

MINUTES OF THE MEETING OF THE WEST YORKSHIRE COMBINED AUTHORITY HELD ON THURSDAY, 27 JUNE 2019 AT COMMITTEE ROOM A, WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS

Present:

Councillor Susan Hinchcliffe (Chair)
Councillor Judith Blake CBE
Councillor Peter Box CBE
Councillor Stewart Golton
Councillor David Hall

Bradford Council
Leeds City Council
Leeds City Council
Kirklees Council

Professor Bob Cryan CBE (Substitute) University of Huddersfield

Councillor Shabir Pandor Kirklees Council
Councillor John Pennington Bradford Council
Councillor Jane Scullion (Substitute) Calderdale Council

In attendance:

Councillor Kim Groves Chair, Transport Committee

Councillor Elizabeth Smaje Outgoing Chair, Overview & Scrutiny

Committee

Ben Still West Yorkshire Combined Authority
Caroline Allen West Yorkshire Combined Authority
Ruth Chaplin West Yorkshire Combined Authority

1. Membership of the West Yorkshire Combined Authority

The Combined Authority considered a report of the Director of Corporate Services in respect of the following:

- The appointment of members and substitute members to the West Yorkshire Combined Authority (the Combined Authority) by the constituent councils (West Yorkshire councils) and the nonconstituent council (the City of York Council).
- The appointment of the Leeds City Region Local Enterprise Partnership Combined Authority Member ("the LEP Member") and substitute LEP Member to the Combined Authority.
- Granting of voting rights to the member of the Combined Authority appointed by the City of York Council and to the LEP Member, (and their substitutes).

Resolved:

- (a) That the members of the Combined Authority and their substitutes appointed by the constituent councils and the non-constituent council (the City of York Council) as set out in Appendix 1 to the report be noted.
- (b) That Roger Marsh be appointed as the LEP Member of the Combined Authority, and Professor Bob Cryan as substitute LEP Member, to act in the absence of the LEP Member.
- (c) That the LEP Member and the member of the Combined Authority appointed by the non-constituent council (City of York Council) may vote at any meetings of the Combined Authority (including any committee or sub-committee to which those members are appointed) on any decision, subject to the following exceptions:-
 - budget and levy setting; and
 - the adoption of any implementation plans appended to the West Yorkshire Transport Strategy 2040 which relate specifically to the combined area (that is, West Yorkshire).
- (d) That the substitutes for the LEP Member and the member of the Combined Authority appointed by the non-constituent council (City of York Council) may exercise the voting rights granted to the LEP Member and the member of the Combined Authority appointed by the non-constituent council (the City of York Council) when acting in the absence of their respective member.

2. Appointment of the Chair and Vice Chair

Members were asked to consider nominations for the positions of Chair and Vice Chair of the West Yorkshire Combined Authority (Combined Authority) for the municipal year 2019/20.

Resolved:

- (a) That Councillor Susan Hinchcliffe be appointed as Chair of the Combined Authority.
- (b) That Councillor Tim Swift be appointed as Vice Chair of the Combined Authority.

3. Apologies for Absence

Apologies for absence were received from Roger Marsh and Councillor Tim Swift.

4. Declarations of Disclosable Pecuniary Interests

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

5. Exempt Information - Possible Exclusion of the Press and Public

Resolved: That in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting during consideration of Appendix 3 to Agenda Item 17 on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information and for the reasons set out in the report that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. Minutes of the Meeting of the Combined Authority held on 25 April 2019

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 25 April 2019 be approved and signed by the Chair.

7. Announcements

The Chair welcomed Councillor Aspden who was returning to the Combined Authority as the City of York Council's representative and Councillor Jane Scullion who was the new substitute member for Councillor Tim Swift. Thanks were given to the outgoing Chair of the Overview & Scrutiny Committee, Councillor Elizabeth Smaje for her work and valuable input during her term of office and it was reported that Councillor Peter Harrand would be replacing her as Chair of the Committee.

8. Committee Arrangements and Appointments

The Combined Authority considered a report of the Director of Corporate Services in respect of committee arrangements and appointments:

- To appoint committees of the West Yorkshire Combined Authority (the Combined Authority).
- To appoint or co-opt members onto the Combined Authority's committees.
- To appoint the Chairs and Deputy Chairs of the Combined Authority's committees.
- To grant voting rights to some members of the Combined Authority's committees.
- To confirm the continuing appointment of Independent Persons.

It was reported that since publication of the agenda papers, the following outstanding nomination had been confirmed:

• Employment & Skills Panel : Councillor Adam Wilkinson (Calderdale)

The appointment of Councillor Martyn Bolt (Kirklees) as the leader of opposition on Transport Committee was also confirmed.

Resolved:

- (a) That, in relation to appointment of committees
 - (i) That the following statutory committees be appointed on the terms of reference set out in the relevant Appendix attached to the submitted report:
 - Governance and Audit Committee (Appendix 1)
 - Overview and Scrutiny Committee (Appendix 2)
 - (ii) That the following committees be appointed, on the terms of reference set out in the relevant Appendix attached to the submitted report:
 - Transport Committee (Appendix 3)
 - West Yorkshire and York Investment Committee (Appendix 4)
 - Leeds City Region Partnership Committee (Appendix 5)
 - (iii) That the following advisory panels be appointed as advisory committees which also report to the LEP Board, on the terms of reference set out in the relevant Appendix attached to the submitted report:
 - Business Innovation and Growth Panel (Appendix 6)
 - Employment and Skills Panel (Appendix 7)
 - Green Economy Panel (Appendix 8)
 - Inclusive Growth and Public Policy Panel (Appendix 9)
 - Place Panel (Appendix 10)
- (b) That, in relation to the appointment of committee members
 - (i) That in accordance with Section 17 Local Government and Housing Act 1989 the Combined Authority appoints its members to:
 - The Transport Committee and the West Yorkshire and York Investment Committee, as set out in Appendix 11 to the submitted report.
 - The Leeds City Region Partnership Committee as follows:
 - each of the 5 Combined Authority Members singly appointed by each constituent council; and
 - the member of the Combined Authority appointed by the non-constituent council (the City of York Council).

- The Business Innovation and Growth Panel, Employment and Skills Panel, Green Economy Panel, Inclusive Growth and Public Policy Panel and the Place Panel as set out in Appendix 12 of the submitted report.
- (ii) That the Combined Authority appoints its members to the Governance and Audit Committee, as set out in Appendix 11 to the submitted report, together with Andy Clayton as an independent member of the Governance and Audit Committee for this municipal year, and (in principle) an additional Independent Member.
- (iii) That the Head of Legal and Governance Service be authorised to progress appointment arrangements for the additional Independent Member of the Governance and Audit Committee, including convening an interview panel to make recommendations to the Combined Authority.
- (iv) That the Combined Authority appoints members and substitutes to the Overview and Scrutiny Committee as set out in Appendix 11 of the submitted report.
- (v) That the Combined Authority co-opts members to:
 - the Transport Committee as set out in Appendix 11;
 - the West Yorkshire and York Investment Committee as set out in paragraph 2 of the submitted report;
 - the advisory panels as set out in Appendix 12 with the addition of Councillor Adam Wilkinson (Calderdale) to the Employment and Skills Panel;
 - the Leeds City Region Partnership Committee as set out in paragraph 2.9 of the submitted report, including a substitute for each member as set out in paragraph 2.10 of the submitted report.
- (c) That, in relation to voting rights for committee members, (in addition to any member of the Combined Authority on the committee exercising one vote)
 - (i) It be noted that any member of a constituent council appointed to the Overview and Scrutiny Committee has one vote and that this may be exercised in their absence by their substitute.
 - (ii) That any member of the City of York Council co-opted to the Overview and Scrutiny Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee) and that any such vote may be exercised in their absence by their substitute.

- (iii) That any Independent Member of the Governance and Audit Committee shall be a voting member of that committee.
- (iv) That any co-opted member of the Leeds City Region
 Partnership Committee shall be a voting member of that
 committee and that a vote may be exercised in their absence
 by their substitute.
- (v) That any constituent council member co-opted to the Transport Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
- (vi) That any constituent council member or member of the City of York Council on the West Yorkshire and York Investment Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
- (vii) That any of the following co-opted to the advisory panels set out in Appendix 12 shall be a voting member:
 - any local authority representative; and
 - any private sector representative.
- (d) That the Combined Authority appoints:
 - Chairs and Deputy Chairs to committees, as set out in paragraph 2.9 of the submitted report for the Leeds City Region Partnership Committee, and Appendices 11 and 12 in respect of other committees and panels; and
 - Councillor Martyn Bolt (Kirklees) to the leader of the opposition position on Transport Committee.
- (e) That Ian Brown and Carolyn Lord continue as Independent Persons in relation to complaints concerning allegations of a breach of the Combined Authority's Members' Code of Conduct on the existing terms for remuneration, until the Combined Authority's annual meeting in 2020.

9. Representation on Outside Bodies

The Combined Authority considered a report of the Director of Corporate Services regarding Combined Authority representation on outside bodies.

It was reported that Rail North Ltd was to be wound up in the near future. However Directors would be re-appointed to the company who will act in the role until Rail North Ltd was wound up.

Resolved: That the appointments to the outside bodies for the municipal year 2019/20 as detailed in Appendix 1 to the submitted report be approved.

10. Governance Arrangements

The Combined Authority considered a report of the Director of Corporate Services in respect of amendments to the Combined Authority's governance documents.

Resolved:

- (a) That the Combined Authority approves the governance documents attached to the submitted report in the following appendices:
 - Procedure Standing Orders Appendix 1
 - Access to Information Annex to Procedure Standing Orders Appendix 2
 - Code of Practice for recording meetings Appendix 3
 - Scrutiny Standing Orders Appendix 4
 - Contracts Standing Orders Appendix 5
 - Financial Regulations Appendix 6
- (b) That the Combined Authority notes the summary of recommendations of the Committee on Standards in Public Life set out in the report (including the best practice recommendations set out in Appendix 7), and the Governance and Audit Committee be requested to review the report issued by the Committee on Standards in Public Life and make any further recommendations in respect of the Combined Authority's standards arrangements.
- (c) That in relation to standards arrangements, the Combined Authority approves the following:
 - Members' Code of Conduct Appendix 8
 - Procedure for Considering Complaints against Members Appendix 9
 - Conflicts of Interest Policy Appendix 10
 - Conflicts of Interest Protocol Appendix 11
- (d) That the Combined Authority agrees the proposals set out in the report, in relation to dispensation arrangements.

11. Corporate Governance Code and Framework

The Combined Authority considered a report of the Director of Corporate Services in respect of a revised Corporate Governance Code and Framework and the Annual Governance Statement for inclusion in the annual statutory accounts.

Resolved:

(a) That the revised Corporate Governance Code and Framework be approved.

(b) That the Annual Governance Statement be endorsed.

12. Members' Allowances Scheme

The Combined Authority considered a report of the Director of Corporate Services in respect of the Members' Allowances Scheme.

The distribution of basic and special responsibility allowances was discussed and it was noted that these were paid to members of the Overview & Scrutiny Committee and Transport Committee to reflect detailed work undertaken by committee members across the region in addition to attendance at formal meetings.

Resolved: That the Members' Allowances Scheme, attached as Appendix 1 to the submitted report, be adopted for the municipal year 2019/20.

13. Officer Arrangements

The Combined Authority considered a report of the Director of Corporate Services in respect of the Combined Authority's Officer Delegation Scheme.

Resolved: That the Officer Delegation Scheme, attached as Appendix 1 to the submitted report, be approved.

14. Scrutiny Annual Report and Statutory Guidance

The Combined Authority considered a report of the Director of Corporate Services on the scrutiny annual report 2018/19 and statutory guidance.

Councillor Liz Smaje, the outgoing Chair of the Overview and Scrutiny Committee, highlighted the work undertaken by the Committee during the 2018/19 municipal year which was outlined in the summary provided in the report.

It was noted that new statutory scrutiny guidance had been issued by Government in May 2019 and the Combined Authority intend to review the current scrutiny arrangements to ensure they are compliant with the new statutory guidance and in line with best practice in scrutiny nationally.

The benefits of scrutiny as part of the organisation's decision making process were welcomed and Councillor Smaje and the Committee were thanked for their work over the last 12 months. It was noted that Councillor Harrand would take over as Chair of the Committee for the 2019/20 municipal year.

Resolved:

(a) That the annual report summarising the work undertaken by the Overview and Scrutiny Committee in 2018/19 be noted.

(b) That the new statutory scrutiny guidance issued by the government and the next steps be noted.

15. Calendar of Meetings 2019/20

The Combined Authority considered a report of the Director of Corporate Services setting out a proposed calendar of meetings for 2019/20.

Resolved:

- (a) That the dates of meetings for the LEP Board as agreed by the LEP Board at its annual meeting be noted.
- (b) That the calendar of meetings of the Combined Authority, its committees and sub-committees for 2019/20, as detailed in Appendix 1 to the submitted report, be approved.

16. Rail Reviews

The Combined Authority considered a report of the Director of Transport Services which provided an update on the following rail reviews:

- Richard George commission
- The Blake Jones Review
- Williams Rail Review

It was noted that Richard George had been invited to the Combined Authority meeting to discuss the main outcomes of the work he had undertaken. However, as he was unable to attend, a briefing for members of the Combined Authority had been arranged and this had taken place on 25 June 2019. The briefing session was held in public. Members had welcomed the meeting which had provided the opportunity for them to ask questions and discuss the work, particularly in respect of the dysfunction of the current state and structure of the railway and the existing franchise process.

Richard George had been appointed by the Government to oversee infrastructure and train operations, working closely with Transport for the North, the Rail North Partnership, Network Rail and the train operators. Richard George's appointment had now concluded and a final report setting out the full details of the findings and responses to the issues raised was due to be published in the near future, subject to Department for Transport sign-off.

Councillor Judith Blake provided an update on the Blake Jones Review which was due to be published in the near future. The review identifies the following four key areas of change:

- A focus on passengers
- Improved accountability
- Better communications and greater transparency

Improved trust and responsiveness

The review will also feed into the review into the structure of the rail industry led by Keith Williams. The work of the Blake Jones review has also fed into the TfN and Combined Authority's responses to the Williams Rail Review. Members considered the Authority's submission in response to the Second Call for Evidence – Objective and Assessment Criteria which was attached at Appendix 1. It was reported that the TfN proposition calls for a strengthened role for TfN in the management of the railway and this had been discussed at the TfN's recent Board meeting. It was proposed that a letter be sent to the two candidates in the current Prime Ministerial election seeking their commitment for more investment and devolved powers for the North.

The Williams Rail Review's findings and recommendations are due to be published in a Government White Paper in Autumn 2019, with reform expected to commence in 2020.

Resolved:

- (a) That the discussion held with Richard George following the conclusion of his appointment be noted.
- (b) That the update on the Blake Jones Review be noted.
- (c) That the final submission to the Williams Rail Review be endorsed.
- (d) That a letter be sent to the two contenders in the current Prime Ministerial election to ask for their commitment for more investment and devolved powers for the North.

17. Capital Spending and Project Approvals

The Combined Authority considered a report of the Director of Delivery on the progression and funding for the following schemes through the Combined Authority's assurance process:

- Mirfield to Dewsbury to Leeds
- South East Bradford Link Road
- Gain Lane Enterprise Zone
- Transport Hubs and Connecting Communities

It was reported that some concerns had been raised regarding the South East Bradford Link Road project and members were advised that all local authorities would be consulted on the scheme.

It was noted that since the last meeting, decisions on the following schemes have been made by the Investment Committee:

- City Connect Phase 3
- Halifax Living

- West Yorkshire Combined Authority Head Office Accommodation Project
- Garforth Rail Station Car Park Extension

In addition to the above decisions, the Authority considered a subdelegation to enable the Investment Committee to make a decision on the revised approval route for the Wakefield City Centre Package Phase 2 Ings Road Scheme.

Details of all the schemes were provided in the submitted report.

Resolved:

(a) In respect of Mirfield to Dewsbury to Leeds (M2D2L) -

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the M2D2L project proceeds through decision point 2 and work commences on activity 3 (outline business case).
- (ii) That an indicative approval of the Combined Authority's contribution of £12.5 million (which will be funded through the West Yorkshire plus Transport Fund) is given with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs). The total project value will be £13 million, this will be funded from a Combined Authority contribution plus £500,000 from the Leeds City Council Section 106 fund).
- (iii) That costs of £325,000 are approved in order to progress the scheme to decision point 3 (outline business case) taking the total project approval to £535,000.
- (iv) That the Combined Authority enters into an addendum to the existing funding agreement with Kirklees Council for additional expenditure of up to £325,000 from the West Yorkshire plus Transport Fund, taking the total funding agreement value to £535,000.
- (v) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report including at decision point 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.
- (b) In respect of South East Bradford Link Road (SEBLR) –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the South East Bradford Link Road scheme proceeds through decision point 2 and work commences on activity 3 (outline business case).
- (ii) That an indicative approval to a maximum Combined Authority's contribution of £46.3 million (which will be funded through the West Yorkshire plus Transport Fund) is given with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs).
- (iii) That additional development costs of £1.213 million are approved in order to progress the scheme to decision point 3 (outline business case), taking the total project approval to £1.304 million.
- (iv) That the Combined Authority enters into an addendum to the existing funding agreement with Bradford Council for expenditure of up to £1.304 million from the West Yorkshire plus Transport Fund.
- (v) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report, including at decision points 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.
- (c) In respect of Gain Lane Enterprise Zone –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the Enterprise Zone Gain Lane project proceeds through decision point 3 (outline business case) and work commences on activity 5 (full business case with finalised costs).
- (ii) That an indicative approval of up to £9.877 million for the Combined Authority contribution to the scheme (subject to finalised due diligence) is given from the Local Growth Fund with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs).
- (iii) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report including at decision point 5 through a delegation to the Investment Committee following a recommendation by the Combined Authority's Programme

Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

(d) In respect of Transport Hubs and Connecting Communities –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the Transport Hubs Improvement and Public Transport Access scheme proceeds through decision point 3 and work commences on activity 5 (full business case with finalised costs).
- (ii) That an indicative approval to the total project value of £8.905 million is given from the Leeds Public Transport Investment Programme with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs).
- (iii) That future approvals are made in accordance with the approval pathway and approval route outlined in the submitted report including at decision points 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.
- (e) That the revised approval route for the Wakefield City Centre Package Phase 2 Ings Road Scheme be approved, to enable the Investment Committee to make the decision on behalf of the Combined Authority.

18. CO2 Emission Reduction Commitments and Activity

The Combined Authority considered a report of the Director of Policy, Strategy and Communications which provided an update on Leeds City Region CO₂ emission reduction commitment and activity.

The report provided an update on the latest CO₂ emission reduction commitments at an international, national, regional and local level. It also provided an overview of the Combined Authority's activity to address CO₂ emissions. The ambition to be a zero-carbon economy has been a longstanding ambition of the Combined Authority and it was acknowledged that over the last few months all five West Yorkshire authorities and York have declared a climate emergency.

Members discussed the Authority's strong commitment to tackle climate change which was outlined in the Leeds City Region Energy Strategy and Delivery Plan. It was noted that the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018 describes the enormous harm that 2°C rise is likely to cause compared with a 1.5°C rise. It also confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-

national authorities, civil society and the private sector. It was agreed this was a climate emergency needing action. Members supported a motion proposed by the Chair to declare a climate emergency in order to strengthen the Authority's commitment. It was agreed that the recommendations of the report be amended and that all future reports to the Combined Authority will comment on what the impact of its decision will have on the climate emergency agenda. A progress report would be brought to a future meeting.

Resolved:

- (a) That the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018 be noted and that the Combined Authority declare a climate emergency.
- (b) That the Combined Authority strengthen its target in line with the IPCC, and once further carbon abatement work is complete, amend the Energy Strategy and Delivery Plan to deliver this target.
- (c) That in order to achieve significant results the Combined Authority will continue to focus on delivering the five key priorities within the Energy Strategy and Delivery Plan.
- (d) That the Combined Authority continue to support a range of low carbon projects being delivered.
- (e) That the Combined Authority work with the Green Economy Panel and wider Local Enterprise Partnership and new Leeds City Region Climate Coalition to achieve the strengthened target and deliver the Energy Strategy and Delivery Plan.
- (f) That future Combined Authority reports will comment on the impact any decision will have on the climate emergency agenda.
- (g) That a report be brought to a future meeting.

19. Corporate Planning and Performance

The Combined Authority considered a report of the Director of Corporate Services which provided an update on corporate performance including progress against corporate plan priorities, risk management and budget position.

The update on progress against the 2018/19 Corporate Plan headline indicators set out in Appendix 1 was noted. It was reported that four indicators were assessed as 'red' and details were outlined in the submitted report. These largely related to unanticipated issues out of the Combined Authority's control. Members discussed the information provided in respect of the MCard sales target and consideration would be given to its future presentation in order to identify the different products. A review of the risk

register had been undertaken and risks updated accordingly which were set out in Appendix 1.

A summary of the 2018/19 final outturn as compared to original budget was attached at Appendix 2 and the draft accounts for 2018/19 have been prepared and published on the website.

Resolved: That the information provided on corporate performance be noted.

20. Proposal to Recruit to the Role of Director, Economic Services

The Combined Authority considered a report of the Managing Director on a proposal to recruit to the role of Director, Economic Services.

It was reported that following a review and re-evaluation of the increased breadth of activities in Economic Services, it was proposed to amend the current Executive Head role to a Director role in the Combined Authority.

Members noted details of the evaluation which were outlined in the report and considered the approach to recruiting to the position.

Resolved:

- (a) That the current Executive Head of Economic Services post be revised to a Director of Economic Services and recruited to on that basis, such change to take effect from the date of appointment.
- (b) That the proposed approach to recruiting to the position, as set out in the submitted report, be endorsed.
- (c) That the Managing Director be delegated authority to undertake the recruitment, including convening an interview panel (with member representation) and, in consultation with the Chair of the Combined Authority and the Chair of the LEP, to make an appointment in accordance with the recommendation of the interview panel.

21. Minutes for Information

The Combined Authority noted the minutes of the committees, panels and LEP Board that have been published on the West Yorkshire Combined Authority's website since the last meeting.

Resolved: That the minutes of the Combined Authority's committees and panels and the LEP Board be noted.