

Report to: West Yorkshire Combined Authority

Date: 24 June 2021

Subject: **Constitutional Arrangements**

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Is this a key decision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information or appendices?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, state paragraph number of Schedule 12A, Local Government Act 1972, Part 1:	

1. Purpose of this report

- 1.1 To ask the West Yorkshire Combined Authority (the Combined Authority) to confirm the Combined Authority's Constitutional arrangements, in so far as these are not otherwise approved on this agenda.

2. Information

- 2.1 The Combined Authority at its meeting on 9 March 2021 agreed to adopt a formal Constitution to provide a robust and integrated governance framework. The Constitution was to incorporate and build on existing governance arrangements so far as possible, while also providing for decision-making in respect of the Mayor and the new functions conferred on the Combined Authority, including the PCC Functions.
- 2.2 Key Constitution documents (including a set of new Articles which set out the legislation underpinning the Combined Authority's governance arrangements), were subsequently approved by the Combined Authority at its meeting in April 2021, mainly to be of effect once the Mayor came into office on 10 May. Further technical amendments for updating and clarification were also approved by the Head of Legal and Governance Services on 7 May 2021.

2.3 The Combined Authority is now asked to approve the Constitution documents set out in the attached appendices 1 – 5 (each being a Part of the Constitution) for the new municipal year. Amendments proposed are principally for updating and clarity and include amendments to update any references to the Director, Corporate Services to the Director, Corporate and Commercial Services. The more significant amendments are outlined below and highlighted in the relevant documents:

App No	Constitution	Document	Amendment
1	Part 1	Introduction	None
2	Part 2	Articles 1 - 14	None other than minor amendments for updating and clarification
3	Part 3	Section 1 - introduction	None
3	Part 3	Section 2.1 - Non-Mayoral Functions - overview	None
3	Part 3	Section 2.2 – Non-Mayoral Functions – reserved to the Combined Authority	To update the list of plans, strategies and policies reserved to the Combined Authority
3	Part 3	Section 3.1 – Mayoral functions overview	None
3	Part 3	Section 3.1.1 - Mayoral General Functions: table	None
3	Part 3	Section 5 Protocol for Concurrent Functions	None – approved by the Combined Authority and Constituent Councils but awaiting signature.
4	Part 4	Procedure Standing Orders	To reflect the revised committee structure including quorum arrangements
4	Part 4	Access to Information Rules	None
4	Part 4	Codes of Practice for Recording CA Meetings	None
4	Part 4	Mayoral Procedure Rules	None
4	Part 4	Budget and Policy Procedure Rules	None
4	Part 4	Scrutiny Standing Orders	To provide for substitute arrangements as set out in the

			agenda item on committee arrangements
4	Part 4	Contract Standing Orders	To update to reflect new Mayoral arrangements, including an appendix related to PCC Functions
4	Part 4	Financial Regulations	To update to reflect changes to titles of existing posts and to include new Mayoral arrangements.
4	Part 4	LEP and CA recruitment and Appointment Procedure for Private Sector Reps	To update to reflect new Mayoral arrangements and committee arrangements (as approved by the LEP Board at its Annual Meeting).
4	Part 4	Petitions Scheme	None
5	Part 5	Code of Conduct for Members	None
5	Part 5	Procedure for complaints against members	To update to reflect new Mayoral arrangements.
5	Part 5	Conflicts of Interest Policy	None
5	Part 5	Conflicts of Interest Protocol - CA/LEP	To update to reflect revised committee arrangements
5	Part 5	Conflicts of Interest Protocol - AEB	To update to reflect revised committee arrangements
5	Part 5	Protocol for Members and Officer Relations	None

3. Tackling the Climate Emergency Implications

3.1 There are no climate emergency implications directly arising from this report.

4. Inclusive Growth Implications

4.1 Contracts Standing Orders provide for addressing social value in relation to procurements.

5. Equality and Diversity Implications

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

6. Financial Implications

6.1 None.

7. Legal Implications

- 7.1 The Combined Authority may amend its Constitutional documents, including standing orders at any time. The proposed amendments ensure that standing orders and other Constitution documents are up to date and fit for purpose.

8. Staffing Implications

- 8.1 None.

9. External Consultees

- 9.1 No external consultations have been undertaken.

10. Recommendations

- 10.1 That the Combined Authority approves the Constitution documents as attached in the following appendices:

Appendix 1 - Introduction

Appendix 2 - Articles 1 - 14

Appendix 3 - Section 1 - introduction

Section 2.1 - Non-Mayoral Functions - overview

Section 2.2 – Non-Mayoral Functions reserved to the Combined Authority

Section 3.1 – Mayoral Overview

Section 3.1.1 - Mayoral General Functions

Section 5 Protocol for Concurrent Functions

Appendix 4 - Procedure Standing Orders

Access to Information Rules

Codes of Practice for Recording Meetings

Mayoral Procedure Rules

Budget and Policy Procedure Rules

Scrutiny Standing Orders

Contract Standing Orders

Financial Regulations

Recruitment and Appointment Procedure for Private Sector Reps

Petitions Scheme

Appendix 5 - Code of Conduct for Members

Procedure for complaints against members

Conflicts of Interest Policy

Conflicts of Interest Protocol - CA/LEP

Conflicts of Interest Protocol - AEB

Protocol for Members and Officer Relations

11. Background Documents

11.1 None.

12. Appendices

- Appendix 1 – Part 1
- Appendix 2 – Part 2
- Appendix 3 – Part 3
- Appendix 4 – Part 4
- Appendix 5 – Part 5