

Report to: Transport Committee

Date: 6 July 2018

Subject: **Governance arrangements**

Director: Angela Taylor, Director of Resources

Author(s): E Davenport

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:	

1 Purpose of this report

- 1.1 To advise Transport Committee of the committee's terms of reference approved by the West Yorkshire Combined Authority (the Combined Authority) at its Annual Meeting, and of appointments to the Transport Committee.
- 1.2 To appoint District Consultation Sub-Committees, their members and Chairs.
- 1.3 To appoint a Local Bus Working Group.
- 1.4 To delegate functions to the Managing Director in relation to:
 - the granting or renewal of commercial leases in specified circumstances, and
 - the renewal of leases of parcels of land required for the siting of bus shelters.

2 Information

Transport Committee

2.1 Attached for information as **Appendix 1** to this report are revised terms of reference approved by the Combined Authority at its Annual Meeting on 28 June 2018. Minor amendments approved for 2018/19 and highlighted are:

- reference inserted to reflect the budget resolution of the Combined Authority that the committee might approve of any individual scheme costing £3 million or under within the Integrated Transport Block of the Capital Programme.
- reference inserted to supporting the Combined Authority's ambition for inclusive growth.

2.2 The Combined Authority at its Annual Meeting also appointed:

- Councillor Groves as Chair of the committee,
- Councillor Firth as Deputy Chair of the committee,
- Councillor Martyn Bolt as leader of the opposition on the committee.

District Consultation Sub-Committees

2.3 It is proposed that Transport Committee re-appoint the five advisory District Consultation Sub-Committees, each acting as a conduit for consultation for one of the five constituent council areas. It is proposed that each member of the Transport Committee co-opted from a constituent council is appointed as a voting member of the relevant Sub-Committee. Members of the public are also invited to attend and speak as public representatives, and elected Members from constituent councils also regularly attend. **Appendix 2** to this report sets out proposed **terms of reference** for the District Consultation Sub-Committees (unchanged from last year). The Transport Committee is also asked to appoint a **Chair** for each committee.

2.4 Proposed **dates of meetings** for sub-committees are set out in **Appendix 3**.

Local Bus Services Working Group

2.5 In previous years, the Transport Committee has also established a Local Bus Services Working Group, to provide oversight of the application of the criteria for the supported local bus services and input into the procurement process for tendered services. It is proposed that this Working Group is re-established for this municipal year. **Appendix 4** to this report sets out **terms of reference and arrangements** for the Working Group, with a suggested update highlighted for information, clarifying the application of the Members' Code of Conduct to members attending.

Delegations to the Managing Director

- 2.6 To date, the Managing Director has exercised authority directly delegated by the Combined Authority under its Officer Delegation Scheme, to dispose of leasehold interests in land in accordance with Section 10(1) Transport Act 1968, (provided that the disposal is on normal commercial terms to tenants occupying properties owned by the Combined Authority for uses appropriate to the business of the Combined Authority, or of benefit to the travelling public). In practice, the delegation is exercised to facilitate the granting and renewal of commercial leases at bus stations. The delegated authority does not extend to the approval of leases to be granted on terms equivalent to a capital disposal or in circumstances where to do so could impede strategic redevelopment by the Combined Authority.
- 2.7 As this function falls within the terms of reference of Transport Committee, it is now proposed that to promote transparency and accountability, the Transport Committee now directly delegates this function to the Managing Director, making the Managing Director directly accountable to the committee for any decisions made in the exercise of this delegation.
- 2.8 The Combined Authority provides over 8,000 bus shelters for the use of the travelling public in West Yorkshire. The majority of these are installed on the highway. However, some bus shelters are installed on small parcels of privately owned land leased to the Combined Authority. Entering into such leases and determining the terms for their renewal is a function which falls within the terms of reference of Transport Committee.
- 2.9 To facilitate the renewal of any such lease, it is proposed that Transport Committee delegates authority to the Managing Director to approve the renewal of any such leases and the terms of any such renewal, in accordance with Section 10(1) of the Transport Act 1968.

3 Financial Implications

- 3.1 The post of chair of a District Consultation Sub-committee attract a special responsibility allowance under the Combined Authority's Members' Allowances Scheme.

4 Legal Implications

- 4.1 The Combined Authority's Procedure Standing Orders (including statutory access to information provisions), apply to meetings of the District Consultation Sub-committees. These provisions do not apply to the Local Bus Services Working Group.
- 4.2 Political balance requirements do not apply to the appointment of co-optees to an advisory committee or sub-committee.

5 Staffing Implications

- 5.1 There are no staffing implications directly arising from this report.

6 External Consultees

6.1 No external consultations have been undertaken.

7 Recommendations

7.1 That the Transport Committee:

7.1.1 Notes the **terms of reference** for **Transport Committee** attached as **Appendix 1** to this report.

7.1.2 Notes the following **appointments** made by the Combined Authority:

- Councillor Groves as Chair of Transport Committee,
- Councillor Eric Firth as Deputy Chair of Transport Committee,
- Councillor Martyn Bolt as Leader of the Opposition on Transport Committee.

7.1.3 Establishes a **District Consultation Sub-Committee** for the municipal year 2018/19 for each constituent council area, with the **terms of reference** set out in **Appendix 2** to this report.

7.1.4 **Appoints** to the relevant **District Consultation Sub-Committee** each Transport Committee member co-opted from a constituent council as a voting member.

7.1.5 Appoints a **Chair** for each **District Consultation Sub-Committee**.

7.1.6 Agrees that each District Consultation Sub-Committee meets on the **dates** set out in **Appendix 3** to this report.

7.1.7 Re-establishes the **Local Bus Services Working Group** for the municipal year 2018/19, with terms of reference and arrangements as set out in **Appendix 4** to this report.

7.1.8 Delegates authority to the Managing Director to dispose of leasehold interests in land under Section 10(1) Transport Act 1968, provided that any disposal:

- is on normal commercial terms to tenants occupying properties owned by the Combined Authority for uses appropriate to the business of the Combined Authority, or of benefit to the travelling public, and
- is not on terms equivalent to a capital disposal nor in circumstances where the disposal could impeded strategic redevelopment by the Combined Authority.

7.1.9 Delegates authority to the Managing Director to approve in accordance with Section 10(1) of the Transport Act 1968 the renewal of any lease to the Combined Authority for the purpose of providing a bus shelter, and the terms of any such renewal.

8 Background Documents

None.

9 Appendices

- Appendix 1 – Terms of Reference of Transport Committee
- Appendix 2 – Terms of reference for District Consultation Sub-Committees
- Appendix 3 – Proposed meeting dates for District Consultation Sub-Committees
- Appendix 4 - Terms of reference and arrangements for the Local Bus Services Working Group