

Report of City Solicitor

Report to Full Council

Date: 26th March 2014

Subject: Appointments and nominations to the West Yorkshire Combined Authority

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: N/A Appendix number: N/A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The West Yorkshire Combined Authority Order establishes a West Yorkshire Combined Authority (the WYCA). Membership of the WYCA is set out in the Order, and comprises of 10 members.
2. In preparation for the establishment of a WYCA, a Shadow Board has been set up with representation from the five West Yorkshire Councils, City of York Council and the LEP. This has met regularly to consider the proposed operating arrangements for the WYCA, including proposals for an appropriate committee structure including size and composition for consideration by the WYCA at its first meeting.
3. This report asks full Council to make appointments to the WYCA, to take effect from the date the WYCA is created, expected to be 1 April 2014.
4. This report also seeks approval for proposed nominations for co-optees to the committees of the WYCA for its consideration at its first meeting.

1 Purpose of this report

1.1 To ask full Council to:

- appoint Members and substitute Members to serve on the West Yorkshire Combined Authority (WYCA) and
- nominate Members to be co-opted by the WYCA onto its committees, and to authorise the Chief Executive in consultation with the Group Leaders to make any additional nominations for co-optees onto the WYCA's committees

2 Background information

- 2.1 The terms of the Leeds City Region (LCR) 'City Deal' concluded with the Government in July 2012, included significant devolved powers and funding, covering transport, an economic infrastructure investments fund, trade and inward investment including skills and worklessness.
- 2.2 At its meeting on 1 July 2013, full Council considered the findings of a statutory review of governance arrangements relating to transport, economic development and regeneration, together with the results of a consultation exercise.
- 2.3 For the reasons set out in the review document, full Council agreed that the establishment of a Combined Authority for the area of West Yorkshire would be likely to improve:
- the exercise of statutory functions relating to economic development,
 - regeneration and transport in the area;
 - the effectiveness and efficiency of transport in the area; and
 - the economic conditions in the area.
- 2.4 Full Council endorsed a Final Scheme (including a proposal that the West Yorkshire ITA and the West Yorkshire PTE were dissolved and their individual functions, property, rights, liabilities and staff transferred to the Combined Authority), and consented to the inclusion of Leeds City Council in the area of the Combined Authority. Full Council also agreed that the City of York Council and the Leeds City Region Local Enterprise Partnership should be invited to join the Combined Authority.
- 2.5 Based on the submitted scheme, the DCLG prepared and consulted on a draft Order for the creation of a West Yorkshire Combined Authority (the WYCA).
- 2.6 The West Yorkshire Combined Authority Order was laid on 12th February 2014. The Order provides for the WYCA to be established from 1 April 2014, and sets out the membership of the WYCA.
- 2.7 A Shadow Board has been working on the arrangements for the WYCA, and has made recommendations about the appointment and membership of committees by the WYCA at its first meeting on 1st April 2014.

3 Main issues

3.1 Members of the WYCA

3.1.1 The Order provides that membership of the WYCA consists of 10 members as follows:

- each of the five West Yorkshire councils (the constituent councils) to appoint one member
- three of the constituent councils to appoint a further member to reflect so far as reasonably practicable the political balance position across West Yorkshire
- City of York Council (the non-constituent council) to appoint one member
- West Yorkshire Local Enterprise Partnership (LEP) to nominate one member to be appointed by the WYCA itself.

3.1.2 The Shadow Board recommends that each constituent council should appoint its Leader as a member of the WYCA. It further recommends that the additional members should be Leaders of opposition groups.

3.1.3 It has been agreed that Leeds City Council should appoint an additional Member to the WYCA at its inception in April 2014.

3.2 Substitute Members of the WYCA

3.2.1 The Order provides for each of the constituent councils and City of York Council to, where appropriate; appoint a substitute member to act in the absence of each member appointed to the WYCA, and for the LEP to nominate a substitute member.

3.3 Transport Committee

3.3.1 The Shadow Board recommends that membership of the Transport Committee be 15 – consisting of 4 members from Leeds City Council (one of which will be the Leeds City Council Opposition Member as the WYCA member), with a further 4 members from Bradford, 3 members from Kirklees and two from each of Wakefield and Calderdale.

3.4 West Yorkshire and York Investment Committee

3.4.1 The Shadow Board recommends that the membership of this committee should consist of 8 members made up as follows:

- 2 members (to be Chair and Deputy Chair) to be appointed by the WYCA
- 1 member to be nominated by each of the constituent councils and by City of York Council, (co-opted onto the committee by the WYCA).

3.4.2 The Shadow Board suggests that each Council nominates their Cabinet Member with responsibility for regeneration within their portfolio.

3.5 Governance and Audit Committee

3.5.3 The Shadow Board recommends that the membership of this committee will be 6 members as follows:

- 1 member to be nominated by each of the five constituent councils and by City of York Council.

3.5.4 The Shadow Board has suggested that each Council nominates the Chair of their Audit Committee.

3.6 Overview and Scrutiny Committee

3.6.1 The Order requires the WYCA to appoint one or more committees as an overview and scrutiny committee. The Shadow Board has recommended that one committee is appointed, with a membership of 18 members (3 members to be nominated by each of the five constituent councils and by the City of York Council).

3.6.2 The Shadow Board has suggested that Councils may wish to reflect their approach to the allocation of places on Overview and Scrutiny Committees between Party Groups in determining the balance of their nominations.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Formal consultation was undertaken on the draft West Yorkshire Governance Review and draft Combined Authority Scheme.

4.1.2 The Shadow Board has developed the proposals for committee membership in preparation for the first meeting of the Combined Authority.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 As a public authority, the WYCA will need to ensure its policies, services and functions give proper consideration to equality, diversity, cohesion and integration as far as these affect service users, employees and the wider community.

4.2.2 The screening form relating to an EDCI impact assessment is attached as an appendix to this report.

4.3 Council policies and City Priorities

4.3.1 The 'City Deal' will bring powers and resources that will support the Vision for Leeds; Children and Young Peoples City Priority Plan; Sustainable Economy and Culture City Priority Plan; the Housing and Regeneration City Priority Plan; and the Leeds Growth Strategy, as well as the LCR Transport Strategy and WY Local Transport Plan.

4.4 Resources and value for money

4.4.1 It is anticipated that the running costs of the WYCA should be no more than the arrangements that it replaces, by utilising existing capacity currently within the constituent councils and the PTE, and no significant new staffing structures.

4.4.2 In the long term, it is estimated that efficiencies will be delivered by better co-ordinating existing authorities and associated bodies and organisations.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report does not contain any confidential or exempt information, and the decision is not open to call in, as it is a council function.
- 4.5.2 The appointment and nomination of representatives to serve on the WYCA is a responsibility of the full Council.
- 4.5.3 The WYCA Order requires that the WYCA members appointed by constituent councils taken as a whole reflect so far as reasonably practicable the balance of political parties for the time-being prevailing among members of the constituent councils. The recommended appointments set out in paragraph 6 of this report comply with this requirement.
- 4.5.4 Although Full Council is invited to make nominations to the WYCA for co-optees to the committees of the WYCA, the power of appointment of the co-optees rests with the WYCA itself.

4.6 Risk Management

- 4.6.1 The appointment and nominations of Leeds City Council Members mitigate the risk of decisions being made by the WYCA without sufficient input from Leeds City Council Members.

5 Conclusions

- 5.1 The appointment and nomination of Members as recommended in this report will facilitate Leeds City Council members acting as members and co-opted members of the WYCA.

6 Recommendations

- 6.1 Full Council are recommended to appoint the following to the WYCA with effect from 1 April 2014:

	Labour	Conservative	Liberal Democrat
WYCA member	Cllr K Wakefield	Cllr Andrew Carter	
WYCA substitute member	Cllr J Blake	The substitute Conservative Party member will be appointed by another Constituent Council	Cllr Stewart Golton (as substitute for the Liberal Democrat Member of the CA appointed by Calderdale MBC)

- 6.2 Full Council is recommended to make the following nominations for co-optees to the committees of the WYCA and to delegate authority to the Chief Executive, in consultation with the Group Leaders, to make any additional nominations to the WYCA:

Committee	Labour	Conservative	Liberal Democrat
Transport Committee ¹ (4 Members)	Cllr James Lewis Cllr Michael Lyons Cllr Kim Groves	Cllr Andrew Carter	
West Yorkshire and York Investment Committee (1 member – suggested cabinet member for regeneration)	Cllr Richard Lewis (Executive Member with responsibility for regeneration)		
Governance and Audit Committee (1 member – Chair of Audit committee)	Cllr Ghulam Hussain		
Overview and Scrutiny Committee (3 members)	Leader's nominee (to be confirmed) Leader's nominee (to be confirmed)	Leader's nominee (to be confirmed)	

7 Background documents²

7.1 None

¹ These Members will also comprise the Leeds District Engagement Sub Committee of the Transport Committee.

² The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.