

Transport for the North General Purposes Committee Chief Executive Consultation Call Agenda

Date of Meeting	Thursday 08 February 2024
Time of Meeting	1.00 pm
Venue	Virtual

Filming and broadcast of the meeting

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Item No.	Agenda Item	Page
1.0	Welcome and Apologies The Chair to welcome Members to the meeting. Lead: Chair	
2.0	Appointment of Chair Members to appoint a Chair to the General Purposes Committee. Lead: Julie Openshaw	
3.0	Declarations of Interest Members are required to declare any personal, prejudicial or disclosable pecuniary interest they may have relating to items on the agenda and state the nature of such interest. Lead: Chair	
4.0	Minutes of the Previous Meeting To approve the minutes of the meeting held 19 July 2023 (including updates on agreed matters as appropriate). Lead: Chair	3 - 6
5.0	Transport for the North Board Business Representation To consider and agree arrangements for business representation on the Transport for the North's Board, in light of changes to local enterprise partnerships (LEPs), and make the appropriate recommendations to the Board.	7 - 8

	Lead: Julie Openshaw	
6.0	<p>Forthcoming Combined Authority Changes</p> <p>To consider the forthcoming changes which will change the number of Constituent Authorities on TfN’s Board over the next two years.</p> <p>Lead: Julie Openshaw</p>	9 - 12
7.0	<p>Exclusion of the Press and Public</p> <p>To resolve that the public be excluded from the meeting during consideration of Item 5 on the grounds that:</p> <p>(1)They involve the likely disclosure of exempt information as set out in the Paragraphs 1 & 2 of Schedule 12A of the Local Government Act 1972 (as amended) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	
8.0	<p>Private Minutes of the Previous Meeting</p> <p>To approve the private minutes of the meeting held 19 July 2023 (including updates on agreed matters as appropriate).</p> <p>Lead: Chair</p>	13 - 14
9.0	<p>Chair and Chief Executive Objectives review 2023/24 and objective setting 2024/25</p> <p>To review the progress summary of the delivery of TfN’s Chair and Chief Executive’s agreed objectives for 2023/24 and approve the annual objectives for TfN’s Chair and Chief Executive for 2024/25.</p> <p>Lead: Stephen Hipwell</p>	15 - 26

General Purposes Committee Minutes

Wednesday 19 July 2023

Virtual

Present:

Attendee	Local Authority
Peter Kennan (Chair)	South Yorkshire Mayoral Combined Authority LEP
Cllr Rupert Swarbrick	Lancashire;
Cllr Steve Foulkes	Liverpool City Region Combined Authority
Cllr Stewart Swinburn	North East Lincolnshire;
Cllr Susan Hinchcliffe	West Yorkshire Combined Authority;

Officers in Attendance:

Name	Job Title
Julie Openshaw	Head of Legal
Martin Tugwell	Chief Executive

**Item
No:**

Item

1 Welcome and Apologies

1.1 The Chair welcomed Members and apologies were noted.

2 Declarations of Interest

2.1 There were no declarations of interest.

3 Minutes of the Previous Meeting

3.1 The minutes of the meeting of the General Purposes Committee held 7 February 2023 were considered and there were no matters arising.

Resolved:

That the minutes of the meeting held on 7 February 2023 be noted.

4 Constitutional Changes under Delegated Authority

4.1 Members received the report from the Head of Legal Services who outlined the key points within the report.

Resolved:

That the report be noted.

5 Future Constitution developments

5.1 Members received the report from the Chief Executive who highlighted the key points within the report.

5.2 Cllr Hinchcliffe was supportive of the proposed themes but requested clarity on how the arrangements associated with Northern Powerhouse Rail fitted in with the constitution.

The Chief Executive explained that the discussions that the main Board has been having about co-sponsorship arrangements was picking up this issue, noting that the Board was considering how TfN will work with the Department for Transport in providing oversight, along with appropriate checks and balances. Additionally, he explained that the Rail North Partnership is covered within the Constitution and stated that the work proposed would enable officers to examine whether TfN's relationship with the DfT in terms of the processes relating to NPR needed to be incorporated into the constitution.

5.3 The Chair asked for a commitment to ensure stronger relationships with other areas including the devolved administrations in Wales and Scotland, as well as with the Midlands. He emphasised the importance of recognising the need for dialogue with local authorities outside the North where they are responsible for roads that connect cities across the North.

In respect of the devolved administrations the Chief Executive questioned whether this was something for the Constitution but reassured the meeting that he saw linkages with them as important moving forward. With regard to working with local authorities outside the North, he drew the Committee's attention as to how Members having raised at Board an issue relating to the road links between Manchester and Sheffield which run through Derbyshire, officers had worked with those authorities to support an approach to Government.

5.4 Cllr Hinchcliffe referred to proposals for Great British Railways (GBR) and emphasised the need for dialogue with the Combined Authorities.

In response the Chief Executive explained that there is already ability through the Rail North Agreement to set up Regional Business Units which provides even stronger linkage between local partners and what happens with the rail network. He explained that this allows for more local integration between local rail services and other transport within their areas.

On GBR he noted that the sector was waiting to hear if there was to be legislation in the King's Speech.

5.5 On the issue of TfN engagement with other rail operators the Chair explained that for those areas on the edge of the region then more transport will come from outside of the region leading him to emphasise the importance of it being 'Transport for the North' and not 'Transport in the North'. He further suggested that the review should consider what can be done to increase the linkage with all operators that have an impact on the North economically.

Additionally, he expressed the need for urgency on Board representation in view of the fact that LEPs will start to disappear shortly. He suggested that a focus on a quick fix on business representation should be examined.

Resolved:

That the Committee endorsed, subject to taking on board the points made in the discussion, the scope of the review.

6 Exclusion of the Press and Public

To resolve that the public be excluded from the meeting during consideration of items 7 and 8 on the grounds that:

(1) It is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during such item(s), confidential information as defined in S100A(2) of the Local Government Act 1972 (as amended) would be disclosed to them in breach of the obligation of confidence; and/or

(2) it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs [where necessary listed below] of Schedule 12A of the Local Government Act 1972 (as amended) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Chair moved that the meeting make such a resolution: this was agreed unanimously.

7 Private Minutes of the Previous Meeting

7.1 The private minutes of the meeting of the General Purposes Committee held 7 February 2023 were considered and there were no matters arising.

Resolved:

That the private minutes of the meeting held on 7 February 2023 be noted.

8 Appointment of Independent Members to Audit and Governance Committee

8.1 Members received the report from the Head of Legal Services who highlighted the key points in the report.

8.2 Members were supportive of the appointments and were impressed with the strength of interest in the role of independent member of Audit and Governance Committee. They also expressed their thanks for the robustness of the process leading to the selection of the recommended candidates.

Resolved:

- 1) That the Committee note the progress made on the recruitment process for Independent Members and following receipt of recommended

candidate details at the meeting, agreed to recommend to the TfN Board that Jo Reed and Richard Thomas be appointed to the two vacancies.

- 2) That the Committee supports the concept of retaining a pool of candidates who may be re-approached in the event of future vacancies within the next 12 months and endorsed the potential candidates as set out.

Meeting:	General Purposes Committee Consultation Call
Subject:	Transport for the North Board Business Representation
Author:	Julie Openshaw Head of Legal
Sponsor:	Martin Tugwell Chief Executive
Meeting Date:	Thursday, 8 February 2024

1. Purpose of the Report:

- 1.1 To agree arrangements for business representation on the Transport for the North's Board, in light of changes to local enterprise partnerships (LEPs) and make the appropriate recommendations to the Board.

2. Recommendations:

- 2.1
- a) To recommend to the TfN Board that effective business representation on the Board and Partnership Board remains appropriate;
 - b) To recommend to the TfN Board that LEP representatives remain co-opted members to the Board and Partnership Board; and where the LEP no longer exists and/or has changed, a representative from their successor body becomes the co-opted member and is determined by the relevant body;
 - c) To recommend that these new arrangements, if agreed, are reviewed in early 2025, given the emergence of a new pan-regional partnership for the North.

3. Main Issues:

- 3.1 LEPs are changing across England, as Government policy shifts to the creation of pan-regional partnerships (PRP) to provide engagement on economic development matters directly with business. The TfN Board has previously determined that each of the 11 LEPs in the North of England is a co-opted member on Board and Partnership Board. With LEP arrangements changing, many have already ceased to exist and have been replaced by business boards, or similar. Others will move to new arrangements from 1 April.
- 3.2 Constituent Authority members (i.e. the voting members) of TfN have always been very clear about the importance of having a strong business voice on TfN, and with this in mind decided unanimously as soon as TfN was established as a statutory body to co-opt a representative onto TfN Board and Partnership Board from each of the 11 LEPs. In accordance with the Regulations which established TfN as a statutory body, co-opted members must be non-voting. Officers would advise that an effective business voice continues round the TfN Board, even though LEP arrangements are changing.
- 3.3 Government arrangements for business engagement are in transition, with the PRP not yet established and future policy/funding for such work not fully clear, especially given a forthcoming General Election. Further, LEPs are at different stages of folding/being replaced/continuing in another form. In many cases the LEPs are being subsumed in business boards (or similar) operated within the relevant Constituent Authorities. We therefore judge it appropriate to recognise that any arrangements for the TfN Board would need to be reviewed within the next 12 months to consider changes in our wider (policy) operating environment. Under the TfN Constitution, a specific Board resolution is required to co-opt members, and the new arrangements do not automatically replace the former

LEPs. A decision to co-opt replacement members would legally need to have the unanimous support of all of TfN's Constituent Authority members.

- 3.4 The General Purposes Committee is invited to consider TfN's position regarding the voice of the business community. If, as officers believe likely, TfN remains resolute in its view that strong inclusion of the business voice must continue we therefore recommend that LEP members be retained for areas where the LEPs continue, and that for areas where the LEP has been subsumed into a Business Board (or similar), a representative from that Board be co-opted instead of the former LEP member. We expect that six of the existing LEPs remain extant but the other five have been replaced by alternatives. We would need to confirm the final position (as of 1 April 2024) with each of the relevant bodies, as arrangements are still evolving. Nonetheless, continuing to with co-opted members from LEPs or their successor bodies, would enable TfN to maintain a strong business voice around its Board and the associated corporate experience and consistency. This arrangement, if accepted, will provide a workable interim solution to ensure business representation is continued on TfN, and will be reviewed after a period of 12 months to account for changes/developments in government policy.

4. Corporate Considerations

Financial Implications

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

Resource Implications

- 4.2 There are no direct resourcing implications to TfN arising from this report.

Legal Implications

- 4.3 Legal implications including the provisions of the Constitution and Sub-national Transport Body (Transport for the North) Regulations 2018 as amended, are included within the report.

Risk Management and Key Issues

- 4.4 There are no risk management implications as a result of this report.

Environmental Implications

- 4.5 There are no environmental implications within, or resulting from, this report.

Equality and Diversity

- 4.6 There are no equality and diversity implications.

Consultations

- 4.7 The decision to co-opt members rests with TfN Board. This report consults General Purposes Committee on recommendations to be presented to TfN Board.

5. Background Papers

- 5.1 None.

6. Appendices

- 6.1 None.

Glossary of terms, abbreviations and acronyms used (if applicable)

- a) LEP – Local Enterprise Partnership
- b) PRP – Pan Regional Partnership
- c) TfN – Transport for the North

Meeting:	General Purposes Committee Consultation Call
Subject:	Forthcoming Combined Authority Changes
Author:	Julie Openshaw Head of Legal
Sponsor:	Martin Tugwell Chief Executive
Meeting Date:	Thursday, 8 February 2024

1. Purpose of the Report:

- 1.1 This report sights Members on forthcoming changes which will amend the number of Constituent Authorities on TfN's Board over the next two years and explains the background and implications.

2. Recommendations:

- 2.1 General Purposes Committee is invited:
- a) To note forthcoming changes to the Constituent Authorities on TfN's Board and the effective dates; and
 - b) To note that the necessary consequential amendments will be made to the Constitution under the delegated power of the Monitoring Officer in consultation with the Chief Executive and reported to Board on 20 March 2024.

3. Main Issues:

- 3.1 In accordance with the Sub-national Transport Body (Transport for the North) Regulations 2018/103 as amended, there are currently 21 Constituent Authorities represented on TfN's Board, comprising a mix of Mayoral Combined Authorities, non-Mayoral Combined Authorities and Unitary Councils. Since 2018, the total number has changed through 19 then 20, and now 21 due to reorganisation changes in the North of England, and the Regulations have been amended accordingly. As a result of pending changes, by 2025 it is expected that the number will reduce to 15. This report sets out the changes and the timescale for information.
- 3.2 There are two changes in 2024 which will affect TfN's membership. Firstly, the York and North Yorkshire Combined Authority Order 2023 (which amends the Sub-national Transport Body (Transport for the North) Regulations 2018) came into force on 20 December 2023, establishes the new combined authority from 1 February 2024, and provides for a Mayoral election on 2 May 2024 with the directly elected Mayor taking office from 7 May 2024. The new Mayor will replace two existing authorities on TfN (City of York and North Yorkshire Councils). Because the Order has already effected the change of membership on TfN Board as from 20 December, but no Mayor has yet been elected, this means that for March Board, a representative of the Y&NYCA will replace the previous members from City of York and North Yorkshire. The representative will be either the interim leader of Y&NYCA, or the person with transport responsibility, and a meeting of Y&NYCA is being held in February to make these appointments. The previous Board representatives may still attend TfN's meetings if they wish to, though they would no longer command the voting share allocated to that area and would be in an observer capacity.

3.3 In the North East, the current two Combined Authorities, namely the North East Combined Authority (NECA), and The North of Tyne Combined Authority (NoTCA) will be replaced by a new North East Mayoral Combined Authority (NEMCA). On 2 May 2024 an election for a new directly elected Mayor will be held, with the Mayor's term of office commencing on 7 May 2024. The secondary legislation to effect changes to TfN's membership has yet to be made, but it is anticipated that the changes will not be effective until 7 May 2024. Accordingly, the existing members for the two combined authorities will represent their areas at TfN's 20 March Board meeting, and the new Mayor will take over from 7 May 2024.

3.4 The 2023 Autumn Statement as published on the Government website outlines further future changes to areas within England, with three of the four areas it refers to involving TfN, namely (i) Hull and East Yorkshire, (ii) Greater Lincolnshire, and (iii) Lancashire. The website information includes an explanation of historic deals (for context), and information on possible future devolution deals which may lead to further reorganisation. Hull and East Yorkshire, and Lincolnshire have been offered a "Level 3" deal, with first elections for Mayors in May 2025. Lancashire has been offered a "Level 2" deal, with the formation of a non-mayoral combined authority with Blackpool, and Blackburn with Darwen from 2025.

With regard to "Level 3", powers similar to devolution arrangements agreed in 2022 for York and North Yorkshire, and the North East are described as "broader than the Government's long standing focus on transport, skills and the economy" but will include these areas. The Hull & East Riding devolution includes funding for "transport, flood and coastal erosion programmes." This and the Greater Lincolnshire deal "anticipate the Mayor taking on roles around careers advice and resilience." They "feature a new collaborative partnership with the Department for Culture Media and Sport's national delivery bodies".

"Level 2" powers for the Lancashire deal involve fewer powers, as the Levelling Up White Paper and Devolution Framework anticipated. There is no annual investment fund, power to raise Council Tax, brownfield housing funding or a single transport fund but they will manage the Adult Education Budget and UK Shared Prosperity Fund for the areas (as mayoral areas do). Whilst there will be no transport fund, it is anticipated that the Regulations will be amended to provide the new authority is the relevant TfN Constituent Authority from the relevant date.

3.5 The following therefore summarises the expected effect on TfN Board and Partnership Board Membership:

- For York and North Yorkshire, The York and North Yorkshire Combined Authority member replaces the two members for North Yorkshire and City of York from 20 December 2023;
- For the North East, the North East Mayoral Combined Authority member will replace the two members for NECA and NoTCA from 7 May 2024;
- From 2025, the two Hull, and East Riding of Yorkshire seats on Board will be replaced with the new single Mayor;
- For Greater Lincolnshire from 2025, the new Mayor will replace two North East Lincolnshire and North Lincolnshire members;
- For the Lancashire non-mayoral combined authority, the Leader of that new authority will replace the three current members for Lancashire, Blackpool and Blackburn with Darwen.

The current TfN Board membership of 21 is therefore due to reduce from 21 to 15 by 2025.

- 3.6 Pending more detailed future consideration of the Regional Groupings for Rail North Committee and General Purposes Committee when rail reform is more developed, the current changes raise the more immediate need to update the Regional Groupings tables for RNC and GPC in paragraphs 21.6 and 22.9 of the Constitution.
- 3.7 City of York has historically been grouped with WYCA, with voting allocations for each authority being combined for these purposes. WYCA will now be alone in its group, with the City of York voting allocation transferred to Y&NYCA. The Grouping which historically comprised solely of North Yorkshire will now be the sole authority in it amended to Y&NYCA, and the voting allocations for North Yorkshire and City of York combined.
- 3.8 NoTCA and NECA are already grouped together, so the new NEMCA will replace them in the Group and have both their voting allocations transferred to it. These amendments and any consequential ones arising can and will be made under the delegated authority of the Monitoring Officer in consultation with the Chief Executive.
- 3.9 Further reports will be brought to General Purposes Committee in due course.

4. Corporate Considerations

Financial Implications

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

Resource Implications

- 4.2 There are no direct resourcing implications to TfN arising from this report.

Legal Implications

- 4.3 Legal implications are considered within the report.

Risk Management and Key Issues

- 4.4 ***There are no risk management implications as a result of this report.***

Environmental Implications

- 4.5 There are no environmental implications within, or resulting from, this report.

Equality and Diversity

- 4.6 There are no equality or diversity implications.

Consultations

- 4.7 None

5. Background Papers

- 5.1 None.

6. Appendices

- 6.1 None.

Glossary of terms, abbreviations and acronyms used (if applicable)

Please include any technical abbreviations and acronyms used in the report in this section. (Please see examples below.) This will provide an easy reference point for the reader for any abbreviations and acronyms that are used in the report.

- a) NECA – North East Combined Authority

Glossary of terms, abbreviations and acronyms used (*if applicable*)

- b) NEMCA – North East Mayoral Combined Authority
- c) NoTCA – North of Tyne Combined Authority
- d) TfN – Transport for the North
- e) Y&NYCA – York and North Yorkshire Combined Authority

Agenda Item 8

By virtue of Section 100A(2) of the Local Government Act 1972 [(likelihood that confidential information would be disclosed] in

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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