

Report to: West Yorkshire Combined Authority

Date: 23 June 2022

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

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 that each decision-making committee continues to designate an Inclusivity Lead.
- 1.6 To confirm the continuing appointment of Independent Persons.

2. Information

Appointment of Committees

- 2.1 The Combined Authority must by law appoint an audit committee and an overview and scrutiny committee. The proposed terms of reference for the **Governance and Audit Committee** are attached as **Appendix 1**.
- 2.2 The Combined Authority currently has three overview and scrutiny committees to cover corporate, economy and transport scrutiny. Following consultation with the chairs of these three committees **it is proposed to amend the Terms of Reference for the Economy and Transport overview and scrutiny committees** to seek to achieve a more balanced workload by revising the remit. To update the name of the now Culture, Arts and Creative Industries Committee to Culture, Heritage and Sport Committee and incorporate these into the Terms of Reference for Economy and moving 'place, regeneration and housing' into the remit of the Transport Overview and Scrutiny Committee which becomes Transport/Infrastructure. The proposed terms of reference for the three **Overview and Scrutiny Committees** are attached as **Appendices 2, 3 and 4** to this report.
- 2.3 It is proposed that the following additional decision-making committees are appointed, with the proposed terms of reference attached as appendices to this report:
- Business, Economy & Innovation (**Appendix 5**)
 - Climate, Energy & Environment (**Appendix 6**)
 - Culture, Heritage, and Sport (**Appendix 7**)
 - Employment & Skills (**Appendix 8**)
 - Finance, Resources & Corporate (**Appendix 9**)
 - Place, Regeneration & Housing (**Appendix 10**)
 - Transport (**Appendix 11**)
- 2.4 The proposed terms of reference for the committees listed in paragraph 2.3 above remain unchanged from the previous municipal year subject to the following:

Committee	Appendix	Amendment proposed
Culture, Heritage, and Sport	Appendix 7	Change the Terms of Reference to include Heritage and Sport
Place, Regeneration and Housing	Appendix 10	Minor amendment to cross reference to the new name of Culture, Heritage and Sport Committee
Transport	Appendix 11	New Terms of Reference brought into effect as agreed by the Combined Authority on 17 March 2022

Appointments to committees

- 2.5 **Appendix 12** 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).
- 2.6 The LEP Board nominations for private sector representatives on committees includes a number of proposed new co-optees following a recent recruitment exercise led jointly by Committee Chairs and Deputy Chairs with officer support.
- 2.7 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 two current Independent Members Joanna Wardman and Debbie Simpson are re-appointed to the Governance and Audit Committee.
- 2.8 The proposed appointments to the **overview and scrutiny** committees comply with statutory requirements relating to membership as set out in paragraph 7 of this report.
- 2.9 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.
- 2.10 Where any nominations are outstanding at this meeting, appointments will be reported back to the Combined Authority at its July meeting.

Voting Rights

- 2.11 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.
- 2.12 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.

2.13 In relation to the **thematic decision-making committees**, 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 Chair¹ 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.

2.14 Proposed voting rights are set out in **Appendix 12**

Chair and Deputy Chair arrangements

2.15 Proposed chairing arrangements including arrangements for a Deputy Chair are set out in **Appendix 12**.

Inclusivity Leads

2.16 It is proposed that each decision-making committee continues to designate an Inclusivity Lead. This will ensure that equality, diversity and inclusion is fully embedded in the objectives of the committees.

Quorum

2.17 The quorum for each of the Committees remains unchanged and is set out in the Procedure Standing Orders in Part 4 of Constitution.

Appointment of Independent Persons

2.18 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 2022/23. 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 Climate, Energy and Environment Committee will have responsibility for developing, delivery and oversight of the Combined Authority's climate, energy and environment policy.

¹ For clarification, the position of Deputy Chair on Transport Committee will be held by a Constituent Council co-optee and not a LEP Board member. However, one of the two LEP Board members on Transport Committee will have voting rights.

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. Each committee is responsible for inclusive growth indicators relevant to its remit.

5. Equality and Diversity Implications

- 5.1 Each committee designates an Inclusivity Lead; this will ensure that equality, diversity and inclusion is fully embedded in the objectives of the committees.

6. Financial Implications

- 6.1 Changes to the Members' Allowances Scheme further to the revisions to Transport Committee as agreed by the Combined Authority on 17 March 2022 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**)
- Economy Scrutiny Committee (**Appendix 3**)
- Transport/Infrastructure Scrutiny Committee (**Appendix 4**)

10.1.2 **appoints** each of the following **decision-making committees**, with the terms of reference set out in the relevant Appendix:

- Business, Economy and Innovation Committee (**Appendix 5**)
- Climate, Energy and Environment Committee (**Appendix 6**)
- Culture, Heritage, and Sport Committee (**Appendix 7**)
- Employment and Skills Committee (**Appendix 8**)
- Finance, Resources and Corporate Committee (**Appendix 9**)
- Place, Regeneration and Housing Committee (**Appendix 10**)
- Transport Committee (**Appendix 11**)

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 12**, 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 **Appendix 12**, to each of the **decision-making committees**

10.2.3 resolves to appoint members as set out in **Appendix 12** 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 12**

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** 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).

10.4 That the Combined Authority:

- appoints the **Chairs and Deputy Chairs** to committees, as set out in **Appendix 12**
- asks each decision-making committee to designate an **Inclusivity Lead** for this municipal year.

- 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 2023.

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: Economy Scrutiny Committee, Terms of Reference
Appendix 4: Transport/Infrastructure Scrutiny Committee, Terms of Reference
Appendix 5: Business, Economy and Innovation Committee, Terms of Reference
Appendix 6: Climate, Energy and Environment Committee, Terms of Reference
Appendix 7: Culture, Heritage, and Sport Committee, Terms of Reference
Appendix 8: Employment and Skills Committee, Terms of Reference
Appendix 9: Finance, Resources and Corporate Committee, Terms of Reference
Appendix 10: Place Regeneration and Housing Committee, Terms of Reference
Appendix 11: Transport Committee, Terms of Reference
Appendix 12: Schedule of appointments