

**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD REMOTELY ON THURSDAY, 16 APRIL 2020**

Present:

Councillor Susan Hinchcliffe (Chair)	Bradford Council
Councillor Tim Swift MBE (Deputy Chair)	Calderdale Council
Councillor Keith Aspden	City of York Council
Councillor Judith Blake CBE	Leeds City Council
Councillor Stewart Golton	Leeds City Council
Councillor David Hall	Kirklees Council
Roger Marsh OBE DL	Leeds City Region Enterprise Partnership (to minute 81)
Councillor Shabir Pandor	Kirklees Council
Councillor John Pennington	Bradford Council

In attendance:

Councillor Kim Groves	Chair, Transport Committee
Peggy Haywood	Ministry of Housing, Communities & Local Government (minute 82 only)
Ben Still	West Yorkshire Combined Authority
Caroline Allen	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority
Brian Archer	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Dave Haskins	West Yorkshire Combined Authority
Heather Waddington	West Yorkshire Combined Authority (minute 82 only)
Seamus McDonnell	West Yorkshire Combined Authority (minute 82 only)
Jacqui Warren	West Yorkshire Combined Authority (minute 82 only)
Ruth Chaplin	West Yorkshire Combined Authority

Meeting Arrangements

On 4 April 2020 new regulations came into force which made provision to enable local authorities (including Combined Authorities) to hold meetings remotely via means such as telephone conferencing, video conferencing, live webcast, and live

interactive streaming provided that the press and public have real time access to the meetings and have website access to the papers.

73. Chair's Comments

The Chair opened the meeting which was being held using Zoom technology and livestreamed via YouTube.

The formalities of how the meeting would be managed and the decision-making items to be considered were clarified.

74. Apologies for Absence

Apologies for absence were received from Councillors Denise Jeffery and Peter Harrand.

75. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

76. Exempt Information - Possible Exclusion of the Press and Public

Resolved: That in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting during consideration of Appendices 1 & 2 to Agenda Item 9, 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 press and public were present there would be disclosure to them of exempt information and for the reasons set out in the report that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

77. Minutes of the Meeting of the Combined Authority held on 6 February 2020

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 6 February 2020 be approved.

78. Covid-19

The Combined Authority considered a report of the Director of Economic Services on COVID-19.

Members noted the latest advice and business support being provided in response to the COVID-19 outbreak and the response of the Combined Authority and Leeds City Region Enterprise Partnership. It was acknowledged that health and public safety was the most important issue, but it was also an economic emergency and the full impact of COVID-19 on the Leeds City Region would not be known for some time and was already having a serious effect on businesses and the economy. It was reported that several meetings had been held with the banking sector in respect of the delays some businesses were experiencing in getting responses to

requests for loans and a letter had been sent to Government highlighting the gaps in their support package.

Members discussed the challenges and the additional COVID-19 action being undertaken by the Combined Authority and LEP. This includes the establishment of a Business Gateway team, (formerly the Business Growth Service) and the team had been set up with additional staff to handle the high volume of enquiries being received. Support was being offered to businesses to help them access financial assistance and advice as quickly as possible, in particular in respect of skills, redeployment and supply chain, particularly PPE (personal protection equipment) and the funding and measures that have been put in place by central Government.

It was noted that the Combined Authority and LEP were doing everything possible to work with central Government and other Mayoral Combined Authorities (MCAs) to ensure there was sufficient support for businesses. A note on business support interventions had been sent to Government to influence the development of national programmes and a copy was attached at Appendix 1 to the report.

The Authority was provided an update on the public transport network which had been reduced to a service aimed at helping key workers, school services for the children of key workers and for essential shopping trips. Members discussed the significant impact the reduction in transport services was having on the bus and rail industry and the Combined Authority. It was noted that recovery for public transport would be difficult and patronage will be slow to develop. It was noted that the Combined Authority has worked closely with the Department for Transport on a package of support to the bus companies and Local Transport Authorities. Councillor Blake updated the meeting of discussions held with Baroness Vere, the Buses Minister, and had emphasised in those discussions, the costs being incurred by combined authorities and the need to ensure that they were included in the Government's compensation packages.

Members stressed the importance of focussing on recovery and it was reported that work was being undertaken to develop a response and recovery plan to identify the potential work needed to support the economic recovery of the region and the role the Combined Authority and LEP can play. Members discussed the workstreams which included the convening of a working group. This would include representatives from business groups and key industries and the group would focus on the co-ordination and delivery of the recovery plan.

Members asked that their thanks be passed to the staff involved in the Business Gateway team and also to the front line bus station teams for their efforts during this challenging time.

A further report would be prepared for the next meeting.

Resolved: That the update be noted.

79. Capital Spending and Project Approvals

The Combined Authority considered a report of the Director of Delivery on the progress and funding for the following schemes through the Combined Authority's assurance process:

- Rail Parking Package – Normanton
- Corridor Improvement Programme (CIP): A650 Newton Bar

In addition, since the last meeting, a decision on the following scheme have been made by the Investment Committee:

- A647 Corridor, Leeds

Details of all the schemes were provided in the submitted report.

It was noted that the Leeds City Region Future Mobility Zone bid had been unsuccessful. There were however several elements of the bid which already have alternative funding in place to progress and additional funding opportunities that might allow other elements of the FMZ bid to be brought forward are being investigated.

The effect on the level of expenditure on funding programmes for the financial year 2019/20 will be minimal but it is very likely that spend for this financial year (2020/21) will be lower than was originally expected. The support of BEIS and DfT has been sought to help in responding to the challenges posed by COVID-19 in respect of extending reporting deadlines and managing possible delays to the programme.

Resolved:

(a) In respect of Rail Parking Package – Normanton –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the Normanton Rail Car Park project proceeds through decision point 5 and work commences on activity 6 (Delivery).
- (ii) That the total project value of £1.987 million is given from the West Yorkshire plus Transport Fund.
- (iii) That the Combined Authority enters into a Section 56 Funding Agreement with Northern Trains Limited for expenditure of up to £1.635 million from the West Yorkshire plus Transport Fund.
- (iv) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

- (b) In respect of the Corridor Improvement Programme (CIP): Newton Bar the Combined Authority approves –
- (i) That the A650 Newton Bar project proceeds through decision point 4 and work commences on activity 5 (FBC with finalised costs).
 - (ii) That an indicative approval to the Combined Authority's contribution of £9.268 million, which will be funded from the West Yorkshire plus Transport Fund is given, with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (FBC with finalised costs). The total project value is £9.353 million.
 - (iii) That additional development costs of £145,365 from the West Yorkshire plus Transport Fund are approved in order to progress the scheme to decision point 5 (FBC with finalised costs), taking the total project approval from the West Yorkshire plus Transport Fund to £350,165.
 - (iv) That the Combined Authority enters into an addendum to the existing Funding Agreement with Wakefield Council for expenditure of up to £350,165 from the West Yorkshire plus Transport Fund.
 - (v) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report including at decision point 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

80. Devolution Deal for West Yorkshire - Initial Deal Endorsement and Review of Governance Arrangements

The Combined Authority considered a report of the Director Policy, Strategy and Communications on the devolution deal for West Yorkshire.

Members noted the detail of the West Yorkshire "minded-to" Devolution Deal which was a welcomed announcement as part of the Budget in March 2020. The report provided an overview of the Deal and the process required before the making of the Order in Parliament and to enable an election for a Mayor to take place in May 2021.

The "minded-to" Deal is the starting point leading ultimately to the adoption of a mayoral combined authority model with additional functions which will require an Order of the Secretary of State. Each council and the Combined Authority will need to agree specific actions as part of the statutory procedures which must be followed before the Secretary of State may grant such an Order and these were set out in the submitted report.

It was noted that a statutory Review of constitutional arrangements and functions for the proposed electoral area and preparing and adopting a Scheme would be carried out and this will then go out to public consultation. Councils and the Combined Authority will have the opportunity to consider the representations received before deciding to submit the Scheme to the Secretary of State setting out proposed arrangements, along with a summary of consultation responses. The consent of each council and the Combined Authority will subsequently be required to the making of the Order. It was proposed to follow the process set out in the flow chart provided in the report (with additional detail attached at Appendix 3).

Members discussed and endorsed the “minded to” Deal text which was attached as Appendix 1 and agreed that a statutory Review be undertaken jointly by the Constituent Councils and the Combined Authority.

The Authority discussed the main decisions and estimated timescales involved in obtaining the necessary secondary legislation which were outlined in Appendix 4. It was acknowledged that the timescales may be challenging due to the impact of the COVID-19 pandemic.

Information would continue to be shared with Members and additional briefings and discussions could be arranged as required.

It was agreed that the decisions taken in respect of the report be exempt from call-in by the Overview and Scrutiny Committee. This was on the grounds of urgency as any delay caused by the call-in process would prejudice the Combined Authority’s and Constituent Councils’ interests as delaying the start of the statutory Review process, which would have a significant detrimental impact on the proposed timeline set out in Appendix 4.

A summary of consultation responses will be brought back to the Constituent Councils and the Combined Authority for approval before the Scheme is submitted to the Secretary of State at the end of July 2020.

Resolved:

- (a) That the Deal agreed and attached as Appendix 1 to the submitted report be endorsed.
- (b) That the Combined Authority should be party, together with the five Constituent Councils of Bradford, Calderdale, Kirklees, Leeds and Wakefield –to a Review of the Combined Authority’s constitutional arrangements and of the functions carried out by the Combined Authority over the Combined Authority’s area, as set out in paragraph 2 of this report and pursuant to S111 of the Local Democracy, Economic Development and Construction Act 2009.
- (c) That the Combined Authority’s Managing Director, in consultation with the Chief Executive of each Constituent Council, be authorised to

carry out the Review on behalf of each Constituent Council and the Combined Authority.

- (d) That the Combined Authority's Managing Director, in consultation with the Chief Executive of each Constituent Council, and on behalf of each Constituent Council and the Combined Authority be authorised to prepare a draft Scheme for consideration by the Constituent Councils and the Combined Authority, subject to the outcome of the Review.
- (e) That the provisional timetable set out in Appendix 4 to the submitted report be noted and the next steps including, if appropriate, the submission of a summary of the consultation to the Secretary of State by the end of July 2020, so that a mayoral combined authority model and associated changes may be adopted and implemented by May 2021, as set out in the Deal but noting that this may be impacted by the Coronavirus pandemic.
- (f) That the decision be exempt from call-in on the grounds of urgency, for the reasons set out in paragraph 6.1 of the submitted report.

81. Governance Arrangements

The Combined Authority considered a report of the Director, Corporate Services on the following governance arrangements:

- To advise Members of the arrangements and proposals for decision making during the current pandemic.
- To appoint private sector representatives to the Combined Authority advisory committees (panels)
- To appoint a substitute LEP Member to the Combined Authority.

Decision Making

On 4 April 2020 new regulations came into force which make provision to enable local authorities (including Combined Authorities) to hold meetings remotely via means such as telephone conferencing, video conferencing, live webcast, and live interactive streaming provided that the press and public have real time access to the meetings and have website access to the papers. The regulations also remove the requirement for local authorities to hold annual meetings for this year.

The regulations are time limited and apply in relation only to meetings taking place before 7 May 2021. Amendments to the Combined Authority's standing orders have been made by the Head of Legal & Governance to reflect these interim arrangements and a copy was attached at Appendix 1 to the submitted report including a protocol which provided guidance as to the holding of virtual meetings.

Advisory Panels

It was reported that in accordance with the Recruitment and Appointment Procedure for Private Sector Representatives, a recruitment process has been conducted to appoint new private sector representatives to the Combined Authority's advisory panels. A list of private sector representatives on all the advisory panels, including the proposed new members was provided in Appendix 2.

In addition, a number of current panel members' terms of office are due to end before the end of the year. It was agreed that their terms be extended as detailed in Appendix 2 to the submitted report.

Membership

At their meeting on 25 February 2020, the LEP Board appointed Mark Roberts as Private Sector Deputy Chair with effect from 31 March 2020. It was agreed that Mark Roberts be appointed as the substitute LEP Member on the Combined Authority.

Resolved:

- (a) That the arrangements and proposals for decision making during the current pandemic, including the governance documents amended by the Head of Legal and Governance Services to implement new regulations allowing virtual meetings as set out in Appendix 1 to the submitted report, be noted.
- (b) That the recommendations in relation to private sector representatives of the advisory panels as set out in Appendix 2 to the submitted report be approved.
- (c) That Mark Roberts, LEP Board Deputy Chair, be approved as the substitute LEP Member to the Combined Authority, to act in the absence of the LEP Member.

82. European Structural and Investment Funds (ESIF) – Sustainable Urban Development (SUD)

The Combined Authority considered a report of the Director, Corporate Services on the European Structural and Investment Funds (ESIF) – Sustainable Urban Development (SUD).

Members were advised that the Investment Committee had not been able to consider the detail of the project as their meeting had been cancelled due to the COVID-19 pandemic.

In its role as the Intermediate Body (IB), the Combined Authority considered and approved the assessment of the Green Blue Gateway full application which was attached as Exempt Appendix 2, together with a covering note at Exempt Appendix 1.

Resolved: That the advice included in the full assessment form at Part 2 of Exempt Appendix 2 be approved by the Combined Authority, in its role as the Intermediate Body for the SUD part of the ESIF programme to allow the Managing Authority to now issue a funding agreement subject to the proposed conditions set out in the full assessments being fully met.