

## **APPENDIX A**

### **DEVELOPING THE LCR HCA BOARD ARRANGEMENTS**

1. The city region Forerunner Agreement signed by the city region and Government at the city region Summit in November agreed the proposal to establish a City Region HCA Joint Housing and Regeneration Board [herein to be referred to as the LCR HCA Board]. This Board would be given devolved responsibility for overseeing housing and regeneration investment and delivery in the city region, particularly, HCA investments – currently circa £125m pa.
2. The LCR HCA Board offers an excellent opportunity for the city region partnership to direct where housing and regeneration investments are focussed across the city region, in liaison with the HCA, Yorkshire Forward and others. This would replace the current arrangements where nationally based investment decisions are made by Government or its agencies, and local authorities and Elected Members are limited to an influencing role.
3. The LCR HCA Board would also offer an appropriate mechanism for the voluntary alignment of other public sector funding around city region priorities, such as funding from Yorkshire Forward, local authorities and other bodies. This would enable the city region to deliver agreed outputs and outcomes more effectively and secure greater ‘value for money’ for public sector funds.
4. Leading up to the Summit, ongoing discussions took place between the LCR Secretariat and legal representatives of the City Region and the HCA to consider the most appropriate governance ‘model’ and the Terms of Reference for the LCR HCA Board. The key issues were to adopt a model that allowed delegated authority to a Board comprising of local authority, HCA and Yorkshire Forward representatives, and that could be implemented quickly without the need for primary or secondary legislation.
5. At an early it was clear that the current city region governance arrangements, constituted under the Local Government Acts, would not allow the necessary delegated authority to be given to non-elected Members, and therefore was dismissed as a viable option. Clearly, the HCA would not be willing to delegate its investment decisions to a decision making body that would not be able to include the HCA.
6. The HCA is constituted under the Housing and Regeneration Act, with the ‘sponsoring’ Government department being the Department of Communities and Local Government (CLG). Subject to the Secretary of State’s agreement, the Housing and Regeneration Act allows the national HCA Board to delegate authority to committees of the Board, which may include persons other than HCA Board members.
7. The HCA London Board is one such committee that has been set up to provide a strategic oversight of HCA Programmes in London, which is chaired by the London Mayor, and includes four Member representatives from London

Councils and a representative of the London Development Agency. It was considered that this governance model would also meet the city region's requirements for establishing a similar Board with similar powers.

8. This model was therefore adopted for the LCR HCA Board and the Terms of Reference were developed accordingly. The city region Housing Panel was involved in developing the Terms of Reference, which were agreed by the Panel in November and endorsed by the city region Leaders Board in December. The national HCA Board also endorsed the Terms of Reference in November.
9. A copy of the Terms of Reference is attached at Annex A, and in essence, the LCR HCA Board's functions would primarily be threefold:
  - a) To oversee the distribution of HCA investment across the city region, particularly in relation to the next Comprehensive Review Period;
  - b) To oversee the delivery of the agreed City Region strategic projects and programmes, to be set out in City Region HCA Investment Plan and Agreement; and
  - c) To provide a mechanism for the voluntary alignment of other related public sector resources.
10. The City Region Housing and Regeneration Strategy and Investment Framework (Nov 09) sets the City Region strategic framework for identifying policy and investment priorities, and for developing the LCR Investment Plan and Agreements. This LCR Investment Plan will focus on those projects and programmes to be dealt with at the city region level. Once determined, the remainder of the investment programme will be managed by individual local authorities through their individual HCA Single Conversations.

## **MEMBERSHIP & VOTING**

11. The Forerunner Agreement included the intention to establish the Board by April 2010 and this remains the intention. Both the HCA Board and the City Region Leaders Board have agreed the membership of the LCR HCA Board, which will be
  - Chair – Chair of the LCR Housing Panel (currently Leader of City of York Council)
  - Vice Chair – a Board Member of the HCA
  - HCA – The Regional Director or nominee
  - 3x LCR Local Authorities - nominated by the Leaders Board to be elected Members from Kirklees, Harrogate and Leeds (Cllr Andrew Carter)
  - Yorkshire Forward - one senior representative
12. The City Region Lead Local Authority Chief Executive for Housing and Regeneration (currently Bradford's Chief Executive) and the associated City Region Secretariat Lead officer, shall attend, but not be members of the Board. Government Office would attend in an advisory capacity.

13. Strong links will be made between the existing city region Housing Panel, comprising of elected Members from all eleven local authorities, and the LCR HCA Board, to ensure all partner authorities can feed into the decisions of the LCR HCA Board.
14. As the sponsoring body for the HCA, the appointment of non-HCA members to the Board would be subject to approval from the Secretary of State for Communities and Local Government.
15. The LCR HCA Board would operate a one member one vote system, but decisions will be taken by consensus wherever possible. The Chair shall hold a casting vote in the event of an equality of votes but the HCA representatives would have the right, in exceptional circumstances, to refer a decision on HCA investments to the HCA Board for determination.
16. Where the LCR HCA Board seeks to recommend a course of action or decision on the voluntary alignment of other related public sector investments, such as those of Yorkshire Forward or local authority partners, decisions on such alignments would remain the responsibility of the respective funding body.

## **LEEDS CITY REGION HCA BOARD – Terms of Reference**

### **1. CONSTITUTION AND MEMBERSHIP**

- 1.1 The Leeds City Region HCA Housing & Regeneration Board [herein after referred to as the Leeds City Region HCA Board] shall be established by the HCA, in liaison with the Leeds City Region Leaders Board, and shall comprise the following members:

Chair – A local authority Leader from Leeds City Region

Vice Chair – a Board Member of the HCA

HCA – the Regional Director or his nominee

LCR Local Authorities – 3 Members nominated by the Leeds City Region Leaders Board

RDA – one senior representative of Yorkshire Forward

- 1.2 The City Region Lead local authority Chief Executive for Housing and Regeneration and the associated City Region Secretariat lead officer shall attend, but not be members of, the Leeds City Region HCA Board.
- 1.3 Nominated representatives of CLG and the Government Office may attend as observers.
- 1.4 The HCA Board may, on the advice of the Chair and Vice Chair of the Leeds City Region HCA Board, appoint independent members, in an advisory capacity.
- 1.5 Appointment of non-HCA members to the Leeds City Region HCA Board is subject to the approval of the Secretary of State.
- 1.6 HCA Board Standing Order 13 (Standing Orders to Apply to Committees) shall apply to the Leeds City Region HCA Board, with the exception of arrangements for voting and quorum, which are set out in these terms of reference. A summary of all applicable Standing Orders is available separately for persons appointed.

### **2. FUNCTIONS AND RESPONSIBILITIES**

- 2.1 The Leeds City Region HCA Board will oversee the delivery of agreed city region strategic projects and programmes, determined through the City Region HCA Single Conversation and set out in the Housing and Regeneration Investment Plan and other associated strategies, having regard to relevant national policies and directives. It will oversee and direct the distribution of HCA investments across the city region, within the scheme of delegation set by the HCA Board.
- 2.2 The Leeds City Region HCA Board shall have the same delegated authority to approve proposals for housing and regeneration schemes in Leeds City Region as are given to the Investment Committee for proposals for the rest of England, except that,

- (a) nationwide programmes shall be considered by the Investment Committee but the Leeds City Region HCA Board will be consulted on, and may consider and make recommendations on the implications for the City Region of national policies and investment proposals, as appropriate.
- (b) where there are cross-boundary proposals these may be considered by both the Investment Committee and the Leeds City Region HCA Board in parallel, and in liaison with appropriate sub-regional bodies, and subsequently will be considered by the HCA Board if appropriate.

2.3 In particular, the Leeds City Region HCA Board shall

- (a) provide advice to the HCA Board and City Region Leaders Board on levels of housing and regeneration investment needed to deliver strategic priorities in the city region;
- (b) prepare, monitor and review the City Region Housing Investment Plan, providing advice to the City Region Leaders Board and the HCA Board on city region housing and regeneration policy and investment priorities;
- (c) provide an input into the preparation, monitoring and review of the City Region Housing and Regeneration Strategy and Investment Framework;
- (d) oversee the distribution of HCA investments across the city region;
- (e) prepare the City Region Investment Plan setting out the city region's programme for housing and regeneration, and oversee its delivery based on regular monitoring information and analysis;
- (f) consider and approve, or refuse, project and programme proposals for housing and regeneration in the city region, within the scope of delegation set by the HCA Board for the time being, subject to consideration of any advice from officials arising from full appraisal of proposals within the city region Partnership/HCA;
- (g) consider and, on approval, recommend to the HCA Board, programme and project proposals for housing and regeneration in the city region, where these are above the limits of delegation set by the HCA Board for the time being;
- (h) oversee the delivery of the HCA's programmes in Leeds City Region based on regular monitoring information;
- (i) provide a mechanism for voluntary alignment and co-ordination of the activities of public sector investors in housing and regeneration in the City Region;
- (j) liaise with relevant national, regional and local bodies and city region Panels / Boards as necessary
- (k) develop and agree appropriate delivery models for housing supply, improvement of existing stock and regeneration to meet housing requirements in the City Region.

### **3. QUORUM**

- 3.1 No business shall be transacted at a meeting of the Leeds City Region HCA Board unless at least four members are present including at least one Member of the HCA.

### **4 VOTING**

- 4.1 The Leeds City Region HCA Board shall operate on a consensus model, wherever possible without voting.
- 4.2 Where consensus is not achieved, a matter shall be carried by a majority of votes of the members present at the meeting, subject to 4.4 below.
- 4.3 In the case of an equality of votes, the Chair shall have a second or casting vote, subject to 4.4 below.
- 4.4 In exceptional circumstances, on any decision taken by the Leeds City Region HCA Board relating to HCA investments, the HCA representatives, or, in the absence of either, their nominee shall have the right to refer the decision to the HCA Board for determination. Where such a referral occurs the matter shall not be decided until it is determined by the HCA Board.
- 4.5 Where the Board seeks to recommend a course of action or decision on the voluntary alignment of other related public sector investments, decisions on such alignments would remain the responsibility of the respective funding body.

### **5. OTHER ISSUES**

- 5.1 The secretariat will be provided jointly by the city region secretariat and HCA.
- 5.2 The Board shall meet quarterly. Additional meetings may be called as necessary in accordance with Standing Order 5.1.

### **6 Amendment**

- 6.1 Any of the above terms of reference may be altered and amended from time to time by express resolution of the HCA Board, in liaison with the City Region Leaders Board, of which notice shall have been given in the meeting notice at which they are proposed. Any such proposal shall be subject to consultation with the Leeds City Region HCA Board.