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<b>Meeting:</b>	General Purposes Committee Consultation Call
<b>Subject:</b>	Constitutional Amendments: Attendance Requirements
<b>Author:</b>	Julie Openshaw, Solicitor
<b>Sponsor:</b>	Martin Tugwell, Chief Executive
<b>Meeting Date:</b>	Wednesday, 29 January 2025

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## **1. Purpose of the Report:**

- 1.1 To enable General Purposes Committee (GPC) to consider making recommendations to the Transport for the North Board (TfN Board) in respect of quorum requirements for TfN Board and Rail North Committee (RNC).

## **2. Recommendations:**

- 2.1 That GPC recommends to TfN Board:
- a) To amend the quorum for TfN Board (for all decisions other than rail contract related) to 7 members who together hold at least 50% of the weighted vote.
  - b) To amend the quorum for TfN Board (rail contract related) to 9 members who together hold at least 50% of the weighted vote.
  - c) To amend the quorum for RNC to 9 members who together hold at least 50% of the weighted vote.

## **3. Background:**

- 3.1 On 9 December 2024, TfN Board considered an update on governance issues including the forthcoming establishment of the Greater Lincolnshire Combined County Authority (GLCCA), the Lancashire County Combined Authority (LCCA), and the Hull and East Yorkshire Combined Authority (HEYCA) and their effect in reducing the future numbers of TfN members. Draft Statutory Instruments relating to each authority were laid in Parliament in late November and early December 2024 and are processing through the Parliamentary procedure.
- 3.2 From the establishment of the new Combined Authorities, TfN will soon have 14 constituent authority members, a reduction from the current 19. In addition, there will be 4 'Rail North Authorities' that are co-opted members of the TfN Board.
- 3.3 Given the change in the number of constituent authorities, it is therefore, appropriate to reconsider the issue of quorum for Board meetings, otherwise a disproportionate number of members will need to be present for meetings to be quorate which will not be conducive to effective governance and decision making.
- 3.4 The TfN Board has the power, subject to the legal minimum, to determine its own quorum, including its committees. The minimum legal requirement for a quorum set out in the Local Government Act 1972 is at least 25% of voting members.
- 3.5 Under the current quorum arrangements for the TfN Board, there is a need for attendance by a minimum of 10 authorities out of 19 constituent authorities who together hold more than 50% of the weighted voting. With the number of constituent authorities reducing to 14, maintaining the principle that underpins the original quorum requirements suggests that moving forward it should be a minimum of 7 out of 14 constituent authorities who together hold more than 50% of the weighted voting.

3.6 When the TfN Board is considering rail contract matters, the 'Rail North Authorities' are also entitled to vote. This means that the number of authorities entitled to vote would be 18 (14 constituent authorities plus 4 rail north authorities). Mirroring the principle set out above, this suggests that the quorum for the TfN Board when voting on rail contract matters should be 9 out of 18 authorities who together hold more than 50% of the weighted voting.

3.7 Under the current quorum arrangements for RNC, there is a need for attendance by a minimum of 6 members who together hold not less than 50% of the rail franchise matters weighted votes.

As a result of the removal of the grouping system for RNC, and the allocation of an individual seat to all constituent authorities and Rail North Authorities, moving forward the RNC will comprise of 18 representatives (14 constituent authorities and 4 Rail North Authorities).

3.8 In these circumstances, it is suggested that the quorum for RNC should be 9 out of 18 authorities who together hold more than 50% of the weighted voting. This would have the added benefit of being consistent with the quorum required at the TfN Board when considering rail contract matters.

3.9 The weighted voting rights are set out at Appendix 2 of the Constitution (repeated as Appendix 1 of this report). In accordance with the Sub-national Transport Body (Transport for the North) Regulations 2018 the weightings for rail contract matters are calculated based on the percentage of passenger miles on the Northern and TransPennine Express franchises in each constituent authority. For all other matters, the weightings are calculated based on resident populations.

#### **4. Corporate Considerations**

##### ***Financial Implications***

4.1 There are no financial implications relating to this report.

##### ***Resource Implications***

4.2 None.

##### ***Legal Implications***

4.3 The legal implications are included within the report.

##### ***Risk Management and Key Issues***

4.4 TfN manages corporate risk 920, compliance with good practice, governance and corporate processes across the organisation. which links, to the context of this report.

##### ***Environmental Implications***

4.5 There are no environment implications arising from this report.

##### ***Equality and Diversity***

4.6 There are no equality and diversity implications.

##### ***Consultations***

4.7 General Purposes Committee is considering this report.

#### **5. Background Papers**

5.1 None.

#### **6. Appendices**

## 6.1 Appendix 1: Voting Matrix

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

GLCCA – Greater Lincolnshire County Combined Authority

GPC – General Purposes Committee

HEYCA – Hull and East Yorkshire Combined Authority

RNC – Rail North Committee

TfN Board– Transport for the North Board.