

York and North Yorkshire Combined Authority

Minutes of the meeting held at West Offices, York on 23 February 2024 commencing at 3.00 pm

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

In attendance: North Yorkshire Councillors Caroline Goodrick and George Jabbour,

Officers present: James Farrar Y&NYCA; Rachel Antonelli, Y&NYCA; Andrew Leeming, Y&NYCA; Paul Clark Y&NYCA; Barry Khan, NYC; Elizabeth Jackson, NYC; Sara Jeffs, NYC; Bryn Roberts, CYC; Helen Whiting, CYC; Jenni Newberry, OPFCC.

Observers: Helen Simpson, Y&NY LEP.

11 Apologies for Absence

There were no apologies for absence from Members of the Combined Authority.

An apology for absence had been received from Police, Fire and Crime Commissioner Zoe Metcalfe.

12 Minutes of the meeting of the Combined Authority held on 22 January 2024

The Minutes of the York and North Yorkshire Combined Authority held on 22 January 2024 were taken as read and approved unanimously as a correct record.

13 Declarations of Interest

Helen Simpson declared an interest in relation to Minute no.16 and left the room for consideration of the item.

14 Public participation

One public question had been received which, in accordance with Minute 05(a) of the meeting of 22 January 2024, was read out at the meeting.

Public question read out by Anne Seex:

What are the specific legislative provisions that you believe mean that Section 15 (5) of the Local Government Act 1989 does not apply to the appointments made to the MCA by North Yorkshire Council and York City Council?

Councillor Claire Douglas thanked Anne Seex for her question. Barry Khan, the Interim Monitoring Officer for the Combined Authority, responded that paragraph 1(c) of Schedule 1 of the Local Government Act 1989 stated that the provisions of section 15 did not apply to the Combined Authority when appointing to an outside body where there were two or less appointments, meaning it was not caught by the political proportionality rules.

Barry Khan also advised that whilst the Constitution did not include any provisions in relation to public participation the Combined Authority had agreed to allow public questions, and this would be clarified on the website. The provisions would be reviewed following the

election of the Mayor as it was anticipated that there would be an opportunity for the public to ask questions of the Mayor.

15 Governance Matters and Appointment to Committees

Considered –

A report in the name of the Interim Deputy Monitoring Officer in relation to the appointment of Members to the Overview and Scrutiny Committee and Audit and Governance Committee, and also the Skills and Employability Working Group. Confirmation was also sought in relation to the dates of meetings.

Barry Khan introduced the report and gave an overview of the key points in relation to the committee appointments, as summarised below:

- It was important to ensure the appointments were made appropriately whilst acknowledging that the regulations referred to registered political parties, rather than registered political groups; and there were two authorities to appoint from.
- There were a number of scenarios under which North Yorkshire Council and City of York Council could appoint to those 20 places and still be politically proportionate across the whole geography. It was for the Combined Authority to determine how it wished to allocate the seats across the two councils.
- There was a proposal that the following nominations be made from each constituent authority: NYC – 6 Conservative, 1 Liberal Democrat, 1 Labour, 1 Green and 1 NY Independent and for CYC – 4 Labour, 4 Liberal Democrat, 1 Conservative and 1 non-affiliated.
- Once overall allocations had been agreed it would be for the political groups to allocate accordingly from the lists of names provided.

Councillors Carl Les and Claire Douglas confirmed that they were content with the proposals and the political balance as set out at paragraph 3.3 of the report.

On a vote being taken it was

Resolved (unanimously) –

That (1) 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) the Combined Authority appoints Members to the Skills and Employability Working Group and notes the final list of Members of the Working Group as set out at Annex A; and

(3) 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.

16 Second Call for the Brownfield Housing Fund

Considered –

A report in the name of the Director of Economy, detailing the extension of the Brownfield Housing Fund (BHF) to the financial year ending 31 March 2026, which had been agreed by the Department for Levelling-Up, Housing and Communities (DLUHC). Agreement was also

sought to reopen the call for further brownfield housing projects to enable the fund to be fully utilised.

Andrew Leeming introduced the report and gave an overview of the key points, as summarised below:

- This report followed consideration of the item at the Joint Devolution Committee meeting held on 18 December 2024, where an initial £9m of funding was approved. £3m remained to allocate, necessitating a further call for projects.
- For Round Two, two changes to the fund were proposed: that eligible applicants would only include Registered Providers and City of York and North Yorkshire Councils, providing an opportunity to increase the level of affordable homes submitted; and that the deadline would reflect the extension agreed by DLUHC with expenditure completed by 31 March 2026.
- Whilst the priorities would be the same, the focus would be on sites which could deliver 100% affordable homes and where planning consents were in place.
- An indicative timetable was included at paragraph 5.4, with Round Two launching on Monday, and a report being brought to the Combined Authority in July 2024 for approval of projects.

In response to a question on whether the York and North Yorkshire Housing Partnership could assist in getting Registered Providers to work together rather than competing for the funding, Andrew Leeming advised that they were working with the Housing Partnership to ensure co-ordination happened.

Resolved (unanimously) –

That the Combined Authority approve the reopening of a new call for projects, which will be subject to the funding deadline of 31st March 2026.

(Helen Simpson declared an interest in this item and left the room during the consideration of the item.)

17 Pay Policy Statement

Considered –

A report in the name of the Head of Human Resources which set out the Combined Authority's proposed Pay Policy Statement as required by the Localism Act 2011 for approval for publication on the Combined Authority's website.

Sara Jeffs introduced the report and advised that this was the first iteration of the Pay Policy, which would be reviewed as the Combined Authority grew.

Resolved (unanimously) –

That the Combined Authority agrees the proposed Pay Policy Statement, as set out in Appendix 1, to enable publication on the Combined Authority's website.

18 Proposed Statutory Officers Appointment Panel Arrangements

Considered –

A report in the name of the City of York Council Head of Human Resources which provided a progress update on the appointments for the roles of Chief Executive Officer and Director of Resources following approval to recruit at the Combined Authority meeting held on 22

January 2024. Formal approval was sought to establish an Appointments Sub-Committee for the two Statutory roles with delegated powers 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.

Helen Whiting introduced the report and gave an overview of the key points:

- The Director of Resources post was currently being advertised; the Chief Executive Officer post would be advertised in early April.
- Both posts were Member appointments, the Mayor would be involved in the appointment of the Chief Executive Officer, and technical panels would also be involved for the technical interview.
- Salaries were expected to increase as the Combined Authority grew.

Resolved (unanimously) –

That (1) the recruitment process for the positions of Chief Executive Officer and Director of Resources be approved, including the proposal to set up an Appointments Sub-Committee enabling it to conduct the recruitment process, select and appoint a candidate to each of the roles, subject to the Standing Orders;

(2) Combined Authority Members 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;

(3) 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); and

(4) the Appointments Sub-Committee be created and delegated the ability to appoint the Director of Resources and to make recommendation to the Combined Authority for the Chief Executive Officer.

19 Forward Plan

Considered –

The Combined Authority's draft Forward Plan was submitted for approval for publication on the Combined Authority website.

Paul Clark advised that since the agenda had been published two further items had been added to the Forward Plan for consideration at the March meeting, which were (1) pension discretions and (2) sign off of the final version of the Assurance Framework.

In response to a question from a Member it was confirmed that under the Constitution Combined Authority Members could add items to the Forward Plan.

Resolved –

That the draft Combined Authority Forward Plan be approved.

20 Decisions by Officers Under Delegated Powers – Outside Body Appointments

Considered –

A report on the use of urgency powers since the last meeting of the Combined Authority on 22 January 2024 was considered. In accordance with Part 3, Section E, paragraph 3.3 of the Constitution, the Head of Paid Service, in consultation with the Co-Chairs of the Combined Authority, was delegated power to take urgent decisions.

There were two urgent decisions, both of which related to appointments that were required to be made to the Transport for the North Board and Committees.

Resolved –

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.

The meeting concluded at 3.32 pm.