
Report to: West Yorkshire Combined Authority

Date: 24 June 2021

Subject: **Committee Arrangements and Appointments**

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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 appoint committees of the West Yorkshire Combined Authority (the Combined Authority).
- 1.2 To appoint or co-opt members onto the Combined Authority's committees.
- 1.3 To appoint the Chairs and Deputy Chairs of committees of the Combined Authority.
- 1.4 To grant voting rights to some members of the Combined Authority's committees.
- 1.5 To agree portfolio arrangements.
- 1.6 To note that Inclusivity Leads will be designated on thematic committees and on the Finance, Resources and Corporate Committee.
- 1.7 To appoint Independent Persons.

2. Information

Committee structure

- 2.1 At the Combined Authority meeting on 9 March, the Combined Authority considered and approved a proposal to replace existing scrutiny arrangements with three overview and scrutiny committees to cover corporate, economic and transport scrutiny. It was considered important to increase scrutiny and involve more members to broaden the engagement.
- 2.2 At the Combined Authority meeting on 22 April, the Combined Authority considered additional proposals for changes to the Combined Authority's decision-making arrangements, in the context of the new functions and funding arising from the West Yorkshire devolution deal. An overview of the principles and options highlighting the key elements was provided in the submitted report. It was considered that the proposed new arrangements would better reflect the changed role and responsibilities of the Combined Authority following the election of a Mayor for West Yorkshire.
- 2.3 The key features of the revised committee structure agreed in principle at that meeting were:
- the **thematic committees** known as advisory panels to become decision making 'portfolio' committees,
 - retaining **Transport Committee** in its current form (pending review) reflecting the significance of the transport agenda going forward,
 - reformulating the West Yorkshire and York Investment Committee as a **Resources Committee** and extending its remit in relation to financial, organisational, and corporate matters as required
 - **retaining Leeds City Region Partnership Committee** as an advisory committee for deepening collaboration with surrounding authorities such as North Yorkshire (and its districts) and York.
 - **embedding Inclusive Growth** as a 'golden thread' through all committees and decision making and therefore not to continue as a stand-alone panel.
- 2.4 Further to the Mayor coming into office, these proposals have been developed to reflect the Mayor's priorities. In view of the Mayoral pledge relating to a Creative New Deal for West Yorkshire, it is now proposed that a **Culture, Arts and Creative Industries Committee** be appointed.
- 2.5 It is also now proposed that the **Business Investment Panel**, previously a sub-committee of the West Yorkshire and York Investment Committee, continue in its role, but for flexibility, be appointed by the Combined Authority as an advisory committee which may make recommendations to the Combined Authority, any relevant committee (in practice, principally the Business, Economy and Innovation Committee) or an officer.
- 2.6 The review of Transport Committee arrangements agreed by the Combined Authority at its April meeting will be undertaken expeditiously and will report back at an early date. It is expected the review will:

- review the Terms of Reference of the Transport Committee and Scrutiny Committee to ensure no overlap;
- review membership and arrangements to ensure distinctive roles of the two committees, and make recommendations as to changes;
- give options for when these changes could be brought into effect – but not impacting on any appointments made this year.

2.7 The proposed terms of reference for the Combined Authority’s committees are attached to this report as follows:

	Committee	App No	Amendments
Statutory committees	Governance and Audit Committee	1	The terms of reference for the Governance and Audit Committee were updated by the Head of Legal and Governance Services under delegated authority, further to the Mayor coming into office. It is proposed that the function of considering and determining any matter within the delegated authority of a Director be carried out by relevant new decision-making committees, and therefore removed from the terms of reference.
	Corporate Scrutiny Committee	2	<ul style="list-style-type: none"> • New
	Economic Scrutiny Committee	3	<ul style="list-style-type: none"> • New
	Transport Scrutiny Committee	4	<ul style="list-style-type: none"> • New
Decision-making ordinary committee	Finance, Resources and Corporate Committee	5	<ul style="list-style-type: none"> • New
Thematic decision-making ordinary	Business, Economy and Innovation Committee	6	<ul style="list-style-type: none"> • New

	Committee	App No	Amendments
	Climate, Energy and Environment Committee	7	<ul style="list-style-type: none"> • New
	Culture, Arts and Creative Industries Committee	8	<ul style="list-style-type: none"> • New
	Employment and Skills Committee	9	<ul style="list-style-type: none"> • New
	Place Regeneration and Housing Committee	10	<ul style="list-style-type: none"> • New
	Transport Committee	11	<ul style="list-style-type: none"> • Some interim revisions made to reflect the move to a mayoral authority and the introduction of new thematic committees; amendments highlighted. Further revisions may be proposed in the light of recommendations flowing from the review.
Advisory committees	Business Investment Panel	12	<ul style="list-style-type: none"> • Minor amendments for updating purposes, to reflect it is no longer a sub-committee of the West Yorkshire and York Investment Committee.
	Leeds City Region Partnership Committee	13	<ul style="list-style-type: none"> • Minor amendments for updating purposes only; the function of advising the Combined Authority in respect of its role as accountable body for the Leeds City Region is proposed to fall within the terms of reference of the new Finance, Resources and Corporate Committee.

2.8 The Combined Authority approves and sets the approval pathways and routes for schemes progressing under the Leeds City Region Assurance Framework (at decision-point 2). To date, approvals have been delegated to the West Yorkshire and York Investment Committee, or the Managing Director only. Under the new arrangements, it is proposed that the new thematic committees will be able to progress schemes under the Assurance Framework when given

delegated authority to do so, by an approval pathway or route agreed by the Combined Authority. If meeting timescales do not provide for decisions to be taken in a timely manner by the thematic committees, it is proposed that the Finance, Resources and Corporate Committee make those decisions. Any changes to the Transport Committee delegations in relation to schemes progressing under the Assurance Framework will be considered as part of the forthcoming review of Transport Committee as referenced above at paragraph 2.6 and therefore are not being proposed in the interim. In order to enable this transition to a new model, it is proposed that in respect of existing schemes where an approval pathway and route has already been determined by the Combined Authority, the Finance, Resources and Corporate Committee may make any decision previously delegated under any approval pathway or route to the West Yorkshire and York Investment Committee, and may also update an existing approval pathway or route, to provide for any decision to be considered by the relevant thematic committee. These proposals are reflected in the terms of reference for the Finance, Resources and Corporate Committee, and for the new thematic committees.

- 2.9 To facilitate embedding new arrangements, a further report may be brought to the Combined Authority's meeting in July in respect of more detailed ways of working between the committees.
- 2.10 It is anticipated that for the new municipal year, the Transport Committee will appoint five District Consultation Sub-Committees.

Appointments to committees

- 2.11 **Appendix 14** to this report sets out proposed appointments to the Combined Authority's committees of Combined Authority Members and Co-optees for committees, including:
- any local authority representative, further to nominations from relevant councils,
 - any LEP Board member or other private sector representative, further to nominations by the LEP Board,
 - any ex-officio representative of any relevant body, (reflecting a desire to have wide ranging advisory support across committees).
- 2.12 The proposed appointments to the **Governance and Audit Committee** comply with statutory requirements relating to membership as set out in paragraph 7 of this report. It is proposed that the current Independent Member Joanna Wardman is re-appointed to the Governance and Audit Committee, and that following advertisement and interview, Debbie Simpson is appointed as an additional Independent Member, to fill the existing vacancy, in accordance with the recommendation of the interview panel. Debbie Simpson is a qualified accountant with significant relevant experience at a range of public sector organisations and governance arrangements.
- 2.13 In relation to the proposed appointments to the **overview and scrutiny** committees, due to outstanding nominations at the time of publication it is not

at present possible to confirm that appointments comply with statutory requirements relating to membership as set out in paragraph 7 of this report. This may therefore need to be reviewed at the July meeting, once those nominations are received. It is proposed that the members of the overview and scrutiny committees together form a pool from which substitute members may be drawn.

- 2.14 A Substitute Combined Authority Member may substitute for that member at any meeting of the Combined Authority where the member is absent, including any relevant committee meeting, although the Procedure Standing Orders provide that a Substitute Member may not exercise any special powers or duties exercisable by the member for whom they are substituting, including chairing; a meeting where the Chair is absent would therefore be chaired by any Deputy Chair.
- 2.15 In relation to Co-optees, it is proposed that the Combined Authority continues to appoint a substitute Co-optee for each of the Co-optees who are members of the Leeds City Region Partnership Committee, as confirmed to the Head of Legal and Governance Services by the relevant Monitoring Officer.
- 2.16 It is also proposed that a protocol is developed to facilitate the co-ordination of appointments with Constituent Councils and opposition members going forward.
- 2.17 Where any nominations are outstanding at this meeting, appointments will be reported back to the Combined Authority at its July meeting.

Voting Rights

- 2.18 It is proposed that any Independent Member on the **Governance and Audit Committee** will be a voting member of that Committee, in addition to the Combined Authority Members on the committee.
- 2.19 By law, each member of an **overview and scrutiny committee** from a Constituent Council must have one vote, which may be exercised in their absence by their substitute. Any member of an overview and scrutiny committee appointed by the Non-Constituent Council by law is non-voting, unless granted voting rights by resolution of the Combined Authority; it is proposed that they are non-voting.
- 2.20 In relation to the **thematic decision-making committees** other than Transport Committee, it is proposed that in addition to each Combined Authority Member exercising 1 vote:
- each Co-optee from a Constituent Council exercises 1 vote,
 - the LEP Board member Co-optee who is Deputy Chair exercises 1 vote, and
 - any Co-optee from the Non-Constituent Council is non-voting.

By law, other private sector representatives on these committees must be non-voting, as are representatives of other bodies appointed ex-officio.

2.21 In relation to the **Business Investment Panel**, it is proposed that addition to each Combined Authority Member exercising one vote:

- each Co-optee from a Constituent Council exercises 1 vote, and
- the Private Sector Representative Co-optee who is Deputy Chair exercises 1 vote.

It is proposed that the other Co-optees on the committee are non-voting.

2.22 In addition to Combined Authority Members, it is proposed that each Co-optee (or their substitute) of the **Leeds City Region Partnership Committee**, an advisory committee, may exercise 1 vote.

2.23 Proposed voting rights are set out in **Appendix 14**.

Chairing and portfolio arrangements

2.24 Proposed chairing arrangements, together with the position of leader of the opposition for Transport Committee, are set out in **Appendix 14**.

2.25 Each Chair will be the **portfolio lead** for issues within the remit of their committee.

2.26 In terms of the chairing arrangements for Transport Committee, it is proposed that the portfolio lead will chair this for consistency with the other thematic committees, but given the significant pace of change, a Lead Member, Public Transport will be appointed (who will also discharge the role of Deputy Chair), together with a Lead Member, Active Travel as set out in Appendix 14. It is also proposed to appoint a leader of the opposition group on the committee.

Inclusivity Leads

2.27 It is proposed that each thematic committee is asked to designate an Inclusivity Lead. This will ensure that equality, diversity and inclusion is fully embedded in the objectives of the committees.

Quorum

2.28 The agenda item on constitutional arrangements sets out proposed revisions to the Procedure Standing Orders, in relation to the quorum for each committee.

Appointment of Independent Persons

2.29 The Combined Authority is required to have Independent Persons available to act in relation to complaints concerning allegations of a breach of the Combined Authority's Members' Code of Conduct. Ian Brown and Carolyn

Lord currently carry out this role. Both have confirmed their continuing eligibility to be Independent Persons for 2021/22. It is proposed that both are now appointed for a further municipal year on the current terms, with the appointments to be reviewed for the next municipal year.

3. Tackling the Climate Emergency Implications

- 3.1 The new Climate, Energy and Environment Committee will have responsibility for developing, delivery and oversight of the Combined Authority's climate, energy and environment policy.

4. Inclusive Growth Implications

- 4.1 The designation of an inclusivity lead to each thematic decision-making committee will assist in embedding Inclusive Growth as a 'golden thread' through the Combined Authority's decision-making arrangements. It is anticipated that each committee will be responsible for inclusive growth indicators relevant to its remit.

5. Equality and Diversity Implications

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

6. Financial Implications

- 6.1 Changes to the Members' Allowances Scheme further to the revised committee structure are set out in a separate item on this agenda.

7. Legal Implications

- 7.1 The Combined Authority must appoint a statutory audit committee, which must by law include at least one Independent Member. The membership of an audit committee taken as a whole must by law reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the Constituent Councils (West Yorkshire councils) when taken together.
- 7.2 The political balance requirement set out in 7.1 also applies to the overview and scrutiny committees.
- 7.3 The Chair of an overview and scrutiny committee must, by law, either be an "independent person" or else an "appropriate person" who is a member of one of the Constituent Councils (that is, a person who is not a member of a registered political party of which the Mayor is a member).
- 7.4 The appointment of Co-optees from the Constituent Councils onto Transport Committee and other ordinary committees is not required to be politically balanced.

- 7.5 If no appointment is made by the Combined Authority, a committee shall appoint its own Chair and/or Deputy Chair.
- 7.6 Section 28 Localism Act 2011 requires the Combined Authority to appoint at least one Independent Person to act in relation to complaints concerning allegations of a breach of the Combined Authority's Members' Code of Conduct.

8. Staffing Implications

- 8.1 None.

9. External Consultees

- 9.1 No external consultations have been undertaken.

10. Recommendations

- 10.1 In relation to appointment of committees, that the Combined Authority:

10.1.1 **appoints** each of the following **statutory committees** with the terms of reference set out in the relevant Appendix:

- Governance and Audit Committee (**Appendix 1**)
- Corporate Scrutiny Committee (**Appendix 2**)
- Economic Scrutiny Committee (**Appendix 3**)
- Transport Scrutiny Committee (**Appendix 4**)

10.1.2 **appoints** with the terms of reference set out in **Appendix 5**, a Finance, Resources and Corporate Committee.

10.1.3 **appoints** each of the following **thematic committees**, with the terms of reference set out in the relevant Appendix:

- Business, Economy and Innovation Committee (**Appendix 6**)
- Climate, Energy and Environment Committee (**Appendix 7**)
- Culture, Arts and Creative Industries Committee (**Appendix 8**)
- Employment and Skills Committee (**Appendix 9**)
- Place, Regeneration and Housing Committee (**Appendix 10**)
- Transport Committee (**Appendix 11**)

10.1.4 **appoints** the following **advisory committees**, with the terms of reference set out in the relevant Appendix:

- Business Investment Panel (**Appendix 12**)
- Leeds City Region Partnership Committee (**Appendix 13**).

- 10.2 In relation to the appointment of committee members, that the Combined Authority:

- 10.2.1 resolves to appoint Combined Authority Members to the **Governance and Audit Committee**, as set out in **Appendix 14**, Joanna Wardman and Debbie Simpson as Independent Members of the Governance and Audit Committee for this municipal year.
- 10.2.2 resolves to **appoint Combined Authority Members** as set out in the attached **Appendix 14**, to:
- the **Finance, Resources and Corporate Committee**,
 - each of **the thematic committees**,
 - the **Business Investment Panel**, and
 - the **Leeds City Region Partnership Committee**.
- 10.2.3 resolves to appoint members as set out in **Appendix 14**, and substitutes as set out in paragraph 2 of the report to the **overview and scrutiny committees**.
- 10.2.4 resolves to **co-opt members** to committees of the Combined Authority as set out in **Appendix 14**, and in addition appoint a substitute for each Co-optee on the Leeds City Region Partnership Committee, as set out in paragraph 2 of the report.
- 10.3 In relation to **voting rights** for committee members, (in addition to any Combined Authority Member exercising one vote) that the Combined Authority:
- 10.3.1 resolves that any Independent Member of the **Governance and Audit Committee** shall be a voting member of that committee.
- 10.3.2 notes that any member of a Constituent Council appointed to an **overview and scrutiny committee** has one vote and resolves that this may be exercised in their absence by their substitute.
- 10.3.3 resolves that any **Co-optee from a Constituent Council** on any **ordinary decision-making committee** (including any thematic committee) shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
- 10.3.4 resolves that any **Co-optee** who is **Deputy Chair** of a committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
- 10.3.5 resolves that any Co-optee on 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.
- 10.4 That the Combined Authority:
- appoints the **Chairs and Deputy Chairs** to committees, as set out in **Appendix 14**,

- agrees the **portfolio arrangements** set out in paragraph 2 of this report,
- appoints a Lead Member, Public Transport, a Lead Member, Active Travel on Transport Committee and a leader of the opposition for the committee, as set out in **Appendix 14**, and
- asks each thematic committee to designate an **Inclusivity Lead**.

10.5 That the Combined Authority resolves 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 2022.

11. Background Documents

None.

12. Appendices

Appendix 1 – Governance and Audit Committee, Terms of Reference

Appendix 2 - Corporate Scrutiny Committee, Terms of Reference

Appendix 3 - Economic Scrutiny Committee, Terms of Reference

Appendix 4 – Transport Scrutiny Committee, Terms of Reference

Appendix 5 – Finance, Resources and Corporate Committee, Terms of Reference

Appendix 6 – Business, Economy and Innovation Committee, Terms of Reference

Appendix 7 - Climate, Energy and Environment Committee, Terms of Reference

Appendix 8 - Culture, Arts and Creative Industries Committee, Terms of Reference

Appendix 9 - Employment and Skills Committee, Terms of Reference

Appendix 10 - Place Regeneration and Housing Committee, Terms of Reference

Appendix 11 -Transport Committee, Terms of Reference

Appendix 12 – Business Investment Panel, Terms of Reference

Appendix 13 - Leeds City Region Partnership Committee, Terms of Reference

Appendix 14 – Schedule of appointments