

CONCLUSIONS REPORT

SCRUTINY COMMITTEE, 22 AUGUST 2025

Background

On 22 August 2025, the Scrutiny Committee considered a Call-In of a Combined Authority decision taken on 24 July 2025. This was the first Call-In since the Authority's establishment in 2014, providing a test of governance processes.

The Committee voted to release the decision for immediate implementation but also agreed to consider separate recommendations on governance and procedural issues brought to light during deliberation.

Conclusions

The Committee concluded that the Call-In could have been avoided with greater clarity in the wording of reports, the chosen governance pathway and level of public deliberation. Other observations included:

- **Meeting Management:** Debate at the Combined Authority was too short. Fixed durations, infrequent meetings and oversubscribed agendas risk constraining public deliberation, creating the impression of decisions being rubber stamped, rushed or pre-determined, which may increase exposure to Call In and legal or public challenge.
- **Pre-Scrutiny:** Opportunities for pre-scrutiny and public deliberation were missed. The Transport Committee did not engage meaningfully in policy development or decision-making in private or public, despite meeting both during the consultation period (April–June 2025) and the day before the decision – and the policy being noted at meetings throughout 2024 and in January 2025 with little discussion or challenge. Explanations for this omission did not satisfy the Committee.
- **Role of Transport Committee:** These missed opportunities effectively sideline the Transport Committee as a decision-making entity on a high-profile issue. One Transport Committee Member submitted evidence in support of the Call In after being unable to raise their concerns in-committee. Questions remain about its role in practice, compared to its terms of reference which suggest decision-making powers that are rarely exercised.
- **Transport decisions:** It unclear what substantive decisions the Transport Committee is entrusted with, with no Key Decisions assigned to it. Key transport issues such as school bus policy, bus franchising, and Bradford Interchange are retained by the Combined Authority. The Interchange case nearly led to a Call In, before a commitment to consult Transport Committee before final decision, though discussion was still too short.
- **Role of Scrutiny Committee:** Despite multiple reviews in recent years, the respective roles of Scrutiny and thematic committees remain unresolved within the Combined Authority's de facto committee system. Scrutiny's ability to scrutinise policy development is limited by duplication concerns, inconsistent scheduling, and weak cross-reporting with other committees.

- **Public Process:** The Chair and Deputy Chair of the Transport Committee oversaw policy development and acted as Lead Members. While fulfilling their duty and providing suitable oversight of officers, this took place in private without public visibility or scrutiny of that process. Although the Chair was present at the Combined Authority, officers appeared to lead the bulk of the presentation and discussion.
- **Role of Portfolio Holders:** The existence of thematic committees appears linked to the support structure required for a Leader-Portfolio model within a statutory context not permitting delegation of powers to CA Members. Leaders acting as portfolio holders may lack capacity to discharge the role fully, compared to the co-deputy chairs who, together, replicate the fuller-time functions of the pre-mayoral era Transport Chair.
- **Report Accessibility:** The report appeared to be drafted in an internal-centric style, with limited consideration for the audience (Members and the public). This contributed to misunderstandings about the proposals, the decision, and next steps, compounded by ambiguities in oral evidence at the meeting.
- **Report Clarity:** The report and its recommendations included ambiguous or imprecise language (e.g. “consultation” vs “engagement” in 2.2; absence of a key “potentially” in 4.37). Imprecise wording in consultation documents, reports and decisions creates confusion and may increase risk of further Call-Ins and legal challenge of the consultation process or decision.
- **Decision Clarity:** The distinction between the decision to adopt a new overarching policy and its subsequent implementation was unclear, leading many stakeholders to misinterpret the decision made, changes applying imminently from September 2025 (rather than September 2026) and whether service changes were already decided.
- **Consultation Reach:** Despite reportedly high response rates, many schools, pass holders, and ward councillors indicated to Members they were not contacted at all or able to provide feedback. There is a clear disconnect between what’s reported and experienced in consultations. This appears to be related to communications format rather than stakeholder omission. The equality impact on certain religious affiliations could also have been clearer amid the confusion on religious schools.

Recommendations

The recommendations arising from the **22 August 2025 Scrutiny Committee** meeting to the **West Yorkshire Combined Authority** are:

1. **Review process:** That a “lessons learned” exercise of the Call In process is undertaken, to include administration, criteria, eligibility and alignment with common practice in the constituent authorities.
2. **Remove Barriers to Pre-Scrutiny:** End any practice of withholding reports from Scrutiny until they have been considered elsewhere, or of treating publication as the “launch” of a policy position, both of which make pre-decision scrutiny practically impossible.
3. **Embed Pre-Scrutiny:** Require a central forward plan of policies and projects spanning a 6-month period, so that Scrutiny and/or relevant committees can identify matters for closer, earlier and public democratic oversight before final decisions are made – and cross-reporting views and concerns.

4. **Review Committee Structure:** Reassess the role and purpose of all boards and committees in the context of the Devolution Bill, including possible abolishment, conversion to advisory panels, or conversion to scrutiny committees – and report findings to Scrutiny for pre-decision input.
5. **Predictable Meeting Schedule:** Establish a consistent and predictable meeting schedule to eliminate duplication and allow timely, effective decision-making, consultation and scrutiny e.g. fixed times / days on a consistent monthly or six-weekly cycle and dispensation for extended debate of complex or contested decisions.
6. **Ensure Decision Clarity:** Ensure reports are suitable for laypeople and recommendations are precise and set out clearly: what is being decided at the meeting; what will be decided subsequently (and by whom); and implementation horizons for each decision stage (immediate, 6 months, 12 months, etc.).
7. **Clarify Governance Pathways:** Require reports to set out the governance route taken by each decision, including which committees have considered it, why others have not, and any linked committee or officer decisions for context.
8. **Engage Ward Councillors:** Where decisions impact particular wards, institute a policy of consulting affected ward councillors (including neighbouring wards likely to be indirectly impacted) and record their comments in consultation and decision reports.
9. **Strengthen Consultation Reporting:** Require reports to summarise comments from engagement with committees, chairs/deputies, and ward councillors; reference to, and details of, relevant past consultations or engagement exercises; and proposed next steps for feeding back to consultees.
10. **Strengthen Political Accountability:** Ensure political accountability of Lead Members overseeing policy development within their portfolio, leading debate and answering at the Combined Authority, and engaging directly with Scrutiny, relevant committees and the public.