

**Report to:** West Yorkshire Combined Authority

**Date:** 9 December 2021

**Subject:** **Governance Arrangements**

**Director:** Angela Taylor, Director of Corporate and Commercial Services

**Author:** Angie Shearon, Governance Services Manager

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:	
Are there implications for equality and diversity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## 1. Purpose of this report

- 1.1 To approve the proposed minor amendments to Scrutiny Standing Orders in respect of substitute arrangements and frequency of meetings.
- 1.2 To approve extensions to the terms of office of private sector members appointed to Combined Authority committees.
- 1.3 To appoint advisory representatives to the Culture, Arts & Creative Industries Committee.
- 1.4 To approve a change in chairing arrangements of the Governance and Audit Committee.
- 1.5 To appoint a representative and substitute to the Transport for the North General Purposes Committee.

## 2. Information

### Scrutiny Standing Orders – substitute arrangements

- 2.1 To improve quoracy of meetings, amendments are proposed to Scrutiny Standing Orders (Part 4, Procedure Rules, Section 4.6 of the Constitution) to

clarify substitute pool arrangements and allow scrutiny members currently without a substitute (from the same party and authority on another scrutiny committee) to nominate an additional member to act as their permanent substitute. Most of the members requiring a substitute are from the smaller parties and groups which have fewer representation across the three committees and therefore are not able to operate a substitute pool system.

- 2.2 It is proposed that existing paragraph 1.2 of Scrutiny Standing Orders is deleted and replaced with paragraphs 1.2 and 1.3 below (changes also highlighted in track changes in **Appendix 1**):

***Proposed wording for Scrutiny Standing Order 1:***

- 1.2 *A member of any overview and scrutiny committee may substitute for any member of a different overview and scrutiny committee from the same party and district.*
- 1.3 *Where a member has no substitute alternate from the same party and district on another overview and scrutiny committee, an additional substitute from the same party and district may be nominated and appointed to act as their substitute.*
- 2.3 As soon as the amendment is effective, the following Members will be entitled to nominate a substitute from their party and district:

<b>Member</b>	<b>District</b>	<b>Committee</b>	<b>Party</b>
Jeanette Sunderland	Bradford	Corporate Scrutiny	Liberal Democrats
Amanda Parsons-Hulse	Calderdale	Transport Scrutiny	Liberal Democrats
Andrew Cooper	Kirklees	Corporate Scrutiny	Greens
Anthony Smith	Kirklees	Transport Scrutiny	Liberal Democrats
Robert Finnigan	Leeds	Transport Scrutiny	Morley Borough Independents
Jonathan Bentley	Leeds	Economy Scrutiny	Liberal Democrats
Rachel Melly	York	Corporate Scrutiny	Labour

**Scrutiny Standing Orders – number of meetings**

- 2.4 The Combined Authority's Scrutiny Standing Orders currently obligate scrutiny committees to hold "at least four ordinary meetings ... in each year". Following a review of constitutions and standing orders in our partner authorities and other mayoral combined authorities, it is proposed that the wording be amended to remove a necessity for a minimum number of meetings in order to reflect the current practice which is that scrutiny decides how often they should meet to discharge their duties. This amendment will also prevent situations where scrutiny committees are forced to arrange additional unneeded meetings to make up for an inquorate meeting earlier in the year.
- 2.5 It is proposed that the following paragraph in Scrutiny Standing Order 9 is amended as follows (changes also highlighted in track changes in **Appendix 1**):

### ***Proposed new wording in Scrutiny Standing Order 9:***

- 9.1 Overview and scrutiny committees will schedule regular meetings and meet as often as required to effectively discharge their functions.*

### **Private sector members appointed to Combined Authority Committees – extensions to term of office**

- 2.6 The Combined Authority is asked to note that the terms of office of a number of private sector representatives appointed to thematic committees are due to come to an end imminently. At its meeting on 30 November, the LEP Board recommended that the terms are extended as a reflection of the valuable contribution those members make to the work of the Combined Authority and the LEP and recognising the importance of ensuring continuity whilst work is ongoing to refresh membership of all thematic committees over the coming months. A recruitment campaign is to be undertaken to attract new private sector members from a range of sectors, backgrounds, geography and experience whilst ensuring equality and diversity across our membership.

The Combined Authority is now asked to approve the extensions to membership as set out in **Appendix 2**.

### **Culture, Arts & Creative Industries Committee - appointment of advisory representatives**

- 2.7 At its Annual Meeting on 24 June 2021, the Combined Authority resolved to appoint the Culture, Arts & Creative Industries Committee. In line with the composition of other thematic decision-making committees, it was agreed that membership would include representatives from the Combined Authority, the LEP Board, local authority, and private sector together with advisory representatives from the creative and cultural sector with relevant knowledge, skills and experience to enhance the work of the Committee.
- 2.8 At its meeting on 22 October, the Combined Authority appointed private sector members to the Committee and are now asked to approve the appointment of the advisory representatives as detailed in **Appendix 3** attached.

### **Appointment of Chair of the Governance and Audit Committee**

- 2.9 The Combined Authority is asked to consider a change in the chairing arrangements of the Governance and Audit Committee. Prior to the annual meeting in 2021, in line with recommended good practice, the position of chair of the Committee was held by one of the two independent persons appointed to the Committee. Following the stepping down of the independent member who previously chaired the Committee, Cllr Susan Hinchcliffe (Combined Authority member), was appointed to chair the Committee on a temporary basis. It is now proposed that Debbie Simpson, independent member, replace Councillor Hinchcliffe as Chair.

## **Transport for the North – General Purposes Committee**

- 2.10 At its meeting on 29 September 2021, the Transport for the North (TfN) Board agreed to establish the General Purposes Committee, which is allowed for under Transport for the North's constitution. The TfN General Purposes Committee brings together ten members in regional groupings to allow certain business to be conducted between full meetings of the Board.
- 2.11 The appointments to the TfN General Purposes Committee represent the Combined Authority and the City of York Council as a regional grouping. Those appointed must be TfN Board Members or substitutes. It is now proposed that the following members be appointed to the TfN General Purposes Committee:

**Representative:** Councillor Susan Hinchcliffe  
**Substitute:** Mayor Tracy Brabin

The City of York Council have confirmed their agreement to the proposed joint appointments.

### **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. Equality and Diversity Implications**

- 5.1 The members nominated as scrutiny substitutes may affect the overall diversity of the scrutiny membership, however this is not something the Combined Authority has any control over.
- 5.2 A recruitment campaign is planned in the coming months to attract new private sector members to the Combined Authority's committees from a range of sectors, backgrounds, geography, and experience with particular regard to attracting an equal and diverse membership.

### **6. Financial Implications**

- 6.1 There are no financial implications directly arising from this report as scrutiny substitutes are not paid an allowance.

### **7. Legal Implications**

- 7.1 Legislation allows mayoral combined authorities to implement their own substitute arrangements on overview and scrutiny committees.
- 7.2 The appointments to the TfN General Purposes Committee represent the Combined Authority and the City of York Council as a regional grouping. Those appointed must be TfN Board Members or substitutes.

## **8. Staffing Implications**

- 8.1 Support for the new scrutiny substitutes will be covered by the existing scrutiny team.

## **9. External Consultees**

- 9.1 External consultations have been undertaken with the City of York Council to seek agreement on the appointment of the member and substitute member of the City of York Council.

## **10. Recommendations**

- 10.1 That the Combined Authority approves the amendments to Scrutiny Standing Orders as outlined in paragraphs 2.2 and 2.5 above respectively and in **Appendix 1** attached.
- 10.2 That the Combined Authority approve the extensions to the terms of office of the private sector representatives set out in **Appendix 2** attached.
- 10.3 That the Combined Authority appoint advisory representatives to the Culture, Arts & Creative Industries Committee set out in **Appendix 3** attached.
- 10.4 That the Combined Authority appoint independent member, Debbie Simpson, as Chair of the Governance and Audit Committee with immediate effect replacing Councillor Susan Hinchcliffe.
- 10.5 That the Combined Authority approves the appointment of the following members to the TfN General Purposes Committee as set out in paragraph 2.10 of this report:

<b>Representative:</b>	Councillor Susan Hinchcliffe
<b>Substitute:</b>	Mayor Tracy Brabin

## **11. Background Documents**

[Scrutiny Standing Orders](#) (Constitution, Part 4 Procedure Rules, Section 4.6)

## **12. Appendices**

Appendix 1 – Scrutiny Standing Orders (Section 4.6, Constitution)

Appendix 2 – Private sector member - extensions to term of office

Appendix 3 – Advisory representatives - Culture, Arts & Creative Industries Committee