

## Agenda

**Notice of a  
public meeting  
of:**

**York and North Yorkshire Combined Authority**

**To:**

City of York Councillor Claire Douglas (Lead Member)  
North Yorkshire Councillor Carl Les (Lead Member)  
North Yorkshire Councillor Gareth Dadd  
City of York Councillor Peter Kilbane

**Date:**

**Friday 23rd February 2024**

**Time:**

**3.00 pm**

**Venue:**

**George Hudson Room, West Offices, York**

The meeting will be available to view once the meeting commences, via the following link  
[York & North Yorkshire Combined Authority - YouTube](#)

### Business

**1. Apologies for Absence**

**2. Minutes of the meeting held on 22 January 2024**

**(Pages 3 - 14)**

**3. Declarations of Interest**

**4. Public Participation**

Members of the public may ask questions or make statements at this meeting if they have given notice and provided the text of questions to Elizabeth Jackson of Democratic Services, North Yorkshire Council (elizabeth.jackson@northyorks.gov.uk) no later than 12 noon on Wednesday 21 February 2024. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes); or
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Leader who will instruct anyone who may be taking a recording to cease while you speak.

5. **Governance Matters and Appointment to Committees** (Pages 15 - 24)  
Report of the Interim Deputy Monitoring Officer – Seeking approval of committee appointments and outside body appointments
6. **Second Call for the Brownfield Housing Fund** (Pages 25 - 40)  
Report of the Director of Economy – Seeking approval of the Brownfield Funding prospectus to enable a call for projects
7. **Pay Policy Statement** (Pages 41 - 46)  
Report of the Head of Human Resources – Seeking approval of the York and North Yorkshire Combined Authority’s Pay Policy Statement
8. **Proposed Statutory Officers Appointment Panel Arrangements** (Pages 47 - 54)  
Report of the Head of Human Resources – For recruitment of Chief Executive and Director of Resources (s73)
9. **Forward Plan** (Pages 55 - 60)  
To approve the Combined Authority’s Forward Plan
10. **Decisions by Officers Under Delegated Powers - Outside Body Appointments** (Pages 61 - 72)  
Report of the Interim Deputy Monitoring Officer
11. **Urgent business**  
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances

James Farrar  
Interim Head of Paid Service

Barry Khan  
Interim Monitoring Officer

15 February 2024

Enquiries relating to this agenda please contact:

Elizabeth Jackson, Principal Democratic Services Officer  
[elizabeth.jackson@northyorks.gov.uk](mailto:elizabeth.jackson@northyorks.gov.uk)

Paul Clark, Governance and Assurance Manager  
[paul.clark@yorknorthyorks-ca.gov.uk](mailto:paul.clark@yorknorthyorks-ca.gov.uk)

**web: [www.yorknorthyorks-ca.gov.uk](http://www.yorknorthyorks-ca.gov.uk)**

## York and North Yorkshire Combined Authority

**Minutes of the inaugural meeting held at County Hall, Northallerton  
on 22 January 2024 commencing at 2.10 pm**

**Present:** North Yorkshire Councillor Carl Les in the Chair. North Yorkshire Councillor Gareth Dadd, City of York Councillor Claire Douglas and City of York Councillor Peter Kilbane.

**In attendance:** North Yorkshire Councillors Alyson Baker, Eric Broadbent, Felicity Cunliffe-Lister (remote attendee), Steph Duckett, Bryn Griffiths, Paul Haslam (remote attendee), George Jabbour, Rich Maw and Andrew Murday. City of York Councillor Nigel Ayre.

**Officers present:** Richard Flinton, NYC (except minute no. 10); Barry Khan, NYC; Suzan Harrington, NYC; Rachel Antonelli, NYC; Daniel Harry, NYC; Elizabeth Jackson, NYC; Sara Jeffs, NYC; Paul Jeeves, NYC, Olivia Hubbard, NYC; James Farrar, Y&NY LEP (except minute no. 10); Paul Clark, Y&NY LEP (except minute no. 10); Ian Floyd, CYC; Bryn Roberts, CYC, Debbie Mitchell, CYC; Helen Whiting, CYC; Jenni Newberry, OPFCC; Jonathan Dyson, OPFCC (except minute no. 10).

**Observers:** Zoe Metcalfe, PFCC, and Helen Simpson, Y&NY LEP.

### 01 Election of Chair and Vice Chair

Elizabeth Jackson welcomed everyone to the meeting and advised that the first item on the agenda would be the election of a Chair and Vice-Chair of the Combined Authority.

It was proposed and seconded that Councillor Carl Les be elected chair for the meeting, and this was agreed.

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#### North Yorkshire Councillor Carl Les in the Chair

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Councillor Carl Les welcomed everyone to the first meeting of the York and North Yorkshire Combined Authority, and proposed that the practice of appointing co-chairs for the Joint Devolution Committee should continue and it was

#### **Resolved –**

That there should be co-chairs for the Combined Authority, with the chair to be determined by where the meeting was held. City of York Councillor Claire Douglas would chair meetings held in York and North Yorkshire Councillor Carl Les would chair meetings held in North Yorkshire. As a result there would be no requirement for a vice-chair to be appointed.

Members were advised that the meeting would be recorded and broadcast and available to view on the North Yorkshire Council website.

The link to the recording of the meeting is here [York and North Yorkshire Combined Authority - 2pm, 22nd January, 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

### 02 Apologies for Absence

There were no apologies for absence.

### **03 Declarations of Interest**

There were no declarations of interest.

### **04 Exclusion of the Public**

The Chair, Councillor Carl Les, noted that there was an exempt appendix relating to minute no:

10 – Combined Authority Governance: Proposed Statutory Officers Structure for the Combined Authority and the Mayoral Combined Authority – Appendix

#### **Resolved –**

That in accordance with Section 100A(4) of the Local Government Act 1972 in view of the nature of the business to be transacted the public be excluded from the meeting during consideration of minute no. 10 as it would involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 4 of Part 1 of Schedule 12A Local Government Act 1972 (as amended). The exempt information in question related to information relating to individuals, or which was likely to reveal the identity of an individual and information relating to labour relations issues.

### **05 Combined Authority Governance**

The Chair, Councillor Carl Les, reported that Overview and Scrutiny Committees at both constituent authorities had reviewed the draft York and North Yorkshire Combined Authority Constitution and a number of proposed amendments had been submitted for consideration at the meeting, which would be reviewed as part of consideration of the Constitution.

#### **(a) Public participation**

Two Scrutiny recommendations related to public participation and it had been agreed that meetings would be webcast, and also that public participation would be allowed under Chair's discretion until a Mayor was elected.

Councillor Les advised that one member of the public had submitted a request to make a statement at the meeting and the following public statement was read out by Gwen Swinburn:

Thank you for using your discretions and letting me speak today.

Our City of York members were told by their statutory officers that they had no say over this draft constitution that they could 'note' only. To their credit, Members of all parties balked against this, asserting their rights to have their and our citizen voices

Their four hour meeting last week only addressed the first five parts.

It confirmed that this draft constitution simply does not reflect the values of City of York, fought for so hard by all of York's political parties over the last decade. These include but are not limited to, engagement, openness, transparency and equalities.

On so many levels, it is not fit for purpose. With so many good examples, I am at a loss why Manchester's was used as a model, not say, West Yorkshire's.

These are my most important priorities

1. Please amend to require all committee and sub-committee meetings to enable and encourage public and member participation, that they will all be webcast and they

will be retained for at least six years. I know our members have requested this, it is the minimum we have in York.

2. I know what isn't legally bound can be changed, and that the Mayor will be able to do that. However the officers have not footnoted this draft so no one knows what is a legal obligation and what is a choice, this needs addressing amongst all the other changes needed please.
3. As drafted your A&G Committee is not properly positioned to oversee and agree all changes to the CA constitution. It is crucial that all proposed changes are passed through them, not the loose and dangerous delegations as drafted.
4. The complete fissure between the police and fire audit committees and any democratic oversight remains. This is a democratic outrage I must once again, now beg you to address.
5. Members, I am all for having independent people on the Audit Committee but it cannot be that these unelected people are allowed a vote - they don't have any accountability to us citizens at all. As we were told this voting right is a discretion, I am asking that you remove their voting rights, now, before any are appointed.

Councillor Carl Les advised that the comments would be noted and some points would be dealt with under the next part of the item.

## **(b) Combined Authority Governance**

Considered –

A report in the name of the Assistant Chief Executive Legal and Democratic Services, North Yorkshire Council, which set out the governance arrangements for the new York and North Yorkshire Combined Authority (Y&NYCA), which was the legal and accountable body for £540 million of new funding devolved to York and North Yorkshire under the Devolution Deal with the Government. The Devolution Deal was dependent on the establishment of a Combined Authority for the area with an elected Mayor and an Order was made on 20 December 2023 legally creating the York and North Yorkshire Combined Authority. The Combined Authority (CA) was required to approve the governance arrangements to put in place the framework which would set out how the Combined Authority was to operate, how decisions were to be made and the procedures to be followed to ensure that decisions were transparent.

Suzan Harrington, the Interim Monitoring Officer, introduced the report and gave an overview of the key points.

- The CA was being set up in a series of phrases and at this stage was taking over the role of the Local Enterprise Partnership therefore it was important that it operated appropriately within the law, the agreed scheme and the Order.
- Further changes would be required in the future as the Police and Crime Commissioner functions and the Fire and Rescue Authority functions were brought into the CA; and also following the election of the Mayor, whose role would need to be specified in the Constitution.
- As such the Constitution was an iterative process and further reports would be brought in March and after the election to ensure the necessary changes were made to reflect how the newly elected Mayor wished to operate.
- On 15 January 2024 City of York Council held a joint meeting of its Audit and Governance Committee and Corporate Services, Climate Change and Scrutiny Management Committee which considered the draft Constitution and suggested a number of amendments, and these were circulated at the meeting. Some were

drafting points or changes in wording which could be accepted at the meeting whilst others required further consideration. As a report on the Constitution was coming back to the CA in March it was recommended that those items requiring more thought be considered in the formal report. A summary of the comments and response of the CA is included below:

<b>Reference</b>	<b>Proposed amendment</b>	<b>Response</b>
General	Replace all references to 'he' and 'she' with 'they'	Accept
General	Each Part of the constitution should adopt a consistent approach to numbering	Accept
General	Typos / presentational issues flagged up at the meeting to be resolved	Accept
General	Address duplication within the document and issues such as the same principles or procedures being explained in slightly different ways in different parts of the document	Accept
General	Remove references to 'strategic spatial planning' where appropriate	Accept
<b><i>Part 1 – Introduction and articles</i></b>		
Para 1.13	amend to read "Deputy Mayor for Policing and Crime' means a person appointed by the Mayor who may exercise Policing and Crime <b>and/or</b> Fire and Rescue functions of the Mayor where delegated."	Accept
Para 5.1	amend to read "The Y&NYCA <del>usually</del> <b>ordinarily</b> meets every month, but additional meetings may take place within the monthly period should the need arise."	Report back
Para 10.2 (c)	amend to read " <b>The advancement of Respect for human rights and equalities</b> "	Report back
Para 10.2 (d)	amend to read "Presumption in favour of <b>public accountability and</b> openness"	Accept
Para 10.2	insert new point (g) to read as follows: " <b>Due consideration to be given to environmental sustainability and the climate crisis</b> "	Report back
Para 11.3 (b)	amend to read: "Any contract <del>with a value exceeding £50,000</del> entered into by the Y&NYCA shall be made in writing."	Report back
Para 12.2	amend to read "Changes to the Constitution will only be approved by the full Y&NYCA after consideration of the proposal by the Monitoring Officer <b>and the Audit &amp; Governance Committee</b> and in accordance with the Y&NYCA Rules of Procedure in Part 5 of this Constitution, provided that such delegations made by the Mayor as are included in Part 3, 4 and 9 of this Constitution appear for information only and may be revised by the Mayor following consultation with, and having given written notice to, the Monitoring Officer."	Report back
<b><i>Part 2 – Functions of the Y&amp;NYCA</i></b>		
B. Transport, para 1.1 (c)	amend to read "The Y&NYCA must develop policies for the promotion and encouragement of safe, integrated, efficient, <b>sustainable</b> and economic transport to, from and within their area, and must prepare and publish a local transport plan containing its policies and proposals for their implementation.."	Report back
<b><i>Part 3 – Responsibility for Functions</i></b>		

<p>paras 4.2 (c) and para 4.3</p>	<p>In relation to paras 4.2 (c) and para 4.3 below, members felt there was an inconsistency in the wording <b>emboldened</b> in relation to the agreement of, or rejection of, a MDA.</p> <p><i>“4.2 A proposal by the Mayor to:</i>  <i>(a) Designate any area of land as an MDA;</i>  <i>(b) Alter the boundaries of an MDA to exclude an area of land;</i>  <i>(c) Decide that a Mayoral Development Corporation (MDC) should be the local planning authority (LPA) for the purposes set out in section 202 (2) to (4) of the Localism Act 2011, <b>requires the consent of all members of the Y&amp;NYCA (or substitute members acting in their place) whose local government area contains any part of the area to be designated or excluded</b> or in respect of which the Mayor wishes to decide that the MDC should be the LPA such consent to be provided at a meeting of the Y&amp;NYCA.</i></p> <p><i>4.3 A proposal of the Mayor under paragraph 4.2 above may be rejected by the Y&amp;NYCA in accordance with the provisions of section 197 of the Localism Act 2011 as modified by the 2023 Order, but only if a motion to reject has been considered at a meeting of the Y&amp;NYCA and <b>agreed to by two—thirds of the Y&amp;NYCA members</b> (or substitute members acting in their place) present and voting on that motion.”</i></p>	<p>Accept</p>
<p>Para 6.10 (a)</p>	<p>in relation to Fire &amp; Rescue, members felt that the wording (copied below) should be amended to reflect the expectation that the Mayor themselves would not be undertaking the calculation.</p> <p><i>6.10 The following functions are assigned as the responsibility of the Mayor and cannot be delegated:</i>  <i>(a) The function of calculating a council tax requirement (see section 42A of the Local Government Finance Act 1992)</i></p>	<p>Report back</p>
<p>Section E (Scheme of Del) para 1.6</p>	<p>amend to read “Before exercising delegated powers, particularly on matters involving the reputation of the Y&amp;NYCA, officers should <del>consider the advisability of</del> <b>ordinarily</b> consulting the Head of Paid Service and/or the Chair of the Y&amp;NYCA.”</p>	<p>Accept</p>
<p>Section E (Scheme of Del) para 4.24</p>	<p>(current wording copied below) – members felt that these responsibilities should sit with the Monitoring Officer, rather than the Section 73 officer.</p> <p>“To act as the Y&amp;NYCA’s Senior Information Risk Owner and to arrange for the determination of requests under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and data protection legislation, including dealing with internal reviews, complaints and data sharing or data processing.”</p>	<p>Defer until appointment process defined</p>

General	ensure that quorum requirements are consistent across all committees, including sub-committees to which matters may be delegated.	Accept
Section A (A&GC), para 1.1	amend to read “The Audit and Governance Committee is a key component of corporate governance providing an independent, high-level focus on the audit, assurance and reporting framework underpinning financial management and governance arrangements <b>and is to be consulted on any proposed revisions to the Y&amp;NYCA Constitution via a report to the committee.</b> ”	Report back
Para 2.1	there are thirteen members of the committee, not nine.	Accept
Para 2.1 third bullet	amend to read “four co-opted members, who are Independent Persons, <b>and shall have no voting rights on the committee.</b> ”	Report back
Para 2.4	amend to read “The Y&NYCA will appoint the Chair of the Committee <b>who must be a member of one of the constituent councils.</b> ”	Report back
Para 9.1	amend to read “Report the Committee’s findings, conclusions and recommendations to the Y&NYCA and the Mayor, <del>as appropriate</del> , on the effectiveness of governance, risk management and internal controls, financial reporting and internal and external audit functions.”	Amend to read that all reports of findings to go to the Y&NYCA
Section B (Business Cttee) para 4.9	request to amend the wording to support representation on the committee from employees and Trades Unions.	Report back
Section C (O&SC) para 2.1	delete “The overview and scrutiny committee will have a least one member from each Constituent Council” as this is unnecessary as there will be six members from each constituent authority.	Accept
Para 3	add a new point (n) to read “ <b>To invite members of the public to propose topics for the committee to consider at its meetings.</b> ”	Report back
<b>Part 5 – Procedure Rules</b>		
General	All public meetings of the Y&NYCA, its committees and sub-committees are to be webcast, and the recordings to remain available for six years.	Accept Further report needed on implications for Committees and Sub-committees
General	At all public meetings of the Y&NYCA and its committees there is to be a standing agenda item for public participation under which members of the public can register to speak on matters relevant to the matters to be considered at the meeting or on any matter within the committee’s remit. There is to be the facility for public speakers to address the meeting remotely, such as via a Zoom or phone link. There is to be no requirement for public speakers to share their remarks in advance of the meeting.	Further work required on balancing using venues with appropriate facilities with public accessibility
General	All public meetings of the Y&NYCA and its committees are to be held in fully accessible venues.	Accept
General	All statutory notices including the calendar to be posted at the registered offices of both constituent local authorities.	Accept



General	Where meeting papers are restricted and not publicly available, a description of the contents of the papers must be published as part of the agenda.	Report back
Section A (Procedure Rules) para 4.3	add new point (f) to read “ <b>There must be at least one Vice Chair from each constituent local authority.</b> ”	Report back
Para 11.4	suggest that this is not needed and can be removed. “ <b>If all of Mayor, Deputy Mayor and Vice-Chairs of the Y&amp;NYCA are absent from a meeting of the Y&amp;NYCA, the Secretary shall invite the Members present to elect a Member to preside for the duration of the meeting or until such time as the Mayor, Deputy Mayor or a Vice-Chair joins the meeting.</b> ”	Accept
Para 15.1	amend to read “Except where a Committee or any Committee or Sub-Committee of the Y&NYCA, is acting under delegated authority, the Minutes of any Committee or Sub-Committee of the Y&NYCA, shall be submitted to the Y&NYCA for <b>information confirmation.</b> <del>Confirmation by the Y&amp;NYCA of those Minutes shall constitute approval of any Committee or Sub-Committee of the Y&amp;NYCA.</del> ”	Accept Minutes of a committee can only be approved by that committee
Section B (Access to Info PRs) para 23	members do not support the proposal that officers can withhold information from members without providing a justification. This para needs to be amended so as to enshrine the right of members of the CA and its committees to have access to information.	Report back
Section C (O&SC PRs) paras 2.3	there are twelve members, not twenty, and the text “the committee will have at least one member from each constituent council” can be removed.	Accept
Para 15	there needs to be a provision for the same decision to be subject to multiple separate call-ins.	Report back
<b>Part 8 – Members allowances</b>		
General	allowances to be considered, as appropriate, by an independent review panel, given the additional workloads to be placed on those appointed to the CA and its committees.	Not an issue for the Constitution, but will be picked up as part of consideration of allowances

The Chair thanked all those who had had contributed to the comments including Members and officers of North Yorkshire Council, City of York Council, the Local Enterprise Partnership and the Office of the Police, Fire and Crime Commissioner.

Barry Khan, Interim Monitoring Officer, introduced the recommendations and advised that the CA also needed the ability to attach a seal and an additional recommendation be included on this. In response to a question the Interim Monitoring Officer suggested that volunteers be sought from the existing Independent Remuneration Panels for North Yorkshire Council and City of York Council to create a new panel for the CA.

Combined Authority Members indicated their unanimous support for the recommendations in the report.

**Resolved –**

That (1) the Combined Authority approves the Draft Constitution at Appendix A, and notes that a further report would be brought in March;

(2) the Combined Authority delegates to the Interim Monitoring Officer the ability to approve the Council Seal;

(3) the Combined Authority approves the membership of the Committees as set out in Appendix B;

(4) the Combined Authority defers to the February meeting the appointment of members to the Overview and Scrutiny and the Audit and Governance Committees in accordance with the membership of these Committees as set out in Appendix B;

(5) the Combined Authority approves the setting up of a Skills and Employability Working Group;

(6) the Combined Authority delegates responsibility for determining the membership and drafting the Terms of Reference of the Skills and Employability Working Group to the Interim Monitoring Officer in consultation with the Interim Head of Paid Service and the Lead Member for each constituent authority;

(7) the Combined Authority delegates authority to the Interim Monitoring Officer to make amendments to the draft Constitution to reflect the wishes of the Combined Authority as detailed above and ensure the Constitution is consistent with the provisions of the 2023 Order; and

(8) the Combined Authority delegates to the Interim Monitoring Officer the power to:

(a) constitute an Independent Remuneration Panel so that they can consider making recommendations to the Combined Authority meeting to be held in March;

(b) advertise the vacancy for the Independent Person on the Audit and Governance Committee and to make recommendations for appointment at a future Combined Authority meeting;

(c) advertise the vacancies for Independent Persons under Section 28 of the Localism Act 2011 for standards and to make recommendations for appointment at a future Authority meeting.

## **06 Combined Authority Budget 2023/24 and 2024/25**

Considered –

A report in the name of the Interim Director of Resources (S73 Officer), which sought approval of the initial budget for the York and North Yorkshire Combined Authority from January 2024 to March 2025, the Treasury Management Strategy Statement, and the appointment of external auditors. Agreement was also sought for the acceptance of grant funding.

Debbie Mitchell introduced the report and gave an overview of the key points, as summarised below:

- Over the next few months work would commence on a Medium Term Financial Strategy for the Combined Authority

- The budget before Members was an initial budget to get the CA through the first months of operation.
- Support services in the first 12 to 18 months would be through Service Level Agreements with NYC and CYC, and authority was sought for the Interim Director of Resources and the Interim Director of Transition to enter into these SLAs on behalf of the CA
- A draft Treasury Management Strategy Statement was attached as an appendix to the report for approval. This provided a safe framework for the investment of any surplus funds.
- Agreement was sought for appointment of external auditors through the Public Sector Audit Appointments scheme in the same way as other local authorities.
- The CA had been awarded £2m to design an energy partnership model based on the Bristol Local Area Energy Plans (LEAP) model and delegated authority was sought for the Interim Director of Resources to accept the grant funding.

The Chair then moved to a recorded vote on the recommendations contained in the report, which were carried unanimously.

FOR: Councillors Gareth Dadd, Claire Douglas, Peter Kilbane and Carl Les.

Total = 4

AGAINST: None

ABSTENTIONS: None

#### **Resolved –**

That (1) the budget outlined in Table 1 be approved;

(2) the Director of Transition and the Interim Director of Resources be delegated authority to enter into Service Level Agreements with the constituent Councils on behalf of the Combined Authority for the provision of support services;

(3) the appointment of external auditors through the PSAA be approved;

(4) the Treasury Management Strategy at Appendix 1 be approved; and

(5) the Interim Director of Resources be delegated authority to accept the LEAP funding on behalf of the Combined Authority.

## **07 Combined Authority Local Assurance Framework**

Considered –

A report in the name of the Interim Director of Transition, which sought approval of a draft Local Assurance Framework for the York and North Yorkshire Combined Authority. Local Assurance Frameworks were a requirement under the English Devolution Accountability Framework and set out how CAs would use public money responsibly, make robust and lawful decisions, achieve best value for money and act in an open and transparent manner.

Paul Clark introduced the report and gave an overview of the key points, as summarised below:

- The role of the Local Assurance Framework was to provide assurance to members, the government and the public that the CA had adequate governance arrangements and financial processes in place to deliver the devolution obligations of the region.
- Production was an iterative process and was taking place in consultation with constituent councils and the Office of the Police, Fire and Crime Commissioner and production and publication of the Framework was a requirement of Government to release the funding committed under Devolution.
- A review process has taken place with Government and some minor amendments had been received. However further amendments were expected from Government and therefore the CA was asked to delegate authority to sign off a final version to the Interim Head of Paid Service in consultation with co-chairs.

The voting members of the committee indicated their unanimous support for the recommendations in the report.

**Resolved –**

That (1) the draft Combined Authority Local Assurance Framework be approved; and

(2) the Interim head of Paid Service be delegated authority, in consultation with the Co-Chairs, to make any material changes which may be necessary for the agreement of a final draft with Government.

**08 Calendar of Meetings 2024-25**

Considered –

A report in the name of the Interim Monitoring Officer which sought approval of the Combined Authority’s calendar of meetings for the remainder of 2023-24 and 2024-25.

Paul Clark introduced the report and advised the calendar had been drafted to avoid any meeting clashes with constituent council meetings. An additional meeting would be included in March to consider the IRP, Economic Framework and the Constitution review, and the date would be agreed at the February meeting. Approval was also sought to move the meeting of the Audit and Governance Committee scheduled for 16 April to March to avoid the pre-election publicity period.

**Resolved –**

That the calendar of meetings for 2023-24 and 2024-25 be approved, subject to the amendments described above.

**09 Forward Plan**

Considered –

The Combined Authority’s draft Forward Plan was submitted for approval for publication on the North Yorkshire Council website and also the Combined Authority website from 1 February 2024.

**Resolved –**

That the draft Combined Authority Forward Plan be approved.

## **10 Combined Authority Governance: Proposed Statutory Officers Structure for the Combined Authority**

Considered –

A report in the name of the City of York Council Head of Human Resources regarding the appointment of statutory officers and the interim structure of chief officer and senior posts for the York and North Yorkshire Combined Authority.

Barry Khan, Interim Monitoring Officer, advised that the report mentioned a number of officer roles and it was for officers present to make a decision about whether they had a conflict of interest and should leave the room.

The Appendix to the report was exempt. The Combined Authority had resolved at minute no. 04 that the public should be excluded during discussion of the Appendix.

Helen Whiting introduced the open report and gave an overview of the key points, as summarised below:

- An initial staffing report had been considered by the Joint Devolution Committee on 24 July 2023, which had a number of caveats as the final Order making the CA had not been passed. Now that the CA was legally constituted and could make formal decisions it was necessary to confirm the interim Statutory Officers and recruitment to the roles for the future.
- Section 3 of the report considered roles to be appointed to on an interim basis as well as the Combined Authority Returning Officer (CARO) which would be appointed on a permanent basis.
- The Interim Section 73 Officer and Interim Monitoring Officer had been appointed at the meeting on 24 July and were before the CA now for ratification.
- In addition to the CARO both North Yorkshire Council and City of York Council would each designate a local Returning Officer
- Paragraph 10 of the report detailed salaries for the key Statutory Officers and it was noted that these were the same as detailed on the 24 July report, updated with the 2023 pay award

The Chair moved to a vote and Combined Authority members indicated their unanimous support for recommendations (1) and (3) below.

Following the presentation of the report in open session the Combined Authority went into private session for discussion of the exempt appendix at 3:00 pm.

Helen Whiting then gave an overview of the exempt appendix which made recommendations based on a number of options for the appointment of permanent statutory officers after the interim arrangements have ceased on or soon after the election of the Mayor.

On a vote being taken the recommendations contained in paragraph 20 of the exempt appendix, and as summarised at recommendation (2) below, were agreed unanimously.

**Resolved –**

That (1) Appoint interim Statutory Officers as part of the interim structure for the Combined Authority including:

- i) James Farrar - Director of Transition as the Interim Head of Paid Service (as detailed in paragraphs 5 of the report and paragraphs 8 to 10 in the confidential Appendix A)
- ii) Debbie Mitchell - Chief Finance Officer of City of York Council as the interim Section 73 Officer for the Combined Authority (as detailed in paragraph 6a)
- iii) Barry Khan - Assistant Chief Executive Legal and Democratic Services of North Yorkshire Council as the interim Monitoring Officer for the Combined Authority (as detailed in paragraph 6b)
- iv) Paul Clark - Governance and Assurance Manager for YNYLEP as the interim Scrutiny Officer (as detailed in paragraph 7a)
- v) Veritau Limited (through a service level agreement) as the interim Data Protection Officer (as detailed in paragraph 7b)
- vi) James Farrar - Director of Transition and Interim Head of Paid Service as the interim Senior Information Risk Owner for the Combined Authority (as detailed in paragraph 7c).

(2) Approve the recruitment and appointment process for the permanent roles of Statutory Officers for the Combined Authority as detailed in the Private Appendix A (as listed in paragraph 30a to f of the private Appendix). This includes the appointment of the Chief Executive to be undertaken after the Mayor's election and the Mayor can then be involved in the appointment process.

(3) Appoint to the Combined Authority Returning Officer;

- i) Richard Flinton, Chief Executive Officer North Yorkshire Council (and the previous Police Authority Returning Officer) as the Combined Authority Returning Officer for the 2024 election (as detailed in paragraphs 11a above) and noting that both City of York Council and North Yorkshire Council will designate two local Returning Officers and there will be ongoing co-ordination between the two Councils regarding the delivery of the election.

The meeting concluded at 3:10 pm.

## COMBINED AUTHORITY MEETING

23 FEBRUARY 2024

### GOVERNANCE MATTERS AND APPOINTMENT TO COMMITTEES

#### Report of the Interim Deputy Monitoring Officer

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#### **1.0 Purpose of the Report**

- 1.1 This report relates to the appointment of Members onto the Overview and Scrutiny Committee and the Audit and Governance Committee, which was a decision deferred from the last Meeting of the Combined Authority in January 2024.
- 1.2 Recommendations are also sought of the Combined Authority in relation to appointments on the Skills and Employability Working Group and also with regard confirmation of the dates of the Audit and Governance, Overview and Scrutiny and the next Combined Authority Meeting.

#### **2.0 Recommendations**

- 2.1 That the Combined Authority appoints Members to the Overview and Scrutiny Committee and the Audit and Governance Committee in accordance with the membership of those Committees.
- 2.2 That the Combined Authority appoints Members to the Skills and Employability Working Group and notes the final list of Members of the Working Group.
- 2.3 That the Combined Authority confirms the date of the next Combined Authority Meeting as 18 March 2024, with Audit and Governance to take place on 12 March 2024 and Overview and Scrutiny taking place on 13 March 2024.

#### **3.0 Committee Places for Overview and Scrutiny Committee and the Audit and Governance Committee**

- 3.1 The Combined Authority (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, made under powers contained within the Local Democracy, Economic Development and Construction Act 2009, provides that the Combined Authority must appoint to an Overview and Scrutiny Committee “so that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of **political parties** for the time being prevailing among members of the constituent councils when taken together.”

3.2 Members will recall that 2 tables were produced in the January 2024 paper, table 1 provided proportionality based upon Registered Political Parties and table 2 was based upon proportionality by Political Groups. The tables have been updated and are shown below:

**Table 1: Proportionality by Registered Political Parties**

Group	City of York Council	North Yorkshire Council	Total	Proportion of CA Seats		%
Conservative	3	45	48	$(48/137 \times 100)$	=	35.04
Labour	24	11	35	$(35/137 \times 100)$	=	25.55
Liberal Democrat	19	13	32	$(32/137 \times 100)$	=	23.36
Liberal	0	1	1	$(1/137 \times 100)$	=	0.73
Independent	1	15	16	$(16/137 \times 100)$	=	11.67
Green	0	4	4	$(4/137 \times 100)$	=	2.92
Reform UK	0	1	1	$(1/137 \times 100)$	=	0.73
						100.00

Committee	Seats	Cons	Lab	Lib Dem	Libs	Ind	Green	Reform Uk	TOTAL
		<b>35.04%</b>	<b>25.5%</b>	<b>23.36%</b>	<b>0.73%</b>	<b>11.67%</b>	<b>2.92%</b>	<b>0.73%</b>	
Overview and Scrutiny	12	<b>4</b> (4.20)	<b>3</b> (3.07)	<b>3</b> (2.80)	<b>0</b> (0.09)	<b>1</b> (1.40)	<b>0 or 1</b> (0.35)	<b>0</b> (0.09)	12
Audit and Governance	8	<b>3</b> (2.80)	<b>2</b> (2.04)	<b>2</b> (1.87)	<b>0</b> (0.06)	<b>1</b> (0.93)	<b>0</b> (0.23)	<b>0</b> (0.06)	8
Total Seats	20	7.01	5.11	4.67	0.15	2.33	0.58	0.15	20
Rounding to nearest decimal place		7	5	5	0	2	1	0	20



**Table 2: Proportionality by Political Groups**

Group	City of York Council	North Yorkshire Council	Total	Proportion of CA Seats		%
NYC Conservative and Inds	0	48	48	(48/137 x 100)	=	35.04
CYC Conservatives	3	0	3	(3/137 x 100)		2.19
Labour	24	11	35	(35/137 x 100)	=	25.55
Liberal Democrat and Liberals	0	14	14	(14/137 x 100)	=	10.22
Liberal Democrats	19	0	19	(19/137 x 100)	=	13.87
NY Independents	0	11	11	(11/137 x 100)	=	8.03
Unaffiliated	1	2	3	(3/137 x 100)	=	2.19
Green	0	4	4	(4/137 x 100)	=	2.92
						100.00

Committee	Seats	NYC Con (Ind)	CYC Con	Lab	CYC Lib Dem	NYC Lib Dem and Libs	NY Ind	Ind Unaff	Green	TOTAL
		<b>35.04%</b>	<b>2.19%</b>	<b>25.55%</b>	<b>13.87%</b>	<b>10.22%</b>	<b>8.03%</b>	<b>2.19%</b>	<b>2.92%</b>	
Overview & Scrutiny	12	<b>4</b> (4.20)	<b>0</b> (0.26)	<b>3</b> (3.07)	<b>2</b> (1.66)	<b>1</b> (1.23)	<b>1</b> (0.96)	<b>0</b> (0.26)	<b>0 or 1</b> (0.35)	12
Audit & Governance	8	<b>3</b> (2.80)	<b>0</b> (0.18)	<b>2</b> (2.04)	<b>1</b> (1.11)	<b>1</b> (0.82)	<b>1</b> (0.64)	<b>0</b> (0.18)	<b>0</b> (0.23)	8
Total Seats	20	7.01	0.44	5.11	2.77	2.05	1.61	0.44	0.58	20
Rounding to nearest decimal place		7	0	5	3	2	2	0	1	20

3.3 Whether the parties or groups methodology is used, the same seat allocation is created, therefore, it is recommended that the political balance be:

Committee	Con	Lab	Lib Dem	NY Ind/ Ind	Green	Total
Overview and Scrutiny	4	3	3	1	1	12
Audit and Governance	3	2	2	1	0	8
	7	5	5	2	1	20

3.4 The allocation of the seats across the Constituent Authorities is a matter for the Combined Authority.

3.5 Both Constituent Authorities have Full Council meetings scheduled for February, North Yorkshire Council's meeting will take place on 21 February 2024 and City of York Council's meeting is scheduled for 22 February 2024, which both pre-date the February meeting of the Combined Authority. At these meetings, Members of each Authority are being asked to submit their preferred nominations to appointments on the Combined Authority and Committees as recommended below, subject to the Combined Authority decision relating to the final allocation of seats and appointments:

### 3.6 North Yorkshire Council

- Ratification of the appointment of Councillor C Les, Leader of North Yorkshire Council, as the Lead Member for North Yorkshire Council on the Combined Authority;
- Ratification of the appointment of Councillor G Dadd, Deputy Leader of North Yorkshire Council, on the Combined Authority;
- Appointment of 2 substitute Members for the Leader and 2 substitute Members for the Deputy Leader positions on the Combined Authority;
- A total of six places on the York and North Yorkshire Combined Authority Overview and Scrutiny Committee, subject to political proportionality;
- A total of four places on the York and North Yorkshire Combined Authority Audit and Governance Committee, subject to political proportionality.

### 3.7 City of York Council

- Ratification of the appointment of Councillor C Douglas, as Leader of City of York Council, as the Lead Member for City of York Council on the Combined Authority.
- Ratification of the appointment of Councillor P Kilbane, as Deputy Leader of City of York Council, on the Combined Authority.

- Appointment of 2 substitute Members for the Leader and 2 substitute Members for the Deputy Leader positions on the Combined Authority;
- A total of six places on the York and North Yorkshire Combined Authority Overview and Scrutiny Committee, subject to political proportionality;
- A total of four places on the York and North Yorkshire Combined Authority Audit and Governance Committee, subject to political proportionality.

3.8 As the Council Meetings pre-date the Combined Authority Meeting, it is anticipated that Members will be able to confirm the appointments to each Combined Authority Committee at the February Meeting.

#### **4.0 Appointment of Members to the Skills and Employability Working Group**

4.1 At the January Meeting of the Combined Authority Members approved a recommendation in relation to drafting the Terms of Reference for the Skills and Employability Working Group. It is proposed that 2 Members from each Constituent Authority are appointed to this Working Group, which is not a decision-making Group, therefore, there are no requirements for political balance in the appointments.

4.2 North Yorkshire Council have recommended to their Council Members the appointment of the relevant portfolio holders (Councillor D Bastiman and A Wilkinson) to be appointed to the York and North Yorkshire Combined Authority Skills and Employability Working Group at their next Meeting which is due to take place later this month.

4.3 City of York Council have recommended the appointment of Councillor P Kilbane and Councillor R Webb to the Working Group.

4.4 Appendix A contains a list of existing Working Group Members and proposed new Members, for noting by the Combined Authority.

#### **5.0 Date of Meetings**

5.1 Officers have been assessing availability of Members in relation to Combined Authority Meetings for the rest of this municipal year, taking account of the pre-election period in the run up to the Mayoral Election. The following dates are proposed for each Meeting:

- Combined Authority – 18 March 2024;
- Audit and Governance – 12 March 2024;
- Overview and Scrutiny – 13 March 2024.

#### **6.0 Financial Implications**

6.1 There are no financial implications arising from the recommendations contained in this report.

## **7.0 Legal Implications**

7.1 The relevant provisions of the Combined Authority (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, made under powers contained within the Local Democracy, Economic Development and Construction Act 2009 are contained within the relevant parts of this report. The Combined Authority, by virtue of the Constitution and relevant legislation are required to make appointments to the Committees of the Authority.

## **8.0 Equalities Implications**

8.1 There are no equalities implications arising from the recommendations within this report.

## **9.0 Environmental Implications**

9.1 There are no environmental implications arising from the recommendations contained within this report.

## **10.0 Combined Authority Areas Impacted (Council Areas/Wards/Divisions)**

10.1 York and North Yorkshire Combined Authority area.

## **11.0 Recommendations**

11.1 That the Combined Authority appoints Members to the Overview and Scrutiny Committee and the Audit and Governance Committee in accordance with the membership of those Committees.

11.2 That the Combined Authority appoints Members to the Skills and Employability Working Group and notes the final list of Members of the Working Group.

11.3 That the Combined Authority confirms the date of the next Combined Authority Meeting as 18 March 2024, with Audit and Governance to take place on 12 March 2024 and Overview and Scrutiny taking place on 13 March 2024.

## **12.0 Reasons For Recommendations**

12.1 To ensure that the York and North Yorkshire Combined Authority has a governance framework to facilitate its operation in accordance with the legal requirements.

## **13.0 Contact Details**

For further information please contact the author of this Report.

### **Author**

<b>Name:</b>	Rachel Antonelli
<b>Job Title:</b>	Interim Deputy Monitoring Officer

<b>Email:</b>	Rachel.antonelli@yorknorthyorks-ca.gov.uk
<b>Date:</b>	13 February 2024

**Background papers [If applicable]**

Report of the Assistant Chief Executive Legal & Democratic Services (Agenda item 5 Combined Authority Meeting of 22 January 2024 – [\(Public Pack\)Agenda Document for York and North Yorkshire Combined Authority, 22/01/2024 14:00](#))

**Appendices:** Appendix A – list of Skills and Employability Working Group Members

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## Annex A – Skills and Employability Working Group Membership

<b>Existing Members</b>			
No.	Name	Organisation	Representing
1	Peter Emery	Independent	Directly Appointed (former LEP)
2	Claire Gavaghan	Derwent Training Association	Private Training Organisation
3	Martin Hewitson	DWP	Government Department
4	Joanne West	National Careers Service	Government Department
5	Amanda Newbold	North Yorkshire Council	Local Authority Officer
6	Maxine Squire	City of York Council	Local Authority Officer
7	Laura Mason	NYBEP	Voluntary Sector
8	Danny Wild	Harrogate College	Further Education
9	Michelle Mook	Pro-Development	Employers
10	Cllr Annabel Wilkinson	North Yorkshire Council	Local Authority Member
11	Cllr. Derek Bastiman	North Yorkshire Council	Local Authority Member
12	Cllr Peter Kilbane	City of York Council	Local Authority Member

<b>Proposed New Members</b>			
No.	Name	Organisation	Representing
13	Patricia Wellman	Department of Education	Government Organisation
14	Cllr Robert Webb	City of York Council	Local Authority Member
15	Rachel Richards	NYC Public Health	Public Health
16	Tracy Lightfoot	University of York	Higher Education
17	Mark Gibson	HYIOT	Technical & Vocational Education
18	Annabel Jelley	WNY Chamber of Commerce	Employer Representative Body
19	Alex Miles	Yorkshire Learning Providers	Independent Training Providers

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## COMBINED AUTHORITY MEETING

Friday, 23 February 2024

### SECOND CALL FOR THE BROWNFIELD HOUSING FUND

#### Report of the Director of Economy

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#### **1.0 Purpose of the Report**

- 1.1 This report provides background to the extension of the Brownfield Housing Fund (BHF) to the financial year ending 31<sup>st</sup> March 2026, which was agreed with the Department for Levelling-Up, Housing and Communities (DLUHC); and the implications of this extension.
- 1.2 The report also seeks agreement to reopen the call for further brownfield housing projects to enable the BHF to be fully utilised.

#### **2.0 Recommendations**

- 2.1 The Joint Committee is recommended to approve the reopening of a new call for projects, which will be subject to the funding deadline of 31<sup>st</sup> March 2026.

#### **3.0 Background**

- 3.1 Within the York and North Yorkshire Devolution Deal, published August 2022, it was agreed: “As a mayoral combined authority, the York and North Yorkshire Combined Authority will be awarded £12.7 million of devolved capital funding across 2023/24 and 2024/25 to support the building of new homes on brownfield land, subject to sufficient eligible projects for funding being identified.” The funding was subject to the creation of the York and North Yorkshire Combined Authority (CA).
- 3.2 Recognising these challenging timelines, which were constrained by the CA not being established until January 2024, DLUHC proposed an extension of the funding until 31<sup>st</sup> March 2026. This is explored further in section ‘3.0 Extension to the Fund’.
- 3.3 In December 2023, a report was taken to the Joint Committee meeting, where an initial £9,681,071 (noting that £504,071 is towards programme management costs) was approved. This left an underspend of £3,013,573.

#### **4.0 Extension to the Fund**

- 4.1 Throughout the BHF process, there have been ongoing discussions with DLUHC about flexibility on the fund’s deadline. Unlike other combined authorities, York and North Yorkshire CA was in a unique position of not being established when the fund launched. When the funding was initially agreed in the Devolution Deal, it was anticipated that the CA would be created sooner than December 2023.

- 4.2 Due to these challenges, DLUHC offered an extension, meaning the fund would now run up until the 31st March 2026. This detail was outlined in an updated Memorandum of Understanding, which was agreed after the submission of the December 2023 Joint Committee paper.
- 4.3 It should be noted that this extension does not change the requirements of projects approved by the Joint Committee in December 2023, and all currently approved projects will achieve new home starts on-site by December 2025. This is a consequence of the spend profile set by DLUHC, as follows:

Year	2023/24	2024/25	2025/26
Capital Spend	£4,231,548	£4,231,548	£4,231,548

- 4.4 In order to achieve the spend profile, all currently approved projects will achieve new home starts onsite by December 2025 and slippages should be minimised.

## 5.0 Round Two Call for Projects

- 5.1 The total budget for the BHF is £12,694,644. On the 18<sup>th</sup> December 2023, the Joint Committee approved 9 project totalling £9,177,000, with a further £504,071 committed to management and administration costs. This left an underspend of £3,013,573. Consequently, a further call for projects is required to maximise that underspend and ensure that York and North Yorkshire is benefitting fully from the total investment.
- 5.2 For Round Two, two changes to the fund have been proposed and were submitted at the Joint Committee meeting in December 2023:
- Eligible applicants would only include Registered Providers and City of York and North Yorkshire Councils. This limitation is due to the short timescales for Round 2 and it provides an opportunity to increase the level of affordable homes that are submitted.
  - The deadline for Round Two would reflect the extension agreed by DLUHC, all expenditure will need to be completed by the 31<sup>st</sup> March 2026 but housing starts on site will need to be enabled by 31<sup>st</sup> December 2025.
- 5.3 The focus will be on attracting a small number of projects with priority given to the following:
- Schemes that can deliver 100% affordable homes;
  - And planning consents and site ownership is in place and resolved.
- 5.4 The following provides an indicative timeline for proposed activity linked to Round Two:

Indicative Timeline	Activity
End of February 2024	Launch of Call for Projects
End of April 2024	Submission of Full Business Cases
May/June 2024	Independent appraisals of FBCs
July 2024	Funding Approval to projects from the York and North Yorkshire Combined Authority

August/September 2024	Funding Agreements issued
December 2025	New homes to start on site by December 2025

5.5 An updated prospectus reflecting these changes has been added as an appendix.

## **6.0 Financial Implications**

6.1 As this report is only seeking approval to reopen the process, there is not yet a direct financial implication. However, this will change once approval is being sought on committing the £3m underspend to projects. When this approval is requested from the CA, the financial implications will be updated.

6.2 Applicants will be notified that all activity and expenditure is undertaken at the applicant's own risk until the CA has approved their project and contracts have been signed off.

## **7.0 Legal Implications**

7.1 No legal implications are anticipated at this stage. The impact of extending the fund have been considered, but the requirements of the spend profile mean that this should not impact the first tranche of approved projects. Legal implications will be explored further once projects have been approved.

## **8.0 Equalities Implications**

8.1 No equalities implications are anticipated at this stage.

## **9.0 Environmental Implications**

9.1 There are not any environmental implications at this stage, but there may be an impact once projects have been approved and begin delivery. It is anticipated that some carbon emissions may occur through the building of the homes, but the prospectus has outlined that low carbon and sustainable homes will be prioritised.

## **10.0 Combined Authority Areas Impacted (Council Areas/Wards/Divisions)**

10.1 The Brownfield Housing Fund supports the whole of York and North Yorkshire. Although the houses must be built on brownfield land, the fund is still available to rural projects if they fit that definition.

10.2 As projects have not yet been approved for a Round Two Call, specific areas of impact can not yet be determined.

## **11.0 Recommendations**

11.1 The Joint Committee is recommended to approve the reopening of a new call for projects, which will be subject to the funding deadline of 31<sup>st</sup> March 2026.

## 12.0 Reasons For Recommendations

12.1 To maximise the funding allocation, a new call for projects is required otherwise DLUHC may claim back the underspend of £3m.

## 13.0 Contact Details

For further information please contact the authors of this Report.

### Author

<b>Name:</b>	Kate McHugh
<b>Job Title:</b>	Research & Evaluation Officer
<b>Service Area:</b>	Strategy
<b>Telephone:</b>	07970 679636
<b>Report approved:</b>	
<b>Date:</b>	7/2/24

### Co-author

<b>Name:</b>	Ian Collins
<b>Job Title:</b>	Project Officer
<b>Service Area:</b>	Strategy
<b>Telephone:</b>	07773 637935
<b>Report approved:</b>	
<b>Date:</b>	7/2/24

## Appendix 1 – York and North Yorkshire Brownfield Housing Fund Round Two Prospectus

YORK & NORTH YORKSHIRE

# Brownfield Housing

# Fund

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PROSPECTUS 2024



OFFICIAL

# Background



As part of the York and North Yorkshire Devolution Deal, the York and North Yorkshire Combined Authority have received an allocation from the Government's Brownfield Housing Fund of £12.7m to support the building of new homes on brownfield land. The target with this investment is to unlock 900-1,000 homes.

In December 2023, the York and North Yorkshire Combined Authority agreed funding support of £9.1m to a range of projects under the Brownfield Housing Fund programme. This prospectus sets out an opportunity to bid for the balance of funding remaining in the programme.

We are looking for proposals that will unlock housing development on brownfield site to enable new homes to start on site by **December 2025**.

## Indicative Timeline:

**End February 2024:** Launch of Call for Projects

**End April 2024:** Submission of Full Business Cases (FBC)

**May/June 2024:** Independent appraisals of FBCs

**July:** Funding Approval to projects from the York and North Yorkshire Combined Authority

**August/September 2024:** Grant Funding Agreements issued

**December 2025:** New homes to start on site by December 2025

# What is the York and North Yorkshire Brownfield Housing Fund?

## The Purpose

The purpose of the York and North Yorkshire Brownfield Housing Fund under this call is to unlock housing development on brownfield site to enable new homes to start on site by December 2025.

Schemes help to deliver affordable, accessible and low carbon housing, creating sustainable and high quality places. Priority will be given to schemes that can deliver 100% affordable homes, and where planning permissions/consents have been secured and the site/land being developed is owned by the applicant.

There is no set limit to the amount that can be applied for under this call, but it should be noted that the total available funding is around £3m, and this is intended to support a small number of deliverable projects.

The intervention rate necessary to achieve this target is around £14,000 per home unlocked. This intervention rate will be considered when assessing schemes but higher rates will be looked at under specific circumstances and if a strong case can be made. Other factors such as deliverability and value for money of the scheme will also be assessed.

## Who can apply for funding?

Applications are encouraged from:

- City of York and North Yorkshire Councils
- Registered Providers

# What is the York and North Yorkshire Brownfield Housing Fund?

## What type of investments can be funded?

The funding is for **capital** expenditure only, and can fund a range of interventions that unlock the development of housing on brownfield land which would otherwise not happen.

Eligible capital expenditure could be:

- Off site infrastructure
- Site remediation and demolition to prepare sites
- On site infrastructure
- Direct delivery of new homes
- Site acquisition and land assembly
- Place infrastructure such as public realm, place-making interventions
- Capacity to support any of the capital delivery activity detailed above, where it is directly attributable to the creation or maintenance of a capital asset

## Meeting local strategic priorities

The Fund will contribute to the overall aspirations and vision for the York and North Yorkshire economy. In particular, the ambition for more affordable, high quality and low carbon homes. This will include:

- Low carbon and modern methods of construction
- Enhanced energy efficiency standards
- Decarbonised heat measures
- Adaptable and accessible properties to support local needs
- Enhanced place making



# Assessment Criteria

## Gateway Criteria

Every scheme must:

- Be on **brownfield land** (note 1)
- Be unlocked with new home starts by **31 December 2025** (note 2)
- Achieve a minimum **Benefit Cost Ratio (BCR) of 1** (note 3)
- Must deliver a minimum of **5 new homes**
- Must be located in **York and North Yorkshire** (note 4)
- Demonstrate evidence that **planning permissions/consents** have been secured
- Demonstrate evidence of **site/land ownership** of any land required to deliver the project

## Other Assessment Criteria

Schemes must also demonstrate:

- **Regional Strategic Fit** - Contribute towards the strategic priorities of York and North Yorkshire
- **Local Strategic Fit** - Alignment with planning policy (Local Plan), local economic growth and housing strategies. Show evidence of any local support (if available)
- **Housing Need** - Clearly address housing need, including affordability and rural housing needs
- **Low Carbon** - Be sustainable and contributing to the region's ambition to be carbon negative
- **Risk Analysis** - Consider all risks and mitigating actions
- **Deliverability** - Be deliverable with a clear plan, capacity and expertise in place to deliver the proposed scheme
- **Need for intervention** - Address a market failure showing a clear rationale why the scheme would not otherwise be delivered
- **Place Making** - Demonstrate place making and high quality homes

- **Unlock Brownfield Land**
- **Support provision of affordable housing**
- **Contribute to economic growth priorities for York and North Yorkshire**
- **Enable high quality homes with great place making**
- **Deliver sustainable and low carbon housing**

## Compatibility with Other Funding

We encourage co-funding of schemes where the opportunity exists. Investments through this fund should always add maximum value and this should be clearly proven and evidenced by the applicant. Early discussion with other funding bodies is needed to ascertain compatibility.

## Notes

Note 1: A brownfield site is an area that has been used before and tends to be disused or derelict land.

Note 2: This is the date when work begins on the laying of the foundation, including 'slabbing' for houses that require it, but not including site preparation

Note 3: BCR of 1 means Benefit Cost Ratio as defined in the HM Treasury Green Book.

Note 4: York and North Yorkshire means the Local Authority areas of the City of York and North Yorkshire County.

# The Process

Due to the timeline constraints, only projects that are ready for immediate delivery should be submitted.

All schemes will be assessed and processed using HM Treasury Green Book Principles.

The application process for funding support from this call consists of a single stage:

## Stage 1: Full Business Case

Applicants will be required to complete a Full Business Case and obtain and submit a UK subsidy control regime assessment provided by a solicitor.

Full Business Cases will be assessed and presented to the York and North Yorkshire Combined Authority for a funding decision.

Once approved, the grant recipient will claim funding in arrears. Progress will be monitored against the agreed contract and delivery milestones and outputs delivered.

**Please note that submission of your Full Business Case does not imply funding support to your project/scheme, and any work undertaken on your project/scheme is done so at your own risk.**

**Complete and submit a Full Business Case by Noon on 30<sup>th</sup> April 2024**

## How much can you apply for?

There is no set limit to the amount that can be applied for, but it should be noted that the total funding (up to December 2025) is around £3m and this is intended to support a small number of deliverable projects.

The intervention rate necessary to achieve the overall target of new homes started is £14,000 per home. This intervention rate will be considered as part of the assessment but higher rates can be considered if a clear rationale is evidenced (for example, rural housing sites, projects which are delivering net zero carbon use homes or homes designed to meet higher accessibility standards where costs can sometimes be higher).

## How to Apply?

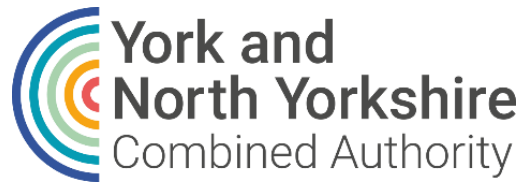
Complete a **Full Business Case (FBC)** form and return no later than noon (12:00hrs) on **Tuesday 30 April 2024** to the following e-mail address: [enquiries@yorknorthyorks-ca.gov.uk](mailto:enquiries@yorknorthyorks-ca.gov.uk)

# Contact for more details:

If you have queries about the process, or want to have an informal chat about your proposed scheme, please contact:

**[enquiries@yorknorthyorks-ca.gov.uk](mailto:enquiries@yorknorthyorks-ca.gov.uk)**

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## York and North Yorkshire Combined Authority

### COMBINED AUTHORITY MEETING

23<sup>rd</sup> February 2024

### Pay Policy Statement

Report of the Head of HR (Sara Jeffs)

#### **1.0 PURPOSE OF REPORT**

- 1.1 This report sets out the Combined Authority's proposed Pay Policy Statement as required by the Localism Act 2011.

#### **2.0 RECOMMENDATIONS**

- 2.1 The Combined Authority is asked to agree the proposed Pay Policy Statement, as set out in Appendix 1 to enable publication on the Combined Authority's website.

#### **3.0 BACKGROUND**

- 3.1 The Localism Act 2011 requires local authorities to prepare a Pay Policy Statement each year. The Statement must articulate the Combined Authority's approach to the remuneration of Chief Officers on appointment, subsequent progression and any use of bonus or performance related pay. In preparing Pay Policy Statements, the Combined Authority must have regard to any guidance issued or approved by the Secretary of State.
- 3.2 Appendix 1 sets out the Combined Authority's Pay Policy in relation to the remuneration of its employees in accordance with section 38 of the Localism Act 2011.
- 3.3 The policy is subject to annual review which must be approved by the Combined Authority before 31st March each year.
- 3.4 Any amendments during the course of the year must also be considered and approved by the Combined Authority.

3.4 The policy will be published on the Combined Authority’s website as soon as reasonably practicable after approval or amendment.

**4.0 FINANCIAL IMPLICATIONS**

4.1 The Pay Policy Statement must be prepared for each financial year. Once in place, it will provide the public with a clear rationale to explain the Combined Authority’s approach to pay.

**5.0 LEGAL IMPLICATIONS**

5.1 There is a statutory requirement for the Combined Authority to approve an annual pay policy statement, in accordance with the Localism Act 2011.

**6.0 EQUALITIES IMPLICATIONS**

6.1 The Pay Policy Statement will assist the Combined Authority to monitor remuneration and provide a fair system which avoids discrimination.

**7.0 ENVIRONMENTAL IMPLICATIONS**

7.1 There are no environmental implications arising from the adoption of the pay policy statement.

**8.0 COMBINED AUTHORITY AREA IMPACTED**

8.1 York and North Yorkshire.

**9.0 RECOMMENDATIONS**

9.1 The Combined Authority is asked to agree the proposed Pay Policy Statement, as set out in Appendix 1 to enable publication on the Combined Authority’s website.

**10.0 REASONS FOR RECOMMENDATIONS**

10.1 In order to comply with section 38 of the Localism Act 2011.

**CONTACT DETAILS**

For further information please contact the authors of this Report.

**Author**

<b>Name:</b>	Sara Jeffs
<b>Job Title:</b>	Head of HR
<b>Service Area:</b>	Human Resources

**Background papers [If applicable] - None**

**Appendix One – Draft Pay Policy Statement**



## York and North Yorkshire Combined Authority Pay Policy Statement 2024/2025

This pay policy statement applies from 1<sup>st</sup> April 2024 with the requirement to be agile due to the impending TUPE transfer of employees from the OPFCC and Fire Service so will be reviewed in the Summer of 2024.

### Introduction

This document sets out the Combined Authority's Pay Policy in relation to the remuneration of its employees in accordance with section 38 of the Localism Act 2011. The policy is subject to annual review which must be approved by the Combined Authority before 31st March each year. Any amendments during the course of the year must also be considered and approved by the Combined Authority. The policy will be published on the Combined Authority's website as soon as reasonably practicable after approval or amendment.

2. The Combined Authority is committed to ensuring fairness, transparency and equality of pay in the remuneration of its employees.

### Chief Officers and Senior Management Team

3. Posts within the Combined Authority defined as Chief Officers under the Localism Act, consist of the following:

Job title	Grade	Salary
Chief Executive (Head of Paid Service) currently vacant	DIR 1 (Chief Executive)	£124,656 (spot salary)
Monitoring Officer *	TBC (Chief Officer)	TBC
Director of Resources (S73 Officer) *	TBC (Chief Officer)	TBC

\*The Monitoring Officer and S73 Officer functions are currently being provided via service level agreements from North Yorkshire and City of York Council. Details of grades and salaries will be published in accordance with their respective pay policy statements.

4. Other posts within the senior team of the Combined Authority consist of the following:

Job title	Grade	Salary
Director of Economy (acting Interim Head of Paid Service)	AD2	£115,826 (includes an honoraria payment to cover

		the Interim Head of Paid Service duties)
Head of Communication and OD	SM1	£61,289
Head of Strategy	SM1	£63,367
Head of Delivery	SM1	£61,289
Head of Assurance	SM1	£63,367

5. Joint National Conditions of service (JNC) are incorporated into all Chief Officers' contracts of employment.

6. The salaries for Chief Officers have been determined through independent analysis and benchmarking and reflect rates which are reasonably sufficient to recruit and retain senior officers, taking into account market conditions. The grades attributable to Chief Officer posts are subject to job evaluation and based on clear salary differentials which reflect the level of responsibility attached to any particular role.

7. Chief Officers do not receive bonus payments or performance related pay nor do they receive any benefits in kind paid for by the employer. Where a Chief Officer meets the criteria for entitlement to expenses these are paid in accordance with the Combined Authority's policies, aligned with those of North Yorkshire Council. Increases in pay for Chief Officers will occur only as a result of:

- Pay awards agreed by way of national/local collective pay bargaining arrangements.
- significant changes to a Chief Officer's role which result in a higher salary being appropriate as confirmed by the outcome of an appropriate job evaluation process; or
- recruitment and/or retention payments which, in all the given circumstances at the relevant time, are deemed necessary in the best interests of the Combined Authority and which are determined under the relevant policy relating to such payments.

8. It is expected that Chief Officers will perform to the highest level. Performance related pay therefore does not form part of current remuneration arrangements. This position will be reviewed if legislation and/or guidance relating to Chief Officer posts changes.

9. Under the Combined Authority's constitution, appointment to the Chief Executive and senior statutory officer roles are a matter for the Combined Authority. All other posts are appointed under delegation to the Chief Executive.

#### Payments to Chief Officers upon termination of their employment

10. Chief Officers who cease to hold office or be employed by the Combined Authority will receive payments calculated using the same principles as any other member of staff, based on entitlement within their contract of employment, their general terms and conditions, and existing policies. The Combined Authority adopts the policies of North Yorkshire Council, for application in these circumstances.

11. In the case of termination of employment by way of early retirement, redundancy (voluntary or otherwise) or on the grounds of efficiency of the service, the Local Government Pension Scheme Early Retirement Policy sets out provisions which apply to all staff regardless of their level of seniority. The Local Government Pension Scheme Early Retirement Policy also sets out the applicable provisions in respect of awarding additional pension entitlement by way of augmentation or otherwise.



#### Employment of Individuals Already in Receipt of a Local Government Pension

12. The administering authority will not reduce pension payments as a result of re-employment. However, where those in receipt of a pension have been awarded additional service as compensation by their former employer the extra pension from this service may be abated due to re-employment with a Scheme employer under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 as amended.

#### Employment of Ex-Employees as Chief Officers under a Contract for Services

13. The Combined Authority does not generally support the employment of ex-employees as Chief Officers under a contract for services. However, there may be circumstances where the employment of an ex-employee under these terms is the most effective and efficient way of meeting the Combined Authority's needs. If this situation applies formal approval will be sought from the Chief Executive in their role as head of the paid service, in consultation with members, and any such arrangement would not progress without their support. In addition, the Government has introduced legislation to enable the recovery of exit payments for higher paid employees returning to the public sector.

#### Remuneration of Lowest Paid Employees

14. The Combined Authority have adopted the 'Single Status Framework' in line with North Yorkshire Council. The lowest paid employees within the Combined Authority are appointed to jobs which have been evaluated using the NJC Job Evaluation Scheme and are remunerated accordingly.

15. The Combined Authority is committed to the annual review of the Voluntary Living Wage (currently £12 per hour) .

16. Apprentice pay for entry level apprentices will be increased to the National Living Wage and will increase thereafter in line with any increase to the National Living Wage.

#### Relationship between Chief Officer and Non-Chief Officer Remuneration

16. The 'pay multiple' for the Combined Authority is determined by comparing the pay of the highest paid employee (Acting Head of Paid Service) against the median average pay, using hourly rates as at 1<sup>st</sup> February 2023, for employees within the scope of this statement.

17. The Combined Authority's current Median Hourly rate is £20.85 and the pay multiple (the ratio between the highest paid salary and the average salary of the whole of the Combined Authority's workforce) is 2.56.

#### General Principles Regarding the Remuneration of Staff

18. The Combined Authority has established pay and grading structures, founded on evaluation of job roles using job evaluation, which ensures a fair and transparent approach to pay and the same grading of jobs which are rated as equivalent.

19. The Combined Authority is committed to reducing the gender pay gap.

#### Publication of and access to Information Relating to Remuneration of Chief Officers

The Combined Authority will publish their Pay Policy Statement, following approval of the Combined Authority, on the organisations website. In addition, remuneration related data associated with the Pay Policy Statement and Code of Recommended Practice for Local Authorities on Data Transparency

will be published on the Combined Authority’s website no later than 31<sup>st</sup> March 2024 and information related to the public sector equality duty no later than 31<sup>st</sup> March 2024.

DRAFT



## YORK AND NORTH YORKSHIRE COMBINED AUTHORITY

### COMBINED AUTHORITY MEETING

23 FEBRUARY 2024

#### Proposed Statutory Officers Appointment Panel Arrangements

#### Report of the City of York Council Head of Human Resources

#### Purpose of the Report

1. To update the Combined Authority on the progress of the senior statutory appointments for the role of Chief Executive Officer and Director of Resources following approval to recruit at the Combined Authority meeting on 22<sup>nd</sup> January 2024.
2. Formal approval is sought to establish an Appointments Sub Committee for the two Statutory roles and to delegate sufficient powers to that Sub-Committee to enable them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the Combined Authority's Constitution and Local Government and Housing Act 1989 Standing Orders.

#### Recommendations

3. It is recommended that the Combined Authority:
  - a) Consider and approve the recruitment process for the positions of Chief Executive Officer and Director of Resources including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process, select and appoint a candidate to each of the roles, subject to the Standing Orders (***as detailed in paragraphs 13 to 15 and 19 to 21***)
  - b) Combined Authority Members are requested to nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting. Details of the appointing panels are outlined in ***paragraphs 13 to 14 and 19 to 20***)
  - c) Note that should either of the recruitment campaigns and / or appointment processes fail to appoint a suitable candidate, a further

report will be presented to the Combined Authority with options for a way forward to resolve the particular circumstance (**paragraphs 16 and 17 and 21**)

- d) Create and delegate to the Appointment Committee the ability to appoint the Director of Resources and to make recommendation to the Combined Authority to the Chief Executive Officer.

## Background

4. The Combined Authority Meeting on 22<sup>nd</sup> January approved Officers to progress the permanent recruitment of the key statutory posts that make up part of the senior leadership team of the new combined authority structure. This included the roles of Chief Executive (as Head of Paid Service), Director of Resources (as the designated Section 73 Officer) and Head of Legal / Monitoring Officer.
5. At the meeting on 22<sup>nd</sup> January, it was agreed that the Chief Executive post would be advertised as soon as practically possible however, the appointment process would wait for the Mayor to be elected in May.
6. With regard to the Director of Resources, the Combined Authority agreed that the recruitment campaign can progress as soon as practically possible and ahead of the Mayor's election in order to release the current interim arrangements and ensure that the Combined Authority has a robust leadership team who can begin to grow the new organisation, deliver key priorities and add stability for the wider workforce including those employees who report into this post on the structure.
7. It was agreed that the Head of Legal / Monitoring Officer role would be advertised at a later date and the agreed interim arrangements will remain in place for a period of at least four months following the TUPE transfer of the Office of the Police Fire and Crime Commissioner (OPFCC) and Fire and Rescue Service (FRS) staff in May 2024. A further update will be provided to the Combined Authority later in the year regarding the recruitment campaign for this role.

## Proposed Outline Recruitment of the Chief Executive Officer

8. As detailed in the January Combined Authority Statutory Officer Structure report, the role of the post has been evaluated and is a spot salary of £124,656 (*there is a pay award pending from 1<sup>st</sup> April 2024*). It is envisaged that this salary will attract a suitably experienced and qualified field of applicants.

9. A nationwide recruitment campaign and executive search exercise will commence in April to attract and bring the role to the attention of suitability experience professionals to ensure the widest possible field of applicants. This exercise will be undertaken by North Yorkshire Resourcing Solutions Service which is part of the suite of service level agreements that the Combined Authority has in place.
10. Ahead of April and the formal recruitment campaign commencing, there is preliminary work already underway to test the market and seek interested applicants as part of the recruitment for the Director of Resources post which has now been advertised. This preliminary work is also showcasing the reach, benefits and promotion of the new Combined Authority's aims for the communities and businesses that it serves across York and North Yorkshire.
11. For the Chief Executive post, it is proposed that an initial shortlist of candidates can be undertaken in May, with the aid of the Mayor, the two Leaders and support of the Chief Executives of York and North Yorkshire Councils. Interview and assessment dates can be published as part of the recruitment campaign with final interview dates to take place after the election of the Mayor. A typical assessment process will take place over two days; day one candidates meet panels of stakeholders, and those deemed to meet the requirements of the role will be shortlisted to attend a final interview with the appointment panel on day two. The successfully appointed candidate should then hopefully be able to give notice in their current role (which could be a notice period of between 3 to 6 months) and be in post by November / December 2024 at the latest.
12. It would be hoped that the successful candidate would be available during their notice period for keep in touch days to progress with funded projects and to assist with the shaping of the Combined Authority in its first 12 months.

### **Proposed Appointments Committee for the role of Chief Executive**

13. The appointment of Chief Officer posts are part of the Standing Orders of the Local Government and Housing Act 1989. The proposed appointment panel for the role of Chief Executive will be proposed as follows:

Mayor - Chair of the panel  
Leader or Deputy Leader for North Yorkshire Council  
Leader or Deputy Leader of City of York Council

The panel will be supported by the Chief Executive of North Yorkshire Council and / or Chief Operating Officer City of York Council and the Head of HR.

14. A key part of the appointment process is stakeholder views and recommendations. This will form day one of the assessment process for the applicants and provide valuable feedback for the appointment panel. Stakeholder panels can consist of a series of meetings on a rotational basis, but these will be subject to availability on the scheduled dates and appropriate number of delegates on the interview panels.

The stakeholder panels will consist of a combination of key partners across the public sector and business community, key members (to include Executive members not on the Combined Authority) and leaders across the Combined Authority partner organisations.

15. The views gained across the various assessments will be considered to objectively decide which candidates are invited to attend the final interview with the appointments panel on day two.

16. Prior to a final appointment offer being made to the successful applicant, all Members of the Combined Authority must be informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days). Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.

17. The Combined Authority will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointment Panel.

18. Once an appointment has been made, the current interim arrangements for the Head of Paid Service will be determined. The Combined Authority is not able to operate without a Head of Paid Service so the transition from interim to permanent appointment will be seamless.

19. In the unfortunate, event that there is not a suitably qualified and experienced applicant that can be appointed (or shortlisted at the shortlist stage), a further report with options will be presented to the Combined Authority.

### **Proposed Outline Recruitment of the Director of Resources**

20. The recruitment campaign for the role of Director of Resources has commenced and a micro campaign site is being promoted on a range of platforms including the Combined Authorities website, City of York Council

North Yorkshire Council websites and across national recruitment channels (i.e. LinkedIn profiles, the Municipal Journal, Local Government Jobs and Indeed). These promotions are in addition to a dedicated executive recruitment search being undertaken by North Yorkshire Resourcing Solutions Service as part of the Combined Authority's service level agreement.

21. For the Director of Resources post, it is proposed that an initial shortlist of candidates can be undertaken by the end of March. Interview and assessment dates have been published as part of the campaign and will take place in April. A typical assessment process will take place over two days; day one candidates meet panels of stakeholders, and those deemed to meet the requirements of the role will be shortlisted to attend a final interview with the appointment panel on day two. The successfully appointed candidate should then hopefully be able to give notice in their current role (which could be a notice period of between 3 to 6 months) and be in post by October 2024 at the latest.
  
22. Similar to the appointment process for the Chief Executive post, the Director of Resources assessment process will take place over a two-day period, with the first day exploring technical expertise and experience to undertake the role which will be guided and tested with key stakeholders including:
  - a. Technical Interview – led jointly by Director of Finance and Section 151 Officer for City of York Council (who is also the Interim Director of Resources and Section 73 Officer for the York and North Yorkshire Combined Authority) and the Corporate Director of Resources and Section 151 Officer for North Yorkshire Council
  - b. Series of meetings with key partners across public sector and business community, key members (to include Executive members not on the Combined Authority) and leaders across the Combined Authority partner organisations.
  
23. Panels will be arranged subject to availability on scheduled dates and appropriate number of delegates on stakeholder panels.
  
24. The second day of assessment will comprise of a formal interview. This post will be appointed to prior to the Mayor and therefore, it is proposed that the appointing panel will be led by Interim Head of Paid Services supported by a Member of the Combined Authority, the Director of Finance from City of York Council as the Interim Director of Resources for the Combined Authority and North Yorkshire Police, Fire and Crime Commissioner. It is therefore, proposed that the panel (the Chair of which will be appointed by the Panel) is as follows:

Leader and/or Deputy Leader for North Yorkshire Council

The Panel will be supported by:

Interim Head of Paid Services

Director of Finance from City of York Council as the Interim Director of Resources for the Combined Authority

North Yorkshire Police, Fire and Crime Commissioner

Supported by a Head of HR

25. Interview dates will be arranged to secure the key appointment panel delegates availability.
26. Again, as this is a Statutory role, prior to a final appointment offer being made to the successful applicant, all Members of the combined Authority must be informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days). Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.
27. The Members of the appointment panel will make the appointment, with the support of the Officers and the Police, Fire and Crime Commissioner.
28. Once an appointment has been made, the current interim arrangements for the Director of resources will cease. In the unfortunate, event that there is not a suitably qualified and experienced applicant that can be appointed (or shortlisted at the shortlist stage), a further report with options will be presented to the Combined Authority.

### **Recommendations**

It is recommended that the Combined Authority:

- a) Consider and approve the recruitment process for the positions of Chief Executive Officer and Director of Resources including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process, select and appoint a candidate to each of the roles, subject to the Standing Orders.
- b) Combined Authority Members are requested to nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting. Details of the appointing panels are outlined in **paragraphs 13 and 22**.
- c) Note that should either of the recruitment campaigns and / or appointment processes fail to appoint a suitable candidate, a further report will be presented to the Combined Authority with options for a way forward to resolve the particular circumstance (**paragraphs 18 and 25**).



d) Create and delegate to the Appointment Committee the ability to appoint the Director of Resources and to make recommendation to the Combined Authority to the Chief Executive Officer.

## **Reason for Recommendations**

29.To ensure that the appointment of Statutory posts meets Standing Orders procedures and a timely appointment of key posts.

## **Implications**

### **Financial implications**

30.The CEO post has a salary of £124,656 (pay award pending), and the total cost, including on costs, is c.£160,000 and the Director of Resources salary is up to £105,438 (pending pay award) which with oncosts is c.£135,000. The recruitment costs will be approximately £13,000 for each campaign which includes the cost of advertising on professional recruitment social media platforms and executive searches.

31.All of these costs have been included within the approved budget.

32.The estimated cost of the recruitment is not included in the budget. However, due to vacancies and other underspends, this one off cost can be contained within the overall staffing budget.

### **Legal implications**

33.All Chief Officer posts are politically restricted pursuant to the Local Government and Housing Act 1989.

34.It is the statutory responsibility of the Head of Paid Service to ensure that a structure is in place which can effectively and efficiently discharge the council's differing functions and to determine the organisation of the authority's staff alongside their proper appointment and management.

35.The process of appointing Chief Officers is regulated by the Local Authority (Standing Orders) (England) Regulations 2001 (as amended). Amongst other things, these regulations require that an appointment committee must include at least one member of the Combined Authority and further, that no formal offer of appointment may be made until all members of the Combined Authority have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

## Equalities implications

36. Recruitment will be carried out in a transparent and open recruitment process which will comply with the equality processes.

## Crime and Disorder, Information Technology and Property

37. There are no known crime and disorder, information and technology and property risks.

## Combined Authority Area Impacted – York and North Yorkshire

### Background papers:

York and North Yorkshire Combined Authority - 22<sup>nd</sup> January 2024  
Combined Authority Governance: Proposed Statutory Officer Structure for the Combined Authority and the Mayoral Combined Authority

<https://edemocracy.northyorks.gov.uk/documents/s27487/Combined%20Authority%20Governance%20Proposed%20Statutory%20Officers%20Structure.pdf>

## Contact Details

For further information please contact the authors of this Report.

### Author

<b>Name:</b>	<b>Helen Whiting</b>
<b>Job Title:</b>	<b>Head of HR &amp; OD City of York Council and Head of HR and Workstream Lead for Combined Authority</b>
<b>Service Area:</b>	<b>Human Resources for the combined Authority</b>
<b>Telephone:</b>	<b>07950 265938</b>
<b>Report approved:</b>	<b>James Farrar – Interim Head of Paid Services</b>
<b>Date:</b>	<b>9th February 2024</b>

### Co-author

<b>Name:</b>	<b>Sara Jeffs</b>
<b>Job Title:</b>	<b>Head of Human Resources Combined Authority</b>
<b>Service Area:</b>	<b>Human Resources for the combined Authority</b>
<b>Telephone:</b>	<b>01609 536931 ext – 6931</b>



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# Forward Plan

<b>Publication Date:</b>	<b>Date Updated:</b>	<b>Period Covered Until:</b>
15 February 2024	15 February 2024	31 January 2025

The decisions likely to be taken by York and North Yorkshire Combined Authority in the following 12 months are set out below:

**PLEASE NOTE:-**

- (a) In accordance with the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, at least 28 clear days' notice, excluding the day of notification and the day of decision taking, must be published on the Forward Plan of any intended key decision.
- (b) Exempt information need not be included in the Forward Plan and confidential information cannot be included. There may be times when a decision has not been published in the forward plan 28 days in advance, this is usually because the matter is urgent, and a decision has had to be made quickly. These decisions can still be made but are subject to the regulations within 'the Order'.
- (c) New additions to the Forward Plan are highlighted in green text for ease of navigation.

**Contact(s):** Paul Clark, Governance and Assurance Manager ([governance@yorknorthyorks-ca.gov.uk](mailto:governance@yorknorthyorks-ca.gov.uk))

Decision to be made	Description	Planned Decision Date	Key Decision?	Decision maker's name & title	Lead Officer name	Documentation for consideration & other relevant documents	Prohibitions Restrictions Exemptions
Approval of the Brownfield Land Prospectus	Seeking approval of the Brownfield Funding prospectus to enable a call for projects	23/2/2024	Yes	Combined Authority	Andrew Leeming	Officer report to Combined Authority	None
Pay Policy Statement	Seeking approval for York and North Yorkshire Combined Authority's Pay Policy Statement.	23/2/2024	No	Combined Authority	Helen Whiting/Sara Jeffs (Head of HR)	Officer report to Combined Authority	None
Governance Matters	Seeking approval of committee appointments, outside body appointments and the establishment of an Appointments Sub-Committee	23/2/2024	No	Combined Authority	Barry Khan/Rachel Antonelli	Officer report to Combined Authority	None

Approve Corporate Plan	Seeking approval of an interim Corporate Plan	18/3/2024	Yes	Combined Authority	James Farrar	Officer report to Combined Authority	None
Constitution Review	To seek approval of an amended constitution, incorporating Police, Fire and Crime Functions, and considering a report on proposed changes made by City of York Council's Joint Overview & Scrutiny and Audit Committee.	18/3/2024	No	Combined Authority	Barry Khan/Rachel Antonelli	Officer report to Combined Authority	None
Approval of the Economic Framework	Seeking approval of the final Economic Framework	18/3/2024	Yes	Combined Authority	Andrew Leeming	Officer report to Combined Authority	None
Member Allowance Scheme	To consider a report of the Independent Remuneration Panel and seek approval of a	18/3/2024	No	Combined Authority	Barry Khan/Rachel Antonelli	Officer report to Combined Authority	None

	Combined Authority Member Allowances Scheme						
York and North Yorkshire Skills Strategy	Seeking approval of a York and North Yorkshire Skills Strategy	28 June 2024	Yes	Combined Authority	Andrew Leeming/Tracy Watts	Officer report to Combined Authority	None
Skills Commissioning Framework	Seeking approval of a Skills Commissioning Framework	28 June 2024	Yes	Combined Authority	Andrew Leeming/Tracy Watts	Officer report to Combined Authority	None
Approval of Draft Strategic Local Transport Plan	Seeking approval of the draft Strategic Local Transport Plan	28 June 2024	Yes	Combined Authority	David Hern	Officer report to Combined Authority	None
Approval of Draft Key Route Network	Seeking approval of the Key Route Network	28 June 2024	Yes	Combined Authority	David Hern	Officer report to Combined Authority	None
Budget	Seeking ratification of the Combined Authority budget following inclusion of OPFCC	28 June 2024	Yes	Combined Authority	Debbie Mitchell	Officer report to Combined Authority	None





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**York and North Yorkshire Combined Authority**

**COMBINED AUTHORITY MEETING**

**23 FEBRUARY 2024**

**REPORTING OF URGENT DECISION**

**Report of the Interim Deputy Monitoring Officer**

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**1.0 Purpose of the Report**

- 1.1 The Combined Authority's Constitution delegates power to the Head of Paid Service in consultation with the Co-Chairs of the Combined Authority to take decisions in urgent or emergency situations.
- 1.2 This power is subject to reporting those decisions back to the Combined Authority.
- 1.3 This report contains details of urgent decisions made by the Interim Head of Paid Service in consultation with the Co-Chairs of the Combined Authority which the Combined Authority is asked to note.

**2.0 Recommendations**

- 2.1 That the urgent decisions set out in the Appendices to the report, which were taken by the Interim Head of Paid Service, in consultation with the Co-Chairs of the Combined Authority, be noted.

**3.0 Background**

- 3.1 The need has arisen for urgent decisions to be taken by the Interim Head of Paid Service in consultation with the Co-Chairs of the Combined Authority in relation to appointments that were required to be made onto the Transport for the North Committees and the Board.
- 3.2 These decisions must be reported back to the Combined Authority and this report fulfils that requirement.
- 3.3 The combined outcome of the decisions is as follows:

Transport for the North Board – Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute;

Transport for the North General Purposes Committee – Councillor C Les (NYC) with Councillor P Kilbane (CYC) as substitute;

Transport for the North Scrutiny Committee – Councillor P Haslam (NYC) with Councillor R Melly (CYC) as substitute.

Rail North Committee - Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute.

- 3.4 In accordance with Part 3, Section E, paragraph 3.3 of the Constitution of the Combined Authority, the Head of Paid Service in consultation with the Co-Chairs of the Combined Authority is delegated power to take urgent decisions.
- 3.5 The ability of the Combined Authority to attend and vote at the Transport for the North Meetings allows for the Combined Authority to shape the future transport plans within the region. There was an urgency around the appointments in order that the Combined Authority could attend the scheduled Meetings, the first Meeting taking place on Thursday 8<sup>th</sup> February 2024. The decision, therefore, could be properly considered as in the interests of the Combined Authority.
- 3.6 A copy of the Decision Notices are attached as Appendices to this report. The Decision Notices set out the full details of the decisions made and the reasons for each decision.
- 3.7 All decisions are available on the Combined Authority's website.

#### **4.0 Financial Implications**

- 4.1 There are no financial implications arising from this report.

#### **5.0 Legal Implications**

- 5.1 There are no legal implications of this report. Any legal issues which were taken account in the decision making are recorded in the Decision Notice. The Combined Authority's Constitution requires those decisions to be reported back to the Combined Authority.

#### **6.0 Equalities Implications**

- 6.1 There are no equalities implications as a result of this report.

#### **7.0 Environmental Implications**

- 7.1 There are no environmental implications as a result of this report.

#### **8.0 Combined Authority Areas Impacted (Council Areas/Wards/Divisions)**

- 8.1 York and North Yorkshire Local Authority areas.

## **9.0 Recommendations**

- 9.1 That the urgent decisions set out in the Appendices to the report, which were taken by the Interim Head of Paid Service, in consultation with the Co-Chairs of the Combined Authority, be noted.

## **10.0 Reasons For Recommendations**

- 10.1 In order for the Combined Authority to note that urgent decisions have been taken by the Interim Head of Paid Service, in consultation with the Co-Chairs of the Combined Authority.

## **11.0 Contact Details**

For further information please contact the authors of this Report.

### **Author**

<b>Name:</b>	Rachel Antonelli
<b>Job Title:</b>	Interim Deputy Monitoring Officer
<b>Service Area:</b>	Legal & Governance
<b>Email:</b>	Rachel.antonelli@yorknorthyorks-ca.gov.uk
<b>Date:</b>	9 <sup>th</sup> February 2024

**Background papers - None**

### **Appendices**

**Appendix 1 – Urgent Decision Report dated 5<sup>th</sup> February 2024**

**Appendix 2 – Urgent Decision Report dated 9<sup>th</sup> February 2024**

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**York and North Yorkshire Combined Authority**

**URGENT POWERS**

**5 FEBRUARY 2024**

**TITLE OF DECISION: TRANSPORT FOR THE NORTH – URGENT DECISION**

**OFFICER REQUESTING: RACHEL ANTONELLI,  
INTERIM DEPUTY MONITORING OFFICER**

**1.0 PURPOSE OF REPORT**

- 1.1 A decision is required to make appointments onto the Transport for the North which will provide an appointment to their Board, the General Purposes Committee and to the Scrutiny Committee. A Meeting of the General Purposes Committee is due to take place on Thursday 8<sup>th</sup> February 2024, which pre-dates the next Combined Authority Meeting and the Transport for the North have requested details of the appointments as soon as practicable now that the Combined Authority has been legally constituted.

**2.0 BACKGROUND**

- 2.1 The Combined Authority, now it is in existence, plays a crucial role, alongside both City of York Council and North Yorkshire Council, in supporting the case for strategic transport improvements across the whole of the North, in particular North Yorkshire. This allows inclusive and sustainable transformational economic growth and rebalance of the UK economy to be driven across the region.
- 2.2 Attendance and the ability to participate and vote at Transport for the North Meetings allows for the York and North Yorkshire Combined Authority to shape the future transport plans within the region. The appointments are required as soon as possible, in order that those appointed can be fully sighted on the items being discussed in order that they can make fully informed decisions going forward.

2.3 Since the creation of the Combined Authority, the Combined Authority, rather than the constituent authorities is allocated the seats on the Transport for the North Committees, with the Combined Authority Member getting the weighted voting for CYC and NYC where appropriate.

2.4 It is proposed that the positions and names of the appointments is as set out below:

a). Transport for the North Board:

- Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute.

b). Transport for the North General Purposes Committee:

- Councillor C Les (NYC) with Councillor D Merrett (CYC) as substitute.

c). Transport for the North Scrutiny Committee:

- Councillor P Haslam (NYC) with Councillor R Melly (CYC) as substitute.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications arising from the urgent decision.

### **4.0 LEGAL IMPLICATIONS**

4.1 The York and North Yorkshire Combined Authority is a Member of the Transport for the North Board, the General Purposes Committee and the Scrutiny Committee in their own right. This urgent decision can be made in accordance with the constitution of the Combined Authority due to the need to have representation at the General Purposes Committee on Thursday 8<sup>th</sup> February 2024, as the next Meeting of the Combined Authority post-dates this Meeting. The urgent decision will be published at the offices of both Constituent Authorities (City of York and North Yorkshire Councils) and will be brought to the next Meeting of the Combined Authority.

4.2 This decision would be a Combined Authority decision under business as usual. The Co-Chairs of the Authority should be consulted on this decision.



## **5.0 EQUALITIES IMPLICATIONS**

5.1 There are no additional direct implications arising from the recommended changes.

## **6.0 COMBINED AUTHORITY AREA IMPACTED**

6.1 York and North Yorkshire.

## **7.0 RECOMMENDATIONS**

7.1 It is recommended that the Interim Head of Paid Service makes the appointments onto the Transport for the North Board, General Purposes Committee and to the Scrutiny Committee in order that the York and North Yorkshire Combined Authority can be represented at these Meetings, including the General Purposes Committee that is due to take place on Thursday 8<sup>th</sup> February 2024. The appointments being:

Transport for the North Board – Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute;

Transport for the North General Purposes Committee – Councillor C Les (NYC) with Councillor D Merrett (CYC) as substitute;

Transport for the North Scrutiny Committee – Councillor P Haslam (NYC) with Councillor R Melly (CYC) as substitute.

7.2 That the urgent decision is brought to the next Meeting of the Combined Authority, due to take place in February 2024.

## **8.0 REASONS FOR RECOMMENDATIONS**

8.1 The York and North Yorkshire Combined Authority has recently formally constituted and as a result of this the Authority needs to provide an appointment to the Transport for the North Board, the General Purposes Committee and the Scrutiny Committee. Making this decision under the urgency provisions allows for Combined Authority attendance at the Meeting on Thursday 8<sup>th</sup> February 2024.

## **9.0 CONSULTATION RECORD**

9.1 According to the Constitution, under urgency powers, decisions usually taken by the Council and its Committees are taken by the Head of Paid Service following consultation with the appropriate elected Members.

9.2 The appropriate elected Members are:

- The Leader of City of York Council and North Yorkshire Council as Co-Chairs of the Combined Authority.

Name of consultee	Councillor Claire Douglas –Co-Chair of the York and North Yorkshire Combined Authority
This is urgently required in order to ensure that the Combined Authority are represented at the Meetings of the Transport for the North Committees and Board, in particular the General Purposes Committee that is scheduled to take place on Thursday 8 <sup>th</sup> February 2024.	
Date consultation completed	6 <sup>th</sup> February 2024

Name of consultee	Councillor Carl Les –Co-Chair of the York and North Yorkshire Combined Authority
This is urgently required in order to ensure that the Combined Authority are represented at the Meetings of the Transport for the North Committees and Board, in particular the General Purposes Committee that is scheduled to take place on Thursday 8 <sup>th</sup> February 2024.	
Date consultation completed	6 <sup>th</sup> February 2024

## 10.0 **DECISION**

Decision of Interim Head of Paid Service based on consultation	The recommendations are approved.
Date	7 <sup>th</sup> February 2024

**York and North Yorkshire Combined Authority**

**URGENT POWERS**

**9 FEBRUARY 2024**

**TITLE OF DECISION: TRANSPORT FOR THE NORTH – URGENT DECISION**

**OFFICER REQUESTING: RACHEL ANTONELLI,  
INTERIM DEPUTY MONITORING OFFICER**

**1.0 PURPOSE OF REPORT**

- 1.1 A decision is required to make appointments onto the Transport for the North Committees which will provide a substitute appointment to their General Purposes Committee and appointment of a Member and substitute to the Rail North Committee. A Meeting of the Rail North Committee is due to take place on 21<sup>st</sup> February 2024, which pre-dates the next Combined Authority Meeting and the Transport for the North have requested details of the appointments as soon as practicable now that the Combined Authority has been legally constituted.

**2.0 BACKGROUND**

- 2.1 The Combined Authority, now it is in existence, plays a crucial role, alongside both City of York Council and North Yorkshire Council, in supporting the case for strategic transport improvements across the whole of the North, in particular North Yorkshire. This allows inclusive and sustainable transformational economic growth and rebalance of the UK economy to be driven across the region.
- 2.2 Attendance and the ability to participate and vote at Transport for the North Meetings allows for the York and North Yorkshire Combined Authority to shape the future transport plans within the region. The appointments are required as soon as possible, in order that those appointed can be fully sighted on the items

being discussed in order that they can make fully informed decisions going forward.

2.3 Since the creation of the Combined Authority, the Combined Authority, rather than the constituent authorities is allocated the seats on the Transport for the North Committees, with the Combined Authority Member getting the weighted voting for CYC and NYC where appropriate. This decision is made further to the previous urgent decision made on 7<sup>th</sup> February 2024.

2.4 It is proposed that the positions and names of the appointments is as set out below:

a). Transport for the North General Purposes Committee:

- Councillor C Les (NYC) with Councillor P Kilbane (CYC) as substitute.

b). Rail North Committee:

- Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute.

2.5 The Transport for the North Scrutiny Committee remains as per the decision made on 7<sup>th</sup> February 2024 (Councillor P Haslam (NYC) and Councillor R Melly (CYC) as substitute.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications arising from the urgent decision.

### **4.0 LEGAL IMPLICATIONS**

4.1 The York and North Yorkshire Combined Authority is a Member of the Transport for the North General Purposes Committee and Rail North Committee in their own right. This urgent decision can be made in accordance with the constitution of the Combined Authority due to the need to have representation at the Rail North Committee on 21<sup>st</sup> February 2024 and the requirement to change the substitute appointment onto the General Purposes Committee from Councillor Merrett to Councillor Kilbane. This is due to the TfN constitution only permitting Membership and substitute appointments on the General Purposes Committee of the Member and substitute on the TfN Board. The same provision applies to

the Rail North Committee. The urgent decision will be brought to the next Meeting of the Combined Authority.

- 4.2 This decision would be a Combined Authority decision under business as usual. The Co-Chairs of the Authority should be consulted on this decision.

## **5.0 EQUALITIES IMPLICATIONS**

- 5.1 There are no additional direct implications arising from the recommended changes.

## **6.0 COMBINED AUTHORITY AREA IMPACTED**

- 6.1 York and North Yorkshire.

## **7.0 RECOMMENDATIONS**

- 7.1 It is recommended that the Interim Head of Paid Service makes the appointments onto the General Purposes Committee and to Rail North Committee in order that the York and North Yorkshire Combined Authority can be represented at these. The appointments being:

a). Transport for the North General Purposes Committee:

- Councillor C Les (NYC) with Councillor P Kilbane (CYC) as substitute.

b). Rail North Committee:

- Councillor P Kilbane (CYC) with Councillor C Les (NYC) as substitute.

- 7.2 That the urgent decision is brought to the next Meeting of the Combined Authority, due to take place in February 2024.

## **8.0 REASONS FOR RECOMMENDATIONS**

- 8.1 The York and North Yorkshire Combined Authority has recently formally constituted and as a result of this the Authority needs to provide an appointment to the Transport for the North General Purposes Committee and the Rail North Committee. Making this decision under the urgency provisions allows for Combined Authority attendance at the Rail North Committee Meeting on 21<sup>st</sup> February 2024.

## 9.0 **CONSULTATION RECORD**

9.1 According to the Constitution, under urgency powers, decisions usually taken by the Council and its Committees are taken by the Head of Paid Service following consultation with the appropriate elected Members.

9.2 The appropriate elected Members are:

- The Leader of City of York Council and North Yorkshire Council as Co-Chairs of the Combined Authority.

Name of consultee	Councillor Claire Douglas –Co-Chair of the York and North Yorkshire Combined Authority
This is urgently required in order to ensure that the Combined Authority are represented at the Meetings of the Transport for the North Committees.	
Date consultation completed	9 <sup>th</sup> February 2024

Name of consultee	Councillor Carl Les –Co-Chair of the York and North Yorkshire Combined Authority
This is urgently required in order to ensure that the Combined Authority are represented at the Meetings of the Transport for the North Committees.	
Date consultation completed	8 <sup>th</sup> February 2024

## 10.0 **DECISION**

Decision of Interim Head of Paid Service based on consultation	The recommendations are approved.
Date	9 <sup>th</sup> February 2024