
Report to: Corporate Scrutiny Committee

Date: 22 September 2023

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 at **Appendix 1**. It also appointed two other scrutiny committees covering Transport/Infrastructure and Economy issues.

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. The standing orders are attached as **Appendix 2** and the constitution is linked under 'Background Documents'.

Meeting dates and quorum

- 2.3 As in previous years, four meetings have been agreed for each scrutiny committee for the 2023/24 municipal year, once every two months between September and March, with a work planning meeting in July. Furthermore, one meeting has been designated as a dedicated Mayor's Question Time session. The meetings dates are as follows:

- 22 September 2023, 10am
- 24 November 2023, 10am
- 19 January 2024, 10am – Mayor’s Question Time
- 8 March 2024, 2pm (*moved from 15 March at 10am*)

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, including approval of minutes. The quorum for a 16-member committee is 11. A member must be physically present to be counted in the quorum and all meetings must legally take place in person.

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*¹ when taken together”.

2.6 The political balance requirements were recalculated following the 2023 local elections and it 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 and Deputy Monitoring Officer.

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

Member	Council	Party
Alun Griffiths	Bradford	Liberal Democrats
David Nunns	Bradford	Conservative
Ralph Berry	Bradford	Labour
Mike Barnes	Calderdale	Labour
Brenda Monteith	Calderdale	Conservative
Rahat Khan	Calderdale	Labour
Susan Lee-Richards	Kirklees	Green
Jo Lawson	Kirklees	Labour
Moses Crook	Kirklees	Labour
Barry Anderson	Leeds	Conservative
Jane Dowson	Leeds	Labour
Paul Wray	Leeds	Labour
Samantha Harvey	Wakefield	Conservative
Richard Forster	Wakefield	Labour

¹ Meaning West Yorkshire councils

Betty Rhodes	Wakefield	Labour
Andrew Waller	York	Liberal Democrats

2.9 The committee welcomes the following as new members:

1. David Nunns
2. Ralph Berry
3. Rahat Khan
4. Jo Lawson
5. Barry Anderson
6. Richard Forster
7. Andrew Waller

Scrutiny Chair

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. This principle also applies to any deputy chair.

2.11 Cllr Barry Anderson was nominated and appointed by the Combined Authority as the new Chair of the Corporate Scrutiny Committee at the annual meeting in June, and Cllr Brenda Monteith was nominated and appointed as the new Deputy Chair.

Substitutes

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 scrutiny committee, may appoint a full-time substitute – this year, these members are;

1. Alun Griffiths, Lib Dem, Bradford (*substitute, Aislin Naylor*)
2. Susan Lee-Richards, Green, Kirklees (*substitute, Andrew Cooper*)
3. Andrew Waller, Lib Dem, York, (*substitute to be confirmed*)

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](#)
- [Procedure Standing Orders](#)

Statutory scrutiny guidance

- 2.15 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 new and updated 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

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

10.1 That the Corporate Scrutiny Committee notes the scrutiny and governance arrangements for 2023/24.

11. Background Documents

[Scrutiny Standing Orders](#) (Part 4, Section 6 of the Constitution) (2023/24)

[Constitution, West Yorkshire Combined Authority](#)

All other governance documents for the Combined Authority 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