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**Report to:** Transport Scrutiny Committee

**Date:** 23 September 2021

**Subject:** **Transport Committee Governance Review**

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**Director:** Dave Pearson, Director of Transport and Property Services

**Author:** Richard Crabtree, Rail Development Manager

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## **1 Purpose of this report**

- 1.1 To inform Transport Scrutiny Committee on the scope, process and timeframes for the Transport Committee Governance Review.
- 1.2 To provide members with the opportunity to comment on the review.

## **2 Information**

### **Background and scope**

#### Scope of the review

- 2.1 The review of Transport Committee was signalled as part of the governance changes implemented for the 2021/22 municipal year, prompted by the transition to a Mayoral Combined Authority. These wider changes were agreed at the Combined Authority annual meeting on 24 June 2021.
- 2.2 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 engagement.
- 2.3 This Transport Scrutiny Committee is part of the new arrangements. Members will be aware that the committee consists of 16 members and that it must be chaired by a member from a political party different from that of the Mayor.
- 2.4 The scope of the Transport Committee Review set out to the Combined Authority is to:

- 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;
  - review the role of District Consultation Sub-Committees; and
  - give options for when these changes could be brought into effect – but not impacting on any appointments made this year.
- 2.5 The review is internal. Existing terms of reference for Transport Committee, Transport Scrutiny Committee and the District Consultation Sub Committees are included at **Appendix 1**.

#### Review process and timeframes

- 2.6 The review is being led by Cllr Susan Hinchcliffe, Chair of the Transport Committee. The lead officer for the review is Dave Pearson, Director of Transport and Property Services.
- 2.7 Engagement with members is ongoing. This includes discussions with the chairs of the new Transport Scrutiny and Corporate Scrutiny committees and portfolio holders.
- 2.8 Discussion on this report is an opportunity for members of the Committee to comment on the Review. The Transport Committee consider the review at its meeting on 17 September 2021. Membership of the District Consultation Sub-Committees will also be provided with an opportunity to comment on the review.
- 2.9 Any further feedback from committee members on the review can be submitted to Dave Pearson by Friday, 1 October 2021, via [dave.pearson@westyorks-ca.gov.uk](mailto:dave.pearson@westyorks-ca.gov.uk) .
- 2.10 Recommendations will subsequently be brought to the Combined Authority meeting on 9 December 2021. This will include the proposed membership structure, terms of reference and role profiles.
- 2.11 The proposed structure will then be subject to review by the Independent Remuneration Panel, to report back early in 2022. This will allow for the new arrangements to be implemented for the 2022/23 municipal year.

#### **Future role of Transport Committee**

##### Governance changes

- 2.12 The transition to a Mayoral Combined Authority has resulted in changes to powers and functions. These are set out in Part 3 of the Constitution of the West Yorkshire Combined Authority; a link is provided in **Background Documents**.

- 2.13 The Combined Authority continues its core functions as local transport authority, travel concession authority and transport authority for West Yorkshire. Transport functions are a major part of the Authority's statutory duties, many of which are not discretionary. This potentially justifies a governance and set of processes that may look different to arrangements for other areas of the Authority's activity.
- 2.14 Some transport functions are reserved to the Mayor (Mayoral Functions) and cannot be delegated to committees. This includes the bus franchising powers, and local transport plan adoption. In these cases, the role of the Combined Authority (and its committees) is advisory. The Transport Scrutiny Committee's role is in respect of both Mayoral and Non-Mayoral functions.
- 2.15 Additional powers have been established for the Combined Authority and Mayor as part of the Mayoral Order. This includes additional discretionary highways powers, for example. These changes underline the transition of the Authority beyond a public transport remit to a broad transport remit, including active travel modes.
- 2.16 The governance changes agreed at the Combined Authority annual meeting in June 2021 established five new portfolio sub-committees of the Combined Authority, alongside Transport Committee. Terms of reference and membership are set out in Item 7 of that meeting, a link is included in the **Background Documents**.
- 2.17 Each of these committees has relevant delegations from the Combined Authority. The thematic sub-committees are as follows:
- Business, Economy and Innovation
  - Climate, Energy and Environment
  - Culture, Arts and Creative Industries
  - Employment and Skills
  - Place, Regeneration and Housing
  - Transport Committee
- 2.18 Each is chaired by a Combined Authority member holding the relevant portfolio. Other than Transport Committee, voting membership of these committees includes relevant portfolio holders from the constituent councils, and includes non-voting LEP, private sector and advisory representation. The governance structure established for the newly established committees provides a context and potential model for the Transport Committee Governance Review.

#### Role of Transport Committee

- 2.19 As well as informing the development of transport strategy, Transport Committee has important potential roles and contributions to make in respect of:

- Providing a steer on decisions for tendered bus services, school transport and Access Bus.
- Overseeing and establishing a strategy for passenger information and other Metro-branded activity.
- Overseeing and informing the strategy for the Authority's transport assets.
- Setting and monitoring concessionary fares schemes, and providing direction on integrated and multi-modal ticketing initiatives.
- Development, shaping and prioritisation of a pipeline of transport investment projects.
- Transport-related capital approvals.
- Monitoring implementation of programmes and projects.

2.20 The changing context for the Combined Authority and Mayor, including the Mayor's suite of pledges, also means a changing and potentially growing role for the Transport Committee in respect of:

- **Bus reform**, including development of the enhanced partnership in West Yorkshire, and informing the Mayor's bus franchise proposals.
- **Rail reform**, including defining West Yorkshire's local role in the rail network as the Williams-Shapps Plan for Rail proposals are implemented.
- **Mass Transit** development.
- **Key Route Network** power and responsibilities relating roads.
- **Multi-modal integration**, including a growing role in promoting active travel choices as part of an integrated transport network for West Yorkshire.

2.21 Transport Committee, including the District Consultation Sub-Committees currently perform a role in holding public transport operators to account, including monitoring the performance of the network. The review will ensure that this function continues to be addressed, including the potential role of the Transport Scrutiny Committee in undertaking this role.

2.22 Transport Committee and the District Consultation Sub-Committees have provided a valuable way to engage a broader range of elected members from amongst the constituent councils in the transport activity of the Combined Authority. The review will address ways to ensure there continues to be opportunities to secure this engagement, recognising that the Transport Scrutiny Committee now also provides this opportunity.

2.23 Public consultation and engagement on transport matters is also important, for informed policy development that addresses community needs, but also (for example) on individual decisions on services. The review will consider how to ensure that there are appropriate channels for public engagement. This will be addressed by considering the future role of the District Consultation Sub-

committees, and in considering, for example, the role of public petitions as part of Transport Committee proceedings.

- 2.24 Engagement with industry partners and bodies such as Transport Focus is currently achieved through several industry forums and panels (e.g. Bus Expert Panel, Rail Operator Forum) which are chaired by the Lead Member Public Transport, as well as through the Transport Committee working groups. The Review will ensure there continues to be appropriate engagement, including potentially as non-voting members of the Committee.
- 2.25 The review will also be informed by a comparison of arrangements that have developed in other Mayoral Combined Authority areas, particularly those that previously had Integrated Transport Authority arrangements in place. This will include consideration of the wider roles of the Chair and Lead Member responsibilities, recognising that the Lead Member, Public Transport role is currently a substantial one.

### **3 Tackling the Climate Emergency Implications**

- 3.1 The future effectiveness of the Transport Committee in informing and shaping the Combined Authority and Mayor's transport policies and plans is crucial to achieving the Authority's carbon reduction ambitions.
- 3.2 The review will ensure that Transport Committee can perform an appropriate role in this, having regard to the role of the Climate, Energy and Environment Committee.

### **4 Inclusive Growth Implications**

- 4.1 In considering the scope and membership of the Transport Committee in future, the Review will have regard to ensuring that inclusive growth implications are considered.

### **5 Equality and Diversity Implications**

- 5.1 In considering the scope and potential membership of the Transport Committee, the role of specific equality and diversity champions will be addressed. This will include potential for representative non-voting members, in common with the model being applied to the other portfolio committees.
- 5.2 Consideration of the future role of the District Consultation Sub-Committees will also address the way that the Authority ensures that a representative cross section of the public is engaged in policy and decision-making processes.

### **6. Legal Implications**

- 6.1 There are no financial implications directly arising from this report.
- 6.2 The review is likely to lead to governance changes that will be considered as part of the proposed changes.

## **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 information provided in this report and the deadline of 1 October 2021 to provide feedback is noted and any comments provided.

## **10. Background Documents**

The West Yorkshire Combined Authority Constitution can be accessed online via this link: <https://www.westyorks-ca.gov.uk/about-us/governance-and-transparency/governance-information-for-the-combined-authority/>

West Yorkshire Combined Authority meeting, 24 June 2021, Item 7, Committee Arrangements and Appointments is available here: <https://westyorkshire.moderngov.co.uk/mgAi.aspx?ID=7675>

## **11. Appendices**

Appendix 1: Existing terms of reference for Transport Committee, Transport Scrutiny Committee and the District Consultation Sub Committees.