

Appendix 2 - Corporate Governance & Audit Committee 'Mayoral Accountability Workshop' 14th January 2021

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Present:

CLlr Will Simpson
CLlr Kath Pinnock
CLlr Graham Turner
CLlr Elizabeth Smaje
CLlr Andrew Cooper
CLlr Harpreet Uppal
CLlr Habiban Zaman
CLlr Charles Greaves
CLlr Aleks Lukic

Julie Muscroft	Legal, Governance and Commissioning
Karl Larrad	Legal Services
Nick Howe	Strategy, Innovation and Planning

1. Welcome and Introduction from CLlr Simpson

CLlr Will Simpson, chair of Corporate Governance & Audit Committee (CG&AC), welcomed everyone and introduced the session.

2. Background – Julie Muscroft and Nick Howe

JM provided a brief background, recap on the West Yorkshire (WY) Devolution Deal and progress to date including the recent news of the order being laid in Parliament. She also explained why this Workshop has been convened and where this work is likely to go next.

3. Concurrent powers – Karl Larrad

KL provided a detailed update on the concurrent powers work currently being undertaken by the 5 WY authorities. Concurrent Powers are statutory powers and duties that are shared between the Combined Authority (including a function exercisable by the Mayor) and the Constituent Councils. The current piece of work is developing a clear set of protocols for how the exercise of these will work once the mayoral authority is in place. KL also provided example of concurrent powers and explained how the process might work going forward. He reassured members that if and when concurrent powers were exercised in future, all authorities would have plenty of notice and time to discuss the approach being taken. The draft protocols will enhance this security.

A final version of the protocol will be presented at **CG&AC 9th March** with further discussion at **Cabinet 16th March** in line with other WY authorities.

4. Workshop Discussion

The context of the discussion was how will the 5 constituent councils interact and hold an elected mayor to account? Specifically, what would members like to see in place, what would be feasible and could be replicated across all 5 Councils? Appendix 1 to this report

Key Points

Cllr Simpson

- Pre-scrutiny is a real issue.
- We have a unique opportunity to help change the current WYCA approach and culture if we get these structures right.
- Need to build the accountability into each of the 5 constituent councils so no authorities are left behind, not just scrutiny at WYCA itself.
- In the least, the mayor to attend an additional full council each year dedicated to mayoral accountability/scrutiny (this should be a red line). It needs to be a scheduled and prepared session not just a PR exercise.
- Potential for the Deputy Mayor to attend constituent council's scrutiny sessions twice a year? Some form of engagement so there is ongoing scrutiny work with each council, not just a one-off annual event.
- Important all Cllrs get the opportunity to have their say and raise questions to be answered in a set timeframe, not just the one's on nominated panels or who are part of WYCA.

Cllr Cooper

- Would like to see a lot more detail up front i.e. what is the Mayor's skills plan, what is their economic plan etc. If these are set out up front, it will be much easier to see when decisions will need to be made and hold them to account.
- Reminded the meeting that 8% of elected Cllrs in WY are independent and not from the main groups. The LGA treat them as a group and they should be given a voice.

Cllr Smaje

- The Mayor to attend full Council when it suits Kirklees, shouldn't just be a PR exercise.
- WYCA scrutiny does not have the opportunity to accept public questions or questions from other members, this should be looked at and changed.
- More pre-decision scrutiny and far more visibility of key decisions before they are made. Its too distance at present
- Try to involve all councillors not just respective cabinets.
- Need to scrutinise 'things' that affect Cllrs.
- Need to understand the relationship with Mayoral Combined Authority (MCA) scrutiny structure once its agreed. There needs to be far more input into proposed MCA scrutiny that currently exists with WYCA.
- Internal Kirklees panel to scrutinise MCA work?

Cllr Zaman

- How much different will the newly elected mayor's plans be? What will their priorities be? These need to be shared more widely.
- Agree that the Mayor should attend Council meetings.

- Stronger links to the grassroots across the districts so members of the public have a greater understanding of the Mayor's role and responsibilities

Cllr Simpson

- Public questions should be allowed at formal meetings. A 'Question Time' session for members of the public would be good thing for the Mayor to do.

Cllr Uppal

- Public accountability is key, works well for the Manchester model.
- Full Council attendance is a no brainer and if possible, should be written into the constitution.
- Themed committee and scrutiny structures are more appropriate than existing arrangements.
- Fully support the 8% LGA Independent group proposal.

Cllr Turner

- Public accountability is key, the new Mayor must realise this from the start.
- Full Council attendance needs to be holding to account, not a PR exercise.
- Potential special meeting early in their reign to get the PR bit out of the way and set the scene? Opportunity to hold them to account after that meeting.
- Multi-themed scrutiny panels are the way forward due to the scale of the job.

Cllr Smaje

- Pleased to hear there's general agreement attendance should be more than once a year. Also, this good opportunity for everyone to get their frustrations out now!

Cllr Pinnock

- 5 constituent councils are responsible for pushing and creating accountability.
- Decision-making and accountability needs to consider the political make-up that exists across all councils.
- Public accountability links into the precept, especially if the Mayor decides to increase it!
- Power of Veto, does it exist and where? JM answered, any decision of the Mayor that gives rise to a financial liability for a constituent council requires the consent of the member appointed by that council.
- Perhaps new scrutiny arrangements should be called accountability panels?? More about accountability might make the Mayor more likely to attend.
- Important that members of the public can make representations.
- Do we need a KMC panel to focus on MCA workload and accountability?

Cllr Lukic

- Formal MCA meetings accept written questions and representations from members of the public, this is essential for credibility.
- What can we do to help inform our scrutiny of the Mayor? Collect and log public views and concerns. Build on the way we do this with the current PCC.

- Key issue in how we work with WYCA and future MCA particularly in how WYCA/MCA share information to the public, cultural shift is required.
- Tees Valley model for Independents, communicate this to our WYLAW Group (Appendix 6 of Tees Valley constitution).

Cllr Turner

- Re-emphasise the attendance at full council, but how do we demand it? Does this have to be in the MCA Constitution? JM no legal powers but all 5 councils are looking at how this can be replicated across WY. Write in the standing orders? Carrot and stick approach

Cllr Greaves

- Where do we go from here i.e. flightpath?
 - Formal route for concurrent powers (CG&AC 9th March, Cabinet 16th March)
 - WYLAW meetings (monitoring officers from all 5 cc plus WYCA) Next one is end of this month
 - In terms of scrutiny, Leaders and CXs currently engaging with WYCA on the proposed structures discussed before Xmas
- Ensure note and recommendations from this meeting are widely shared. JM to share notes and proposals from this session with our Leader and CX as well as other monitoring officers from WY which will in turn feed to the CX at WYCA
- Is there potential to share these ideas with prospective mayors?? Invite candidates to a Kirklees meeting to listen and observe our concerns and proposals? They'd get a better understanding of the issues and need for accountability

5. Next Steps and timetable

As noted above, the notes from this meeting will be shared with all attendees. There will be a more formal debate at the sessions on 9th March CG&AC looking at the proposals in more detail and how they could be progressed.

Also, JM to share with Leader, CX and the WYLAW group.

Concurrent Powers paper to CG&AC 9th March, followed by Cabinet 16th March.

Appendix 1 - Mayoral Accountability proposals

Proposal	Detail and issues	How?	By whom?
Mayor to attend scheduled full Council meetings	<ul style="list-style-type: none"> • Invite to a full Council meeting dedicated to accountability of the Mayor • Not a PR exercise, scheduled meeting(s) with planned questions and accountability • Initial early invite to give Mayor opportunity to set out priorities and initial plan • Potential to organise extraordinary meeting annually to make this happen? 	<ul style="list-style-type: none"> • Written into the MCA constitution? • Council standing orders? • Promote through WYLAW Group? 	5 LAs and WYCA
Deputy Mayor to attend Council Scrutiny sessions	<ul style="list-style-type: none"> • Frequency? 	<ul style="list-style-type: none"> • Written into the MCA constitution? • Council standing orders? 	WY Leaders Push from Scrutiny lead in each authority?
Mayor to publish their plans and priorities	<ul style="list-style-type: none"> • To ensure future accountability, MCA to publish Mayor's priorities, delivery plans and strategies. A large portion will be delivery existing strategies but needs clear communication 	<ul style="list-style-type: none"> • MCA Comms lead • Internal and local comms for LAs including 'what does it mean for us?' 	WYCA and then MCA
Provide independent Cllrs with the opportunity to create a group	<ul style="list-style-type: none"> • In line with the LGA approach, provide an opportunity for the 8% independent Cllrs across WY to form a group and have a representative voice • Use the example of the Tees Valley Model? 		WY Leaders?

MCA Scrutiny to accept written questions and written public representations	<ul style="list-style-type: none"> • Currently, there is no opportunity for the public or other Cllrs to submit written questions or ask questions at formal meetings. 	<ul style="list-style-type: none"> • Written into the MCA constitution? 	WY Leaders? LA Scrutiny leads
Improved relationship and working arrangements between MCA and LA scrutiny	<ul style="list-style-type: none"> • Work with WYCA initially to set up formal and informal arrangements which would lead to a more effective scrutiny function of the MCA • Ongoing sharing work programmes? • Incorporated into the 'Strengthening Partnerships' work? 		5 LAs WYCA and MCA
Increased visibility and record of key decisions	<ul style="list-style-type: none"> • Sharing of work programmes and schedules from formal meetings? 		
Internal Kirklees 'panel' to look at MCA business and decision-making	<ul style="list-style-type: none"> • Create an internal scrutiny or 'accountability' panel to scrutinise and hold MCA and the Mayor's decision-making 	<ul style="list-style-type: none"> • Discussion at CG&AC 	Leading members?
Public Question Time session	<ul style="list-style-type: none"> • Annual public 'Question Time' type session for members of the public to ask questions of the Mayor 		WYCA/MCA
Greater understanding the Mayor's role and responsibilities	<ul style="list-style-type: none"> • Provide more clear and concise information to the general public on the Mayor's role, responsibilities and priorities 	<ul style="list-style-type: none"> • Increased comms form both WYCA/MCA and each authority 	WYCA/MCA Comms LA comms
Multi-themed scrutiny committees	<ul style="list-style-type: none"> • In line with the proposals that were discussed before Xmas, the preferred option would be a series of themed committee/panels 		

Instead of scrutiny, call them 'accountability' panels	<ul style="list-style-type: none">• Instead of calling them 'scrutiny' panel, use the term 'accountability' panels instead.		
Collect and log public issues and concerns	<ul style="list-style-type: none">• Log concerns and issues from public etc to aide pre-scrutiny and better accountability in formal meetings• Use the current PCC model		
Invite Mayoral candidates to a CG&AC meeting to discuss accountability	<ul style="list-style-type: none">• Invite candidates to a Kirklees meeting to listen and get a better understanding of the issues and need for accountability		

DRAFT