



CABINET MEMBER DECISION

04 JANUARY 2021

funding. Finally, the power of the Board is increased through the creation of two more powerful Vice Chair roles.

13. Option 6 was approved in principle by the WMRL Board at its meeting on 15 September 2020. Also approved at that meeting was the recommendation that each of the 14 partner authorities would commence the process of taking Option 6 through their respective governance processes.

14. The Extraordinary Meeting is necessary as the implementation of Option 6 requires amendments to the WMRL Articles of Association, and the Articles can only be amended by a Special Resolution of the Members eligible to vote. Under the provisions of the Articles, these Members are defined as the seven Shire and Unitary authorities plus WMCA. A Special Resolution requires a majority of 75% to pass (a minimum of six votes). A tracked changes copy showing the proposed amendments to the Articles of Association can be found in Appendix B.

15. The WMRL's Articles also contain the broad powers of the company, which include things like entering into contracts for the provision of rail services, borrowing and raising money, and lobby and related activities to promote WMRE's purpose of advancing rail passenger services in the West Midlands and Northamptonshire. On 15 September the WMRL Board approved in principle that Power 3.1(i) - a wide power to represent and publicise WMRE through lobbying and related activities and survey to advance WMRE's purpose – be delegated to the non-Director, non-voting Chair. The WMRE Board of Directors are able to delegate exercise of these Powers by a resolution which is passed by 50% or more of the WMRE Board of Directors eligible to vote. Any delegation remains subject to the oversight of the WMRE Board of Directors as the WMRE Board of Directors retain overall responsibility.

Legal, Financial and HR Implications

16. The Council joined West Midlands Rail Limited and appointed directors to its Board pursuant to Section 1 of the Localism Act 2011.

17. Members of the Company are bound by its Articles of Association and governance requirements.

Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments

A **joint impact assessment (JIA)** screening was undertaken and concluded -

The JIA screening did not identify any potential considerations requiring further assessment during implementation.

Supporting Information

- Appendix A – summary of governance options considered
- Appendix B – proposed amendments to the WMRE Articles
- Appendix C – joint impact assessment screening report

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Strategic Director for Economy and Infrastructure) the following are the background papers relating to the subject matter of this report: