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**Report to:** Corporate Scrutiny Committee

**Date:** 23 September 2022

**Subject:** **Scrutiny and governance arrangements**

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## 1. Purpose of this report

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

## 2. Information

### Terms of Reference - Corporate Scrutiny Committee

- 2.1 At the Annual Meeting the Combined Authority resolved to appoint the Corporate Scrutiny Committee, with the terms of reference as attached as **Appendix 1**.

### Scrutiny Standing Orders and Constitution

- 2.2 The Combined Authority has a constitution and [Scrutiny Standing Orders](#) to manage and govern the rules and processes that Scrutiny is subject to. These are attached as **Appendix 2**.

### Quorum and meeting dates

- 2.3 As in previous years, four meetings have been agreed for each scrutiny committee for the 2022/23 municipal year, once every two months. Furthermore, one meeting has been designated as a dedicated Mayors Question Time session. The meeting dates are as follows:
  - 23 September 2022, 11am
  - 18 November 2022, 10am – Mayors Question Time
  - 20 January 2023, 10am

- 10 March 2023, 2pm

2.4 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

2.5 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*<sup>1</sup> when taken together”.

2.6 The political balance requirements were recalculated following the 2022 local elections. The political balance remained somewhat the same as previous years with little change overall. As there are three scrutiny committees, the political balance is calculated across the three committees to allow for the greatest level of representation of all parties which qualified. Of the 48 scrutiny members; 27 are Labour, 12 are Conservative, 6 are Liberal Democrat, 2 are Green and 1 is from an Independent Group (Morley Borough Independents).

2.7 All scrutiny members must be formally appointed at the Combined Authority’s annual meeting, in accordance with the nominations put forward by each council. Changes in scrutiny membership between Combined Authority meetings can be ratified by delegated responsibilities given to the Monitoring Officer.

2.8 The Corporate Scrutiny Committee members this year are as follows:

<b>Member</b>	<b>Council</b>	<b>Party</b>
Alun Griffiths	Bradford	Liberal Democrat
Carol Thirkill	Bradford	Labour
Geoff Winnard	Bradford	Conservative
Mike Barnes	Calderdale	Labour
Brenda Monteith	Calderdale	Conservative
Megan Swift	Calderdale	Labour
Moses Crook	Kirklees	Labour
Paul Davies	Kirklees	Labour
Susan Lee-Richards	Kirklees	Green
Jane Dowson	Leeds	Labour
Peter Harrand	Leeds	Conservative
Paul Wray	Leeds	Labour
Samantha Harvey	Wakefield	Conservative
David Jones	Wakefield	Labour
Elizabeth Rhodes	Wakefield	Labour
Fiona Fitzpatrick	York	Labour

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<sup>1</sup> Meaning West Yorkshire councils

- 2.9 The committee welcomes the following as new members:
1. Alun Griffiths, previously a substitute
  2. Brenda Monteith
  3. Moses Crook
  4. Susan Lee-Richards, previously a substitute
  5. Paul Wray, previously on transport scrutiny
  6. Samantha Harvey, previously on economy scrutiny
  7. Fiona Fitzpatrick, previously a substitute
- 2.10 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.
- 2.11 Cllr Peter Harrand was re-nominated and re-appointed by the Combined Authority as Chair of the Corporate Scrutiny Committee and Cllr Geoff Winnard was re-nominated and re-appointed as Deputy Chair.
- 2.12 Scrutiny Standing Order 1 allows members of one scrutiny committee to substitute for members of other scrutiny committees, from the same party and district. Substitutes count in the quorum and can vote on behalf of the member they are substituting for. Members who do not have a member from the same party and district on another committee to substitute for them, may appoint a full-time substitute – this year, these members are;
1. Alun Griffiths, Bradford, Lib Dem – *substitute to be confirmed*
  2. Fiona Fitzpatrick, Labour, York – substitute is Rachel Melly

#### Code of conduct for members and declaring pecuniary interests

- 2.13 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.
- 2.14 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

- 2.15 The last statutory guidance ([‘Overview and scrutiny: statutory guidance for councils and combined authorities’<sup>2</sup>](#)) was issued by the government in May 2019. [Scrutiny Standing Order 16](#) obligates the Overview and Scrutiny

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

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 The terms of reference require this, and all committees, to promote inclusive growth in its actions.

4.2 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

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

5.1 The terms of reference require this, and all other committees, to consider equality and diversity in its actions and decision making.

5.2 The diversity of the committee will be kept under review and steps will be taken, in future recruitment campaigns, to ensure as far as possible that the membership is representative of the population we serve.

### **6. Financial Implications**

6.1 There are no financial implications directly arising from this report.

### **7. Legal Implications**

7.1 There are no legal implications directly arising from this report.

### **8. Staffing Implications**

8.1 There are no staffing implications directly arising from this report.

### **9. External Consultees**

9.1 No external consultations have been undertaken.

### **10. Recommendations**

10.1 That the Corporate Scrutiny Committee notes the scrutiny and governance arrangements for 2022/23.

### **11. Background Documents**

[Scrutiny Standing Orders](#) (Part 4, Section 6 of the Constitution) (2022/23)

## [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](#).

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

## **12. Appendices**

Appendix 1 – Corporate Scrutiny Committee Terms of Reference

Appendix 2 – Scrutiny Standing Orders