

## Report of the City Solicitor to the meeting of Executive to be held on 1<sup>st</sup> March 2022

**BG**

---

### **Subject:**

**West Yorkshire Joint Services – Governance Changes and Legal Agreement**

### **Summary statement:**

This report seeks approval for governance changes at West Yorkshire Joint Services and for changes to the underpinning legal agreement. In recent years the non-statutory activity of Joint Services has contracted. WYJS Committee are recommending a slimmed down model of governance which will still deliver the statutory functions of the 5 Councils whilst minimising bureaucracy and increasing accountability and visibility of the services provided.

### **EQUALITY & DIVERSITY:**

There are no direct implications.

---

Parveen Akhtar  
City Solicitor

### **Portfolio:**

**Leader of Council and Corporate**

Report Contact: Michael Bowness  
Phone: 077910 38758  
E-mail: [michael.bowness@bradford.gov.uk](mailto:michael.bowness@bradford.gov.uk)

### **Overview & Scrutiny Area:**

**Corporate**

## **1. SUMMARY**

- 1.1 This report seeks approval for governance changes at West Yorkshire Joint Services and for changes to the underpinning legal agreement. In recent years the non-statutory activity of Joint Services has contracted. WYJS Committee are recommending a slimmed down model of governance which will still deliver the statutory functions of the 5 Councils whilst minimising bureaucracy and increasing accountability and visibility of the services provided.

## **2. BACKGROUND**

- 2.1 WYJS is governed by a Joint Committee to which each Council currently appoints 3 members plus the Leader of each Council. The current Chair of the Joint Committee is Cllr Les Shaw of Wakefield. Wakefield MDC acts as the lead authority for WYJS and provides support services to it. The Council's Chief Finance Officer and Chief Legal Officer act as s151 Officer and Monitoring Officer of WYJS respectively.
- 2.2 Some of the services provided through WYJS fulfil statutory duties for all 5 Councils such as Trading Standards, Weights and Measures, Archives and Archaeology Advisory Services whilst others, such as Archaeological Services are provided on a commercial basis. In 1986 many of the services that now form part of WYJS were provided by the West Yorkshire County Council, and in the case of Trading Standards were already operating out of the current headquarters based in Morley, Leeds.
- 2.3 In January 2021 the Joint Services Committee considered a paper on governance arrangements. The report outlined the findings of a governance review that had been undertaken by the District Legal Officers group (WYLAW) in light of changes to the operation, and closure of some of the non-statutory functions, of the organisation. Members were advised that there were no fundamental legal issues with the current governance arrangements, but it had been some time since the WYJS Agreement was last reviewed. The arrangements pre-dated the current Leader/Executive governance models in each Council and this would be an opportune time to make updates alongside any desired governance changes.
- 2.4 The report advised that if Members were minded to approve a refresh of the WYJS Agreement, each Council would need to agree any changes to ensure that adequate oversight is maintained, particularly in relation to performance and finance.
- 2.5 Members considered the outcome of the review and options available and resolved to ask Officers to refresh the Joint Services Agreement and accompanying Addendum on the basis of a slimmed down Committee, and asked that these documents be brought back to the Committee for approval.
- 2.6 Following that resolution, the Monitoring Officer worked with Heads of Legal in each Council through WYLAW to give effect to it. The draft revised Joint Services Agreement and Addendum are attached at Appendix A and B.

- 2.7 The principal amendment is to reduce the number of members from each Council on the Committee from 4 including the Leader to 2. The provision for 4 members predates the five Councils adopting Leader/Executive governance models when the role of Leader was very different to the current role. Reducing from 3 to 2 Councillors should encourage continuity of attendance and thereby understanding of the contribution of WYJS to each Council's functions. Some of the language has been modernised and a clear explanation of the role of the Committee in agreeing a service plan and in monitoring performance and spend (value for money) has been included. Once the Committee has considered a quarterly report on performance and budget it will be sent to each constituent Council for information and scrutiny as required.
- 2.8 The WYJS Committee considered the revised draft in January 2022 and directed the Monitoring Officer to send it to each Council with a recommendation from the Committee that it be approved. In making this decision the Committee noted that there is a further ongoing review of the accommodation at Morley but considered that the governance part of the review of WYJS should proceed at this time and not wait until the accommodation review is completed.

### **3. OTHER CONSIDERATIONS**

West Yorkshire Joint Services (WYJS) was established in 1986 as a shared service between the five West Yorkshire Metropolitan District Councils. It delivers important statutory functions on behalf of Bradford, such as food safety and tackling the sale of age restricted products such as alcohol and tobacco, along with doorstep crime and financial exploitation. A well-functioning WYJS benefits and protects residents in the District and across the West Yorkshire region.

### **4. FINANCIAL & RESOURCE APPRAISAL**

There are no direct financial implications.

### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

There are believed to be no risks associated with the proposed Agreement.

### **6. LEGAL APPRAISAL**

The amendments to the governance arrangements and legal agreement require the unanimous consent of the 5 constituent Councils. If any Council does not consent following their consideration of a similar report, the current arrangements and agreement will continue.

Although this is a shared service involving delegated functions, all are executive functions, meaning it is a decision to be made by Executive rather than Council.

## **7. OTHER IMPLICATIONS**

### **7.1 SUSTAINABILITY IMPLICATIONS**

No direct impacts though WYJS does provide environmental and bio-diversity assessment services.

### **7.2 GREENHOUSE GAS EMISSIONS IMPACTS**

None.

### **7.3 COMMUNITY SAFETY IMPLICATIONS**

A high performing WYJS protects the public. WYJS provides help, support and regulation for businesses, and protects the public, for example, by tackling the sale of age restricted products to children and young people.

### **7.4 HUMAN RIGHTS ACT**

None.

### **7.5 TRADE UNION**

None.

### **7.6 WARD IMPLICATIONS**

None.

### **7.7 IMPLICATIONS FOR CORPORATE PARENTING**

None.

### **7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

None.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None.

## **9. OPTIONS**

9.1 To approve the revised documents as recommended by the Committee. This option is RECOMMENDED. This option is considered by the Committee to meet the needs of the shared service and ensure the delivery of benefits to the District.

9.2 Not to approve the revised documents. If members are inclined to select this option, as the change requires the unanimous approval of all five member Councils, it will result in the continuation of the existing arrangements

**10. RECOMMENDATION**

- 10.1 That Executive approve the recommendation of the West Yorkshire Joint Services Committee to modify its governance arrangements and authorise the City Solicitor to sign the revised Agreement.

**11. APPENDICES**

Revised Agreement and Memorandum

**12. BACKGROUND DOCUMENTS**

None.