business cases, now based on the Single Appraisal Framework (SAF) by 6th July.
- 2.5 Allowing for appraisal, decision panel meetings in late August, further clarifications and due diligence, it is expected that final approval for the 16/17 programme will be brought to the decision making body of the Combined Authority by November 2015.

3. Financial Implications

- 3.1 The breakdown of the funding is shown below:

Skills Capital	2015/16	2016/17	2018/19	Total
LGF	£12m	£62m	£5m	£79m
Co-investment (match)	£6m	£20m	£5m	£31m

- 3.2 Multi-year projects are feasible, providing that the spend is commenced in the first year indicated.

4. Legal Implications

- 4.1 The award of skills capital funding requires legal agreements between WYCA and the bidding organisations, who are all expected to be Registered Training Organisations with the Skills Funding Agency.
- 4.2 The Round One agreements have been handled by the legal team of Leeds City Council, acting on behalf of WYCA. These have been bespoke agreements using a core property contract, with separate overage agreements where necessary.
- 4.3 The LEP Director and Head of Economic Strategy is currently in the latter stages of finalising legal agreements to implement the decisions of the former Leaders' Board Joint Committee, i.e. Round 1, and future decisions of the LEP during Round 2.

5. Staffing Implications

- 5.1 The LEP has undertaken the policy work to determine criteria and priorities under the direction of the LEP's Employment and Skills Panel, to date.
- 5.2 Steps are in hand to recruit additional WYCA programme and project management resources to support the work on the additional pipeline of projects, including appraisal, monitoring, legal dialogue, financial processing and reporting.

6. Consultees

- 6.1 The programme has been consulted on with the appropriate structures of the LEP, including its Employment & Skills Panel (ESP), its Skills Network (of colleges, universities and training providers) and its dedicated Skills Capital Appraisal Panel.
- 6.2 Members of the Skills Capital Appraisal Panel include the LEP Chair, ESP Chair, a commercial banker (ESP Member), local authority ESP member, and a local Skills Funding Agency representative.

7. Recommendations

- 7.1 That Members endorse the significant role of the Combined Authority in making investments in skills capital projects from the Local Growth Fund to support the wider growth priorities of the Leeds City Region economy.
- 7.2 That the WYCA, as accountable body for the LEP, endorses the capital expenditure approved by the former Leaders' Board for the four Round 1 Skills Capital schemes set out in 2.2.

8. Background Documents

- 8.1 Appendix 1 – Round Two Shortlist.

Appendix 1

Round Two Shortlist

Project Name	Organisation
Advanced Skills & Innovation Centre	Wakefield College
Advanced Technology Centre - Upskilling Tomorrow's Workforce	Bradford College
Dewsbury Skills Gap Works Phase 1	Kirklees College
Engineering a Better Future - Phase II* (* subsequently withdrawn)	Appris Charity Limited
Flexible Construction Innovation Centre	Leeds College of Building
Redeveloping Forster Community College	Forster Community College
Renewal of Park Lane Campus	Leeds City College
Salt Building Refurbishment and IT Upgrade	ShIPLEY College
The Aspiration Building Extension Project	Selby College

REPORT FRONT SHEET

AGENDA ITEM: 16

Combined Authority: 25 June 2015

Report Title: Transport Scheme Approvals

Report Summary

The report seeks approval for a West Yorkshire Plus Transport Fund Scheme (Hard Ings Road Improvement Scheme) to pass through the Gateway 1 approval stage. It also seeks approval to amend the capital programme to include the new Cycle City Ambition Grant 2 (CCAG2) Programme, and to approve the expenditure of £30.279m following confirmation of funding from the Department for Transport.

Possible Questions

- 1. Do Members agree that the Hard Ings Road Scheme can pass through Gateway 1?**
- 2. Do Members agree that the capital programme can be amended to reflect the successful Cycle City Ambition Grant bid?**
- 3. Are Members happy to approve expenditure of £30.279m in line with the successful bid.**

Note: The above questions may arise during the debate, but do not preclude other items for discussion and debate.

Originator: David Hoggarth
Director Development



ITEM 16

Report to: Combined Authority

Date: 25 June 2015

Subject: Transport Scheme Approvals

1. Purpose

- 1.1. To approve the progression of Hard Ings Road Improvements project through the WY+TF gateway approval process.
- 1.2. To amend the capital programme to include the new Cycle City Ambition Grant 2 (CCAG2) Programme and to approve the expenditure of £30.279m, following confirmation of funding from the Department for Transport.

2. Information

West Yorkshire Plus Transport Fund – Hard Ings Road Improvements Project

- 2.1. At the December 2014 meeting of the WYCA, a revised programme (and funding strategy) for the West Yorkshire Plus Transport Fund was approved. The agreed programme contains 21 schemes to be delivered in full by 2021. In addition, there are another 12 schemes (or phases of schemes) to be on site by 2021 and a further 6 schemes to be delivered by 2025.
- 2.2. The status of each scheme indicates where it is in the Gateway process as part of the agreed assurance framework. Schemes initially require a mandate setting out the rationale, scope of the project and resources needed to develop the scheme. There are then three defined gateways to pass through, reflecting the agreed assurance framework and the 'portfolio' management process which aims to ensure that the desired outcomes, as well as outputs, are achieved. The gateway stages are as follows:
 - **Development Approval (Gateway 1)** - scheme sponsors undertake modelling, appropriate feasibility work and the preparation of a high level business case;

- **Procurement Approval (Gateway 2)** - scheme sponsors continue to develop more robust cost estimates, undertake high level appraisal appropriate to the nature and complexity of the scheme, progress detailed design work, refine risk levels, and updates the business case in preparation to seek a price from the market to implement the scheme;
 - **Implementation Approval (Gateway 3)** – demonstrating the final cost estimates are robust, risk exposure is acceptable, and that forecast outcomes remain comparable with those agreed in earlier gateways.
- 2.3. To pass Gateway 1, the submitted documentation needs to show that the scheme will provide an acceptable level of value for money, has a clear set of objectives and a realistic chance of successful implementation.
 - 2.4. The A650 Hard Ings Road is a strategically important route which links Bradford to Keighley and onwards to Skipton via the A629 and the Pendle area of Lancashire via the A6088. Between Shipley and Cross Hills the A650 is mostly dual carriageway except for a short section (Hard Ings Road) in Keighley. The single carriageway section is a key pinch point causing congestion not only on the main A650 but also impacts on Keighley Town Centre and local roads as drivers seek to use alternative routes to avoid the A650.
 - 2.5. Improvements to Hard Ings Road will improve traffic flows and reduce traffic congestion on the A650 and in Keighley town centre. Air quality and safety will also be improved and the local environment will be enhanced through the use of high quality materials in the specification of the scheme. The specific needs of cyclists and pedestrians will be considered during detailed design to encourage the use of sustainable modes for local journeys.
 - 2.6. Improvements to Hard Ings Road will also facilitate housing developments in the immediate area. In the local plan for the district there are long term growth aspirations for housing development (approximately 4,500 dwellings within the Keighley area) and economic development to encourage investment from the digital, design, knowledge and service sectors. High quality mixed use development is being planned on the former Keighley College site, Market Hall, Cavendish Court and Cavendish Retail park.
 - 2.7. A Gateway 1 submission has been received for the project and seeks £418,000 to allow the preparation of detailed design, submission of planning application, all necessary documentation and the development of a full detailed business case. Approval to proceed beyond that stage would be sought at Gateway 2.
 - 2.8. The Transport Committee has recommended approval of the Gateway which was endorsed by a Gateway Peer Review Panel in line with the agreed process.
 - 2.9. A summary business case is attached as **Appendix 1**.

- 2.10. A submission for Gateway 2 will follow in the summer 2016, and start of construction is programmed to be spring 2017.

Cycle City Ambition Grant 2 (CCAG2) Programme

- 2.11. WYCA, in partnership with the West Yorkshire District Councils and City of York Council, submitted a funding bid for a transformational package of cycle infrastructure, providing fully segregated cycle links to the centres of Leeds, Wakefield, Bradford, Huddersfield and York, linking to key employment and regeneration sites. The bid also included upgrading of the Upper Calder Valley, Airedale Greenway, Huddersfield/ Golcar and Castleford/Wakefield towpaths and a behavioural change programme and improvements to neighbourhoods to make local streets safe and attractive for walking and cycling. The bid was approved by the Local Transport Plan Committee.
- 2.12. On 2 March 2015, the DfT announced that WYCA's application for further funding from Cycle City Ambition Grant, has been approved in full, with £22.107m from DfT as part of a total programme of £30.279m.
- 2.13. Details of the successful bid outcome were reported to the Transport Committee at their meeting in March 2015.
- 2.14. Approval is now sought to amend the capital programme to include this new CCAG2 programme with an expenditure of £30.279m (comprising £6.842m of West Yorkshire LTP match funding, £1m from City of York Council and other funding of £0.330m, in addition to the DfT grant of £22.107m). Approval of the associated expenditure is also sought.

3. Financial Implications

- 3.1. The financial implications of approving the Gateway submission for Hard Ings Road are set out above. The £418,000 required to progress the scheme to Gateway 2 can be met from the previously approved WYTF budget.
- 3.2. The financial implications of approval of the CCAG2 programme and the expenditure of £30.279m on the programme are set out above.

4. Legal Implications

- 4.1. None as a result of this report.

5. Staffing Implications

- 5.1. The development and delivery of the schemes within the Transport Fund will be challenging and will require a significant increase in the level of resources over and above that currently available to the partnership. Separate reports on future resource requirements will be presented in due course.

5.2. The bid for the CCAG2 programme included funding for resource to manage implementation.

6. Consultees

6.1. The Acting Director, Transport has been consulted in the preparation of this report.

7. Recommendations

7.1. That the Combined Authority approve the progression of the Hard Ings Road Improvement through Gateway 1.

7.2. That the Combined Authority amends the capital programme to accommodate the new CCAG2 programme and approves the associated expenditure of £30.279m, as set out in this report.

8. Background Documents

8.1. Report to the Combined Authority on the 12 December 2014 '*West Yorkshire plus Transport Fund - Programme and Cost Review*'.

8.2. Report to the Combined Authority on the 29 January 2015 '*Business Plan and Budget 2015/16*'

8.3. Cycle City Ambition Grant 2 – bid to DfT January 2015

WEST YORKSHIRE PLUS TRANSPORT FUND BUSINESS CASE SUMMARY

Project Ref: 6 **Project Name:** A650 Hard Ings Road, Keighley

Summary

Promoting Authority	City of Bradford Metropolitan District Council (CBMDC)
Project Executive	Richard Gelder
Project Manager	Richard Bruce
Gateway Stage for which approval is sought	Gateway 1 - Development Approval
Approval for expenditure being sought	£418k to progress to Gateway 2

Project description

The A650 Hard Ings Road is a strategically important route which links Bradford to Keighley and onwards to Skipton via the A629 and the Pendle area of Lancashire via the A6088. Between Shipley and Cross Hills the A650 is mostly dual carriageway except for a short section (Hard Ings Road) in Keighley. The single carriageway section is a key pinch point causing congestion not only on the main A650 but also impacts on Keighley Town Centre and local roads as drivers seek to use alternative routes to avoid the A650.

Improvements to Hard Ings Road will improve traffic flow and reduce traffic congestion on the A650 and in Keighley Town Centre. Air quality and safety will also be improved and the local environment will be enhanced through the use of high quality materials in the specification of the scheme. The specific needs of cyclists and pedestrians will be considered during detailed design to encourage the use of sustainable modes for local journeys.

The Business Case demonstrates that the improvements to this junction will support the key objectives of the Transport Fund to maximise a growth in local GVA (gross value added - a measure of the local economy), increase business productivity and to improve accessibility to employment within West Yorkshire.

The scheme specific objectives are:

- Reduced congestion on Hard Ings Road including the adjacent roundabout approaches
- Increased safety provision for cyclists and pedestrians
- Improved air quality for local residents
- Support the delivery of new housing and economic developments in the short term as well as opening up long term development opportunities
- Improves access between Pendle, Craven and Bradford
- Incorporates Added Value in line with the Green Infrastructure Task Group where appropriate
- The project should be complete by December 2017
- The project should be designed to meet the requirements of the DMRB, any applicable locally determined standards and any relevant legislation

Total Cost and Funding Profile (all figures in £000s)

Funding Source	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/21	22/23	23/24	TOTAL
WY+TF	0	77	397	654	6,669							7,797
3rd Party Contributions	0	0	0	0	0							0
Total	0	77	397	654	6,669							7,797

Key Outcomes	Quantified Impact	Comments
WY GVA / £	1.78	Based on GVA p.a. at 2026 in 2009 prices.
WY Jobs	103	Net WY jobs compared to Do Minimum at 2026.
WY Housing	33	Net WY households compared to Do Minimum at 2026.

Summary of current scheme against baseline

Summary

The original prioritisation of this project, relative to other projects being considered in the Transport Fund prioritisation and definition stage, was based on high level estimates of scheme costs and traffic impacts. Subsequent work set out in this Gateway 1 submission (based on more robust and up to date information) is predicting cost reductions and slightly greater traffic benefits compared to the original assumptions. This demonstrates that the project would enhance the delivery of the overall objectives of the WY+TF and the original assumed level of economic benefits would be exceeded.

Costs

Inflation has been applied at an assumed rate of 3.2% per annum. The total cost to the fund is £5.415m (excluding OB at 44%). The total cost to the fund including 44% OB is £7.797m. There are no third party contributions.

Key risks	Description
Risk 1	Land Assembly and CPO Proceedings - delay to delivery
Risk 2	CPO Proceedings - lack of resource/recent exposure to CPO process
Risk 3	Increase in costs about budget set out in WY+TF Portfolio Baseline.
Risk 4	Lack of resources (experienced in Highway Design) resulting in delays to programme.

WEST YORKSHIRE PLUS TRANSPORT FUND BUSINESS CASE SUMMARY

Project Ref: 6 **Project Name:** A650 Hard Ings Road, Keighley

Land Acquisition

Land acquisition will be required to deliver the preferred option outlined above. Once the scheme has received Gateway 1 approval from the Combined Authority and CBMDC Executive Board approval the council will open discussions with landowners in an effort to assemble the required land by agreement. However, it is the intention to run CPO proceedings alongside any negotiations should CPO powers be required and this has been factored into the delivery programme.

Key Stakeholders

Internal (City of Bradford Metropolitan Council)	External bodies
as Highway Authority	North Yorkshire County Council - as adj. Highway Authority
as Planning Authority	Craven District Council - cross boundary impacts
Leisure & Culture Department (Victoria Park, Hall & Leisure Centre)	DfT - CPO Powers
Local Ward Members	Keighley Town Council (Allotments)
MPs	WYCA - WY+TF Portfolio
Planning & Highways Access Forum	WYCA - Bus Services
	Bus Operators
	Emergency Services
	Local Residents
	National & Local Businesses
	Road Users by all modes
	Statutory Undertakers
	Allotment Association & tenants
	B-SPOKE Cycle Forum

Consultation

In the absence of a Gateway 1 Approval for a preferred option and subsequent CBMDC Executive Board approval public consultation has not yet been carried out. This will be carried out as part of the detailed design process prior to Gateway 2 approval.

Associated Documents

West Yorkshire Plus Transport Fund, 26th March 2013, CBMDC Council
 West Yorkshire Plus Transport Fund, Item 9, 29th May 2014, WYCA
 West Yorkshire Plus Transport Fund, Item 8, 12th December 2014, WYCA

Value for Money Statement

Scheme Name	A650 Hard Ings Road, Keighley
Scheme Promoter	City of Bradford Metropolitan District Council
Gateway Stage	Gateway 1 - Development Approval

Quantified Benefits			
Present Value of Benefits	Time Savings	£40.70	Source - WebTAG Appraisal
	Vehicle Operating costs	£m	
	Greenhouse Gases	£m	
	Indirect Tax	£m	
	Other	£m	
	Total	£m	
Cost			
Optimism Bias	44%	Optimism Bias is an economic tool used to uplift costs for the purpose of estimating a robust BCR. It is not included however in the Outturn Cost.	
Base year	2010	Base year used for appraisal	
Total Present Value of Costs	£6.8m	The sum of total capital and operating costs for the scheme including any revenue implications, presented in real terms to remove the effect of inflation, and discounted to reflect the value of future costs in a common base year	
BCR (Benefit to cost ratio)			
Initial	5.9 : 1	The Benefit Cost Ratio (BCR) considers the impacts to the economy, society, the environment and the public accounts. It offers an estimate of the value of benefit generated for every £1 of public expenditure on a project or scheme. The Initial BCR is constructed using the DfT's guidance on monetising the different benefits and costs of a transport intervention	
Adjusted	-	No adjusted BCR	
Qualitative Benefits			
Qualitative Benefits	Largely Slight Beneficial or Major Beneficial	Itemised in Appraisal summary table	
VfM (value for money)			
Value for Money Category	Very High	Categorisation of the schemes value for money using DfT defined criteria based on Benefit to cost ratio (BCR) <1.0 = poor 1.0 – 1.5 = low 1.5 – 2.0 = medium 2.0 – 4.0 = high >4.0 = very high	

Name	Angela Taylor
Title	Director Resources
Organisation	WYCA
Signature	

REPORT FRONT SHEET

AGENDA ITEM: 17

Combined Authority: 25 June 2015

Report Title: Officer Arrangements

Report Summary

The report seeks approval to establishing a post of Managing Director for the WYCA and to proceed to putting in place a Recruitment Panel to progress this.

The report also seeks approval to the transfer of the Regional Economic and Intelligence Unit from 1 September 2015.

Possible Questions

- 1. Do Members support the need for a full time permanent Managing Director?**
- 2. Do Members agree that there is a strategic fit for the activities of the Regional Economic and Intelligence Unit with those of the WYCA?**

Note: The above questions may arise during the debate, but do not preclude other items for discussion and debate.

Originator: Angela Taylor,
Director, Resources



ITEM 17

Report to: Combined Authority

Date: 25 June 2015

Subject: Officer Arrangements

1. Purpose

- 1.1 To confirm, in the short term, the continuing arrangements for the Head of Paid Service for the WYCA.
- 1.2 To approve the establishment of the post of Managing Director for the WYCA and to put in place appropriate arrangements to recruit to that post.
- 1.3 To approve the TUPE transfer of the Regional Economic Intelligence Unit from Leeds City Council to the WYCA.

2. Information

- 2.1 The Combined Authority appointed statutory officers at its first meeting on 1 April 2014. At that point it was agreed that the Chief Executive of Kirklees be seconded to the post of Head of Paid Service for an initial period. That arrangement has allowed the Combined Authority to develop and establish itself and it is proposed that this arrangement continues until a permanent appointment is made to a post that includes the Head of Paid Service role.
- 2.2 The senior management structure approved in April 2015 originally envisaged a senior transport post over and above those already in place. As the devolution agenda rapidly progressed it was recognised that this role was no longer the best fit for the organisation and recruitment did not take place.
- 2.3 It is now clear that the time is right to seek a senior appointment for the Combined Authority in the form of a Managing Director who will continue to develop and shape the Authority, ensuring a positive culture is fostered and that the right organisational and governance structures are in place to build on the successes to date. The post would also include the Head of Paid Service responsibilities and would work closely with WYCA Members, the LEP and District Councils to ensure

that the WYCA's agenda is fully aligned with its partners. A draft job description has been prepared.

- 2.4 It is anticipated that the salary for this post is in the region of £120-£140k and further detailed work is underway to determine the most appropriate level of remuneration.
- 2.5 Approval is sought therefore to establish a Recruitment Panel in order to manage the recruitment of and appointment to this post. It is proposed that the arrangements to establish this Panel are delegated to the Head of Paid Service in consultation with the Chair. The terms of reference for the Panel will provide for it to conduct the recruitment process and make a recommendation to the Authority for the appointment.
- 2.6 The WYCA has previously approved in principle the transfer of the Regional Economic and Intelligence Unit (REIU) from Leeds City Council to the WYCA. This recognises the strategic fit of the activities of the unit; the transfer will enable the team to focus on providing economic research support including Geographical Information Systems (GIS) support to the WYCA, District Councils and the LEP. The team also manage the Regional Econometric Model (REM) which is widely used to support the appraisal of projects within the Growth Deal and the West Yorkshire plus Transport Fund. As the need to increase delivery capacity grows so does the need for strong and robust appraisal and evaluation and the REIU offers an effective, efficient and better value way of doing this rather than buying in external advice.
- 2.7 Initial estimates of costs for the team of 4.69 employees and their direct activities are £300k. This can be funded by a combination of existing revenue from licencing sales including contributions from the LEP, District Council and the West Yorkshire plus Transport Fund. Full due diligence work on the transfer is underway and will be complete before the proposed TUPE transfer date of 1 September 2015.

3. Financial Implications

- 3.1 The costs of the Managing Director post are included in the WYCA budget. Recruitment costs will be met from the HR budgets.
- 3.2 The costs of the REIU transfer can be met from existing approvals/contributions.

4. Legal Implications

- 4.1 None arising directly from this report.

5. Staffing Implications

- 5.1 As set out in the report. The job description and salary will be finalised by the Recruitment Panel.

6. Consultees

- 6.1 The Head of Paid Service has been consulted with regard to the proposals for the Managing Director post.

7. Recommendations

- 7.1 That the Chief Executive of Kirklees Council be confirmed as continuing in his role as Head of Paid Service to the Combined Authority until such time as a permanent appointment is made to a post that includes these responsibilities.
- 7.2 That the post of Managing Director be established.
- 7.3 That a Recruitment Panel be established for the purposes of recruiting to this post, including making a recommendation to the Combined Authority and that the arrangements for establishing and operating this Panel be delegated to the Head of Paid Service in consultation with the Chair.
- 7.4 That approval be given to the TUPE transfer of the REIU from Leeds City Council to the WYCA on 1 September 2015, subject to the satisfactory conclusion of the ongoing due diligence work.

8. Background Documents

- 8.1 None

REPORT FRONT SHEET

AGENDA ITEM: 18

Combined Authority: 25 June 2015

Report Title: West Yorkshire & York Superfast Broadband Delivery Project

Report Summary

- £6.9m funding has currently been allocated to West Yorkshire and York to support a superfast extension programme for 2015-17. This funding is proposed to be match by the WYCA through European funding allocations, which when combined with match from the private sector partner (BT) could result in a circa £20 broadband infrastructure programme being rolled out across West Yorkshire and York.
- Following a steer from WYCA Leaders, priority areas were identified and built into the procurement process which utilised the BDUK Framework. These covered commercial and industrial parks, areas where social inclusion was critical, and key settlements.
- The offer from the preferred bidder was received in later May and considered by the WYCA Investment Committee on the 2nd June. The Committee considers the offer to be a very good offer including the priority areas, providing value for money, which will have significant positive impacts for residents, businesses and West Yorkshire and York, and the wider city region. It will raise superfast broadband coverage to nearly 99% by 2018 and enhance economic output and improve social inclusion.
- The WYCA Investment Committee recommends that WYCA enters into contract with BT to deliver the West Yorkshire and York Phase 2 Broadband Programme.

Possible Questions

- 1. What are the benefits of superfast broadband to improving business competitiveness, and how is WYCA supporting businesses in West Yorkshire and York to take advantage of enhanced broadband services?**
- 2. How effective is existing demand stimulation activity at encouraging take-up by residents and businesses alongside the broadband infrastructure roll-out programme?**
- 3. Although city centres are key economic drivers of the economy, some businesses within city centres have poorer broadband services at an affordable price than less densely populated areas. As it is understood that State Aid regulations rule out public investment being spent in city centres on broadband infrastructure, what could the WYCA do to influence those digital infrastructure providers who could address these inadequacies in city centres?**

Note: The above questions may arise during the debate, but do not preclude other items for discussion and debate.

Originator: Colin Blackburn
Head of Infrastructure and
Investment



ITEM 18

Appendix 1 to this agenda item is **NOT FOR PUBLICATION** as it contains exempt information as defined in paragraph 3 of schedule 12A to the Local Government Act 1972 (*Information relating to the financial or business affairs of any particular person (including the authority holding that information)*).

Appendix 2 to this agenda item is **NOT FOR PUBLICATION** as it contains exempt information as defined in paragraph 3 of schedule 12 A to the Local Government Act 1972 (*information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*).

Report to: Combined Authority

Date: 25 June 2015

Subject: West Yorkshire and York Superfast broadband delivery project

1. Exclusion Of The Press And Public

1.1 Appendix 1 to this agenda item contains exempt information as defined in paragraph 3 of schedule 12A to the Local Government Act 1972 (*Information relating to the financial or business affairs of any particular person (including the authority holding that information)*).

1.2 Appendix 2 to this agenda item contains exempt information as defined in paragraph 3 of schedule 12 A to the Local Government Act 1972 (*information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*).

1.3 The Committee may exclude the press and public from the meeting during the consideration of these appendices, if and so long as, it is satisfied that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

1.4 In relation to appendix 1, it is recommended that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, because BT has requested that the information is not disclosed since the release of such information would, or would be likely, to

prejudice the company's commercial interests, and therefore disclosure could undermine the process, future processes, or the outcome on this occasion, to the detriment of the WYCA and the public interest.

- 1.5 In relation to appendix 2, it is recommended that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, because it is in the interests of the WYCA and public that the Secretary and Solicitor provide legal advice to the WYCA without risk of its disclosure, as such disclosure would prejudice the WYCA's position.

2. Purpose

- 2.1. To provide an update on the outcomes of the process to procure a private sector partner to deliver the West Yorkshire and York superfast broadband delivery project Phase 2 "WYLB2".
- 2.2 To approve the recommendation of the WYCA Investment Committee to enter into a contract with BT to deliver Phase 2 "WYLB2".

3. Information

- 3.1 The decision to proceed to procuring a private sector partner to deliver New Generation Access broadband infrastructure across West Yorkshire and York, utilising the Government's Department for Culture, Media and Sport's broadband delivery arm BDUK Framework, was agreed by WYCA at its meeting on 18 September 2014. BDUK has allocated an initial £6.89m with a further indicative £1.11m subject to securing local match funding from European funding. A bid was recently submitted for £8m European funding although the final decision on the bid is not likely to be confirmed until the end of 2015. If this funding is successful, this would increase the size of the programme with private sector match to circa £20m.
- 3.2 Since the decision in September 2014 was made to proceed, the following progress has been made:
 - A partnership agreement has been entered into between WYCA and the local authorities of Bradford, Calderdale, Kirklees, Leeds, Wakefield and York and a project board has been set up and operated.
 - The project board along with the project delivery team has worked with BDUK to develop the project including passing BDUK assurance processes.
 - The project board and the project team have worked with the only supplier on the BDUK framework (BT) within the constraints of procurement rules and legislation to progress the project.
 - Tender documentation has been issued detailing the funding that is available and the outputs that are required, which is focussed on substantially increasing coverage for hard to reach and economically important areas and communities.
 - The tender was received on 19th May 2015 and the details were considered by the WYCA Investment Committee on the 2nd June 2015. Following their

consideration, the Committee's recommendation is for WYCA to enter into a contract with BT to deliver the Phase 2 WYLBP2 programme across West Yorkshire and York. A summary of the key points arising from the tender is available as Appendix 1 to this report, which contains exempt information – see paragraph 1 above.

- 3.3 It is essential that a decision on whether or not to proceed with this project is taken now as the contract must be awarded prior to Sunday 28th June 2015 as the umbrella state aid exemption and the national framework agreement that the project is being procured under will both expire on that date.
- 3.4 WYCA is the lead authority for the WYLBP2 Phase 2 project and needs to enter into the BDUK grant agreement and the supplier contract with BT for the installation of superfast broadband infrastructure on behalf of the partnership.
- 3.5 Subject to the Approval of WYCA the contract will be concluded immediately after the meeting by the Head of Economic Strategy in consultation with the Secretary and Solicitor by the 26th June 2015. The contracts will be ready to sign.
- 3.6 However, even with the delivery of this Phase 2 programme, there will still remain areas within West Yorkshire and York that will not have access to enhanced broadband services. It will therefore be important that WYCA and the partner local authorities continue to work with BT and other digital infrastructure providers to ensure that all residents and businesses within West Yorkshire and York have access to superfast and further enhanced broadband services, particularly the core economic areas, city centres and areas of greatest deprivation.

4. Financial Implications

- 4.1. The WYCA team is aware of the project and is ready to receive and manage this funding. A named officer in the WYCA economic team will lead on providing the financial support for the project, in liaison with the wider WYCA finance team and the WYCA Senior Responsible Officer. A contribution to the finance officer's costs is anticipated to be reclaimed through ERDF (a bid has recently been submitted to DCLG).
- 4.2 The infrastructure delivery element of the project is fully funded by BDUK through a grant agreement between BDUK and WYCA. The total costs of contract management are currently anticipated to be £712k based on a 36 month operational project period. Collectively, all partners have indicated that they are prepared to make the contributions needed to meet the costs of contract management subject to receipt of an acceptable tender and formal internal approvals. A separate ERDF bid has recently been submitted to DCLG, which includes a revenue funding ask for 50% of the total eligible project management fees. Contract management duties will be shared by WYCA and Leeds City Council (through a Service Level Agreement with WYCA); the division of these duties is set out in the partnership agreement referred to in paragraph 3.2.

5. Legal Implications

- 5.1. As stated at paragraph 3.3 above it is essential that the contract is signed by the 26th June 2015 as the state aid exemption and framework agreement that the contract is being awarded under both expire thereafter. The consequences of that would be the loss of £6.89m of government funding plus the private sector contribution, as well as the additional £8m of potential ERDF funding and additional £1.11m of BDUK funding – circa £20m of investment in total.
- 5.2 Legal officers at Leeds City Council have lead on the legal aspects of the project and have ensured that WYCA legal officers are fully briefed. The grant agreement and the supplier contract are standard form documents that have been agreed at a national level and have been used on all projects across the UK. These agreements have been negotiated at a senior level within the Department for Culture, Media and Sport.
- 5.3 The project board is made up of senior officers from each of the authorities involved in the project including WYCA. The project board has been briefed on, and agreed, all the legal and commercial positions that are proposed. This is subject to a final report to the project board on the 16th June 2015 immediately prior to contract award. Any further comments by the Project Board from this meeting will be reported verbally.

Summary of obligations

- 5.4 Obligations on the supplier through the contract:
- install superfast broadband (fibre) in the areas set out in the contract
 - provide reports to enable impact of the subsidy to be judged, allow the local authorities to stimulate demand, payments to be analysed and any clawback due to underspend or excess profits to be calculated
- 5.5 Obligations on WYCA through the contract:
- pay the subsidy against services (cabinets connected to fibre) delivered (this is bankrolled with retrospective claims then being made under BDUK grant agreement)
 - manage payments
- 5.6 The supplier is relieved from its obligations under the contract if certain “relief events” occur. These include failure of local planning and highways authorities to grant permissions on time or on standard terms, public sector strike and the actions of third parties (e.g. energy companies that are also carrying out works to the highway).
- 5.7 Obligations on DCMS through the grant agreement:
- pay the grant
- 5.8 Obligations on WYCA through the grant agreement:
- to spend the grant on delivery of the superfast broadband cabinet upgrades

- clawback and withdrawal of funding applies if funding is not spent in accordance with the grant agreement

- 5.9 The partnership agreement between the partner authorities (WYCA and the local authorities of Bradford, Calderdale, Kirklees, Leeds, Wakefield and York) allocates responsibility for tasks and the payment of project contributions. It states that liability for any payments or costs incurred through the grant agreement or the contract will be split equally between the partners (provided that no individual partner has caused the liability through its negligence.)
- 5.10 Appendix 2 to this report contains supplementary legal advice, relating to the proposed arrangements. The appendix contains exempt information – see further paragraph 1 above.

6. Staffing Implications

- 6.1. There is a limited additional impact on WYCA staffing resources for delivering the Phase 2 programme. The WYCA Head of Infrastructure and Investment whom has acted as the Project Director through the procurement process, will continue to be the Senior Responsible Officer (SRO) for the programme through the delivery stage as part of his mainstream activity. There will also be a requirement for 0.2 FTE of a post within WYCA to administer the grant payments from BDUK and make payments to the private sector provider, liaising with the Delivery Team (see para 6.2 below). A bid for European Funding has also recently been submitted to provide 50% match funding for this post and for the wider delivery Team project management fees, but a final decision will not be known until the end of the year.
- 6.2 The day-to-day operation of the programme will be undertaken by the existing Phase 1 programme Delivery Team based in Leeds City Council; reporting to the WYCA SRO. The Team is being funded jointly by the six local authority partners with the intention to secure 50% match funding from Europe. A Service Level Agreement will be entered into with Leeds City Council to provide this role on behalf of WYCA and the partner authorities.

7. Consultees

- 7.1. The West Yorkshire and York Broadband Phase 2 Project Board was consulted along with Merran McRae, city region Chief Executive Lead for broadband infrastructure and their views have been incorporated within this report.
- 7.2 The WYCA Investment Committee considered the outcomes of the procurement process at their meeting on the 2nd June 2015 and have made the following recommendations (Section 8 below) to the Authority.

8. Recommendations

- 8.1. That the report be noted.

- 8.2 That the Authority considers the confidential tender submission and confirms its recommendation.
- 8.3 Subject to 8.2 that the Authority enters into the following agreements:
- (i) the BDUK grant agreement with the Department for Culture, Media and Sport;
 - (ii) the contract with BT for the installation of superfast broadband infrastructure;
 - (iii) the operational integration side letter and changes required to accelerate the build; and
 - (iv) any other documentation that the Head of Economic Development believes is necessary to implement the project

Which will be concluded by the Head of Economic Strategy in consultation with the Secretary and Solicitor.

- 8.4 That for the purpose of paragraph 13.2.1 of the Scrutiny Standing Orders this decision is an “urgent” decision which shall not be subject to call in and which may be implemented immediately to preserve the availability of the State Aid Bloc Exemption which would otherwise be lost.
- 8.5 That WYCA and the partner local authorities continue to work with BT and other digital infrastructure providers to ensure that all residents and businesses within West Yorkshire and York have access to superfast and further enhanced broadband services, particularly the core economic areas, city centres and areas of greatest deprivation.

9. Background Documents

- 9.1 ‘Superfast Broadband Extension Programme’ report to Combined Authority dated 18 September 2014.

Appendix 1

This Appendix (Appendix 1 to agenda item 13) is **NOT FOR PUBLICATION** in whole or in part, as it contains exempt information as defined in paragraph 3 of schedule 12 A to the Local Government Act 1972 (*information relating to the financial or business affairs of any particular person (including the authority holding that information)*)).

Summary details of BTs offer in relation to the West Yorkshire & York Broadband Phase 2 programme

This note contains commercially sensitive information in relation to the potential contract which the Authority may enter into with BT and must not be distributed.

1. Introduction

- 1.1 BT has submitted their offer in response to WYCA's Invitation to Tender (ITT) to deliver New Generation Access (i.e. access to superfast broadband) infrastructure across West Yorkshire and York. This appendix sets out the key summary of their offer, particularly in relation to how the proposals would achieve connectivity of the priority areas (postcodes) which was set out in the ITT.

2. Background information

- 2.1 The project is the Phase 2 of the West Yorkshire Broadband Project. The Phase 1 is due for completion at the end of September 2015 and it is on target for providing Next Generation Access (NGA) (to up to 97% of the local authority areas of Leeds, Bradford, Wakefield and Calderdale.) Phase 2 is set to build on this success and incorporate Kirklees and the City of York into the broadband deployment plan.

The Investment Committee and WYCA Leaders were keen to ensure that Phase 2 delivered the required economic and social priorities as a primary importance. Different to all other national broadband projects, we put in 507 priority postcodes into the ITT itself which included business / industrial parks; key unconnected villages; areas in the corridor between the two city centres of Leeds and Bradford; and encompassing areas of higher deprivation. All other broadband areas in the country left BT to determine where to fund and hence some have had responses back from BT that have ignored their "preferred" postcodes/geographies. In our case, this is not so.

It must be noted that the ITT did not include the Growth Zone area in the centre of Bradford, the Business Improvement District of Leeds, and the area of York inside

the inner ring road. These had to be excluded from the Phase 2 “intervention area” in order to satisfy state aid rules.

This report sets out the information and analysis of their offer below to inform the Committee’s consideration and recommendation to the WYCA regarding entering into a contract with BT to deliver the Phase 2 programme.

3. BT Offer

- BT have modelled every Openreach piece of infrastructure regardless of cost which provides coverage to the priority postcodes indicated within the WYCA ITT .
- This has resulted in NGA coverage for over 95% of the 5821 premises within these 507 priority postcodes, with 88% of postcodes receiving 100% coverage.
- 23 of the 507 priority postcodes will receive no NGA coverage. This is a result of there being no modelled technical solution available to provide NGA service to these premises at this time. BT will work closely with WYCA delivery project team in the future to explore potential solutions to provide NGA to the remaining priority premises (please refer to the attached Annexe 1 to see the specific postcodes excluded and the number of premises in each). Each local authority partner is assessing each of the postcodes and the potential impact on residents and businesses. As part of the clarification process, we have asked BT for their view as to why the postcodes have not been included.
- BT’s proposed solution uses the full budget of £6.89 m, enabling 28,167 properties to access fibre broadband out of an intervention area of 44,128 premises.
- This will take the NGA coverage for West Yorkshire and York to 98.3%.
- BT are investing £3.3m capital into the Phase 2 project. This, together with the UK government’s contribution of £6.89m, gives a total capital project of £10.2m.
- The Phase 2 project is scheduled to begin July 2015 with the build beginning early 2016. The planned end build date is September 2018.

The 23 excluded postcodes are spreads across the region, however there are two small concentrations, one in South Kirby, Wakefield, and one in the village of Stanbury in Bradford.

The specific technical reasons for the non-inclusion of each of the 23 postcodes is under review with BT Openreach. Preliminary discussion has indicated each individual postcode can be investigated and possible solutions found. This work will be done by the regional Openreach and the WYCA project delivery teams, both of whom have knowledge of the local broadband infrastructure and both have experience gained from Phase 1 of the project.

It must be re-emphasized that although these priority areas are not in this first stage of £6.89m Phase 2 project, WYCA is looking to secure additional £9.11m ERDF and UK government funding which will allow dialogue and investigation to continue of how to deliver the remaining priorities.

Regeneris Consulting have been commissioned to look at the economic impact of the Phase 2 project. They have estimated that the project could generate £430m for the economy of West Yorkshire and York over 15 years and create over 1,000 new jobs.

BDUK have reviewed the bid as part of their BDUK Framework Assurance process and have concluded that it offers very high value for money.

4. Conclusions and Recommendations of the WYCA Investment Committee and WY and York Broadband Phase 2 Project Board

- This is a good deal for West Yorkshire and York (this is supported by BDUK's initial view of the submission).
- The project will generate significant additional GVA for the region and create over 1000 jobs.
- All but 23 postcodes of the West Yorkshire and York authorities priority delivery requirements of delivering are covered by the BT proposal.
- The issues around the 23 remaining postcodes will be investigated and may be resolved during the delivery of the project.

Out of 44,000 potential postcodes, this project will cover 28,000 of them, and if the additional £9.11m ERDF/BDUK funding is secured, further additional postcodes will be covered through change control to the contract, including work towards the resolution of the 23 priority postcodes not currently covered.

This means by the end of this programme in 2018/19 we should have over 99% of eligible areas covered by NGA in West Yorkshire and York. Also we are working with other suppliers (e.g. City Fibre Holdings in York and Kirklees, Virgin in Leeds and Bradford) to improve the overall digital infrastructure in place across the Leeds City Region

Based on a review of the bid to date the WYCA Investment Committee and West Yorkshire and York Phase 2 Project Board recommend that WYCA enters into the contract with BT to deliver this Phase 2 programme. The delivery team, based in Leeds City Council, is in place to support delivery as it has done through the Phase 1 programme to be funded through a combination of partner authority and ERDF funding. The delivery budget is in place and the team will report to WYCA in accordance with a service level agreement that is being put in place.

At the point that the contract is signed, the delivery of the cabinets listed in the BT proposals is subject to survey and subject to a maximum cap on expenditure. If a

physical survey of the site reveals that it is not technically possible to provide the upgrade, or it will cost more than an agreed sum to upgrade per premises served, BT will tell WYCA who will then have the option to either increase the spend on the cabinet to achieve the connection (if it is physically possible to do so) or to remove the site from the contract. Control lies with the WYCA.

5. Priority postcodes for further consideration

This Appendix (Appendix 2 to agenda item 7) is NOT FOR PUBLICATION in whole or in part		
REFERENCE DATA - Total Premises for Call-Off		
POSTCODE -	Example of street within postcode	No. of premises in postcode
BD18 2DQ	Briarfield Road - Shipley	17
BD17 6DH	Oxford place - Baildon	6
BD17 7RG	Cunliffe Lane - Esholt, Shipley	6
BD17 7RJ	Esholt Lane - - Baildon	22
BD5 0LF	Little Horton Lane - Bradford	1
BD18 3DQ	Springswodd Place - Shipley	20
BD18 3PP	Rosendale Place - - Shipley	7
BD22 0HB	Main Street - Stanbury, Keighley	33
BD22 0HD	Main Street - Stanbury, Keighley	4
BD22 0HW	Hob Lane - - Stanbury, Keighley	7
LS28 6JE	Vickersdale - Pudsey	1
LS13 4HZ	Gamble Hill - Leeds	8
LS28 8HG	Wild Grove - Pudsey	7
LS2 9HH	Woodhouse Lane - Leeds	1
OL14 7DR	Burly Road - Todmorden	7
WF1 1LJ	George Street / Queen Street - Wakefield	18
WF10 2QH	Smith Street / South View - Castleford	6
WF11 0AA	Cattlelaith Lane - Knottingley	5
WF9 3EF	Saxton Grove / Common Road - South Kirkby, Pontefract	24
WF9 3EG	Common Road - Pontefract	9
WF9 3EL	Camp Road - South Kirkby, Pontefract	26
WF9 3ES	Camp Road / Saxton Grove - South Kirkby, Pontefract	4
YO23 2UA	Intake Lane - York	1

Appendix 2

This Appendix (Appendix 2 to **AGENDA ITEM 7**) is **NOT FOR PUBLICATION** in whole or in part, as it contains exempt information as defined in paragraph 3 of schedule 12 A to the Local Government Act 1972 (*information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*).

Confidential Legal Advice in Relation to West Yorkshire & York Broadband: State Aid Issues Risks.

This note contains legal advice in relation to the potential liability of the Authority and must not be distributed.

1. Introduction

- 1.1 The proposed contract with BT agrees to provide funding to provide telecoms exchanges in West Yorkshire and York, and an upgrade to superfast broadband. This involves the provision of state aid. This appendix sets out legal advice in relation to the potential challenge risks to the WYCA in so doing.

2. Background information

- 2.1 The project is being delivered under the terms of an “umbrella” state aid approval. This umbrella approval was also used for the phase 1 project (for which Leeds City Council was the lead authority on behalf of the West Yorkshire participating Authorities). The geographical areas covered by this approval are “rural and final third” areas.
- 2.2 Given the nature of the intervention area for phase 1, the phase 1 Project Board did a substantial amount of work to ascertain whether the state aid approval covered that project.
- 2.3 The phase 1 project board was provided with a document by BDUK that summarised clarifications that had gone between BDUK and the European Commission. These clarifications set out what “rural and final third” meant. The clarifications set out some rules around proportions of urban and rural areas included in the intervention area, urban fringe and stated that areas that were included in former SCC infrastructure project boundaries would be considered to be “urban”.
- 2.4 The phase 1 project board took Counsel’s opinion on a number of matters including the status of the clarifications. Counsel advised that the clarifications were not legally binding but would be persuasive if a court was looking at what “rural and final third” meant in the future.

- 2.5 As the former SCC infrastructure project areas were excluded from the phase 1 project intervention area this went a long way towards persuading the phase 1 project board that the state aid position presented very little risk.
- 2.6 The phase 2 project intervention area includes land that is in these former SCC infrastructure project areas (land around and between Leeds and Bradford city centres.)
- 2.7 The BDUK position on this matter is that they will go through various tests taking into account population density, the existence of a former SCC boundary, the methodology for setting a new urban boundary and, on that basis, will decide whether the risk of including these former SCC areas is acceptable or not. BDUK's B2 checkpoint included a state aid assessment which resulted in the project being approved to proceed to the next stage. The project team has asked BDUK to explain why this approval was granted but this information has not been provided to date.
- 2.8 BT appear to be happy to proceed with any project that BDUK approve, even though most of the risk of challenge would fall to them.

3. Legal Implications

3.1 The legal liability position on unlawfully awarded state aid is:

- Private sector recipient (BT in this case) must re-pay. This is the position in law and in the infrastructure contract that WYCA would sign with BT.
- A party that distributed state aid may be liable to pay damages to a competitor of the recipient of the unlawful aid who has suffered a disadvantage. Counsel advised on this as part of the phase 1 advice. The advice received was that this was state liability for a "sufficiently serious breach" that the state should have identified and prevented. Counsel was of the opinion that a claim of this nature was highly unlikely on phase 1. The circumstances in phase 2 are different (as described in this report) but it still does not seem likely that this claim would apply.
- All the organisations associated with the scheme would suffer reputational damage.
- If WYCA are sued they would expect the other partners to contribute to the losses suffered. This is not explicitly set out in the partnership agreement but the parties have agreed to divide any losses arising from the contract or the grant agreement, whether through the terms of the agreements or court proceedings, equally.
- Under the terms of the partnership agreement, each party has the power to veto the project if they are not prepared to take the state aid risk. This includes WYCA as the authority that is entering into the contract with BT.

- 3.2 BDUK have advised that seven UK cities have proceeded to delivery phase despite also having former SCC areas in their intervention area. We are not aware of any challenge that has been raised.
- 3.3 All broadband infrastructure providers are aware of the intention to intervene in some or all of the former SCC area through the Open Market Review process and no one has raised a claim to date.
- 3.4 The state aid is being granted through a competitively procured (OJEU) contract (the BDUK Framework Agreement).
- 3.5 The project team does not think that any further information will be forthcoming from BDUK or any other party on this matter.

4 **Conclusion**

- 4.1 There is a technical risk of challenge due to the anomaly between the state aid clarifications between Phase 1 and Phase 2 but the likelihood of challenge and of any of the partner authorities being subject to a successful financial claim is exceedingly low in comparison to the benefits that would be lost by not proceeding.