
Report to:	Transport Scrutiny Committee
Date:	22 September 2021
Subject:	Scrutiny and governance arrangements

Director:	Angela Taylor, Corporate and Commercial Services
Author:	Khaled Berroum, Statutory Scrutiny Officer

1. Purpose of this report

- 1.1 To note scrutiny and governance arrangements pertaining to the Overview and Scrutiny function in general and the Transport Scrutiny Committee in particular.
- 1.2 To note terms of reference, committee remits, quorum rules and meeting dates.

2. Information

Background – expansion of scrutiny in 2021/22

- 2.1 Following the election of West Yorkshire's first mayor, and as of the Combined Authority's annual meeting on 24 June 2021, the Combined Authority's overview and scrutiny function was expanded from the previous single *Overview & Scrutiny Committee* to three scrutiny committees: *Corporate*, *Economy* and *Transport*. The number of members increased from the previous 18 to 48, with 16 members appointed to each of the three committees. An additional scrutiny support officer was also approved for recruitment to increase the scrutiny function's overall capacity.

Terms of Reference - Transport Scrutiny Committee

- 2.2 The terms of reference for the Transport Scrutiny Committee are attached as **Appendix 1**.

Remits - Scrutiny Committees

- 2.3 As a supplement to the general terms of reference for each committee, the scrutiny chairs and deputy chairs met to discuss the apportionment of

overview and scrutiny responsibilities for the committees to ensure all Combined Authority activity is being overseen by at least one scrutiny committee and to avoid overlaps where possible – with environmental issues being the most obvious overlap and split between corporate/organisational, economic/private sector and transport/decarbonisation. The remit overview is attached as **Appendix 2**.

Scrutiny Standing Orders and Constitution

- 2.4 This year the Combined Authority adopted a constitution and amended the [Scrutiny Standing Orders](#) to take into account three committees instead of the previous one. These are attached as **Appendix 3**.

Quorum and meeting dates

- 2.5 Standing Order 9 requires a scrutiny committee to hold at least four quorate meetings a year. Four meetings have been agreed for each scrutiny committee for the 2021/22 municipal year, once every two months. Furthermore, one meeting has been designated as a dedicated Mayors Question Time session. A list of meetings dates (all beginning at the new time of 10am on Wednesdays) are as follows:
- 23 September 2021
 - 18 November 2021
 - 20 January 2022 – Mayors Question Time
 - 10 March 2022
- 2.6 The **quorum is set by legislation at two-thirds of voting members** and cannot be reduced. No formal decision, recommendation or resolution may be taken by an inquorate meeting. The quorum for a 16-member committee is 11. A member must be physically present to be counted in the quorum.

Membership

- 2.7 Legally speaking, a combined authority overview and scrutiny committee must reflect “so far as reasonably practicable the balance of political parties prevailing among the *constituent councils*¹ when taken together”.
- 2.8 The political balance requirements were recalculated following the 2021 local and mayoral elections. The political balance remained somewhat the same as previous years with little measurable change overall. Now that there were three scrutiny committees instead of one, the political balance was calculated across the three committees to allow for the greatest level of representation of all parties which qualified. Of the 48 scrutiny members, 26 are Labour, 14 are Conservative, 6 are Liberal Democrat, 1 is Green and 1 is from an Independent Group (Morley Borough Independents).
- 2.9 All scrutiny members must be formally appointed at the Combined Authority’s annual meeting, in accordance with the nominations put forward by each

¹ Meaning West Yorkshire councils

council. Usually changes in membership require ratification at a Combined Authority meeting with the exception of some delegations allowing for filling of vacancies that arise in between meetings.

2.10 Scrutiny Standing Order 1 allows members of one scrutiny committee to substitute for members of other scrutiny committees, preferably from the same party and district if possible. Substitutes also count in the quorum and can vote on behalf of the member they are substituting for.

2.11 The Transport Scrutiny Committee members this year are as follows:

Member	Council	Party
<i>Vacancy</i>	Bradford	Labour
Luke Majkowski	Bradford	Conservative
Ruth Wood	Bradford	Labour
Peter Caffrey	Calderdale	Conservative
Amanda Parsons-Hulse	Calderdale	Liberal Democrat
Dot Foster	Calderdale	Labour
Donald Firth	Kirklees	Conservative
Yusra Hussain	Kirklees	Labour
Anthony Smith	Kirklees	Liberal Democrat
Sharon Hamilton	Leeds	Labour
Robert Finnigan	Leeds	Morley Borough Independent
Paul Wray	Leeds	Labour
Harry Ellis	Wakefield	Labour
Nic Stansby	Wakefield	Conservative
<i>Vacancy</i>	Wakefield	Labour
Stephen Fenton	York	Liberal Democrat

2.12 Current legislation requires a Scrutiny Chair to be from a different political party to the Mayor or the party that “has the most representatives among the members of the constituent councils on the combined authority”. The current Mayor Tracy Brabin represents the Labour Party and therefore a Scrutiny Chair cannot be a member of the Labour Party.

2.13 Cllr Amanda Parsons-Hulse was nominated and appointed by the Combined Authority as Chair of the Transport Scrutiny Committee and Cllr Peter Caffrey was nominated and appointed as Deputy Chair.

Code of conduct for members and declaring pecuniary interests

2.14 All members and substitutes are bound by the [Code of Conduct for Members](#) and have a legal responsibility to complete a Declaration of Pecuniary Interests form within 28 days of being appointed to the committee.

2.15 Other relevant information and documents relating to members (accessible on the Combined Authority’s website) include:

- [Members’ Allowance Scheme](#)
- [Member and Officer Protocols](#)
- [Conflicts of Interest Policy](#)
- [Procedure Standing Orders](#)

Statutory scrutiny guidance

- 2.16 The last statutory guidance ([‘*Overview and scrutiny: statutory guidance for councils and combined authorities*’²](#)) was issued by the government in May 2019. [Scrutiny Standing Order 16](#) obligates the Overview and Scrutiny Committee and the Combined Authority to have regard to any guidance issued by the Secretary of State.

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 There are no inclusive growth implications directly arising from this report.

5. Financial Implications

- 5.1 There are no financial implications directly arising from this report.

6. Legal Implications

- 6.1 There are no legal implications directly arising from this report.

7. Staffing Implications

- 7.1 There are no staffing implications directly arising from this report.

8. External Consultees

- 8.1 No external consultations have been undertaken.

9. Recommendations

- 9.1 That the Transport Scrutiny Committee notes the scrutiny and governance arrangements for 2021/22.

10. Background Documents

[Scrutiny Standing Orders](#) (Part 4, Section 6- WYCA Constitution) (2021/22)

[Constitution, West Yorkshire Combined Authority](#)

All other governance documents for the Combined Authority and the Leeds City Region Enterprise Partnership (LEP) can be found [here](#).

² <https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities>

[‘Overview and scrutiny: statutory guidance for councils and combined authorities’](#) (7 May 2019, Ministry of Housing, Communities and Local Government - MHCLG)

11. Appendices

Appendix 1 – Transport Scrutiny Committee Terms of Reference

Appendix 2 – Scrutiny Committees Remits

Appendix 3 – Scrutiny Standing Orders