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MEETING OF COUNCIL

13TH NOVEMBER 2013

LATE ITEM OF BUSINESS AND SUPPLEMENTARY INFORMATION

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Agenda Item 3



Councillors

Legal & Democratic Services

Governance Services

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Our Ref:

Your Ref:

8 November 2013

Dear Councillor

COUNCIL – 13th NOVEMBER 2013

Please find attached for your attention the following information which will be considered at Council next week:-

Late Item - Consultation Response Regarding Combined Authority

Item 10 Executive Board minutes of the 6th November 2013
South Outer Area Committee minutes of the 21st October 2013.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

Kevin Tomkinson
Principal Governance Officer



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EXECUTIVE BOARD

WEDNESDAY, 6TH NOVEMBER, 2013

PRESENT: Councillor J Blake in the Chair

Councillors S Golton, M Dobson, P Gruen,
R Lewis, L Mulherin, A Ogilvie and
L Yeadon

SUBSTITUTE MEMBER Councillor J Procter

106 Chair of the Meeting

Under the terms of Executive and Decision Making Procedure Rule 3.1.5, in the absence of the Leader, Councillor Wakefield, who had submitted his apologies for absence from the meeting, Councillor Blake, as Deputy Leader, presided as Chair of the Board for the duration of the meeting

107 Substitute Member

Under the terms of Executive and Decision Making Procedure Rule 3.1.6, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter, who had submitted his apologies for absence from the meeting.

108 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- a) Appendix A to the report entitled “Park and Ride” referred to at Minute 121 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information), which if disclosed to the public would, or would be likely to, prejudice the commercial interests of that person or of the Council. The appendix sets out the detail of the tender returns from the bus operators and recommends the preferred bidder; and as the award of the contract is yet to be announced, it is therefore deemed in the public interest not to disclose this information at this time for reasons of commercial confidentiality and proper contract procedures
- b) Appendix A to the report entitled “Sovereign Square” referred to in Minute 124 is exempt under Access to Information Rule 10.4 (3) of Schedule 12A(3) of the Local Government Act 1972 as it contains information relating to the financial or business affairs of any particular

person (including the authority holding that information). The appendix sets out the details of the budget requirements for the delivery of the whole scheme and it is considered that the public interest in maintaining the exemption in relation to this confidential appendix outweighs the public interest in disclosing the information by reason of the fact that it contains information and financial details which, if disclosed would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

109 Late Items

A late item of business entitled, ‘Parking Permit Charges’ was admitted to the agenda. There was a need to consider the report as a late item of business in order that the matter could be taken into account during forthcoming 2014-15 budget round considerations; to enable the development of a forward strategy for the future management of Residents Parking schemes to commence; and to draw to an early conclusion the present consideration of this matter and provide feedback to the public (Minute No. 125 refers).

110 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

111 Minutes

RESOLVED – That the minutes of the previous meeting held 9th October 2013 be agreed as a correct record

CHILDREN’S SERVICES

112 Basic Need Programme : Permission to Consult on School Expansion Proposal; Decision to Delay Implementation of opening of Nightingale Primary Academy and Design and Cost Reports for Three Expansion Projects

The Director of Children’s Services submitted a report seeking permission to consult on three primary school expansions intended to take effect from September 2015 and seeking approval for the capital proposals outlined for each school development in order to meet the authority’s statutory duty to secure sufficient school places. Additionally, approval was sought for a revised opening date for the Nightingale Academy and the report presented Design and Cost Reports for three school expansion projects.

Each of the proposals were detailed in Appendices A to D attached to the report.

A comment made by a Member in respect of the need to establish a comprehensive city wide policy for school places provision was noted. In response, officers confirmed that work was ongoing to continue to develop the draft strategy previously presented to Executive Board on 17th July 2013 in partnership with City Development and Scrutiny Board in order to identify appropriate provision. Officers also provided further detail on the difficulties

experienced in developing the Rufford Park expansion proposals and the establishment of the new Nightingale Primary School

RESOLVED –

- a) That in respect of the proposals contained within **Appendix A**, approval be given for consultation to commence on proposals to expand Broadgate Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2015;
- b) That in respect of the proposals contained within **Appendix B -**
 - Approval be given for the opening of the Nightingale Academy on 1 September 2014.
 - Authorisation be granted for the programme expenditure of £10,026.3k and Authority to Spend from capital scheme number 16505/FLS/000 to build the new Nightingale Primary Academy at Florence Street.
 - That the programme dates identified in the submitted report in relation to the implementation of this decision be noted. The final delivery date for this scheme is September 2015.
 - To note that the Director of Children’s Services is responsible for implementation.
- c) That in respect of the proposals contained within **Appendix C**
 - Authorisation be given for expenditure of £2.141m from capital scheme number 16585/SHL/000 to enable the construction of additional accommodation at Sharp Lane Primary School.
 - That the programme dates identified in this report in relation to the implementation of this decision be noted. The final delivery date for this scheme is December 2014.
 - To note that the Director of Children’s Services is responsible for implementation.
- d) That in respect of the proposals contained within **Appendix D**
 - That Option 1 be approved - to deliver an expansion of Rufford Park Primary School, where the PFI provider delivers the expansion scheme and risk is transferred to the Council, and ultimately to the Trust if the school converts.
 - That authorisation of expenditure of £1,430,000 from capital scheme number 16585/RUF/PH2 be granted for Phase 2 works to construct a new two storey extension at Rufford Park Primary School.
 - To note the programme dates identified in this report in relation to the implementation of this decision. The final delivery date for this scheme is September 2014.
 - To note that the Director of Children’s Services is responsible for implementation.

113 Outcome of Supplementary Consultation and review of Children's Services School Transport Policy

The Director of Children’s Services submitted a report presenting the outcomes from the recent supplementary public consultation on the current

Children's Services Home to School Transport Policy. Approval was sought for recommendations to be included in a new policy for implementation from 1st December 2013.

A copy of the proposed Policy was contained within Appendix 1 to the report.

In relation to proposals for post 16 SEN transport, the Board noted the intention to present a further report, assessing the implications of the Children and Families Bill once it had been enacted next year. The Board noted the individual comment made by a Member opposing the Policy.

RESOLVED –

That approval be given to the following changes to the current policy:

- a) To remove discretionary free travel on the basis of non-faith or belief;
- b) To remove discretionary free travel on the basis of parental preference on the grounds of the parents' religion or belief for their child to be educated in a single sex educational setting;
- c) To implement the policy for all new applicants from 1st December 2013, but provide transitional discretionary free travel for existing recipients until 31st August 2015. This would be in line with the Board's decision on 17th July 2013, in relation to the removal of discretionary free travel for students on the basis of faith and for those attending school/college (over sixteen).
- d) To note that the Director of Children's Services (the Director) will submit a further report to the Executive Board during 2014 in relation to updated proposals for post 16 SEN transport. This will take place as soon as formal proposals have been designed and agreed, and after the new Children and Families Bill has been enacted.
- e) To note that the Director will publish a new Children's Transport policy on 1st December 2013 (subject to due governance processes). This will be available on the Council's internet pages.

ENVIRONMENT

114 Affordable Warmth in Leeds

The Director of Environment and Housing submitted a report providing an update on the significant external funding opportunities available to increase domestic energy efficiency and improve access to affordable warmth. The report highlighted the leading role the Council had taken in developing and delivering ECO funding initiatives and the opportunities and challenges that this funding presents.

The Executive Member for Environment in presenting the report advocated Member involvement in identifying residents who could benefit from the initiative. The Executive Member for Health and Wellbeing expressed support for the initiative and highlighted how the initiative supported the City's Health and Wellbeing Strategy. In response to comments regarding the targeting of the initiative, the Executive Member for the Environment provided assurance of the wide remit of the scheme to ensure the scheme would provide benefits to the city as a whole. Comments in respect of the re-emphasis of any future Bulk Fuel purchasing initiatives were also noted.

RESOLVED

- a) To note the contents of the report and that the Board extends support to the ongoing work to secure ECO and other funding to improve access to affordable warmth.
- b) To delegate authority to the Director of Environment and Housing to submit a proposal to DECC for a share of the £20m funding available for area based Green Deal/ECO schemes

LEADER OF COUNCIL'S PORTFOLIO

115 Monthly Financial Health Report

The Deputy Chief Executive submitted a report presenting the Council's projected financial health position for 2013/2014 after six months of the financial year.

Comments made in respect of budget for the Sports and Active Recreation service were noted.

RESOLVED – That the projected financial position of the authority after six months of the financial year 2013/14 be noted

116 Capital Programme 2013-16: Quarter 2 Update

The Deputy Chief Executive submitted a report providing the Quarter 2 update for the Capital Programme 2013-16

RESOLVED –

- a) To note the increase in the General Fund and HRA Capital Programme 2013-16 of £41.4m since Quarter 1 largely due to confirmation of additional funding allocations such as Targeted Basic Need and Flood Alleviation;
- b) To note that the borrowing required to fund the Capital Programme in 2013/14 has reduced by £22m, therefore the Capital Programme is affordable within the approved debt budget for 2013/14, and that further work is underway to ensure that future debt costs are maintained within the overall Medium Term Financial Plan;
- c) To approve the injection into the capital programme of the following:
 - £14,589.8k funded by Targeted Basic Need grant to contribute to the delivery of school expansions schemes at five primary schools and two special schools in the city, as detailed in paragraph 3.2.3;
 - £542.3k in relation to Capital Receipts to be utilised by ward Councillors under the Capital Receipts Incentive Scheme (CRIS);
- d) To note that the above decision to inject funding will be implemented by the Chief Officer (Audit & Investment).

117 Treasury Management Strategy Update 2013/14

The Deputy Chief Executive submitted a report providing the Board with a review and update on the 2013/14 Treasury Management Strategy – previously approved by Executive Board on 15th February 2013.

RESOLVED – To note the contents of the update on the Treasury Management borrowing and investment strategy for 2013/14.

118 Citizens@Leeds: Developing a new approach to Poverty and Deprivation

The Assistant Chief Executive (Citizens and Communities) submitted a report providing an update on the actions being taken to develop an approach to tackle poverty and deprivation in the City and seeking approval to implement a range of initiatives intended to provide an integrated package of support for key groups. Additionally, approval was sought for an action plan to tackle high cost lending and to develop a new Community Hub approach for face to face service provision.

Discussion followed on the use of the term “Community Council” in the approach proposed for the local decision making model intended to replace the existing Area Committee structure. It was noted that further consideration of this was required, having regard to the provisions of the Local Government and Public Involvement Act 2007.

The four key propositions of the Citizens@Leeds initiative were outlined within the appendices to the report as being:

- To provide accessible and integrated services
- To help people out of financial hardship
- To help people into work and
- To be responsive to the needs of local communities.

Members acknowledged the need to support residents experiencing financial hardship and noted comments regarding the impact of welfare changes and current position in respect of rent arrears. In conclusion, the Board welcomed the approach outlined and in particular the work already undertaken to address the prevalence of high cost lenders in the city, and noted the intention to present a further report to the December Board meeting which would address the issues of helping people into work and being responsive to the needs of local communities.

RESOLVED

- a) To endorse the “accessible and integrated services” and “helping people out of financial hardship” propositions as detailed in Appendices 1 and 2 of the submitted report;
- b) To support the principle to establish community hubs as a new approach to local face-to-face service provision, in accordance with the draft design principles contained with Appendix 3 of the submitted report, and subject to detailed consultation with services, staff and trade unions;
- c) That, in support of recommendation b) above, the Assistant Chief Executive (Citizens and Communities) be authorised to take forward the development of three ‘pilot’ community hubs at the Compton Centre, St George’s Centre and Armley One Stop Centre working closely with services and partners affected;
- d) To approve the proposed initiatives aimed at providing wrap-around support to the four target groups identified in paragraph 3.6 of the submitted report, delegating authority to the Assistant Chief Executive (Citizens and Communities) to identify funding streams and commission 3rd sector services to support the initiatives;
- e) To authorise the Assistant Chief Executive (Citizen and Communities) to take appropriate action to stop high cost lenders promoting and

advertising their services within and on council facilities and assets and seek support from partners to institute similar arrangements in their areas of influence;

- f) To authorise the Assistant Chief Executive (Citizens and Communities) to take forward those discussions and actions set out in paragraph 3.7.4 of the submitted report to seek support for restricting the advertising of high cost lenders on billboards and other public advertising media;
- g) To receive a progress report on the broader high cost lending campaign to a future Executive Board to coincide with the annual progress report of the Illegal Money Lending Team.
- h) To note that a further report will be presented to the December 2013 meeting detailing the proposals for the “helping people in work” and “responsive to the needs of local communities” propositions.

119 Armed Forces Update

The Assistant Chief Executive (Citizens and Communities) submitted a report on the implementation of the Armed Forces Community Covenant in Leeds – adopted to address the wider community and family based issues which are commonly faced by the local Armed Forces community residing in the city. The report provided an update on activity to embed the aims of the covenant into council and partners’ policies and practices, and also presented information on other activity that is taking place to support the Armed Forces community across Leeds. Proposals were also included to further develop and implement activity to deliver the ambitions of the community covenant and to meet the needs and expectations of the Armed Forces community within Leeds.

Comments regarding the delegation of functions to support the aims of the covenant were noted. The important role of members was emphasised and the need to have a lead member for Armed Forces issues. In considering this Members noted the intention to create an all-party member Champion Group and supported officer proposals that such a group should be led and chaired by an Elected Member who would take on the overall lead member role for Armed Forces issues. The introduction of this new member group to be considered by Member Management Committee. In response to a Member comment regarding measuring the success of the Covenant, it was noted that this would be a matter for the Partnership Group to progress

RESOLVED -

- a) To support the proposal that nuclear test veterans are specifically included within the Leeds Armed Forces Community Covenant, to recognise and support at a local level their unique service conditions. As such; the Leeds Armed Forces Community Covenant will be amended with immediate effect to reflect this decision.
- b) To agree that lead responsibility for the council’s and city’s response to the Armed Forces Community Covenant is formally delegated to the Assistant Chief Executive (Citizens and Communities) with immediate effect.
- c) To support the proposal to establish a cross party Armed Forces member champion group, with immediate effect, to support and

promote the Leeds Armed Forces Community Covenant and act as a member advisory group for the development of future Armed Forces Day events.

- d) To support the planned activity being co-ordinated by Museums and Galleries to mark the commemorations of the First World War.
- e) To support the proposals to develop the city's annual Armed Forces Day events through a wider partnership approach led by the Assistant Chief Executive (Citizens and Communities).

HEALTH AND WELLBEING

120 Leeds Drug and Alcohol Strategy and Action Plan 2013 - 2016

The Director of Public Health submitted a report describing how the Leeds Drug and Alcohol Strategy and Action Plan (2013 – 2016) will be used to tackle the impact of drug and alcohol misuse in Leeds. The report also sought approval for the implementation of the Plan ahead of a process of re-tendering drug and alcohol treatment services in 2014.

In presenting the report, the Executive Member for Health and Wellbeing highlighted the partnership working undertaken with the Children's Trust Board and Safer Leeds to produce the Plan and reported an update to the figures presented for the number of on and off-licensed premises for the sale of alcohol in Leeds.

RESOLVED -

- a) To note and approve the Leeds Drugs and Alcohol Strategy and Action Plan for implementation between 2013 and 2016 by the Leeds Drugs and Alcohol Management Board
- b) To delegate responsibility for the implementation of the Leeds Drugs and Alcohol Strategy and Action Plan to the Director of Public Health.
- c) To note that a further report is scheduled for the January 2014 Executive Board setting out plans to re-tender drug and alcohol services in Leeds.

DEVELOPMENT AND THE ECONOMY

121 Response to Council Deputation - Swillington Oulton Woodlesford HS2 Action Together (SOWHAT) Regarding High Speed Rail

The Board considered the report of the Director of City Development setting out the Departmental response to the Deputation presented to the September Full Council meeting by the Swillington, Oulton and Woodlesford HS2 Action Together (SOWHAT) campaign group concerning the Government's proposals for the HS2 Phase 2 route (Birmingham to Leeds) in the vicinity of their communities.

The report considered the request from SOWHAT for support for their campaign to relocate the HS2 route and for a better compensation package for those affected. Members acknowledged the need to balance and separate the strategic and positive impact that HS2 as a national infrastructure project would bring to the City against the perceived local impact.

The report highlighted that Central Government had responsibility for all matters concerning the development of the proposals, including compensation. The Board noted that work would continue to try to secure the best route for Leeds.

RESOLVED –

- a) To note the content of the report and the response to the Deputation;
- b) To recognise the significant and understandable concerns of the local communities situated on the initial proposed route of HS2 and the present limited scope of the Exceptional Hardship Scheme for compensation;
- c) To request that a further report detailing the proposed City Council response to HS2 Phase 2 be submitted for the Board's consideration; and
- d) To note:
 - The timescales for implementation as outlined in section 3.13
 - That the Head of Transport Policy will be responsible for implementation

122 Elland Road Park and Ride

The Director of City Development submitted a report updating the Board on the progress made since April 2013 on proposals for a bus based park and ride site on land adjacent to Elland Road Stadium and seeking approval for the construction and operation of the site.

The report provided detail on the scheme specification, the progress of the associated planning consents, bus service proposals and arrangements for match day car parking provision.

In responding to comments made regarding the viability of the scheme, the Executive Member for Development and the Economy noted that the scheme would take some time to become popular but provided reassurance in respect of the business case. The Board further noted comments in respect of the measures available to ensure the bus service travelled effective routes.

Following consideration of Appendix A to the report, designated as exempt under the provisions of Access to information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- a) To approve the construction of the park and ride site, associated link road and bus priority at an estimated cost of £2,800,000;
- b) To approve the injection of an additional £490,000 into the city development capital programme for this scheme (The scheme is currently in the capital programme at £2,310,000), funded from section 106 receipts £175,000, a capital receipt £275,000, and LTP Transport Policy grant £40,000
- c) That authority be given to incur expenditure of £2,800,000 (comprising of works costs £2,330,000, staff fee costs £465,000, and legal / other costs £5,000), funded from the LTP Transport Policy Capital Programme £2,350,000, section 106 receipts £175,000, and a capital receipt £275,000

- d) To endorse Metro entering a 5 year contract for the bus service with the preferred bidder as detailed in Appendix A of the submitted report
- e) To approve the granting of a licence to the preferred bidder to operate from the site and charge a license fee as detailed in Appendix A
- f) And to note:
 - The stages required to implement the decision as outlined in section 3.18 of the submitted report
 - Proposed timescales for implementation as outlined in section 3.18 of the submitted report
 - That the Head of Transport Policy will be responsible for implementation

123 Chapeltown to City Centre Cycle Route - Capital Scheme Number: 16426 / 000 / 000

The Director of City Development submitted a report on the development of the Chapeltown to City Centre Cycle route, seeking authority to fund construction of the works and related fees. Additionally, authority was sought to advertise the proposed amendments to existing Waiting Restriction Traffic Regulation Orders and the provision of new Waiting/Loading Restriction Orders and if no valid objections are received, then to make, seal and implement the orders. The total estimated cost of the proposed scheme was detailed as £1,500,000.

In presenting the report, the Executive Member for Development and the Economy highlighted that this route would provide connectivity between existing and proposed routes with the city centre. A Member comment regarding the safety of the route through Sheepscar Interchange was discussed, noting that this scheme provided segregation for cyclists at this point to ensure their safety.

RESOLVED –

- a) To note the proposals contained in this report which are a key element of the Cycle City Ambition Grant.
- b) That authority be given to incur expenditure of £1,310,000 works costs, £140,000 staff costs and £10,000 legal costs, to be funded £1,010,000 from the LTP Transport Policy Capital Programme, and £450,000 from the Sustrans' Link to Communities fund. In addition to this, authority is given to incur expenditure of £40,000 staff fees funded from the LTP Transport Policy capital programme was approved on an initial design and cost report in October 2011.
- c) To note the report and approve (subject to TROs) the proposed highway works as outlined in Section 3.1 of the submitted report and indicated on the overview drawing included as Appendix 1 and General Arrangement drawings HDC/716426/GA/01c and HDC/716426/GA/02b contained in Appendix 2, at an estimated total cost of £1,500,000
- d) To approve the areas of footway to be converted to cycle track (as detailed in drawings TPP 32-02-009-SU1 and 2 included in Appendix 4), and fulfill the requirements of the Highways Act 1980, that allow this (as detailed in paragraph 4.6.3 of the submitted report);
- e) To instruct the City Solicitor to revoke relevant items currently in force in an existing movement restriction and waiting restriction Traffic Regulation Orders and to advertise draft Traffic Regulation Orders in

relation to extending the length covered by various waiting and loading restrictions as indicated on drawing referenced HDC-716426-TRO-01 (see appendix 3) and, if no valid objections are received then make, seal and implement the orders.

- f) To note:
- that should approval be forthcoming, works will be issued to term contractors once the call-in procedure has been cleared.
 - the proposed timescales for implementation as outlined in paragraph 3.2 of the report
 - that the Head of Transport Policy will be responsible for implementation

124 Bridgewater Place

The Director of City Development submitted a report seeking approval from the Executive Board to hold in abeyance the Council's current commission with consultants to design highway baffles across Water Lane on the grounds that Bridgewater Place's owners had confirmed in writing they would progress a comprehensive wind mitigation scheme, including the highway baffles, through design and planning permission.

RESOLVED –

- a) To note the latest developments and to agree that the Council holds in abeyance its commission with consultants to design baffles across Water Lane. This follows the receipt of written confirmation from the agents acting on behalf of the owners of Bridgewater Place, that they will progress through design and planning permission the three identified wind mitigation measures, comprising baffles across Water Lane, a canopy and vertical screens to the building.
- b) To note that:
- As this report is concerned with agreeing to hold in abeyance the design work on a scheme, the action will be complete when approval is granted by the Executive Board
 - The decision will take immediate effect
 - The Chief Officer of Highways and Transportation will be responsible for advising the owners of Bridgewater Place of the Council's decision.

125 Design and Cost Report for Sovereign Square Green Space

The Director of City Development submitted a report providing Members with an update on the current proposals for the Sovereign Street green space (Sovereign Square) and seeking authority to spend for the creation of the new public square. The estimated cost for the delivery of the green space proposals were detailed in Appendix A of the report.

Following consideration of Appendix A to the report, designated as exempt under the provisions of Access to information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- a) That authority be given to incur expenditure as set out in confidential Appendix A for the first 2 phases (1&1a) of Sovereign Square, to be funded from the capital programme. Further phases being delivered as

the development plots are completed utilising funds from section 106/CIL payments which will be specifically allocated for this purpose

b) To note:

- the works as outlined in section 3.1 of this document and as detailed in the drawing contained in Appendix B at the estimated cost set out in the confidential Appendix A.
- the proposed timescales for implementation as outlined at paragraph 3.2 of the submitted report
- that the Chief Asset Management and Regeneration Officer will be responsible for implementation.

126 Late Item - Parking Permit Charges

The Director of City Development submitted a report providing an update on the progress and consultation on initial proposals for the introduction of a charge for resident's parking permits and seeking a decision on the further progress of this matter.

The report detailed the outcome of consultation undertaken so far, the findings of a Scrutiny Board review and the outcome of a recent court case - R (on the application of David Attfield) v London Borough of Barnet and discussed the implication of this case on the proposals.

The report concluded that, following completion of the survey and consultation and in the light of the scrutiny review; the initial proposals had been reviewed and reconsidered; and whilst there clearly was a case for considering alternative measures to ensure the longer term and fundability of this service area, at the same time there were a range of issues arising from the consultation process which give reason to reconsider the initial proposal to develop charging proposals. In view of the findings, it was therefore recommended that the present proposals should not be progressed at the present time

In presenting the report, the Executive Member for Development and the Economy noted and welcomed the high public response rate to the consultation and reported that further work would be done to review the usefulness of existing schemes

RESOLVED –

- a) To note the contents of the report and the outcomes of the consultation and survey on initial proposals for making a charge for residents parking permits;
- b) To consider and note the comments of the Scrutiny Board (Sustainable Economy and Culture);
- c) Not to proceed further with the introduction of a charge for residents' parking permits at this time on the basis of the responses and issues raised through the consultation exercise, whilst noting the costs associated with providing this service and the Council's overall challenging budget position;
- d) To request officers further consider the views of residents, with a view to re-evaluating the criteria used to determine residents' parking schemes, ensuring a tailored approach to address the different needs

across the city, reviewing those schemes which are no longer deemed appropriate by the public and considering how further economies can be made in relation to this service.

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

127 Deputations to Council and South (Outer) Area Committee on behalf of Residents of Angel Row, Rothwell, and Middleton Lane and Middleton Avenue, Rothwell, opposing the potential housing on site 3081A and B, Hope Farm, Wakefield Road, Rothwell

The Director of Environment and Housing submitted a report setting out the Council's response to the Deputations made to Full Council and South (Outer) Area Committee opposing the potential housing on site 3081A and B, Hope Farm, Wakefield Road, Rothwell.

The verbatim of the Deputation presented to Full Council on 11th September 2013 was included as Appendix 1 to the report with the minutes of the South (Outer) Area Committee held 16th September 2013 included at Appendix 2.

The report addressed a number of local concerns raised through the deputations, and in presenting the report; the Executive Member for Neighbourhoods, Planning and Support Services highlighted that the issues raised were currently being considered as part of the Core Strategy Examination process and preparation of the Site Allocations plan.

RESOLVED – To note the contents of the report

128 2014/15 Council Housing Capital Programme

The Director of Environment and Housing submitted a report on the potential resources available to support the Council Housing Capital Programme in 2014/15. The report outlined the approach proposed to develop the Programme and provided a headline summary of the proposed Programme including the four priority areas used to identify the order of the Programme. Additionally, the report highlighted that the proposed Programme would continue to be developed and consulted upon during the coming months; with the final Capital Programme being reported to the Housing Advisory Board and then included within the Council Budget report to Executive Board in February 2014.

In presenting the report, the Executive Member for Neighbourhoods, Planning and Support Services addressed comments made regarding references to the status of the Programme contained in the recommendations to the report and agreed an amendment in order to refer to the Programme as "draft"

RESOLVED

- a) That the increase in HRA capital resources available in 2014/15 be noted;
- b) To agree the proposed approach for the prioritisation of resources in the draft 2014/15 Council Housing Capital Programme as outlined in the report;
- c) To note the Capital Programme for 2014/15;

- d) To agree the next steps to finalise the Capital Programme which will be submitted to Executive Board for approval as part of the Council's Annual Budget Report in February 2014.

DATE OF PUBLICATION: 8th NOVEMBER 2013

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 15TH NOVEMBER 2013

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 18th November 2013)

SOUTH (OUTER) AREA COMMITTEE

MONDAY, 21ST OCTOBER, 2013

PRESENT: Councillor K Bruce in the Chair

Councillors N Dawson, J Dunn, J Elliott,
S Golton, T Leadley, L Mulherin, D Nagle,
K Renshaw and S Varley

28 Declaration of Interests

There were no declarations of disclosable pecuniary interests, however Councillors Leadley, Varley and Elliott brought to the Committee's attention that they were all members of Morley Elderly Action

29 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors B Gettings and R Finnigan.

30 Open Forum

In accordance with Paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or to ask questions on matters within the terms of reference of the Area Committee. On this occasion no members of the public in attendance.

The Chair introduced Neil Evans, Director of Housing and Environment to the meeting. Mr Evans gave the Committee an overview of his responsibilities and informed the Area Committee of the recent transfer of housing functions to the Council from the ALMOs.

In response to Members comments and questions, the following was discussed:

- Investment in new social housing – this would be a city wide programme and not concentrated on any specific areas. Along with new building, there would be other incentives such as right to buy schemes.
- Estate management and tenant participation – there was a need to demonstrate transparency and accountability and there would be a need to demonstrate how decisions were taken. Tenant participation remained essential as part of the way housing was managed and there would be an ongoing role for the Area Panels.

- Future delegation of parks to Area Committees – the major tourist parks would not be included in any delegation but smaller community parks could be.
- Alternative weekly collection – Members indicated that this had commenced reasonably well. It was suggested that there could be more co-ordination for street cleansing following refuse collections. This had been raised at Environmental Sub Group meetings.
- It was intended that the ALMO Estate Caretaker Services become part of the Environmental Action Teams.
- Performance management information – involvement of tenants and community groups.

31 Minutes - 16 September 2013

RESOLVED – That the minutes of the meeting held on 16 September be confirmed as a correct record and decisions taken at the meeting be formally ratified.

32 Strengthening Relationships between the Outer South Area Committee and the Third Sector

The joint report of the South East Area Leader and Chief Officer of Voluntary Action Leeds updated the Area Committee about recent developments regarding work with the third sector. The report sought Members support for the direction of travel outlined and presented key initiatives for discussion.

David Smith of Voluntary Action Leeds, presented the report.

Members' attention was brought to the pilot initiative that was underway to bring the third sector together in the South East area and the Third Sector Goes Local Event that was held in July. Members were also informed of third sector work with local partners including the Council and Health Service providers. Further issues highlighted from the report included initiatives to strengthen the relationship between the Area Committee and Third Sector.

In response to Members comments and questions, the following was discussed:

- Work was ongoing to provide a database of third sector providers. It was a key challenge to be able to provide more data about the sector.
- Involvement of Elected Members in future events.
- Involvement of Area Lead Members with third sector providers of corresponding services.
- The use of Wellbeing Funds for Third Sector activity.

RESOLVED –

- (1) That the report be noted.
- (2) That the work been done to strengthen links between the Third Sector and Area Committees be supported.

Draft minutes to be approved at the meeting
to be held on 2 December 2013

- (3) That the key initiatives outlined in paragraph 3.4 of the report be agreed subject to the removal of paragraph (f)

33 Children's Services Area Committee Update Report

The report of the Director of Children's Services summarised performance at Area Committee level with an acknowledgement of city level performance.

Nigel Richardson, Director of Children's Services and Martyn Stenton presented the report.

The Area Committee was reminded of the ambition for Leeds to become the best city in the country and the desired outcomes against the obsessions to make Leeds a child friendly city. Reference was made regarding work with partners across the city and how these could contribute to meeting the outcomes.

Members were given an update on issues relating to the obsessions since the previous report to Area Committee. These included the following:

- Requests to Children's Social Services had reduced in Outer South Leeds and the number on Child Protection Plans had reduced. It was felt that work on early intervention had supported this.
- Work on reducing NEETs had involved a wide range of agencies across the city and although there had been a slight rise, this was normal for the time of year and had also been due to identifying others previously class as not known.
- School attendance figures across the area were pleasing.
- There had been a reduction in the number of young offenders in the area.

In response to Members comments and questions, the following issues were discussed:

- Health issues, particularly mental health support for young people – this was an issue that had been raised by both the Health and Wellbeing Board and the Children's Trust Board.
- There were encouraging trends across the city in the reduction of NEETs.
- Youth Service provision – Leeds had maintained more provision than other authorities and the Breeze offer had helped to capture and shape services and activities that young people required.
- Foster Carers – it was recognised that the Council needed to recruit more foster carers.

RESOLVED – That the report be noted.

34 Summary of Key Work

The report of the South East Area Leader presented an update on the key work taking place within the Outer South Leeds area not covered elsewhere on the agenda.

The Chair welcomed Sergeant Smith of Rothwell NPT to the meeting. Members discussed traffic and highways issues and proposed changes to the Neighbourhood Policing Teams. It was reported that a briefing on the policing review would be given to Area Committee Chairs.

Aretha Hanson, Area Officer presented the report. The following issues were highlighted:

- The Outer South Area Committee Business Plan 2013/14: Actions and Priorities. Members were asked to approve the priorities and actions.
- Consultation with young people and the Youth Matters Group.
- International Day of Older People – There had been two successful events held in the Outer South area attended by over 400 people.
- Community First grants that had been approved.
- There had been a first meeting of the Working Group on strengthening relationships with Town and Parish Councils. An update would be brought to a future meeting.
- Springlands and Moorlands NIP – a previous wellbeing funded project proposal had been cancelled and £1,000 would be returned to wellbeing funds.

During the discussion on this item, Councillor Leadley left the meeting. As there was no longer a Member in attendance from Morley North, the Area Committee was advised that there was no longer a quorum and any decisions would have to be ratified at the next meeting or made by officer delegation following consultation with Members.

RECOMMENDED –

- (1) That the report be noted.
- (2) That the Outer South Area Committee Priorities and Actions be approved.

35 Wellbeing Report

The report of the Assistant Chief Executive (Citizens and Communities) provided Members with the following:

- Details of the Wellbeing Budget Position
- An update on both the revenue, capital and activities fund elements of the Wellbeing budget

- Details of revenue projects agreed to date which link to the priorities and actions in the Area Committee Business Plan
- The current position of the Small Grants Budget

Aretha Hanson, Area Officer presented the report. It was reported that there were no projects for approval and Members were informed of projects that had been approved via delegated decision since the last meeting.

RESOLVED –

- (1) That the report be noted
- (2) That the position of the Wellbeing, capital and Activities fund elements of the wellbeing budget be noted.
- (3) That the revenue projects already agreed be noted.
- (4) That the Small Grants situation be noted

36 Date and time of next Meeting

Monday, 2 December 2013 at 4.00 p.m.

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Report author: Tom Bridges
Tel: 0113 247 4660

Report of **The Director of City Development**

Report to **Council**

Date: **13 November 2013**

Subject: **Consultation Response regarding 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: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

The proposed Combined Authority will help secure further devolution from Whitehall of powers and funding to support economic growth and job creation in West Yorkshire.

The case for the Combined Authority is:

- **It will support job creation and economic growth** – the Combined Authority will help secure funding and investment to accelerate economic growth and create jobs;
- **It will enable more decisions to be taken locally, not in Whitehall** – the Combined Authority will be a vehicle for organising the powers and resources that have been devolved under the Leeds City Region City Deal, and it provides the potential for central Government to devolve further powers and resources to West Yorkshire and Leeds City Region;
- **It will help secure major improvements in transport** – the Combined Authority is needed to create and operate the West Yorkshire and York transport fund which will invest up to £1 billion in transport over the next ten years; and
- **It will be efficient and cost effective** – the Combined Authority will be an efficient way of taking decisions and managing investments. As a proportion of the programmes it oversees it will not cost more than existing arrangements. The focus will be on devolving powers down from Whitehall, not pooling them up from Local Authorities.

In July 2013 Council endorsed the final governance Review and Scheme for a Combined Authority for the area of West Yorkshire, including Leeds, with the council of the City of York proposed as a “non constituent member”. The Review and Scheme were submitted to the Secretaries of State for Communities and Local Government and Transport on 31st July 2013. Council authorised the Chief Executive, in consultation with the Leader and the other West Yorkshire Councils, to undertake such steps as were necessary to facilitate the submission of the Scheme and the preparation of the draft Order.

This report provides an update on developments since the Review and Scheme were submitted, including the publication of the Government consultation document. A proposed approach to responding to the consultation is outlined together with the next steps and timetable.

Members are asked to note that this report is submitted as a late item. The Government consultation, which forms the basis of the report and is appended in the Annex, was not published until the 7th November 2013 and members are asked to consider the report as an urgent item in order to enable a formal response within the timescale laid out by Government. It is understood that this timescale remains consistent with the City Deal commitment to secure Parliamentary approval to establish the Combined Authority by 1 April 2014.

Recommendations

Council is recommended to:

1. Welcome the publication of the Government consultation paper which invites the submission of views by Thursday 2 January 2014;
2. Endorse the proposed constitutional arrangements and functions of the Combined Authority as set out in the consultation paper;
3. Approve the proposed approach to responding to the consultation;
4. Authorise the Chief Executive (in consultation with the City Solicitor and Leader) to make a formal response to DCLG confirming the Council’s support for the establishment of the Combined Authority and to take such other steps as are considered appropriate to facilitate the preparation of the Order; and
5. Note the next steps and timetable and in particular that providing Government is satisfied that the proposals for a Combined Authority for West Yorkshire command wide local support and also meet the required statutory conditions, the Secretary of State will invite Parliament to approve the Order establishing the Combined Authority.

1 Purpose of this report

1.1 The purpose of this report is to:

- update members and seek approval from Council on the approach proposed to responding the constitutional arrangements and functions of a Combined Authority for the area of West Yorkshire as set out in the Government consultation; and
- authorise the Chief Executive (in consultation with the City Solicitor and Leader) to make a formal response to DCLG and to take such steps as are considered appropriate to facilitate the preparation of the Order to create a Combined Authority.

2 Background information

2.1 In July 2013 , the Council endorsed the final Scheme for a Combined Authority for the area of West Yorkshire. The council of the City of York will be part of the joint-working arrangements as a “non-constituent council”. The Scheme was published at www.awya.gov.uk/combinedauthority. The Scheme was agreed by the five West Yorkshire Councils (Bradford, Calderdale, Kirklees, Leeds and Wakefield), the West Yorkshire Integrated Transport Authority (ITA), the council of the City of York, and the Local Enterprise Partnership. It was submitted to the Secretaries of State for Communities and Local Government and Transport on 31st July 2013.

2.2 The Chief Executive was authorised in consultation with the Leader, and the Chief Executives and Leaders of the other West Yorkshire Councils, to undertake such steps as were necessary to facilitate the submission of the Scheme and the preparation of the draft Order.

3 Main issues

3.1 Department of Communities and Local Government preparation of draft Order and consultation

3.1.1 In response to the publication of the Review and Scheme, the Secretary of State has indicated that where Councils come forward with such proposals which command wide local support, then, if he considers that the statutory conditions are met, he will invite Parliament to approve the Order establishing the proposed Combined Authority to enable the Councils to give full effect to their ambitions for joint working.

3.1.2 Before making such an Order the Secretary of State must consult the five West Yorkshire Councils and the ITA. The Secretary of State has also indicated that he considers it appropriate to consult with the Leeds City Region Local Enterprise Partnership (LCR LEP), Sheffield City Region LEP, York, North Yorkshire and East Riding LEP, City of York Council and those Councils neighbouring the proposed Combined Authority area.

3.1.3 The Department of Communities and Local Government (DCLG) has now launched a consultation and published a consultation paper on 7 November 2013.

The consultation invites comments on the proposal to establish a Combined Authority for the area of West Yorkshire.

- 3.1.4 The next section of this report reviews the consultation paper, and proposes an approach to responding for the Council's approval.

3.2 Government consultation document

- 3.2.1 The Government consultation (attached to this report as annex A) runs for 8 weeks with the deadline set for submission of views on 2 January 2014. A copy of the consultation paper is attached to this report. This includes details of the proposed constitution and functions for the Combined Authority together with a draft Order. The views of the following stakeholders are requested:

- The five West Yorkshire district local authorities;
- City of York Council;
- The West Yorkshire Integrated Transport Authority;
- The West Yorkshire Passenger Transport Executive;
- The Leeds City Region Local Enterprise Partnership;
- Neighbouring local authorities; and
- Other interested parties including members of the public, local businesses and their representative bodies and representatives of the voluntary sector.

- 3.2.2 The consultation paper also describes the background, including the legislative context to the proposals, and then sets out the basis of the Secretary of State's consideration of the Scheme. It sets out that through, the delivery of the City Deal West Yorkshire's economy has significant potential, however "...the disparate governance structures that currently exist present a challenge to the delivery of this. Without a single accountable body to take strategic decisions in regard to economic development, regeneration and transport, the opportunities identified will continue to be missed."

- 3.2.3 The consultation notes the findings of the Review which conclude that a Combined Authority would enable West Yorkshire and York to deliver more effectively on the investment commitments contained in the Leeds City Region City Deal.

- 3.2.4 Responses are invited by the Government on the proposal to establish a combined authority for the area of West Yorkshire – Bradford, Calderdale, Kirklees, Leeds and Wakefield, and in particular:

- on whether establishing the proposed combined authority would be likely to improve the provision of transport in the area and its effectiveness and

efficiency, the provision of economic development and regeneration in the area, and the economic conditions in the area;

- on how establishing such an authority may impact on the identities and interests of local communities and on securing effective and convenient local government;
- on the proposed constitutional arrangements (including the formal name of the combined authority) and functions for a combined authority as set out in the Annex to the consultation paper; and
- on how such an authority and the local enterprise partnership can work in a seamless manner to ensure the private sector is 'hardwired' into the leadership and decision making for the functional economic area.

3.2.5 The Council's position in respect of the matters raised in the Government's consultation questions has been set out previously in detail within the submitted Review and Scheme following endorsement of the same by Council in July. The proposals for the establishment of the Combined Authority set out in the consultation document, including the constitutional arrangements and functions, are consistent with the contents of the Review and submitted Scheme.

3.2.6 The Government's consultation is welcomed as a positive response to the intention of the five West Yorkshire Councils and the council of the City of York to align more closely decision making, where appropriate, in relation to economic development, regeneration and transport. It is recommended that the Council resolves to respond positively to the consultation and also approves the following approach to responding to the Government's specific consultation questions.

3.2.7 The Combined Authority will support economic growth and job creation in West Yorkshire and York. It will help West Yorkshire and York secure devolution of powers and funding from Whitehall to invest in transport, infrastructure, economic development and regeneration. It will enable the creation of the West Yorkshire and York Transport Fund, which will invest up to £1 billion in transport improvements over the next ten years.

3.2.8 The Combined Authority will be an efficient way of taking decisions and managing investments. It will not cost more than existing arrangements. The focus will be on devolving powers down from Whitehall, not pooling them up from individual Local Authorities. The Combined Authority will only lead on matters where there is a clear strategic rationale for it to do so.

3.3 Next steps and timetable

- 3.3.1 It is proposed that the Chief Executive, in consultation with the City Solicitor and Leader is authorised to make a formal response to DCLG confirming the Council's support for the establishment of a Combined Authority as proposed in the consultation and draft order and to take such other steps as are considered appropriate to facilitate the preparation of the Order. The other West Yorkshire Councils and the City of York Council will also be considering their response to the consultation and it is intended that the Chief Executives for each Council liaise with regard to the response.
- 3.3.2 After the completion of the consultation, the Government will consider any comments received and decide whether to proceed with the laying of the Order before both Houses of Parliament. Based on discussions with DCLG officials, the assumption is that this will be done early in the New Year. This timetable would be consistent with the implementation date for the creation of the Combined Authority proposed in the City Deal of 1st April 2014.
- 3.3.3 It will be important therefore to ensure there is strong support within Government for the proposals contained within the consultation paper.

4 Corporate Considerations

4.1 Consultation and engagement

- 4.1.1 Before publishing their scheme, the five West Yorkshire authorities undertook a consultation (April – May 2013) on the proposals which generated some 104 responses the majority came from members of the public.
- 4.1.2 The key findings of this consultation were:
- 67% supported the interim Review recommendations;
 - 74% supported the proposed geography of the Combined Authority;
 - 68% said a Combined Authority would improve statutory council functions.
- 4.1.3 The consultation on the draft Order is a public consultation and seeks comments from members of the public, local businesses and their representative bodies and representatives of the voluntary sector.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Impact Assessment Screening has been completed and is included as an appendix to this report. This screening seeks to ensure due regard will be given during the transition and establishment of the West Yorkshire Combined Authority to the requirements of service users, suppliers/contract holders, employees and the wider community. Therefore it is considered no further impact assessment is required.

4.2.2 It is proposed that the actions resulting from the impact assessment will be overseen by the Combined Authority.

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. Also the LCR Transport Strategy and WY Local Transport Plan.

4.4 Resources and value for money

4.4.1 There are no specific implications regarding resources and value for money arising from this report.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no specific legal implications arising from this report. If, however, a Combined Authority is established in due course this will have a separate legal identity from the Council and the other constituent authorities and will have separate statutory powers and duties.

4.6 Risk Management

4.6.1 The process for establishing a Combined Authority is not fully under this Council's control.

4.6.2 Its establishment by April 2014 in line with the City Deal implementation Plan is subject to: Government being satisfied our proposals command wide local support; how our proposals are considered to impact on the identities and interests of local communities and on securing effective and convenient local government; and that they meet the required statutory conditions. The Order then needs to be approved by both Houses of Parliament and will therefore require support within Government.

5 Recommendations

Council is recommended to:

- 1 Welcome the publication of the Government consultation paper which invites the submission of views by Thursday 2 January 2014;
- 2 Endorse the proposed constitutional arrangements and functions of the Combined Authority as set out in the consultation paper;
- 3 Approve the proposed approach to responding to the consultation;
- 4 Authorise the Chief Executive (in consultation with the City Solicitor and Leader) to make a formal response to DCLG confirming the Council's support for the establishment of the Combined Authority and take such other steps as are

considered appropriate to facilitate the preparation of the Order; and

- 5 Note the next steps and timetable and in particular that providing Government is satisfied that the proposals for a Combined Authority for West Yorkshire command wide local support and also meet the required statutory conditions, the Secretary of State will invite Parliament to approve the Order establishing the Combined Authority.

6 Background documents¹

6.1 None

Annex A

Proposal to establish a combined authority for the area of West Yorkshire Consultation, Department of Communities and Local Government, 7 November 2013.

Annex B

Equality Impact Assessment Screening

¹ 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.



Department for
Communities and
Local Government

Proposal to establish a combined authority for the area of West Yorkshire

Consultation

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- Who we are consulting
- How to respond

2. Chapter 2 – The Councils' Scheme

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- The governance review

3. Chapter 3 – Issues for consultation

- Consultation Questions

4. Annex: The proposed constitution and functions for the combined authority

5. Appendix - West Yorkshire Combined Authority Order – Draft

Chapter 1 - The consultation

Why we are consulting

1. The five West Yorkshire authorities, working jointly with the West Yorkshire Integrated Transport Authority and with the support of the “Leeds City Region Local Enterprise Partnership” and City of York Council, have prepared and published a scheme with proposals for delivering greater economic growth in their area. These councils – City of Bradford Metropolitan District Council, Borough Council of Calderdale, The Council of the Borough of Kirklees Council, Leeds City Council, and The Council of the City of Wakefield – are proposing measures to improve transport, economic development and regeneration in the area. These proposed measures are centred on replacing the West Yorkshire Integrated Transport Authority with a combined authority that will bring together responsibility for transport, economic development and regeneration.
2. Where councils come forward with such locally led proposals, the statute¹ provides that the Secretary of State may, if certain statutory conditions are met and if Parliament approves, make an order opening the way for the councils to adopt their new ways of working. Such an order would establish the combined authority that the councils are proposing to facilitate their joint working. The combined authority would also replace the existing Integrated Transport Authority, and also the Passenger Transport Executive for the area. Whilst the Secretary of State will consider the circumstances of each particular case, he has adopted a localist policy in relation to how he will exercise these powers. This is to say that where councils come forward with such proposals which command wide local support, if the Secretary of State considers that the statutory conditions are met he will invite Parliament to approve the Order establishing the proposed combined authority to enable the councils to give full effect to their ambitions for joint working.
3. There are a number of statutory conditions that have to be considered, including that the area of the combined authority must consist of contiguous whole local government areas and not overlap with the area of another combined authority, an economic prosperity board, or an integrated transport authority and the Secretary of State must consider, having regard to the scheme published by the councils concerned, that establishing the combined authority would be likely to improve:
 - the exercise of statutory functions relating to transport in the area,
 - the effectiveness and efficiency of transport in the area,
 - the exercise of statutory functions relating to economic development and regeneration in the area, and
 - economic conditions in the area.

¹ Local Democracy, Economic Development and Construction Act 2009

Before making such an Order the Secretary of State must consult:

- each appropriate authority, and
- such other persons, if any, as the Secretary of State considers appropriate.

The statute also requires that the Secretary of State in making the Order must have regard to the need:

- to reflect the identities and interests of local communities, and
- to secure effective and convenient local government.

4. Accordingly, given the councils' proposals and having regard to his localist policy, the Secretary of State is now consulting on a proposal to establish a combined authority for the area of West Yorkshire - Bradford, Calderdale, Kirklees, Leeds and Wakefield replacing the West Yorkshire Integrated Transport Authority and West Yorkshire Passenger Transport Executive.

Who we are consulting

5. The appropriate authorities which the statute requires the Secretary of State to consult are:

- a county council if the area of the county council, or part of that area, is within the area for which the combined authority is to be established;
- a district council if the area of the district council is within the area for which the combined authority is to be established;
- an Economic Prosperity Board, if its area or part of its area, is within the area for which the combined authority is to be established;
- an Integrated Transport Authority, if its integrated transport area, or part of that area, is within the area for which the combined authority is to be established.

6. In this case these statutory consultees are the metropolitan district councils of Bradford, Calderdale, Kirklees and Wakefield and Leeds City Council and West Yorkshire Integrated Transport Authority.

7. In addition the Secretary of State considers in this case it is also appropriate to consult:

- the three local enterprise partnerships concerned – “Leeds City Region Enterprise Partnership” (non-constituent member); “Sheffield City Region Local Enterprise Partnership” and “York, North Yorkshire and East Riding Enterprise Partnership”;
- the City of York Council (“non-constituent council”);
- those councils neighbouring the combined authority area - Barnsley Council, Burnley Borough Council, Craven District Council, Derbyshire County Council, Doncaster Council, Harrogate Borough Council, High Peak Borough Council,

Lancashire County Council, North Yorkshire County Council, Oldham Council, Pendle Borough Council, Rochdale Metropolitan Borough Council, Rossendale Borough Council, and Selby District Council.

We also welcome comments from members of the public, local businesses and their representative bodies and representatives of the voluntary sector.

How to respond

8. Your response must be received by 2 January 2014. It can be sent by email to collaborate@communities.gsi.gov.uk or in writing to:

Kathy Billington
Department for Communities and Local Government
Local Democracy Division
Zone 3/J1 Eland House
Bressenden Place
London, SW1E 5DU

Please title your response 'Response to proposal to establish a combined authority for West Yorkshire'.

Confidentiality and data protection

9. Any responses to this consultation may be made public. If you do not want all or part of your response or name made public, please state this clearly in the response. Any confidentiality disclaimer that may be generated by your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.
10. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004). If you want other information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act 2000, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
11. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. The Department will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Chapter 2- The Councils' Scheme

The scheme

12. On 31 July 2013 the five West Yorkshire authorities; City of Bradford Metropolitan District Council, Borough Council of Calderdale, The Council of the Borough of Kirklees, Leeds City Council, and The Council of the City of Wakefield and the West Yorkshire Integrated Transport Authority, supported by the “Leeds City Region Local Enterprise Partnership” and the City of York Council, published in accordance with the statute a scheme with proposals for delivering greater local economic growth centred on the establishment of a combined authority across West Yorkshire. This was in line with the “Leeds City Region City Deal”. Before preparing this scheme, the councils had as required by the statute undertaken a review of the governance arrangements across West Yorkshire. A document (“the governance review”) describing this review and its conclusions may be viewed at www.awya.gov.uk/combinedauthority where the scheme may also be viewed. The paragraphs below outline the findings of the councils’ governance review, and their conclusions which underpin the proposals in the scheme.

The governance review

13. The governance review considered the effectiveness and efficiency of arrangements in West Yorkshire for transport, economic development and regeneration. The leaders of the five authorities and the West Yorkshire Integrated Transport Authority working jointly with the “Leeds City Region Local Enterprise Partnership” want to ensure that transport, economic development and regeneration are managed at the most appropriate geographic and administrative level possible and provide for suitable governance arrangements to deliver both their long term vision for the area and the measures included in their “City Deal” that was signed with the Government in 2012².
14. The review assessed the economic evidence for working across West Yorkshire as a functional economic area in its own right and considered the economic conditions across the area.
15. The review concluded that there are strong economic links across West Yorkshire and whilst it is essentially a self contained area with 96 per cent of residents living and working in the area, there are clear linkages with the wider “Leeds City Region Local Enterprise Partnership” area, of which West Yorkshire forms a significant part³, in terms of a wider labour and housing market area⁴. However, the review concludes that for its size and demographic composition West Yorkshire is not punching its weight economically and has been falling behind the UK average.

² Unlocking our Economic Potential: A Leeds City Region Deal, July 2012

³ West Yorkshire covers the local authority districts of Bradford, Calderdale, Kirklees, Leeds and Wakefield. The wider functional economic area (Leeds City Region) includes York, the North Yorkshire districts areas of Selby, Craven and Harrogate, and Barnsley in South Yorkshire.

⁴ Data supplied by Javelin Group 2013

16. The West Yorkshire economy is therefore not performing to its potential. It is true that the wider “Leeds City Region Local Enterprise Partnership” area has a diverse and resilient economy⁵, generates 5 per cent of English economic output and contributes £52 billion gross value added (a measure of the value of goods and services produced in an area) and has a highly skilled workforce but, like many areas, it must overcome significant challenges if it is to grow economically. Although productivity levels match those of other English city conurbations in many respects its overall economic performance hasn’t improved when compared to national and international competitors: lack of inward investment, low business start up rates and lack of public sector investment in infrastructure have all contributed to a lack of growth.
17. The main priority of the review was to look at whether improved governance arrangements could help to address these issues and drive economic growth by enhancing the delivery of statutory functions in relation to economic development, transport and regeneration. It considered the extent to which any improvement could fulfil local ambitions to:
- ensure that strategic decisions on economic investment and transport are made at the most appropriate geographic and administrative level;
 - add value to the delivery of the economic outcomes outlined in the “Leeds City Region Plan” through joint working, particularly with the Local Enterprise Partnership;
 - facilitate devolution of funding and powers that would normally be managed from central Government;
 - enable where possible efficiency savings to be realised; and
 - work more effectively in partnership across both West Yorkshire and the North of England.
18. The governance review considered four options: leaving the existing governance arrangements across West Yorkshire unchanged; strengthening these existing governance arrangements; establishing an economic prosperity board; and creating a combined authority.
19. The review showed that currently there is no one decision making body responsible for strategic decisions relating to transport and economic development across West Yorkshire. This fragmentation and lack of integration is one of the reasons that the West Yorkshire economy is underperforming. Maintaining this status quo could mean that opportunities will continue to be missed for:
- Local ‘self-help’ such as active resource pooling and investment in those assets and infrastructure which will do the most to promote growth;
 - securing business investment; and
 - drawing down additional funding and devolved powers from central Government that will improve the economy of West Yorkshire.
20. The governance review concluded that the establishment of a combined authority would provide a visible, stable and streamlined body that would reduce the negative impact on growth that comes from a lack of local integration and fragmentation. It also

⁵ Index of Economic Resilience. Report by Ekosgen for Yorkshire Cities 2011

concluded that bringing together key decision making into a single body with appropriate strategic transport and economic functions that can be exercised across West Yorkshire will improve the efficiency and effectiveness of these functions and increase economic outputs.

Existing governance arrangements

21. The current governance arrangements whilst having proved durable are complex and layered, with a fragmentation of roles and responsibilities reducing the capacity for effective and timely decision-making and transparency.
22. Currently, West Yorkshire Integrated Transport Authority and West Yorkshire Passenger Transport Executive (collectively known as “Metro”) are the two decision making bodies working across West Yorkshire with responsibility for strategic transport:
 - Metro is responsible for ensuring an integrated, efficient and economic transport network across the Integrated Transport area. However, powers and functions for passenger transport and highways are split between Metro and the five district authorities with each organisation having its own functions and responsibilities for transport which has resulted in a challenging landscape for delivery.
23. And, in addition to the five West Yorkshire authorities who are responsible for economic development and regeneration in their own local government area, there are four bodies working together to improve economic growth across West Yorkshire:
 - The Association of West Yorkshire Authorities, established for over twenty years is made up of the leaders and chief executives of the five district authorities. Due to York’s strong economic links to West Yorkshire, the City of York Council is now an associate member. Partly in response to the current challenging economic climate, the Association has extended its focus to driving local economic growth across West Yorkshire.
 - The “Leeds City Region Local Enterprise Partnership” came into existence in 2011. It works closely with the “Leeds City Region Leaders Board” to deliver the objectives of the “Leeds City Region Plan”. Bringing together local authority and business leaders, one of its main aims is to overcome barriers to private sector growth.
 - The “Leeds City Region Leaders Board” works closely with the “Leeds City Region Local Enterprise Partnership” to deliver the objectives of the plan developed by the “Leeds City Regional Partnership”. Working closely with other partners in housing, transport and skills the Leaders Board is also responsible for preparing and overseeing delivery of key policies and strategies for the area. It has the power to discharge the promotion and improvement of the economic wellbeing and competitiveness of the area on behalf of its member councils.
 - The “Leeds City Region Partnership” brings together the public and private sectors and partners in government, education and the third sector who work to a common

vision for economic prosperity. Their strategic priorities stem from the “Leeds City Region Local Enterprise Partnership Plan”.

24. Whilst these forms of partnership working have been in existence and matured over a long period of time, they are representative organisations not statutory bodies and so have neither functional powers nor the ability to hold funding. The functional powers and budget for strategic transport rests with the West Yorkshire Integrated Transport Authority and economic development functions and budgets remain the responsibility of the five West Yorkshire authorities. The lack of a single, streamlined body with the ability to hold budgets and take strategic decisions across West Yorkshire is sub optimal in terms of improving economic outcomes in line with the “Leeds City Region Plan.”

Case for a combined authority

25. The combination of economic output and other assets that are unique to West Yorkshire provide it with potential for economic growth:

- a population of 2.2 million, a core part of the largest functional economic area outside of London;
- the functional economic area has nationally and internationally competitive clusters in health and life sciences, low carbon industries with significant hubs of activity in business and manufacturing services;
- a thriving transport hub of railway and motorway networks making the area the ideal location for the logistics industry; and
- an increasingly skilled workforce.

26. However, West Yorkshire’s potential for economic growth isn’t being realised and the economic performance of the area hasn’t improved. In response, 2011 the “Leeds City Region Partnership” launched an economic Plan for the area. It has three key targets:

- to accelerate output growth to an average 2.6 per cent per year to 2030;
- to create 60,000 new jobs by 2016; and
- to achieve a substantial reduction in carbon emissions.

27. The “City Deal” that was agreed with Government in 2012 was designed to help realise these targets as well as improving skills, exports, transport and other infrastructure thus allowing West Yorkshire and the “Leeds City Region Local Enterprise Partnership” area to realise its full economic potential. However, the disparate governance structures that currently exist present a challenge to the delivery of this. Without a single accountable body to take strategic decisions in regard to economic development, regeneration and transport, the opportunities identified will continue to be missed.

28. An OECD report⁶ from 2012 cited the institutional complexity, geographic dispersion and polycentric nature of the area as affecting communication, co-ordination and a common sense of purpose across the area. The OECD report concludes that the area

⁶ Promoting Growth in All Regions, OECD, 2012

would benefit from strengthened and more established local governance arrangements.

29. Accordingly, the review considered four governance options for West Yorkshire. The conclusions of these are as follows:

- Status quo/do nothing. Although the current governance arrangements described earlier have proved to be durable, this option was discounted on the basis that, as there is no single accountable body able to take strategic decisions, relevant transport and economic development functions would remain fragmented. This fragmentation results in delays in making key decisions as each individual authority has to authorise decisions before they can be implemented. This process is seen as complex and cumbersome. If this arrangement continues the post 2014 major transport scheme funding allocation will be split between the two transport authorities of West Yorkshire and the City of York. In short, the lack of a single accountable body to take strategic decisions will mean that opportunities for the improvement of economic conditions across West Yorkshire would continue to be missed⁷.
- Strengthening existing governance arrangements. This option was discounted on the basis that, whilst some of the issues arising from fragmentation could be partially addressed by putting more formalised partnership arrangements such as a Joint Committee in place, this would add rather than remove another tier of decision making. Constituent members are limited in what functions, duties and powers they can delegate to a Joint Committee and where key decisions are needed, they would have to be referred back to the districts to be authorised, again causing a delay in key decision making.
- An economic prosperity board. This was discounted on the basis that, whilst, as a body corporate it would have a legal personality and be able to take on devolved powers and funding relating to strategic economic development and regeneration, it would not align strategic transport, economic development and regeneration as decisions in relation to transport would continue to be made by the West Yorkshire Integrated Transport Authority.
- A combined authority. This was deemed to be the optimal model for improving economic conditions across West Yorkshire. As a body corporate with legal personality and powers in its own right, a combined authority would be well placed to align decision making in relation to both economic development, regeneration and transport across the functional economic area, removing the fragmentation and delay that currently exists. It will provide a visible, stable mechanism for long term strategic decision making to drive greater economic growth.

30. The councils' governance review concluded that the establishment of a combined authority for West Yorkshire was the optimal solution to address the issues of fragmentation and lack of integrated decision making that can cause the type of delays that the review highlighted. For example, bringing together functional responsibility for

⁷ Since the review was conducted, Government has confirmed that major transport scheme funding will be merged into the Local Growth Fund which will be awarded to local enterprise partnerships.

strategic transport, economic development and regeneration, the members of the combined authority can take decisions jointly in relation to the whole of the West Yorkshire area without having to return to the five individual councils to have these decisions ratified.

31. In addition, by bringing together local authority leaders and the chairman of the “Leeds City Region Local Enterprise Partnership” the combined authority will allow the public and private sector to work together to deliver the “Leeds City Region Plan” maximising jobs and investment to realise their shared ambition for economic growth in West Yorkshire. It will foster a stronger, collective sense of purpose and identity for the area bringing a stronger focus to key local issues and allowing West Yorkshire to punch its weight with other combined authority areas.
32. Further, by streamlining the relationship between the West Yorkshire authorities, the “Leeds City Region Local Enterprise Partnership” and the “Leeds City Region Leaders Board”, the combined authority will remove the ambiguity of roles and result in a more transparent and efficient decision making process.
33. The establishment of a combined authority would also improve the exercise of statutory functions in relation to economic development, regeneration and transport across the functional economic area through collaboration and co-ordination. As a strategic economic decision making body the leaders of the West Yorkshire authorities have agreed that the running costs of the combined authority should be no more than the arrangements that it will replace and in the longer term will drive efficiency through co-ordination. Nor will it create significant new staffing structures as the combined authority will utilise the existing capacity within the district councils and passenger transport executive.
34. As a body corporate, the combined authority will be able to act as the accountable body for:
 - economic investment funds, including funds allocated by Government to the “Leeds City Region Local Enterprise Partnership” – such as the local growth fund, the pooling of funding of retained business rates and the single capital pot.

Support for a combined authority

35. Before publishing their scheme, the five West Yorkshire authorities undertook a consultation on the proposals which generated some 104 responses the majority of which came from members of the public. Key findings were:
 - 67 per cent supported the interim Review recommendations;
 - 74 per cent supported the proposed geography of the combined authority;
 - Only 31 per cent would like the functions of the combined authority to be expanded.

Chapter 3 - Issues for consultation

36. Having regard to the proposal submitted by the five councils and the West Yorkshire Integrated Transport Authority, supported by the “Leeds City Region Enterprise Partnership” and City of York Council, and his localist policy, the Secretary of State is considering making an Order under the statute which, if Parliament approves, would replace the “West Yorkshire Integrated Transport Authority” and “West Yorkshire Passenger Transport Executive” with a combined authority. This would bring together the councils of the metropolitan districts of Bradford, Calderdale, Kirklees and Wakefield and the City of Leeds. It would also bring the council of the City of York into these joint working arrangements as a “non-constituent council” and the “Leeds City Region Local Enterprise Partnership” as a member of the combined authority.
37. Under the statute the Secretary of State can make the Order only if, having regard to the councils’ scheme, he considers that establishing the combined authority would be likely to improve the effectiveness and efficiency of transport in the area, the exercise of statutory functions relating to economic development, regeneration and transport in the area and the economic conditions in the area. In making this judgement the Secretary of State would welcome views on this matter from consultees and others in response to this consultation. Chapter 2 of this consultation sets out the views and conclusions of the five councils to which consultees and others may wish to have regard when responding to the consultation.
38. The Secretary of State also recognises in making the Order he must have regard to the need to reflect the identities and interests of local communities and to secure effective and convenient local government. Again the Secretary of State would welcome the views of consultees and others on these matters when responding to the consultation.
39. Finally, were the Secretary of State to make such an Order, he is minded that it should provide for a combined authority with a constitution and functions as described in the Annex to this consultation document. A draft of an Order to give effect to these proposals is at the appendix to the Annex. The Secretary of State would welcome the views of consultees and others on these matters when responding to the consultation.
40. In short, comments are invited on the proposal to establish a combined authority for the area of West Yorkshire – Bradford, Calderdale, Kirklees, Leeds and Wakefield, and in particular:
- **on whether you consider that establishing the proposed combined authority would be likely to improve the provision of transport in the area and its effectiveness and efficiency, the provision of economic development and regeneration in the area, and the economic conditions in the area;**

- **on how establishing such an authority may impact on the identities and interests of local communities and on securing effective and convenient local government;**
- **on the proposed constitutional arrangements (including the formal name of the combined authority) and functions for a combined authority as set out in the Annex to this consultation paper.**
- **on how such an authority and the local enterprise partnership can work in a seamless manner to ensure the private sector is ‘hardwired’ into the leadership and decision making for the functional economic area.**

Annex

The proposed constitution and functions for the combined authority

Establishment

1. It is proposed that the combined authority would come into existence on 1 April 2014. The authority could be known as the 'West Yorkshire Combined Authority'. It would cover the local government areas of Bradford, Calderdale, Kirklees, Leeds and Wakefield – the constituent councils. In addition to members from the constituent councils, both the City of York council and the "Leeds City Region Local Enterprise Partnership" will be members of the combined authority.
2. West Yorkshire Integrated Transport Authority and the West Yorkshire Passenger Transport Executive would be dissolved and their functions, property, rights and liabilities including those that relate to contracts of employment transferred to the combined authority.

Constitution

3. The combined authority would be made up of ten members in total. Eight of these members will be elected members from the five constituent councils, Bradford, Calderdale, Kirklees, Leeds and Wakefield. The five constituent councils would each appoint a minimum of one of its elected members to the combined authority, with the remaining three members appointed by the constituent councils to reflect the political balance amongst the authorities, as far as this is practicable.
4. In addition to the eight members from the constituent councils, the City of York Council will appoint one of its members to be a non-constituent council member of the combined authority. The "Leeds City Region Local Enterprise Partnership" should also nominate one of its members to be a member of the combined authority.
5. The constituent councils, non-constituent council, and Local Enterprise Partnership should appoint/nominate as appropriate, another member to act as a member of the combined authority in the absence of the member appointed as described above – the substitute member.
6. As the economic transformation of the area depends on strong governance, there is an expectation that each constituent and non-constituent council would appoint its leader to the combined authority. In the case of the Local Enterprise Partnership, the expectation is that the Chairman would be appointed. This provides for decision making at the highest level and sets the strategic direction of the authority.
7. At the first meeting of the combined authority a Chairman and Vice-chairman would be appointed. Members of the combined authority would not be paid for the work they

undertake for the authority. However, they may receive allowances for travel and subsistence.

8. Where a member of the combined authority ceases to be a member of their local authority or of the Local Enterprise Partnership, they would also cease to be a member of the combined authority and a replacement member would be appointed as soon as practicable.
9. A council or Local Enterprise Partnership may at any time terminate the appointment of a member or a substitute member appointed/nominated by it to the combined authority.

Voting

10. The constituent council members of the combined authority will have one vote each and decisions would be reached by a simple majority of the members of the authority present and voting. The Chairman and vice-chairman would not have a second or casting vote.
11. Members from the non-constituent council and Local Enterprise Partnership would be non-voting members but may be given voting rights on certain issues should the constituent council members of the combined authority resolve to grant these.

Funding

Economic development

12. The costs of the combined authority in relation to the exercise of its economic development and regeneration functions and all start-up costs would be met by the constituent authorities. These costs will be apportioned in such proportions as the constituent councils may agree and in default of agreement on a per capita basis.

Transport

13. The costs of the combined authority will be met by constituent councils. In relation to costs attributable to its transport functions the combined authority will issue a levy to the constituent authorities apportioned on a per capita basis.
14. Section 74 of the Local Government Act 1998 allows for a combined authority to be given power to issue a levy in respect of its expenses relating to its transport functions. The Integrated Transport Authority already has a levying power and the scheme proposes that the combined authority should be given an equivalent power. This means that the amount to be raised by the levy would be apportioned to the constituent local councils by population size. These levies, as all levies, will be subject to the provisions on council tax referendums in the Local Audit and Accountability Bill, if Parliament enacts the legislation.
15. The scheme published by the West Yorkshire authorities refers to their "City Deal" provision for Government to consider proposals for the combined authority to assume

precepting powers to replace this transport levy. That “City Deal” explained that, over time, there could be agreement by Government to transport precepting powers, matched by transparent and accountable local governance arrangements for the combined authority, in line with those of the Greater London Authority/Transport for London. In their scheme, the local authorities are not proposing local governance and accountability arrangements for the combined authority which have the characteristics of those of the Greater London Authority/Transport for London. Accordingly at the present time the issue of precepting powers does not arise.

Functions

16. The primary focus of the combined authority is to manage a significant programme of investment in transport and economic infrastructure, and to influence and align with Government investment, in order to drive economic growth.

Economic development

17. The authority would have powers that would allow it to drive strategic economic growth across the functional economic area. It will focus on strategic economic issues such as:

- co-designing with “Leeds City Region Local Enterprise Partnership” the “Leeds City Region Plan”;
- setting and reviewing the objectives for strategic investment for the area’s Transport Fund and Economic Investment Fund;
- making decisions with regard to the West Yorkshire Transport Fund and Economic Investment Fund; and
- acting as the accountable body for the devolved major transport scheme funding and the single pot for economic investment.

Transport

18. The transport functions of the West Yorkshire Integrated Transport Authority and Passenger Transport Executive would be transferred to the combined authority.

General power of combined authority

19. The combined authority would have a ‘function related power of competence’ provided to them under Chapter 3 of Part 1 of the Localism Act 2011.

Scrutiny arrangements

20. The constituent authorities of the combined authority may establish joint overview and scrutiny arrangements to exercise scrutiny functions over the combined authority and any sub-committees.

Substructures and internal scheme of delegation

Leeds City Region Local Enterprise Partnership

21. The “Leeds City Region Local Enterprise Partnership” brings together elected leaders with representatives from the private sector to ensure that the economic vision for the area is realised. The close relationship between the “Leeds City Region Local Enterprise Partnership” and the proposed combined authority will allow for a seamless operation bringing together the public and private sectors. The addition of the chairman of the “Leeds City Region Partnership” as a member of the combined authority will ensure that the local enterprise partnership is able to provide leadership where required and that decisions taken by the combined authority fully support the priorities of the local enterprise partnership and the views of local business.
22. A shared economic strategy will be developed and agreed by the combined authority and the Local Enterprise Partnership ensuring that investment decisions are taken by those best placed to do so maximising the economic growth of the area.
23. The combined authority would act as the Local Enterprise Partnership’s ‘accountable body’ for the holding of its growth funds.

Joint Committee

24. It is the intention that a Joint Committee of the combined authority and the constituent councils will be established to support the combined authority with the following tasks:
 - to carry out operational transport functions;
 - to advise the CA on: the annual budget and transport levy, borrowing limits, major transport policies, local transport plan, and West Yorkshire Transport Fund operation; and
 - to carry out any functions which the councils might subsequently choose to delegate to the combined authority e.g. Local Transport Body functions, management of urban traffic control systems, or management of the road network to improve the flow of freight across the area.

Other Arrangements

25. The combined authority may establish sub-structures and sub-committees and delegate powers and functions where appropriate. This is provided for through existing legislation, rather than expressly through the West Yorkshire Combined Authority Order.

The metropolitan district councils whose areas are comprised in the West Yorkshire integrated transport area have consented to the making of this Order.

In making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government.

A draft of this instrument has been approved by a resolution of each House of Parliament pursuant to section 85 of the Transport Act 1985, section 94 of the Local Transport Act 2008 and section 117 of the Local Democracy, Economic Development and Construction Act 2009.

Accordingly, the Secretary of State makes the following Order:

PART 1

General

Citation and commencement

1. This Order may be cited as the West Yorkshire Combined Authority Order 2014 and shall come into force on 1 April 2014.

Interpretation

2. In this Order —

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;

“combined area” means the area consisting of the areas of the constituent councils;

“constituent councils” means the metropolitan district councils for the local government areas of Bradford, Calderdale, Kirklees, Leeds and Wakefield;

“the Executive” has the meaning given by article 8(1);

“financial year” means the period of 12 months ending with 31st March in any year;

“the ITA” means the West Yorkshire Integrated Transport Authority;

“Local Enterprise Partnership” means the Leeds City Region Local Enterprise Partnership;
and

“non-constituent council” means the council for the local government area of York.

PART 2

Establishment of a combined authority for West Yorkshire

Establishment

3.—(1) There is established a combined authority for the combined area.

(2) The combined authority is to be a body corporate and to be known as the West Yorkshire Combined Authority.

(3) The functions of the West Yorkshire Combined Authority are those functions conferred or imposed upon it by this Order or by any other enactment (whenever passed or made), or as may be delegated to it by or under this Order or any other enactment (whenever passed or made).

Constitution

4. Schedule 1 (which makes provision about the constitution of the West Yorkshire Combined Authority) has effect.

Funding

5.—(1) The constituent councils must meet the costs of the West Yorkshire Combined Authority reasonably attributable to the exercise of its functions relating to economic development and regeneration.

(2) The amount payable by each of the constituent councils is to be determined by apportioning the costs of the West Yorkshire Combined Authority referred to in paragraph (1) between the constituent councils in such proportions as they may agree or, in default of such agreement, in proportion to the total resident population at the relevant date of the area of each council concerned as estimated by the Registrar General.

(3) For the purposes of paragraph (2) the relevant date in relation to a payment for a financial year is 30 June in the financial year which commenced two years prior to the current financial year.

PART 3

Transport

Abolition and transfer of functions

6.—(1) The West Yorkshire integrated transport area is dissolved and the ITA is abolished.

(2) On the abolition of the ITA—

- (a) its functions; and
- (b) its property, rights and liabilities

are transferred to the West Yorkshire Combined Authority.

Adaptation of enactments

7.—(1) This article has effect in consequence of article 6.

(2) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport area; or
- (b) any reference which falls to be read as a reference to such an area,

is to be treated as including a reference to the combined area.

(3) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport authority; or
- (b) any reference which falls to be read as a reference to such an authority,

is to be treated as including a reference to the West Yorkshire Combined Authority.

(4) Schedule 2 (which amends section 9 of the Transport Act 1968 in consequence of article 6) has effect but this does not affect the generality of paragraphs (2) and (3).

Passenger Transport Executive

8.—(1) In this article “the Executive” means the West Yorkshire Passenger Transport Executive established by the West Yorkshire Passenger Transport Area (Establishment of Executive) Order 1973(a).

(2) Immediately before the coming into force of article 6 the Executive shall be dissolved and all functions, property rights and liabilities of the Executive shall be transferred to the ITA.

(3) In any enactment (whenever passed or made) any reference to a passenger transport executive is to be treated, in relation to the combined area as a reference to the West Yorkshire Combined Authority.

(4) The West Yorkshire Passenger Transport Area (Establishment of Executive) Order 1973 is revoked.

Continuity

9.—(1) Nothing in article 6, 7 or 8 affects the validity of anything done by or in relation to the ITA or the Executive before 1st April 2014.

(2) There may be continued by or in relation to the West Yorkshire Combined Authority anything (including legal proceedings) which—

(a) relates to any of the functions, property, rights or liabilities transferred to the West Yorkshire Combined Authority; and

(b) is in process of being done by or in relation to the ITA or the Executive immediately before 1st April 2014.

(3) Anything which—

(a) was made or done by or in relation to the ITA or the Executive for the purposes of or otherwise in connection with any of the functions, property, rights or liabilities transferred;

(b) is in effect immediately before the transfer takes effect,

has effect as if made or done by or in relation to the West Yorkshire Combined Authority.

(4) The West Yorkshire Combined Authority is to be substituted for the ITA or, where appropriate, the Executive in any instruments, contracts or legal proceedings which—

(a) relate to any of the functions, property, rights or liabilities transferred; and

(b) are made or commenced before the transfer takes effect.

(5) A reference in this article to anything made or done by or in relation to the ITA or the Executive includes a reference to anything which by virtue of any enactment is to be treated as having been made or done by or in relation to the ITA or the Executive.

(6) Without prejudice to the generality of this article a levy issued by the ITA under section 74 of the Local Government Finance Act 1988(b) and in accordance with the Transport Levying Bodies Regulations 1992(c) to the constituent councils in respect of the financial year beginning 1st April 2014 is to have effect for that year as if it had been so issued by the West Yorkshire Combined Authority.

(a) S.I. 1973/1729.

(b) 1988 c.41;

(c) S.I. 1992/2789, amended by S.I. 2012/213.

PART 4

Additional functions

Economic development and regeneration functions

10.—(1) The functions of the constituent councils set out in Schedule 3 to this Order are exercisable by the West Yorkshire Combined Authority in relation to its area.

(2) The functions are exercisable concurrently with the constituent councils.

(3) Any requirement in any enactment for a constituent council to exercise such a function may be fulfilled by the exercise of that function by the West Yorkshire Combined Authority.

Incidental provisions

11. The following provisions shall have effect as if the West Yorkshire Combined Authority were a local authority for the purposes of these provisions—

(a) section 142(2) of the Local Government Act 1972^(a) (the power to arrange for publication of information etc relating to the functions of the authority); and

(b) section 222 of the Local Government Act 1972 (the power to prosecute and defend legal proceedings).

12.—(1) The West Yorkshire Combined Authority shall have the power to exercise any of the functions described in subsection (1)(a) and (b) of section 88 of the Local Government Act 1985^(b) (research and collection of information) whether or not a scheme is made under that section.

(2) For the purposes of paragraph (1) of this article, paragraphs (a) and (b) of section 88(1) of the Local Government Act 1985 shall have effect as if a reference to “that area” were a reference to the combined area.

13. Section 13 of the Local Government and Housing Act 1989^(c) shall have effect as if –

(a) in subsection (4) after paragraph (x) there were inserted –

“(xx) subject to subsection (xx), a committee appointed by the West Yorkshire Combined Authority;”; and

(b) after subsection (4) there were inserted –

“(xx) A person who is a member of a committee falling within paragraph (xx) of subsection (4) or a sub-committee appointed by such a committee shall for all purposes be treated as a non-voting member of that committee or sub-committee unless he is a member of one of the constituent councils as defined by article 2 of the West Yorkshire Combined Authority Order 2014.”.

Signed on behalf of the Secretary of State for Communities and Local Government

Date

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

(a) 1972 c.72.
(b) 1985 c.51.
(c) 1989 c.42.

SCHEDULES

SCHEDULE 1

Article 4

Constitution

Membership

1.—(1) The West Yorkshire Combined Authority shall comprise ten members as provided in sub-paragraphs (2) to (9)

(2) Each of the constituent councils shall appoint one of its elected members as a member of the West Yorkshire Combined Authority.

(3) The constituent councils shall agree the appointment of another elected member from three of the constituent councils to reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils.

(4) The non-constituent council shall appoint one of its elected members to be a member of the West Yorkshire Combined Authority.

(5) Each constituent council and the non-constituent council shall appoint another of its elected members to act as a member of the West Yorkshire Combined Authority in the absence of the members appointed under sub paragraphs (2) to (4) (“the substitute member”).

(6) The Local Enterprise Partnership shall nominate one of its members to be a member of the West Yorkshire Combined Authority (“Local Enterprise Partnership Member”).

(7) The Local Enterprise Partnership shall nominate another of its members to act as a member of the West Yorkshire Combined Authority in the absence of the member appointed under sub paragraph (6) (“the substitute member”).

(8) The West Yorkshire Combined Authority shall appoint a member nominated by the Local Enterprise Partnership as a member of the West Yorkshire Combined Authority (“Local Enterprise Partnership Member”).

(9) The West Yorkshire Combined Authority shall appoint another member nominated by the Local Enterprise Partnership to act as a member of the West Yorkshire Combined Authority in the absence of the member appointed under sub paragraph (8) (“the substitute member”).

(10) For the purposes of this Schedule any reference to a member is to be treated as including a reference to the Local Enterprise Partnership Member.

(11) A person ceases to be a member or substitute member of the West Yorkshire Combined Authority if they cease to be –

- (a) a member of the constituent council or non-constituent council that appointed them; or
- (b) a member of the Local Enterprise Partnership that nominated them.

(12) A person may resign as a member or substitute member of the West Yorkshire Combined Authority by written notice served on the proper officer of the Council or the Chair or Vice Chair of the Local Enterprise Partnership (as the case may be) of–

- (a) the constituent council or non-constituent council that appointed them; or
- (b) the Local Enterprise Partnership that nominated them

and the resignation shall take effect on receipt of the notice by the proper officer of the Council or Chair or Vice Chair of the Local Enterprise Partnership (as the case may be).

(13) Where a member or substitute member’s appointment ceases by virtue of sub-paragraph (11) or (12) –

- (a) the constituent council or the non-constituent council that made the appointment must, as soon as practicable, give written notice of that fact to the West Yorkshire Combined Authority and appoint another of its elected members in that person’s place;

(b) the Local Enterprise Partnership must, as soon as practicable, give written notice of that fact to the West Yorkshire Combined Authority and nominate another of its elected members in that person's place.

(14) West Yorkshire Combined Authority shall appoint a member nominated under subparagraph (11)(b) at the next meeting of the West Yorkshire Combined Authority.

(15) A constituent council or the non-constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the West Yorkshire Combined Authority and appoint another of its elected members in that person's place.

(16) Where a constituent council or the non-constituent council exercises its power under subparagraph (15), it must give written notice of the new appointment and the termination of the previous appointment to the West Yorkshire Combined Authority and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(17) The Local Enterprise Partnership may at any time terminate the appointment of a member or substitute member nominated by it to the West Yorkshire Combined Authority and nominate another of its members in that person's place.

(18) Where the Local Enterprise Partnership exercises its power under subparagraph (17), it must give written notice of the new nomination and the termination of the previous appointment to the West Yorkshire Combined Authority.

(19) The West Yorkshire Combined Authority shall appoint a member nominated under subparagraph (18) and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(20) For the purposes of this paragraph, an elected mayor of a constituent council or non-constituent council is to be treated as a member of the constituent council or non-constituent council.

Chairman and vice-chairman

2.—(1) The West Yorkshire Combined Authority must in each year appoint a chairman and a vice-chairman from among its members and the appointments are to be the first business transacted at the annual meeting after the appointment of members of the West Yorkshire Combined Authority.

(2) A person ceases to be chairman or vice-chairman of the West Yorkshire Combined Authority if they cease to be a member of the West Yorkshire Combined Authority.

(3) If a vacancy arises in the office of chairman or vice-chairman, an appointment to fill the vacancy is to be made at the next ordinary meeting of the West Yorkshire Combined Authority.

Proceedings

3.—(1) Any questions that are to be decided by the West Yorkshire Combined Authority are to be decided by a majority of the members and substitute members, acting in place of members, present and voting on that question at a meeting of the West Yorkshire Combined Authority.

(2) Each member, or substitute member acting in that member's place, is to have one vote and no member or substitute member is to have a casting vote.

(3) Members appointed by the non-constituent council or appointed from the Local Enterprise Partnership will be non-voting members of the West Yorkshire Combined Authority.

(4) The proceedings of the West Yorkshire Combined Authority are not invalidated by any vacancy among its members or substitute members or by any defect in the appointment or qualifications of any member or substitute member.

Committees

4.—(1) The West Yorkshire Combined Authority may appoint one or more committees as an overview and scrutiny committee, or as the case may be committees, of the West Yorkshire Combined Authority.

(2) The West Yorkshire Combined Authority shall appoint members of each of the constituent councils and the non-constituent council to any overview and scrutiny committee appointed by the West Yorkshire Combined Authority.

(3) Any overview and scrutiny committee appointed by the West Yorkshire Combined Authority may not include any member of the West Yorkshire Combined Authority.

(4) Any overview and scrutiny committee appointed by the West Yorkshire Combined Authority will have the power to—

- (a) invite members to attend before it to answer questions;
- (b) invite other persons, including members of the public, to attend meetings of the committee;
- (c) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the West Yorkshire Combined Authority;
- (d) make reports or recommendations to the West Yorkshire Combined Authority with respect to the discharge of any functions which are the responsibility of the West Yorkshire Combined Authority.

(5) The power to review or scrutinise a decision made but not implemented under sub-paragraph (4)(c) includes the power to recommend that the decision be reconsidered by the West Yorkshire Combined Authority.

(6) Where any overview and scrutiny committee appointed by the West Yorkshire Combined Authority makes a report or recommendation under sub-paragraph (4)(d) the committee may –

- (a) publish the report or recommendations;
- (b) by notice in writing require the West Yorkshire Combined Authority to –
 - (i) consider the report or recommendations;
 - (ii) respond to the overview and scrutiny committee indicating what (if any) action the West Yorkshire Combined Authority proposes to take;
 - (iii) if the overview and scrutiny committee has published the report or recommendations under sub-paragraph (6)(a), publish the response.

(7) A notice served under sub-paragraph (6)(b) must require the West Yorkshire Combined Authority to comply with it within two months beginning with the date on which the West Yorkshire Combined Authority received the reports or recommendations or (if later) the notice.

(8) The West Yorkshire Combined Authority shall comply with a notice given under sub-paragraph (6)(b).

(9) Sub-paragraphs (6)(a) and (8) are subject to section 9FG of the Local Government Act 2000 and to any provision made under section 9GA(8).

Records

5.—(1) The West Yorkshire Combined Authority must make arrangements for the names of members and substitute members present at any meeting to be recorded.

(2) Minutes of the proceedings of a meeting of the West Yorkshire Combined Authority, or any committee or sub-committee of the West Yorkshire Combined Authority are to be kept in such form as the West Yorkshire Combined Authority may determine.

(3) Any such minutes are to be signed at the same or next suitable meeting of the West Yorkshire Combined Authority by the person presiding at that meeting.

(4) Any minute purporting to be signed as mentioned in sub-paragraph (3) shall be received in evidence without further proof.

(5) Until the contrary is provided, a meeting of the West Yorkshire Combined Authority a minute of whose proceedings has been signed in accordance with this paragraph is deemed to have been duly convened and held, and all the members and substitute members present at the meeting are deemed to have been duly qualified.

(6) For the purposes of sub-paragraph (3) the next suitable meeting is the next following meeting or, where standing orders made by the West Yorkshire Combined Authority provide for another meeting of the authority to be regarded as suitable, either the next following meeting or that other meeting.

Standing orders

6. The West Yorkshire Combined Authority may make standing orders for the regulation of its proceedings and business and may vary or revoke any such orders.

Remuneration

7. No remuneration is to be payable by the West Yorkshire Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the West Yorkshire Combined Authority.

SCHEDULE 2

Article 7

Amendment of Section 9 of the Transport Act 1968

1. Section 9 of the Transport Act 1968(a) is amended as follows.

2. In subsection (1)(a)—

(a) in subparagraph (i) after “except Greater Manchester” there is inserted and “West Yorkshire”;

(b) the word “and” after subparagraph (ia) is omitted; and

(c) after subparagraph (ia) there is inserted—

“(ib) the metropolitan county of West Yorkshire shall be the area of a combined authority; and”.

3. In subsection (1)(b)—

(a) the word “and” after subparagraph (ia) is omitted; and

(b) after subparagraph (ia) there is inserted—

“(ib) in relation to the metropolitan county of West Yorkshire; and”.

4. In subsections (2) and (3) after “the area of the Greater Manchester Combined Authority” in each case occurring there is inserted “, the area of the West Yorkshire Combined Authority”.

5. In subsection (5) after “or the area of the Greater Manchester Combined Authority” there is inserted “or of the West Yorkshire Combined Authority”.

6. In subsection (5A) after “2011” there is inserted “and the West Yorkshire Combined Authority means the authority of that name constituted by the West Yorkshire Combined Authority Order 2014”.

(a) 1968 c. 73; section 9 was amended by the Local Government (Scotland) Act 1973 (c. 65) Schedule 18, paragraph 1; by the Transport Act 1985 (c. 67) sections 57(1), 58(2), Schedule 3, paragraph 3, Schedule 8; by the Local Government (Scotland) Act 1994 (c. 39) Schedule 13, paragraph 80(2); and in relation to England and Wales only by the Local Transport Act 2008 (c. 26) section 98(4), Schedule 4, paragraph 2 and Schedule 7, Part 4 and by S.I. 2011/908.

SCHEDULE 3

Article 10

Economic development and regeneration functions

1. Such functions of the constituent authorities as are exercisable for the purpose of economic development and regeneration in reliance on the general power of competence under section 1 of the Localism Act 2011(a).

EXPLANATORY NOTE

(This note is not part of the Order)

This order establishes the West Yorkshire Combined Authority.

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise functions relating to transport and to economic development and regeneration in their area.

The Secretary of State may only establish a combined authority for an area where a scheme for such an authority has been published under section 109 of the 2009 Act. This order has been made following the publication of such a scheme on 31 July 2013 by the constituent councils whose areas together make up the combined area of the new authority. The scheme is available at www.awya.gov.uk/combinedauthority.

Part 2 of the Order establishes the new authority, to be known as the West Yorkshire Combined Authority on 1 April 2014, and makes provision for its constitution and funding.

Article 4 of and Schedule 1 to the Order make provision for the constitution of the West Yorkshire Combined Authority. This is supplemental to the provision that is made by Part 1A of Schedule 12 to the Local Government Act 1972 (see paragraph (6A) of that Schedule, as amended by the 2009 Act).

Article 5 makes provision for the funding, by the constituent councils, of those costs of the West Yorkshire Combined Authority that relate to the exercise of its economic development and regeneration functions.

Part 3 concerns transport. Article 6 abolishes the West Yorkshire integrated transport area and its integrated transport authority and transfers all functions rights and liabilities to the combined authority. Article 7 makes consequential adaptations to enactments. Article 8 does the same thing in relation to the West Yorkshire Passenger Transport Executive. Article 9 provides for continuity in the exercise of functions as between the abolished Integrated Transport Authority and Passenger Transport Executive and the Combined Authority.

Part 4 confers additional functions on the West Yorkshire Combined Authority. Article 10 confers functions of the constituent councils relating to economic development and regeneration. These are set out in Schedule 3 to the Order and are to be exercised concurrently with the constituent councils. Articles 11 to 13 make some general, incidental provisions relating to the West Yorkshire Combined Authority to enable it to carry out its functions more effectively.

(a) 2011 c.20

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.

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Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Strategy and Resources	Service area: Regional Policy
Lead person: James Flanagan	Contact number: 07891274153

1. Title: West Yorkshire Combined Authority

Is this a:

Strategy / Policy
 Service / Function
 Other

If other, please specify

2. Please provide a brief description of what you are screening

In line with the Leeds City Region City Deal, on 31 July 2012 the five West Yorkshire authorities; City of Bradford Metropolitan District Council, Borough Council of Calderdale, The Council of the Borough of Kirklees, Leeds City Council, and The Council of the City of Wakefield and the West Yorkshire Integrated Transport Authority, supported by the City of York Council and the “Leeds City Region Local Enterprise Partnership” published on July 2013 in accordance with the statute¹ a scheme with proposals for delivering greater local economic growth centred on the establishment of a Combined Authority across West Yorkshire.

A governance review and consultation was undertaken to consider the effectiveness and efficiency of arrangements in West Yorkshire for transport, economic

¹ Local Democracy Economic Development and Construction Act 2009 and Local Transport Act 2008 West Yorkshire Authorities Statutory Review

development and regeneration and both supported the establishment of a Combined Authority.

As a body corporate with legal personality and powers in its own right, a Combined Authority would bring together functional responsibility and decision making for strategic transport, economic development and regeneration across the functional economic area of West Yorkshire, removing fragmentation and historical lack of integration, into a visible, stable and streamlined body.

The submitted scheme outlined the intention that the West Yorkshire Integrated Transport Authority and West Yorkshire Passenger Transport Executive (collectively known as “Metro”) would be abolished and replaced by the Combined Authority. The Integrated Transport Authority and Passenger Transport Executive’s functions, staff, contracts and liabilities would be transferred to the newly established Combined Authority on 1 April 2014.

The Secretary of State, having regards to the scheme submitted, is expected to publish a Draft Order in the autumn. A formal consultation process by Central Government will then take place consulting local district councils, the Integrated Transport Authority and Local Enterprise Partnerships. Views will also be sought from the public, local businesses and the voluntary sector.

This screening will judge the relevance of equality, diversity, cohesion and integration to the transition and establishment of the Combined Authority including within its proposed policies, services and functions.

1. Relevance to equality, diversity, cohesion and integration

All the council’s strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	X	
Could the proposal affect our workforce or employment	X	

practices?		
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The establishment of the West Yorkshire Combined Authority would come into effect on 1 April 2013. This would change the shape of regional governance and decision making across transport, economic development and regeneration.

The key stakeholders potentially affected by the transition and establishment of a Combined Authority are:

- Service users and supplier/contract holders (including economic investment and transport)
- Employees of Metro
- The wider community

The programme to transfer and establish a Combined Authority is being led by the involved districts Chief Executives who have delegated the project management to a Programme Transition Board.

The board will ensure that due regard is given to equality and diversity at the appropriate time and is appropriately built into the transferred and new policies and practices of the West Yorkshire Combined Authority (including its strategies, policies, services and functions). The programme has been divided into two distinct projects: the establishment of the Combined Authority and West Yorkshire Integrated Transport Authority and the Passenger Transport Executive transfer to the Combined Authority. Both have established governance arrangements and work stream leads for key aspects of the programme. For the establishment project these are: scheme submission and order,

strategic communication, shadow board management, branding, constitution and governance and wider structures. For the transfer these are: human resources, contracts, property and assets, banking and finance, IT and external due diligence. All work streams produce monthly updates and these are summarised in highlight reports for the monthly Programme Transition Board meetings.

This programme approach has meant an individual from the Passenger Transport Executive and district representatives of the Combined Authority have a working oversight of the work-streams to ensure all equality and diversity issues are identified and addressed and specified timescales are met.

Metro is the operating brand of the West Yorkshire Integrated Transport Authority and Passenger Transport Executive. It is intended that the functions, assets, liabilities, contacts and staff the Integrated Transport Authority and the Passenger Transport Executive will be transferred to the new Combined Authority on 1 April 2014.

Effort is being made to ensure that contracts are transferred seamlessly to the new Combined Authority and there will not be any noticeable difference to the service user by 1 April 2014. The supplier/ contract holder will notice a change in the organisation paying the contract. During the transition period, until the establishment, suppliers will be notified of this change.

The transfer of the Integrated Transport Authority and Passenger Transport Executive staff to the new Combined Authority will require consultation on the transfer of their terms and conditions. The transfer human resources work stream will work to provide advice and undertake the consultation and communicate with staff so they are aware of the developments and feel comfortable with the transfer. The transfer of staff does not involve a physical move of staff or change of premises.

The strategic communications work stream in the establishment project involves representatives of all the involved districts, the Integrated Transport Authority and Leeds City Region Secretariat and continues to regularly communicate with the public and stakeholders throughout the transition to ensure they are informed about the developments and know about formal opportunities to be consulted.

Although not formally required, a public consultation on the proposal to submit a Combined Authority scheme was held between May to June 2013. The consultation was open to all and comments were invited from members of the public, business and the voluntary sector. The Metro leadership also continues to send out regular emails and displays key messages on its internal website to staff to update them on the progress of the establishment of the Combined Authority and Integrated Transport Authority/Passenger Transport Executive transfer so they are kept informed.

It is proposed that the Combined Authority will build on the policies, services and functions, including the organisations equality and diversity policies, used and developed in the Integrated Transport Authority and Passenger Transport Executive. Due to this a review of Metro's strategic policies has been undertaken, with an emphasis on equality related policies, to ensure that the policies robustly regard equality and diversity of service users, employees and the wider community.

In addition, we have made contact with colleagues in other councils aiming and have established a Combined Authority to share best practice and track progress.

At present, guidance from Central Government regarding the Review of the Public Sector Equality Duty has yet to be published which may inform the new Combined Authority's approach to equality and diversity. This could affect the level of information that public organisations are required to publish.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

An audit of key Metro policies was undertaken and included Metro's Equality and Diversity Policy, Procurement Policy and Metro Equality Objectives. The audit provided confidence that due regard has been given in the policies involving employees, service users and the wider community.

Post establishment, it is anticipated that the Combined Authority will undertake a review of these transferred policies and practices to ensure they are aligned with the new authority's objectives and that its equality and diversity policies are fit for the future functions of the organisation.

1. Actions

(think about how you will promote positive impact and remove/ reduce negative impact)

The Programme Transition Board will ensure that:

- 1) Further detailed action plans will be developed to ensure that due regard has been given to equality and diversity through the transfer of Metro and within the receiving organisation of the Combined Authority.
- 2) Timely consultation with stakeholder groups and the public is undertaken as appropriate.
- 3) Undertake due diligence checks on contracts transferring with Metro to the new Combined Authority.
- 4) Follow up and act on any recommendations and guidance from the Review of the Public Sector Equality Duty.
- 5) Post April 1 2014, review and update as necessary the transferred policies, with an emphasis on equality related policies, to reflect the new Combined Authority's organisational structure and functions.

5. If you are **not** already considering the impact on equality, diversity, cohesion and

integration you will need to carry out an impact assessment.	
Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

6. Governance, ownership and approval		
Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Rob Vincent	Programme Director	TBC

7. Publishing	
This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.	
If this screening relates to a Key Delegated Decision, Executive Board, full Council or a Significant Operational Decision a copy should be emailed to Corporate Governance and will be published along with the relevant report.	
A copy of all other screening's should be sent to equalityteam@leeds.gov.uk . For record keeping purposes it will be kept on file (but not published).	
Date screening completed	8 th October 2013
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	