



# SHADOW OVERVIEW AND SCRUTINY COMMITTEE

DATE: Tuesday 11<sup>th</sup> April 2017  
 TIME 10.00 am  
 LOCATION Council Chamber at Fenland Hall, County Road March  
 PE15 8NQ

**(Public Meeting)**

## AGENDA

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<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.3
	PUBLIC REPORT

**TITLE: APPOINTMENT OF CHAIR**

<b>RECOMMENDATIONS</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
<p>The Shadow Committee are asked to:</p> <ul style="list-style-type: none"><li>(a) appoint a Chair for the meeting and</li><li>(b) confirm the appointment of Councillor John Batchelor as representative of the Shadow Overview and Scrutiny Committee from now until the first meeting of the Overview and Scrutiny Committee following its official establishment at the annual meeting of the Combined Authority in May.</li></ul>	

## **1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to ask the Shadow Overview and Scrutiny Committee to appoint a chair for the meeting and to confirm the appointment of Councillor John Batchelor as representative of the Shadow Committee until the first official meeting of the Committee.

## **2. BACKGROUND**

- 2.1 The Combined Authority at its first meeting on 20 March appointed the members nominated by constituent councils to the Shadow Overview and Scrutiny Committee as detailed in Appendix 1.
- 2.2 The Overview and Scrutiny Committee comes into effect on 8 May 2017, and following local elections and the election of the Mayor, the Combined Authority Board will hold its annual meeting on 31 May when it will formally appoint the Overview and Scrutiny Committee. In the meantime, the Shadow Committee has been set up to enable Members to prepare for their formal establishment. The Shadow Committee will need to appoint a Chair for this meeting.
- 2.3 The Combined Authority Board also agreed its constitution, subject to consultation with the Shadow Overview and Scrutiny Committee on the scrutiny arrangements. The constitution states that the Committee shall appoint its own Chair and that the Chair will be an elected member of one of the Constituent Councils.



- 2.4 In accordance with the Combined Authority (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 which comes into effect on 8 May, the Committee must ensure that the person appointed as the Chair is an “appropriate person” who is an elected member of one of the Constituent Councils but is not a member of the registered political party of which the Mayor is a member.
- 2.5 Where the Mayor is not a member of a registered political party, a person may not be appointed as Chair if that person is:
- (a) a member of the registered political party which has the most representatives among the members of the constituent councils on the Combined Authority, or
  - (b) where two or more parties have the same number of representatives, a member of any of those parties.
- 2.6 Members at the scrutiny workshop held on 16 March appointed Councillor John Batchelor as their representative from now until a Chair is appointed at the first meeting of the Overview and Scrutiny Committee.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members.

### **4. LEGAL IMPLICATIONS**

- 4.1 These are dealt with in the report.

### **5. EQUALITIES IMPLICATION**

- 5.1 N/A

### **6. BACKGROUND DOCUMENTS**

- 6.1 Agenda and minutes for meetings of the Cambridgeshire and Peterborough Authority Board are available on the Cambridgeshire County Council website.

### **7. APPENDICES**

- 7.1 Appendix 1 – Membership



**Appendix 1**

**APPOINTMENT OF THE SHADOW SCRUTINY COMMITTEE**

Council	Combined Authority Overview and Scrutiny Representatives
Huntingdonshire District Council	Councillor Robin Carter Councillor Terry Hayward
East Cambridgeshire District Council	Councillor Alan Sharp Councillor Lisa Stubbs
South Cambridgeshire District Council	Councillor Alex Riley Councillor John Batchelor
Fenland District Council	Councillor Fred Yeulett Councillor Mark Buckton
Cambridge City Council	Councillor Dave Baigent Councillor Tim Bick
Cambridgeshire County Council	Councillor Simon Bywater Councillor Peter Reeve
Peterborough City Council	Councillor Mohammed Jamil Councillor David Over

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<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No. 4
	PUBLIC REPORT

**TITLE: MEMBERSHIP, POLITICAL BALANCE AND SUBSTITUTES**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
The Shadow Committee are asked to note the report.	

**1. PURPOSE AND REASON FOR REPORT**

1.1 The purpose of the report is to advise Members of the current political balance on the Committee, the possible implications on the political balance following the local elections, and the appointment of substitute members to take effect from the annual meeting of the Combined Authority.

**2. BACKGROUND**

2.1 The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 sets out the rules for membership. The membership of the Overview and Scrutiny and the Audit Committees as a whole should reflect so far as reasonably practicable the balance of political parties of the constituent councils when taken together.

2.2 The balance is based on membership of political parties, not political groups, on constituent councils.

2.3 The Board in March ratified its previous decision that the Overview and Scrutiny Committee should have 14 members. The allocation of seats between parties is set out in Appendix 1.

**2.4 Substitute Members on the Committee**

2.5 The Board agreed that constituent councils should be advised to appoint substitute members to take affect after the Board’s annual meeting. Any substitute members should come from the same party as the Member they are substituting for to maintain political balance.



2.6 For the Overview & Scrutiny Committee, if constituent councils have members from the same political parties, ie East Cambs and Fenland, those Councils might only wish to appoint one substitute rather than two. However, it is preferable to appoint two members in case both members are absent from a meeting and need to substitute.

## 2.7 **Elections**

2.8 The above political balance calculations was based on statistics given by constituent councils in January 2017. However, Cambridgeshire County Council has elections on 5 May which could impact on these calculations, particularly in relation to the smaller parties. Therefore, the Monitoring Officer will need to review the calculations after the election, when the County Council is able to make the information available to her.

2.9 If there are changes to the political balance, the Combined Authority Board might need to review the distribution of seats to different political parties and to constituent councils.

## 3. **FINANCIAL IMPLICATIONS**

3.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members.

## 4. **LEGAL IMPLICATIONS**

4.1 These are dealt with in the report.

## 5. **EQUALITIES IMPLICATION**

5.1 N/A

## 6. **BACKGROUND DOCUMENTS**

6.1 Agenda and minutes for meetings of the Cambridgeshire and Peterborough Authority Board are available on the Cambridgeshire County Council website.

## 7. **APPENDICES**

7.1 Appendix 1 – Allocation of seats



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

## Appendix 1

### OVERVIEW AND SCRUTINY COMMITTEE – ALLOCATION OF SEATS

<b>Council</b>	<b>Combined Authority Overview and Scrutiny Representatives</b>
Huntingdonshire District Council	1 Conservative, 1 Independent
East Cambridgeshire District Council	2 Conservatives
South Cambridgeshire District Council	1 Conservative, 1 Liberal Democrat
Fenland District Council	2 Conservatives
Cambridge City Council	1 Labour, 1 Liberal Democrat
Cambridgeshire County Council	1 Conservative, 1 UKIP
Peterborough City Council	1 Conservative, 1 Labour

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<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.5
	PUBLIC REPORT

**TITLE: COMBINED AUTHORITY – FORWARD PLAN**

<b>RECOMMENDATIONS</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
The Shadow Committee are asked to note the report.	

**1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to update members on the establishment and work of the Combined Authority. The Monitoring Officer will give an update at the meeting.

**2. BACKGROUND**

- 2.1 Following the agreement of all Councils to the Secretary of State making an Order to establish the Cambridgeshire and Peterborough Combined Authority, the Shadow Combined Authority was established in December 2016.
- 2.2 Following the signing of the Cambridgeshire and Peterborough Combined Authority Order 2017, the Combined Authority was formally established on 2 March, and the Board held its first meeting on 20 March. The minutes of the meeting are attached (Appendix 1).
- 2.3 The main purpose of the meeting was to formally agree its membership, its constitution and budget, to appoint its committees and statutory officers. It also agreed the process for appointing a permanent Chief Executive
- 2.4 It ratified decisions taken by the Shadow Board. These decisions were predominantly about constitutional matters. For example it was required to set up an Independent remuneration panel for the Mayor’s remuneration and to have in place a local assurance framework and an evaluation framework.
- 2.5 The Board on 20 March also considered a report on developing its housing strategy.
- 2.6 **Forward Plan**



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

- 2.7 It is the role of the Overview and Scrutiny Committee to review the forward plan. The Board's forward plan shows its proposed programme of work over the coming months. The forward plan will be updated and published monthly. Attached is the current version.
- 2.8 The Monitoring Officer will update the committee on the work of the Combined Authority at its meeting.
- 3. FINANCIAL IMPLICATIONS**
- 3.1 There are no financial implications.
- 4. LEGAL IMPLICATIONS**
- 4.1 These are dealt with in the report.
- 5. EQUALITIES IMPLICATION**
- 5.1 N/A
- 6. BACKGROUND DOCUMENTS**
- 6.1 Agenda and minutes for meetings of the Cambridgeshire and Peterborough Authority Board are available on the Cambridgeshire County Council website.
- 7. Appendices**
- 7.1 Appendix 1 – Draft minutes of the Combined Authority Board
- 7.2 Appendix 2 – Draft Forward Plan



## **CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY: MINUTES**

**Date:** Monday, 20th March 2017

**Time:** 2.00p.m. – 4.05p.m.

**Present:** J Clark – Fenland District Council, S Count – Cambridgeshire County Council, L Herbert – Cambridge City Council, J Holdich – Peterborough City Council, Councillor R Howe (Chairman) – Huntingdonshire District Council, J Palmer – East Cambridgeshire District Council and P Topping – South Cambridgeshire District Council; M Reeve – Greater Cambridge Greater Peterborough Enterprise Partnership

**Observers:** J Bawden (Clinical Commissioning Group) and A Coles (Deputy Police and Crime Commissioner)

### **1. MEMBERSHIP OF THE COMBINED AUTHORITY**

The Interim Chief Executive welcomed everyone to the inaugural meeting of the Cambridgeshire and Peterborough Combined Authority which was a landmark in the devolution journey towards improving the fortunes of the area. He highlighted the considerable amount of work which had been undertaken by both Government and Councillors.

The Combined Authority considered a report setting out the Members and substitute Members appointed by the Constituent Councils and the Member and substitute Member nominated by the Greater Cambridge/Greater Peterborough Enterprise Partnership (GCGP LEP) as set out in Appendix 1 to the report.

It was resolved to:

- note the Members and substitute Members appointed by the Constituent Councils to the Combined Authority.
- confirm the appointment of the Member and substitute Member nominated by the Greater Cambridge/Greater Peterborough Enterprise Partnership (GCGP LEP) to the Combined Authority.

### **2. APPOINTMENT OF CHAIR AND CHAIR'S OPENING REMARKS**

The Combined Authority was asked to appoint a Chair to the Cambridgeshire and Peterborough Combined Authority Board.

It was resolved to:

appoint Councillor Robin Howe as Chair of the Cambridgeshire and Peterborough Combined Authority Board until 8 May 2017.

### **3. APPOINTMENT OF VICE-CHAIR**

The Combined Authority was asked to appoint a Vice-Chair to the Cambridgeshire and Peterborough Combined Authority Board.

It was resolved to:

appoint Councillor Holdich as Vice-Chair of the Combined Authority Board until 8 May 2017.

### **4. APPROVAL OF CAMBRIDGESHIRE & PETERBOROUGH AUTHORITY ORDER 2017**

The Combined Authority considered a report detailing the Cambridgeshire and Peterborough Combined Authority Order 2017. The Chair reminded the Authority that the Secretary of State for Communities and Local Government, The Right Honourable Sajid Javid MP, had together with the Combined Authority formally signed the devolution agreement at a meeting in Wisbech on 16 March 2017.

It was suggested that a plain English version of the Order should be prepared and published on the Authority's website. **Action Required.**

It was resolved to:

adopt the Cambridgeshire and Peterborough Combined Authority Order 2017 as set out in Appendix 1 to the report.

### **5. APOLOGIES FOR ABSENCE**

Apologies received from J Ablewhite and Councillor P Brown (observers), and M Whiteley (Programme Director).

### **6. DECLARATIONS OF INTERESTS**

There were no declarations of interest.

### **7. FORWARD PLAN**

The Combined Authority noted a revised Forward Plan of Executive Decisions dated 16 March 2017. The Chair commented that the Forward Plan was updated on a regular basis. (A copy of the current version was available at the following link [https://cmis.cambridgeshire.gov.uk/ccc\\_live/Documents/PublicDocuments.aspx](https://cmis.cambridgeshire.gov.uk/ccc_live/Documents/PublicDocuments.aspx))

It was resolved unanimously to:

approve the Forward Plan of Executive Decisions.

## **8. APPROVAL AND ADOPTION OF CONSTITUTION**

The Combined Authority received a report detailing its Constitution, which had been prepared in two phases. The Authority was asked to consider Phase 1 which related to the essential elements for holding meetings and decision making. Phase 2 which would include the budget framework, the officer scheme of delegation and other codes and conduct, and internal procedural rules would be presented to the next meeting in April.

The Portfolio Holder, Councillor Herbert, welcomed Councillor Batchelor who was representing the Overview and Scrutiny Committee; this Committee had met informally a week ago. In introducing his report, Councillor Herbert proposed two amendments, seconded by Councillor Palmer, relating to the need to delete “public sector” from paragraph 3.1 (Chapter 4 Part 2) to enable non-public sector organisations to be considered for “observer status”, and the need to delegate authority to the Chief Executive to exercise the general power of competence in consultation with the Chair on any matters within the remit of the Combined Authority functions until the next meeting of the Combined Authority subject to any exercise of this power being reported to that Combined Authority meeting. Both amendments were supported by the Authority. Councillor Herbert also raised the need to consider at the Annual Meeting whether his portfolio should be represented on both working groups.

The Chair advised that there were likely to be numerous and frequent changes to the Constitution of a newly formed organisation in order to ensure it was fit for purpose.

It was resolved to:

1. Approve phase one of constitution set out in Appendix 1, subject to:
  - (a) consultation with the shadow Overview and Scrutiny Committee on the scrutiny arrangements set out in chapter 6 of the constitution, and the financial limits set for a key decision.
  - (b) The deletion of “public sector” from para 3.1. (Chapter 4 Part 2) to enable non-public sector organisations to be considered for “observer” status
2. Agree the Monitoring Officer be requested to report to the next meeting on the Shadow Overview and Scrutiny Committees’ comments.
3. Agree the following general delegations until approval of the scheme of delegation
  - (a) The Chief Executive, Monitoring Officer and Section 151 be authorised to progress any matters within the budget allocations approved to ensure the smooth and effective running of the Combined Authority;
  - (b) This would be subject to the delegation not being

- (i) in respect of a matter reserved to the Board
- (ii) relevant officer consulting the Chair and any relevant portfolio holder.

(c) That the Chief Executive be delegated authority to exercise the general power of competence in consultation with the Chair on any matters within the remit of the Combined Authority functions until the next meeting of the Combined Authority subject to any exercise of this power being reported to that Combined Authority meeting.

4. Note that Phase 2 of the constitution will be presented for approval at the next meeting in April.

## **9. VOTING RIGHTS FOR THE GREATER CAMBRIDGE GREATER PETERBOROUGH LOCAL ENTERPRISE PARTNERSHIP**

The Combined Authority was asked to confirm the Shadow Combined Authority's decision to grant the Greater Cambridge/Greater Peterborough Enterprise Partnership (GCGP LEP) voting rights on the Board.

It was resolved to:

agree that the Greater Cambridge/Greater Peterborough Enterprise Partnership (GCGP LEP) shall have one vote on the Combined Authority Board, subject to certain voting qualifications in the Cambridgeshire and Peterborough Combined Authority Order 2016.

## **10. APPOINTMENT OF PORTFOLIOS**

The Combined Authority was asked to appoint portfolio holders to the Combined Authority who would be in operation until the election of the Mayor. The outline terms of reference for each portfolio were detailed in Appendix 1 to the report and included in the constitution.

It was resolved unanimously to appoint the following members to specific portfolios until the election of the Mayor:

Councillor Steve Count  
Public Service Reform (including responsibility for future devolution deals)

Councillor John Clark  
Economic Growth (including Business Support)  
Councillor Lewis Herbert  
Communities

Councillor John Holdich  
Skills and Training

Councillor Robin Howe  
Fiscal

Councillor James Palmer  
Transport and Infrastructure

Councillor Peter Topping  
Housing

## 11. APPOINTMENT OF WORKING GROUPS

The Combined Authority considered a report detailing a proposal to establish two non-decision making working groups of officers and Members covering Investment and Delivery. The terms of reference of the working groups and the appointment to those groups were set out in Appendix 1.

It was resolved unanimously to approve:

1. the terms of reference of the working groups, and
2. the appointment to those groups

## 12. OBSERVERS TO THE COMBINED AUTHORITY

The Combined Authority was asked to appoint observers to the Board. Members welcomed the appointment of observers for their special input and focus on areas of their responsibility. However, it was noted that they would not have voting rights. Members acknowledged a request from one Member to review the name “observer” as it implied that these representatives had a passive role. **Action Required.**

It was resolved unanimously to agree that the following bodies be given Observer status for 2016/17:

- (a) The Police and Crime Commissioner for Cambridgeshire;
- (b) Cambridgeshire and Peterborough Fire Authority representative;
- (c) Clinical Commissioning Group representative.

## 13. APPOINTMENT OF SHADOW SCRUTINY COMMITTEE MEMBERS

The Combined Authority was asked to appoint members to the Shadow Overview and Scrutiny Committee. The Committee remained in Shadow form until it came into effect on 8 May 2017. The nominations received from Constituent Councils based on two per Council were attached at Appendix A. It was also recommended that the Constituent Councils appoint substitute Members from the same party as the Member they were substituting for to maintain political balance.

The Portfolio Holder, Councillor Herbert, requested a dialogue before the Annual Meeting of the Combined Authority with the Chair of the Combined Authority, Councillor Batchelor and the Monitoring Officer, to consider how scrutiny could contribute to aspects of delivery. He acknowledged the Overview and Scrutiny Committee’s right to scrutinise independently but welcomed the opportunity for the Committee to add real value to the work of the Combined Authority. **Action Required.**

One Member highlighted the importance of the overview function and hoped that the Committee would help the Authority get decisions right in the first place. Another Member stressed that overview and scrutiny was a key part of the Combined Authority. It was queried whether the Combined Authority had to appoint members nominated by the Constituent Authorities rather than just approve the political breakdown for each Authority or if the appointments could be delegated. Members were keen to avoid any delay in appointing a representative to the Committee if change occurred between meetings of the Combined Authority. The Monitoring Officer agreed to investigate.  
**Action Required.**

It was resolved unanimously to:

1. Appoint the members nominated by the Constituent Authorities to the Overview and Scrutiny Committee as detailed in Appendix A.
2. Agree the Monitoring Officer request Constituent Councils to appoint at least one substitute member onto the Overview and Scrutiny Committee. The substitute member must be from the same political party as the appointed member.

#### **14. RECRUITMENT OF THE CHIEF EXECUTIVE**

The Combined Authority received an update on the process to recruit a permanent Chief Executive, and Interim Chief Executive arrangements. It was noted that the recruitment process had produced a longlist of candidates. Unfortunately, it had not provided a broad spread of choice with a limited number of applicants from the private sector with commercial experience. It was therefore proposed to undertake a further search process in order to target potential candidates from the private sector with commercial experience. It was important to note that this extended recruitment approach did not suggest the current field of candidates should be disregarded.

The Portfolio Holder, Councillor Howe, reported that there was a need to appoint a full-time interim Chief Executive to lead on delivering the various Authority work programmes. It was therefore proposed to appoint the current Delivery Director, Martin Whiteley, from 3rd April to 30th September 2017. One Member commented that he had been keen to make a smooth and rapid appointment. He raised the need to ensure that the Authority did not lose further time. However, he acknowledged that the Mayor needed to get on with the Chief Executive. The Authority thanked the current part-time interim Chief Executive, Paul Medd, and acknowledged the positive support and contribution he had made to the Combined Authority despite balancing this role with his substantive role as Chief Executive of Fenland District Council.

It was resolved unanimously to:

1. Approve the revised recruitment process and associated timescales for the appointment of the Combined Authority's permanent Chief Executive.
2. Note that the current part-time interim Chief Executive will cease on the 2nd April 2017.

3. Approve the current Delivery Director, Martin Whiteley, is appointed to the full-time interim Chief Executive and Head of Paid Service role on a fixed-term contract from 3rd April 2017 to 30th September 2017, with an opportunity to review this in light of the appointment to the permanent role.

## **15. APPOINTMENT OF STATUTORY OFFICERS**

*The Chairman asked the officers detailed in the recommendation to leave the room whilst this item was discussed.*

A report detailing the statutory officers who would support the Combined Authority until May 2017 or until the appointment to those positions of a permanent appointment was presented to the Authority. One Member, with the agreement of the Authority, raised the need to remove “earlier” from the recommendations as he felt that any appointments were likely to take place after May.

On behalf of the Authority, the Chairman thanked officers who were effectively doing two jobs for the work carried out to date. The Authority stressed the importance of recruiting full-time members of staff to these posts as soon as possible.

It was resolved unanimously to appoint the following Officers to act as the statutory officers to the Combined Authority until May 2017 or the appointment of a permanent appointment to those roles:

- (a) Kim Sawyer, Director of Governance at Peterborough City Council as Monitoring Officer; and
- (b) John Harrison Corporate Director Resources at Peterborough City Council as section 151 Officer.

## **16. RATIFYING DECISIONS OF SHADOW COMBINED AUTHORITY**

The Combined Authority was asked to ratify the decisions taken by the Cambridgeshire and Peterborough Shadow Combined Authority detailed in Appendix 1.

It was resolved unanimously to:

ratify the decisions taken by the Cambridgeshire and Peterborough Shadow Combined Authority set out in Appendix 1.

## **17. HOUSING: DEVELOPING OUR STRATEGY AND AFFORDABLE HOUSING**

The Portfolio Holder, Councillor Topping, supported by the Lead Officer, Antoinette Jackson, introduced a report detailing work underway to develop a Housing Strategy for Cambridgeshire and Peterborough. He drew attention to the principles of the strategy which would facilitate the provision of a large number of houses including affordable homes by 2037; this included new types of building construction and Community Land Trusts. As well as building houses, it was important to ensure that infrastructure was available to support new housing. Members were reminded that £100m was available for Cambridgeshire and Peterborough to deliver over 2,000 affordable homes. An additional £70m had been ring-fenced for Cambridge to meet housing needs. A full

Business Case covering both funding streams had been agreed with Government and was attached at Appendix A. Given the experience of South Cambridgeshire District Council in this area, it was proposed that it should act as Lead Partner.

In welcoming the report, the Authority raised the following issues:

- queried the reason for the difference between average build cost subsidy from the programme overall of not more than £25k per home on page 180 and the cost of £50k per home reflected in the paper. It was noted that it was not a straight grant and depended on the relationship between “Viability Assessment Intervention”, “Site Purchase Assistance” and “Infrastructure Funding” detailed on page 182. Members were advised that the Authority was aiming for the benchmark of the build cost subsidy of £25k but it was important to note that development was not just about the build cost.
- the importance of using the £100m to pump prime sites in order to receive a payment back in the future.
- the importance of accelerating house building in order to get buildings finished within the five year time period. However, it was acknowledged that five years was not a long time in house building. Whilst the professional skills of South Cambridgeshire District Council and the core model provided a valuable base, there was a need to consider other options. It was suggested that further private sector investment should be sought to bring forward sites which were not progressing because of builder or landowner issues. There was also a need to focus on the rental market and other options. It was important to over programme because it was likely that a number of schemes would drop out. The Authority needed to ensure that the Government did not take its money back due to non-delivery.
- the need to communicate the difference the Combined Authority could make. It was noted that some sites could not deliver market housing because they could not afford to provide affordable housing. The Authority could assist which would provide a lot more than the £170m provided by Government. The Chair raised the need to check against the large of stock of sites whether any could be developed rapidly within the next six months.
- the need to widen the provision of Community Land Trusts as detailed on page 183 as they could operate just as effectively in Market Towns and Cities at no cost to the Council Tax payer.
- queried whether there was any need to define what constituted the affordable market. The Portfolio Holder reported that the text relating to this issue had been lifted from the Devolution Agreement. However, he offered to include it as part of the documentation.
- expressed concern about the impact of the core criteria relating to size of site and the exclusion of any scheme under 50 units in total particularly in Fenland. It was noted that there was flexibility to bring in smaller sites. However, the Authority had been keen not to spread its resources too thinly. It was acknowledged that 50 units in some areas could be classified as a big site.

- welcomed the affordability and mixed tenure to help meet the problem of recruiting social care and health staff.

The Chair raised the need to remove the spurious recommendation on page 192.

It was resolved unanimously to:

1. Note the proposed strategic principles upon which the Combined Authority Housing Strategy would be based and that further work would be undertaken to develop the strategy would a further report to the Combined Authority in June 2017,
2. Approve the attached business case for £100m to deliver 2,000 affordable homes in Cambridgeshire and Peterborough (Appendix A),
3. Ask the Chief Executive, Finance and Legal Officers of the Combined Authority to develop a partnership model with South Cambridgeshire District Council nominated as the Lead Partner to deliver the £100m programme and the development of the CA Housing Strategy, with the final arrangements coming back to the Combined Authority Board for approval,
4. Ask the Chief Executive, Finance and Legal Officers of the Combined Authority to develop a partnership model with Cambridge City to be the Lead Partner on the delivery of the £70m affordable housing programme, ring-fenced for Cambridge.

## **18. BUDGET REPORT 2016/17 TO 2020/21**

The Combined Authority was asked to approve the resolutions made by the Shadow Board on 22nd February 2017. The Portfolio Holder, Councillor Howe, set out the strategic context and purpose of the report. He drew attention to the fact that the Combined Authority could contribute an additional £7 billion to the economy of Cambridgeshire and Peterborough. He highlighted the importance of a small in size and strategic in nature Authority delivery public sector reform. Members were advised of the more detailed work undertaken on the likely costs of delivering the Authority and the significant outcomes associated. He drew attention to the General Balances, the appointment of an external auditor, future income streams and efficiency savings, and the various strategies underpinning the budget.

One Member stressed the importance of public service reform and queried where the income and efficiency streams were included within the report as agreed at the last meeting. The Section 151 officer explained that he had updated the reference in the report to the Shadow Board in the strategic context in the covering report. Another Member stressed the importance of the Authority recouping its operating costs in order to avoid imposing an extra burden on the tax payer.

The Authority was reminded that it had already agreed to replace “Neil Darwin” with Martin Whiteley in relation to the Accountable Officer for the work streams listed on page 209.

The Chair, with the agreement of the Authority, proposed a number of amendments (highlighted in italics) to Recommendation 1, one amendment to Recommendation 2 and an additional recommendation 14:

It was resolved unanimously to approve the resolutions made by the Shadow Board on 22nd February 2017, subject to the following amendments:

1. Approve the budget and indicative resources for 2016/17, 2017/18 and Medium Term Financial Forecast for 2018/19 to 2020/21 *subject to the following amendments to the budget for 2016/17, 2017/18:*
  - a) *Provision of £25,000 be made available to commission an investment fund strategy;*
  - b) *Provision of up to £75,000 to be made towards the production of a market towns strategy;*
  - c) *That the interim Chief Executive, in consultation with Chair, be authorised to source and enter into a contract with suitably qualified consultants to produce the two strategies; and*
  - d) *That the £100,000 be met from the existing unallocated revenue resources in 2017/18.*
2. Approve that the minimum working balance be set at *£500,000*.
3. Approve the Passporting of Highways capital funding to the original transport authorities in line with their original resource allocation for 2016/17 and 2017/18.
4. Approve the revenue transport levies from the transport authorities, along with the return of the funds to them to deliver the transport services, and delegate authority to the Chief Finance Officer (CFO) to update the levies if further guidance is received from the Department for Communities and Local Government (DCLG).
5. Approve the Treasury Management and Investment Strategy.
6. Appoint Peterborough City Council's Service Director Financial Services as the interim Deputy S151 Officer.
7. Approve that the Combined Authority's external Auditors be sourced via PSAA Ltd.
8. Note that a bank account has been established via Peterborough City Council's bankers, Barclays.
9. Note that the further report on 2017/18 and future years includes:
  - a. Spending plans, including a review of the minimum working balance, and
  - b. Income and efficiency streams with particular emphasis on public service reform will be presented at the March 2017 Combined Authority meeting.

The Combined Authority is asked to approve the following additional recommendations:

10. Consider the budget proposals in the context of the plans set out for economic growth and public service reform.
11. Approve the updated Strategic Context and Public Service Reform plans as set out in paragraph 1.
12. Approve the update to the Expenditure Plans to include Local Transport Plan capital grant and transport levy funding streams, as set out in paragraph 3.1.
13. Note that a further report on 2017/18 and future years spending plans, will be presented at the April 2017 meeting.
14. *That from 2018/19 the budgets include a provision to meet the costs of the next mayoral elections in 2021/22. The sum to be set as a quarter of the 2017/18 costs, ie £260,000 per annum.*

**19. DATE OF NEXT MEETING**

It was resolved unanimously to note the date of the next meeting – Wednesday, 26 April 2017 at 10.00am at Huntingdonshire District Council offices, Pathfinder House, Huntingdon

Chairman

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**CAMBRIDGESHIRE AND  
PETERBOROUGH COMBINED  
AUTHORITY'S  
FORWARD PLAN OF  
EXECUTIVE DECISIONS**

PUBLISHED: 27 MARCH 2017

## **FORWARD PLAN**

### **KEY DECISIONS**

In the period commencing 28 clear days after the date of publication of this Plan, the Cambridgeshire and Peterborough Combined Authority intends to take 'key decisions' where indicated in the table below. Key decisions means a decision of a decision maker, which in the view of the overview and scrutiny committee for a combined authority is likely—

- (i) to result in the combined authority or the mayor incurring significant expenditure, or the making of significant savings, having regard to the combined authority's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on persons living or working in an area comprising two or more wards or electoral divisions in the area of the combined authority.

This Plan should be seen as an outline of the proposed decisions for the forthcoming month. Any questions on specific issues included on the Plan should be included on the form which appears at the back of the Plan and submitted to Kim Sawyer, the interim Monitoring Officer for the Combined Authority. For each decision a public report will be available one week before the decision is taken.

### **NOTIFICATION OF NON-KEY DECISIONS**

For complete transparency relating to the work of the Combined Authority, this Plan also includes an overview of non-key decisions to be taken by the Combined Authority

You are entitled to view any documents listed on the Plan, or obtain extracts from any documents listed or subsequently submitted to the decision maker prior to the decision being made, subject to any restrictions on disclosure. There is no charge for viewing the documents, although charges may be made for photocopying or postage. Documents listed on the notice and relevant documents subsequently being submitted can be requested from Kim Sawyer, the interim Monitoring Officer for the Combined Authority.

All decisions will be posted on Cambridgeshire County Council website, or the Combined Authority website, once established. If you wish to make comments or representations regarding the decisions outlined in this Plan, please submit them to Kim Sawyer, the interim Monitoring Officer for the Combined Authority using the form attached.

		<b>FORWARD PLAN AS AT 27 MARCH 2017</b>							
<b>DECISION REQUIRED</b>		<b>DECISION MAKER</b>	<b>DATE DECISION EXPECTED</b>	<b>KEY DECISION / DECISION</b>	<b>RELEVANT SCRUTINY COMMITTEE</b>	<b>CONSULTATION</b>	<b>CONTACT DETAILS / REPORT AUTHORS</b>	<b>LEAD MEMBER</b>	<b>DOCUMENTS RELEVANT TO THE DECISION SUBMITTED TO THE DECISION MAKER (INCLUDING EXEMPT APPENDICES AND REASONS FOR EXEMPTION)</b>
1.	<b>Minutes of the Meeting on 20 March 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>26 April 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
2.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>26 April 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

3.	<b>Budget Report 2016/17 to 2020/21: Further Report on 2017/18 and Future Spending Plans</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>26 April 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	John Harrison, Interim Chief Finance Officer for Combined Authority/ Lead for Finance Work Stream	Councillor Robin Howe	It is not anticipated that there will be any documents other than the report and relevant appendices to be published
4.	<b>Approval and Adoption of the Constitution of the Combined Authority – Phase 2 and report back from Overview and Scrutiny Committee</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>26 April 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Kim Sawyer, Interim Monitoring Officer for Combined Authority	Councillor Lewis Herbert,	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
5.	<b>Independent Person to the Audit &amp; Governance Committee</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>26 April 2017</b>	<b>Decision</b>	<b>Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee</b>	<b>Relevant internal and external stakeholders</b>	<b>Kim Sawyer, Interim Monitoring Officer for Combined Authority</b>	<b>Councillor Lewis Herbert,</b>	<b>It is not anticipated that there will be any documents other than the report and relevant appendices to be published.</b>
6.	<b>Minutes of the Meeting on 26 April 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

7.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
8.	<b>Annual Meeting:– To consider actions detailed in Section 3.2 of the Combined Authority’s Constitution</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Kim Sawyer, Interim Monitoring Officer for Combined Authority	Councillor Lewis Herbert	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
9.	<b>Fiscal Strategy</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Martin Whiteley, Programme Manager	Councillor Robin Howe	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

10.	<b>Transport Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Martin Whiteley, Programme Manager	Councillor James Palmer	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
11.	<b>Infrastructure Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	John Harrison, Interim Chief Finance Officer for Combined Authority/Lead for Finance Work Stream	Councillor Robin Howe	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
12.	<b>Housing Strategy</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Antoinette Jackson, Lead for New Homes Work Stream	Councillor Peter Topping	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

13.	<b>Skills Strategy and Programmes</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Jo Lancaster, Lead Officer for Learning Skills Work Stream	Councillor John Holdich	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
14.	<b>Minutes of the Meeting on 31 May 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 June 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
15.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 June 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

16.	<b>Housing: Developing our Strategy and Affordable Housing</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 June 2017</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Antoinette Jackson Lead for New Homes Work Stream	Councillor Peter Topping	It is not anticipated that there will be any documents other than the report and relevant appendices to be published
17.	<b>Minutes of the Meeting on 28 June 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>27 July 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
18.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>27 July 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

19.	<b>Minutes of the Meeting on 27 July 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>27 September 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
20.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>27 September 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
21.	<b>Minutes of the Meeting on 27 September 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>25 October 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

22.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>25 October 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
23.	<b>Minutes of the Meeting on 25 October 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>29 November 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
24.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>29 November 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

25.	<b>Minutes of the Meeting on 29 November 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>20 December 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
26.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>20 December 2017</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
27.	<b>Minutes of the Meeting on 20 December 2017 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>31 January 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

28.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>31 January 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
29.	<b>Minutes of the Meeting on 31 January 2018 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 February 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
30.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 February 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

31.	<b>Budget Report 2018/19 to 2021/22</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 February 2018</b>	<b>Key Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	John Harrison, Interim Chief Finance Officer for Combined Authority/Lead for Finance Work Stream	Councillor Robin Howe	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
33.	<b>Minutes of the Meeting on 28 February 2018 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 March 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
34.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>28 March 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
35.	<b>Minutes of the Meeting on 28 March 2018 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>25 April 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

36.	<b>Forward Plan</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>25 April 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
37.	<b>Annual Meeting:– To consider actions detailed in Section 3.2 of the Combined Authority’s Constitution</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Kim Sawyer, Interim Monitoring Officer for Combined Authority	Councillor Lewis Herbert	It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
38.	<b>Minutes of the Meeting on 25 April 2018 and Decision Log</b>	<b>Cambridgeshire and Peterborough Combined Authority</b>	<b>Annual Meeting 31 May 2018</b>	<b>Decision</b>	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.

39.	Forward Plan	Cambridgeshire and Peterborough Combined Authority	Annual Meeting 31 May 2018	Decision	Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee	Relevant internal and external stakeholders	Michelle Rowe, Democratic Services Manager		It is not anticipated that there will be any documents other than the report and relevant appendices to be published.
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**SUBMIT YOUR COMMENTS OR QUERIES TO  
CAMBRIDGESHIRE AND PETERBOROUGH COMBINED  
AUTHORITY**

Your comment or query:

How can we contact you with a response?  
(please include a telephone number, postal and/or e-mail address)

Name .....

Address .....

.....

Tel: .....

Email: .....

Who would you like to respond?



<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.6
	PUBLIC REPORT

**TITLE: REVIEW OF CONSTITUTION – CHAPTER 6 OVERVIEW AND SCRUTINY  
COMMITTEE**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
<p>The Shadow Committee are asked to review and comment on:</p> <p>(a) Chapter 6 Overview and Scrutiny Committee of the Constitution (b) the definition of a key decision.</p>	

## **1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to consult the Committee on the scrutiny arrangements as set out in Chapter 6 of the constitution.
- 1.2 It also consults the Committee on the definition of a key decision.

## **2. BACKGROUND**

- 2.1 By law, Combined Authorities must set up an overview and scrutiny committee. The Combined Authority's scrutiny arrangements must comply the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017. This Order was made on 27 January and comes into force on 8 May 2017. The Order is attached. (Appendix 1)
- 2.2 The Order includes rules about membership and political balance, the appointment of the Chair, and powers to refer matters to the committee, including call in arrangements.
- 2.3 Chapter 6 of the Constitution (Appendix 2) sets out the proposed scrutiny arrangements and has been drafted to comply with the Order. The Board on 20 March, approved this chapter for consultation with the shadow Overview and Scrutiny Committee before it is formally established at the annual meeting.



- 2.4 The Committees' views are requested and will be reported back to the next meeting of the Board in April.

### **Key Decisions and Forward Plan**

- 2.5 By Law, the Combined Authority must publish details of any key decisions to be taken by the Combined Authority 28 days in advance. A key decision may be taken by the Board, the Mayor or an Officer as set out in the constitution.

- 2.6 A "key decision" means a decision, which in the view of the Overview and Scrutiny Committee is likely to:

(a) result in the Combined Authority spending or saving a significant amount, compared with the budget for the service or function the decision relates to; or

(b) have a significant effect on communities living or working in an area made up of two or more wards or electoral divisions in the area.

- 2.7 Following informal consultation with the Board, the Board recommends that a decision which results in a significant amount spent or saved will be considered to be a key decision if that amount is £500,000 or over.

- 2.8 These decisions would be subject to call in. The Board would welcome the shadow Overview and Scrutiny Committee's views on the proposed limit.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications.

### **4. LEGAL IMPLICATIONS**

- 4.1 These are dealt with in the report.

### **5. EQUALITIES IMPLICATION**

- 5.1 N/A

### **6. BACKGROUND DOCUMENTS**

- 6.1 Agenda and minutes for meetings of the Cambridgeshire and Peterborough Authority Board are available on the Cambridgeshire County Council website.

### **7. APPENDICES**

- 7.1 Appendix 1 – The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016

- 7.2 Appendix 2 - Chapter 6 Overview and Scrutiny Committee of the Constitution

DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

**LOCAL GOVERNMENT, ENGLAND**

**The Combined Authorities (Overview and Scrutiny Committees,  
Access to Information and Audit Committees) Order 2016**

*Made* - - - -

*Coming into force in accordance with article 1*

The Secretary of State makes the following Order in exercise of the powers conferred by section 114 of, and paragraphs 3 and 4(3) of Schedule 5A to, the Local Democracy, Economic Development and Construction Act 2009(a).

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the Local Democracy, Economic Development and Construction Act 2009.

**PART 1**

**General**

**Citation and commencement**

1. This Order may be cited as the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 and shall come into force on 8th May 2017.

**Interpretation**

2.—(1) In this Order—

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;

“excluded matter” means any matter which is a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006(b) or a matter of any description

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(a) 2009 c. 20. Section 114 was amended by section 23 of and paragraphs 17 and 26 of Schedule 5 to the Cities and Local Government Devolution Act 2016 (c. 1). Schedule 5A was inserted by section 8 of, and Schedule 3 to, the Cities and Local Government Devolution Act 2016. Section 117(2), (2A) and (3) was substituted by section 13 of the Localism Act 2011 (c. 20). Section 117 was amended by paragraph 24 of Schedule 5 to the Cities and Local Government Devolution Act 2016.

(b) 2006 c. 48. Section 19 was amended by section 126 of the Local Government and Public Involvement in Health Act 2007 (c. 28) and by paragraph 80 of Schedule 3 to and paragraph 1 of Part 4 of Schedule 25 to the Localism Act 2011 (c. 20).

specified in an order made by the Secretary of State for the purposes of section 9FC of the Local Government Act 2000(a);

“mayor” means the mayor for the area of a combined authority established in an order made under section 107A of the 2009 Act;

“member” in relation to membership of an overview and scrutiny committee includes the chair of that overview and scrutiny committee;

“non constituent council” means a council designated as a non constituent council in an order made under section 103(1) of the 2009 Act;

“principal authority” means in the case of a parish council for an area in a district that has a district council, that district council, and in the case of a parish council for any other area, the county council for the county that includes that area; and

“proper officer” has the same meaning as in section 270(3) of the Local Government Act 1972(b).

(2) For the purposes of this Order a person (“R”) is a relative of another person if R is—

- (a) the other person’s spouse or civil partner,
- (b) living with the other person as husband and wife or as if they were civil partners,
- (c) a grandparent of the other person,
- (d) a lineal descendant of a grandparent of the other person,
- (e) a parent, sibling or child of a person within paragraph (a) or (b),
- (f) the spouse or civil partner of a person within paragraph (c), (d) or (e), or
- (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.

## PART 2

### Overview and scrutiny: general provisions

#### Overview and scrutiny committees

**3.—**(1) The majority of members of a combined authority’s overview and scrutiny committee must be members of that combined authority’s constituent councils.

(2) At least two-thirds of the total number of members of the overview and scrutiny committee must be present at a meeting of the overview and scrutiny committee before business may be transacted.

(3) Each member of the overview and scrutiny committee appointed from the constituent councils is to have one vote and no member is to have a casting vote.

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(a) 2000 c. 22. Section 9FC was inserted by section 21 of and Schedule 2 to the Localism Act 2011.

(b) c. 70. Section 270 was amended by paragraph 20 of Schedule 23 to the Local Government, Planning and Land Act 1980 (c. 65), sections 1, 84 and 102 of, paragraph 34 of Schedule 14 to and paragraph 8 of Schedule 16 and Schedule 17 to the Local Government Act 1985 (c. 51), sections 21, 23 and 27 of and paragraph 10 of Schedule 6 to the Norfolk and Suffolk Broads Act 1988 (c. 4), section 4 of and paragraph 28 of Schedule 2 to Planning (Consequential Provisions) Act 1990 (c. 11), section 29 of and paragraph 1 of Schedule 4 to the Local Government Act 1992 (c. 19), section 46 of and paragraph 12 of Schedule 3 to the Local Government Act 2000, section 1 and paragraph 1 of Part 10 of Schedule 1 to the Statute Law (Repeals) Act 2004 (c. 14), section 74 of and paragraph 10 of Schedule 3 to the Local Government and Public Involvement in Health Act 2007, section 119 of and paragraph 38 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009, section 22 of and paragraph 6 of Schedule 3 to the Localism Act 2011, section 59 of and paragraph 6 of Schedule 13 to the Deregulation Act 2015 (c. 20) and by section 23 of and paragraph 5 of Schedule 5 to the Cities and Local Government Devolution Act 2016.

(4) Members of the overview and scrutiny committee who are appointed other than from the constituent councils shall be non-voting members of the committee but may be given voting rights by resolution of the combined authority(a).

(5) Any questions that are to be decided by the overview and scrutiny committee are to be decided by a simple majority of the members present and voting on that question at a meeting of the overview and scrutiny committee.

(6) If a vote is tied on any matter it is deemed not to have been carried.

(7) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.

### **Appointment of members**

**4.**—(1) The combined authority must—

- (a) appoint such a number of members of each of the constituent councils to an overview and scrutiny committee, so that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together; and
- (b) within the period of 28 days beginning with the day on which an appointment is made to the overview and scrutiny committee, publish a notice that—
  - (i) states that it has made an appointment;
  - (ii) identifies each member of the committee who has been appointed; and
  - (iii) specifies the period for which the members of the committee have been appointed.

(2) The notice mentioned at paragraph (1)(b) must be published—

- (a) if the combined authority has a website, on its website; or
- (b) otherwise, in such manner as it thinks is likely to bring the notice to the attention of persons who live in its area.

### **Appointment of chair**

**5.**—(1) — Paragraphs (2) to (4) apply where the chair of an overview and scrutiny committee is to be an independent person in accordance with provision made under paragraph 3 of Schedule 5A to the 2009 Act(b).

(2) A person is independent if the person—

- (a) is not a member, co-opted member or officer of the combined authority;
- (b) is not a member, co-opted member or officer of a constituent council or a parish council for which a constituent council is the principal authority;
- (c) is not a relative, or close friend, of a person within sub-paragraph (a) or (b); and
- (d) was not at any time during the 5 years ending with an appointment as chair of the overview and scrutiny committee under arrangements made by the combined authority in accordance with paragraph 3(4)(a) of Schedule 5A to the 2009 Act—
  - (i) a member, co-opted member or officer of the combined authority; or
  - (ii) a member, co-opted member or officer of a constituent council or a parish council for which a constituent council is the principal authority.

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(a) Paragraph 2(5) of Schedule 5A to the 2009 Act applies section 102 (2) to (5) of the Local Government Act 1972 to combined authorities.

(b) Paragraph 3(4) of Schedule 5A to the 2009 Act requires the Secretary of State to make provision that the chair of an overview and scrutiny committee is an independent person, as defined by the order (paragraph 3(4)(a) of Schedule 5A) or an appropriate person who is a member of one of the combined authority's constituent councils (paragraph 3(4)(b) of Schedule 5A).

(3) A person may not be appointed as independent chair of the overview and scrutiny committee unless—

- (a) the vacancy for a chair of the overview and scrutiny committee has been advertised in such manner as the combined authority considers is likely to bring it to the attention of the public;
- (b) the person has submitted an application to fill the vacancy to the combined authority, and
- (c) the person's appointment has been approved by a majority of the members of the combined authority.

(4) A person appointed as independent chair of the overview and scrutiny committee does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment.

(5) Paragraph (6) applies where the chair of an overview and scrutiny committee is to be an appropriate person in accordance with provision made under paragraph 3(4)(b) of Schedule 5A to the 2009 Act.

(6) Where the mayor is not a member of a registered political party, a person may not be appointed as chair of the overview and scrutiny committee if that person is –

- (a) a member of the registered political party which has the most representatives among the members of the constituent councils on the combined authority, or
- (b) where two or more parties have the same number of representatives, a member of any of those parties.

#### **Reference of matters to overview and scrutiny committees**

**6.—**(1) The combined authority must ensure that it enables—

- (a) any member of an overview and scrutiny committee to refer to the committee any matter which is relevant to the functions of the committee;
- (b) any member of a sub-committee of an overview and scrutiny committee to refer to the sub-committee any matter which is relevant to the functions of the sub-committee;
- (c) any member of the combined authority to refer to an overview and scrutiny committee any matter which is relevant to the functions of the committee and is not an excluded matter; and
- (d) any member of a constituent council or a non-constituent council<sup>(a)</sup> of a combined authority to refer to an overview and scrutiny committee any matter which is relevant to the functions of the committee and is not an excluded matter.

(2) For the purposes of paragraph (1), a combined authority enables a member mentioned in paragraph (1)(a) to (d) to refer a matter to a committee or sub-committee if it enables that member to ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee or sub-committee.

(3) Paragraphs (4) to (7) apply where a matter is referred to an overview and scrutiny committee by a member of a combined authority or a member of a constituent council or a non-constituent council in accordance with arrangements made by the combined authority pursuant to paragraph (1)(c) or (d).

(4) In considering whether or not to exercise any of the powers under arrangements made in accordance with paragraph 1(2)(a) or (3)(a) of Schedule 5A to the 2009 Act in relation to a matter referred to the committee, the committee must have regard to any representations made by the member as to why it would be appropriate for the committee to exercise any of these powers in relation to the matter.

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(a) Orders establishing a combined authority may provide for there to be non constituent councils of a combined authority (see article 2 of S.I. 2014/864).

(5) If the committee decides not to exercise any of its powers under arrangements made in accordance with paragraph 1(2)(a) or (3)(a) of Schedule 5A to the 2009 Act in relation to the matter, it must notify the member of—

- (a) its decision; and
- (b) the reasons for it.

(6) The committee must provide the member with a copy of any report or recommendations which it makes under paragraph 1(2)(b) or (3)(b) of Schedule 5A to the 2009 Act in connection with the matter referred to it by the member.

(7) Paragraph (6) is subject to article 8 (confidential and exempt information).

### **Duty of combined authority and mayor to respond to overview and scrutiny committee**

**7.—**(1) Where an overview and scrutiny committee or a sub-committee of such a committee makes a report or recommendations the committee may—

- (a) publish the report or recommendations;
- (b) by notice in writing require the combined authority or the mayor to—
  - (i) consider the report or recommendations;
  - (ii) respond to the overview and scrutiny committee indicating what (if any) action the combined authority proposes to take;
  - (iii) if the overview and scrutiny committee has published the report or recommendations under paragraph (a), publish the response.

(2) A notice given under paragraph (1)(b) must require the combined authority or the mayor to comply with it within two months beginning with the date on which the combined authority or the mayor received the reports or recommendations or (if later) the notice.

(3) The combined authority or the mayor must respond to a report or recommendations made by an overview and scrutiny committee, or a sub-committee of such a committee, as result of a referral made in accordance with article 6 within two months beginning with the date on which the combined authority or the mayor received the notice.

(4) Where an overview and scrutiny committee exercises any of its powers under arrangements made in accordance with paragraph 1(2) or 1(3) of Schedule 5A to the 2009 Act in relation to a decision made but not implemented—

- (a) where recommendations have been made under paragraph 1(4)(b) of Schedule 5A to the 2009 Act, the combined authority or the mayor must hold a meeting to reconsider the decision no later than 10 days after the date on which the recommendations of the overview and scrutiny committee were received by the combined authority; and
- (b) any direction under arrangements made in accordance with paragraph 1(4)(a) of Schedule 5A to the 2009 Act may have effect for a period not exceeding 14 days from the date on which the direction is issued.

### **Confidential and exempt information**

**8.—**(1) This article applies in relation to—

- (a) the publication of any document as a result of a reference made in accordance with article 7 (duty of combined authority and the mayor to respond to overview and scrutiny committee) comprising—
  - (i) a report or recommendations of an overview and scrutiny committee; or
  - (ii) a response of a combined authority or the mayor to any such report or recommendations; and
- (b) the provision of a copy of such a document to a member of a combined authority or to a member of a constituent council or a non-constituent council, by an overview and scrutiny committee or a combined authority or the mayor.

(2) The overview and scrutiny committee or the combined authority, or the mayor in publishing the document—

- (a) must exclude any confidential information; and
- (b) may exclude any relevant exempt information.

(3) The overview and scrutiny committee, or the combined authority, or the mayor, in providing a copy of a document to a member of the combined authority or to a member of a constituent council or a non-constituent council, may exclude any confidential information or relevant exempt information.

(4) Where information is excluded under paragraph (2) or (3), the overview and scrutiny committee or the combined authority, or the mayor, in publishing, or providing a copy of, the document—

- (a) may replace so much of the document as discloses the information with a summary which does not disclose that information; and
- (b) must do so if, in consequence of excluding the information, the document published, or copy provided, would be misleading or not reasonably comprehensible.

(5) If by virtue of paragraph (2), (3) or (4) an overview and scrutiny committee or the combined authority, or the mayor, in publishing or providing a copy of a report or recommendations—

- (a) excludes information; or
- (b) replaces part of the report or the recommendations with a summary,

it is nevertheless to be taken to have published the report or recommendations.

(6) In this article—

“confidential information” has the meaning given by section 100A(3) of the Local Government Act 1972(a) (admission to meetings of principal councils);

“exempt information” has the meaning given by section 100I of that Act(b); and

“relevant exempt information” means—

- (a) in relation to a report or recommendations of an overview and scrutiny committee, exempt information of a description specified in a resolution of the overview and scrutiny committee under section 100A(4) of the Local Government Act 1972 which applied to the proceedings, or part of the proceedings, at any meeting of the overview and scrutiny committee at which the report was, or recommendations were, considered; and
- (b) in relation to a response of the authority or of the mayor, exempt information of a description specified in such a resolution of the authority which applied to the proceedings, or part of the proceedings, at any meeting of the authority at which the report or response was, or recommendations were, considered.

(7) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.

### **Scrutiny officer**

**9.—**(1) A combined authority must designate one of its officers as the scrutiny officer of the overview and scrutiny committee to discharge the functions in paragraph (2).

(2) Those functions are—

- (a) to promote the role of the overview and scrutiny committee;
- (b) to provide support and guidance to the overview and scrutiny committee and its members;

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(a) Section 100A was inserted by section 1 of the Local Government (Access to Information) Act 1985 (c. 43) and amended by S.I. 2002/715 and by S.I. 2014/2095.

(b) Section 100I was inserted by section 1 of the Local Government (Access to Information) Act 1985 and amended by S.I. 2006/88.

(c) to provide support and guidance to members of the combined authority and to the mayor in relation to the functions of the overview and scrutiny committee.

(3) A combined authority may not designate as the scrutiny officer any officer of a constituent council of the combined authority.

(4) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.

### **Additional rights of access to documents for members of overview and scrutiny committees**

**10.**—(1) Subject to paragraph (3), a member of an overview and scrutiny committee or a sub-committee of such a committee is entitled to a copy of any document which—

- (a) is in the possession or under the control of the combined authority or the mayor ; and
- (b) contains material relating to—
  - (i) any business that has been transacted at a meeting of a decision-making body of that authority; or
  - (ii) any decision that has been made by an individual member of that combined authority.

(2) Subject to paragraph (3), where a member of an overview and scrutiny committee or a sub-committee of such a committee requests a document which falls within paragraph (1), the combined authority or the mayor must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the combined authority receives the request.

(3) No member of an overview and scrutiny committee is entitled to a copy—

- (a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—
  - (i) an action or decision that that member is reviewing or scrutinising; or
  - (ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or
- (b) of a document or part of a document containing advice provided by a political adviser (a).

(4) Where the combined authority or the mayor determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.

(5) In this article, references to an overview and scrutiny committee include references to a sub-committee of such a committee.

## **PART 3**

### **Key decisions**

#### **Key decisions**

**11.**—(1) In this Order—

- (a) a “key decision” means a decision of a decision maker, which in the view of the overview and scrutiny committee for a combined authority is likely—

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(a) Section 107D(7)(d) of the 2009 Act allows for provision to be made by order for the mayor for the area of a combined authority to appoint a political adviser.

- (i) to result in the combined authority or the mayor incurring significant expenditure, or the making of significant savings, having regard to the combined authority’s budget for the service or function to which the decision relates; or
  - (ii) to be significant in terms of its effects on persons living or working in an area comprising two or more wards or electoral divisions in the area of the combined authority;
- (b) “decision maker” includes a mayor or a person exercising functions pursuant to arrangements under section 107D(3)(a) or (b) of the 2009 Act.
- (2) Where a decision maker intends to make a key decision, that decision must not be made until a notice has been published which states—
- (a) that a key decision is to be made in relation to the discharge of functions which are the responsibility of the combined authority;
  - (b) the matter in respect of which the decision is to be made;
  - (c) the decision maker’s name, and title if any;
  - (d) the date on which, or the period within which, the decision is to be made;
  - (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
  - (f) the address from which, subject to any prohibition or restriction on their disclosure under article 8(2), copies of, or extracts from, any document listed is available;
  - (g) that other documents relevant to those matters may be submitted to the decision maker; and
  - (h) the procedure for requesting details of those documents (if any) as they become available.
- (3) At least 28 clear days before a key decision is made, the notice referred to in paragraph (2) must be—
- (a) published—
    - (i) if the combined authority has a website, on its website; or
    - (ii) otherwise, in such manner as it thinks is likely to bring the notice to the attention of persons who live in its area; and
  - (b) made available for inspection by the public at the offices of the combined authority.
- (4) Where, in relation to any matter—
- (a) the public may be excluded under section 100A of the Local Government Act 1972 from the meeting at which the matter is to be discussed; or
  - (b) documents relating to the decision need not, because of article 8 (confidential information), be disclosed to the public,

the notice referred to in paragraph (2) must contain particulars of the matter but may not contain any confidential information or exempt information or particulars of the advice of a political adviser.

(5) In paragraph (4), “confidential information” and “exempt information” have the meanings given by article 8(6).

### **General exception**

**12.**—(1) Subject to article 13, where the publication of the intention to make a key decision under article 11 is impracticable, that decision may only be made—

- (a) where the proper officer has informed the chair of the relevant overview and scrutiny committee or, if there is no such person, each member of the relevant overview and scrutiny committee by notice in writing, of the matter about which the decision is to be made;

- (b) where the proper officer has made available to the public at the offices of the combined authority for inspection by the public and published on the combined authority’s website, if it has one, a copy of the notice given pursuant to sub-paragraph (a); and
- (c) after 5 clear days have elapsed following the day on which the proper officer made available the copy of the notice referred to in sub-paragraph (b).

(2) Where paragraph (1)(a) or (b) applies to any matter, article 11 need not be complied with in relation to that matter.

(3) As soon as reasonably practicable after the proper officer has complied with paragraph (1), he or she must—

- (a) make available to the public at the offices of the combined authority a notice setting out the reasons why compliance with article 11 is impracticable; and
- (b) publish that notice on the combined authority’s website, if it has one.

### **Cases of special urgency**

**13.**—(1) Where the date by which a key decision must be made makes compliance with article 12 impracticable, the decision may only be made where the decision maker has obtained agreement from—

- (a) the chair of the relevant overview and scrutiny committee; or
- (b) if there is no such person, or if the chair of the relevant overview and scrutiny committee is unable to act, the chair of the combined authority; or
- (c) where there is no chair of either the relevant overview and scrutiny committee or of the combined authority, the vice-chair of the combined authority,

that the making of the decision is urgent and cannot reasonably be deferred.

(2) As soon as reasonably practicable after the decision maker has obtained agreement under paragraph (1) that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must—

- (a) make available to the public at the offices of the combined authority a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and
- (b) publish that notice on the combined authority’s website, if it has one.

## **PART 4**

### **Audit committees**

#### **Audit committees**

**14.**—(1) In appointing members to an audit committee a combined authority must ensure that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together.

(2) An audit committee appointed by the combined authority may not include any officer of the combined authority or of a constituent council.

(3) A combined authority must appoint to an audit committee at least one independent person.

(4) For the purposes of appointments under paragraph (3), a person is independent if the person—

- (a) is not a member, co-opted member or officer of the authority;
- (b) is not a member, co-opted member or officer of a parish council for which the authority is the principal authority;
- (c) is not a relative, or close friend, of a person within sub-paragraph (a) or (b); and

(d) was not at any time during the 5 years ending with an appointment under paragraph (3)

—  
(i) a member, co-opted member or officer of the authority; or

(ii) a member, co-opted member or officer of a parish council for which the authority is the principal authority.

(5) A person may not be appointed under paragraph (3) unless—

(a) the vacancy for the audit committee has been advertised in such manner as the combined authority considers is likely to bring it to the attention of the public;

(b) the person has submitted to the combined authority an application to fill the vacancy, and

(c) the person's appointment has been approved by a majority of the members of the combined authority.

(6) A person appointed under paragraph (3) does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment.

(7) The combined authority must determine a minimum number of members required to be present at a meeting of the audit committee before business may be transacted, to be no fewer than two-thirds of the total number of members of the audit committee.

Signed by authority of the Secretary of State for Communities and Local Government

*Name*

Parliamentary Under Secretary of State

Department for Communities and Local Government

Date

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise specified functions.

Paragraph 3(1) of Schedule 5A to the 2009 Act provides that the Secretary of State may make provision for overview and scrutiny committees of a combined authority. Paragraph 4(3) of Schedule 5A to the 2009 Act provides that the Secretary of State may make provision for the membership of a combined authority's audit committee and the appointment of the members.

*Part 1* makes general provision for overview and scrutiny provisions of a combined authority. *Article 3* makes provision for the membership of the overview and scrutiny committee. *Article 4* makes provision for the appointment of members to an overview and scrutiny committee and to a sub-committee of such a committee. *Article 5* makes provision for the persons who may be chair of an overview and scrutiny committee.

*Article 6* makes provision for dealing with references of matters to overview and scrutiny committees by members of the combined authority, including those who are not members of that overview and scrutiny committee and members of constituent and non-constituent councils, including those who are not members of the combined authority.

*Article 7* imposes a duty on a combined authority to respond to reports and recommendations of overview and scrutiny committees and *article 8* prevents the publication or supply of any information which contains confidential or exempt information by overview and scrutiny committees or the combined authority.

*Article 9* imposes a duty on combined authorities to designate a scrutiny officer, where that authority has appointed one or more overview and scrutiny committees.

*Article 10* sets out additional rights of members of overview and scrutiny committees in relation to decisions that the committee is scrutinising and provides that in certain circumstances the committee can access exempt or confidential information.

*Part 3* provides for specific requirements relating to decisions which are key decisions. *Article 11* sets out the meaning of key decisions to be subject to specific overview and scrutiny requirements and the publicity requirements in relation to key decisions. *Articles 12* and *13* allow exceptions to these requirements.

*Part 4* concerns the audit committees to be appointed by combined authorities. *Article 14* provides for the membership requirements of an audit committee.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.

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## Appendix 2

### Chapter 6 – Overview and Scrutiny Committee

#### Part 1 – Functions (From 8 May 2017)

##### 1. Governance

1.1 The Combined Authority has appointed an Overview and Scrutiny Committee.

##### 2. Functions

2.1 The Committee shall have the power to:

(a) review or scrutinise decisions made, or other action taken, in connection with:

- (i) the discharge of any functions which are the responsibility of the Combined Authority;
- (ii) the discharge by the Mayor of any general functions;

(b) make reports or recommendations to the Combined Authority Board:

- (i) with respect to the discharge of any functions that are the responsibility of the authority;
- (ii) on matters that affect the authority's area or the inhabitants of the area.

(c) make reports or recommendations to the Mayor:

- (i) with respect to the discharge of any general functions;
- (ii) on matters that affect the authority's area or the inhabitants of the area.

2.2 The power of Committee under paragraph 2.1(a) includes the power to review or scrutinise a key decision made but not implemented and to:

- (i) direct that a decision is not to be implemented while it is under review by the Committee, and
- (ii) recommend that the decision be reconsidered.

2.3 In the exercise of its functions set out in the constitution the power of the Committee shall include the doing of anything which is calculated to facilitate, or is conducive or incidental to the discharge of those functions.

##### 3. Membership

3.1 The Combined Authority must appoint at least one member from each of the Constituent Councils to the Committee. The membership of the Committee taken as a whole shall reflect so far as reasonably practicable the balance of political parties for the time being prevailing among Members of the Constituent Councils collectively.

- 3.2 The Combined Authority may appoint at least one substitute Member from each Constituent Council. The substitute members shall be from the same political party as the member being substituted to maintain the political balance.
- 3.3 A change in the party political composition of any of the Constituent Authorities shall require a review of the membership of the Committee in order to determine whether any amendment to its membership is required. If the review requires a change in membership, Constituent Councils will be advised of any changes they will need to make to their appointments at the earliest opportunity.
- 3.4 The Overview and Scrutiny Committee may not include any Member or Substitute Member of the Combined Authority including the Mayor nor any Officer of the Combined Authority or of any of the Constituent Councils.
- 3.5 Within the period of 28 days of the appointment being made to the Committee, the Combined Authority shall publish a notice on its website which:
  - (a) states that it has made an appointment;
  - (b) identifies each Member of the Committee who has been appointed and any Substitute Members; and
  - (c) specifies the term of office of those appointed.
- 3.6 The term of office shall be one year from the date of the Annual Meeting of the Constituent Councils that appointed them to the Committee unless:
  - (a) they cease to be an elected member of the Constituent Councils that appointed them;
  - (b) they no longer wish to participate in the scrutiny arrangements and communicate this in writing to the Proper Officer of their Constituent Councils; or
  - (c) the Combined Councils is advised by any of the Constituent Authorities that it wishes to change one or more of its appointees to the Committee.

#### **4. Chair and Vice-Chair**

- 4.1 The Committee shall appoint the Chair and Vice-Chair of the Committee and the Chair and Vice-Chair will be elected members of one of the Constituent Councils.
- 4.2 The Committee must ensure that the person appointed as the Chair is an “appropriate person” who is an elected member of one of the Constituent Councils but is not a member of the registered political party of which the Mayor is a member.
- 4.3 Where the Mayor is not a member of a registered political party, a person may not be appointed as Chair if that person is:
  - (a) a member of the registered political party which has the most representatives among the members of the Constituent Councils on the Combined Authority, or

- (b) where two or more parties have the same number of representatives, a member of any of those parties.

## **5. Working Groups**

- 5.1 The Committee may appoint informal non-decision making working groups to contribute to and inform the scrutiny process.

## **Part 2 – Procedure Rules**

### **1. Access to meetings**

- 1.1 The public may attend meetings and have access to agenda, reports and minutes in accordance with the Access to Information rules set out in this constitution.

### **2. Meetings**

- 2.1 The Committee shall meet at least once a year.
- 2.2 An extraordinary meeting of the Committee may be called by:
  - (a) the Chair of the Committee; or
  - (b) any five members of the Committee;
  - (c) the Chief Executive.

### **3. Quorum**

- 3.1 No business is to be transacted at a meeting of the Committee unless at least two-thirds of the total number of Members (10 Members) on the committee are present.

### **4. Voting**

- 4.1 Each Member of the Committee appointed from the Constituent Councils is to have one vote and no member (including the Chair) is to have a casting vote.
- 4.2 Any questions that are to be decided by the Committee are to be decided by a simple majority of the members present and voting. If a vote is tied on any matter it is deemed not to have been carried.

### **5. Conflicts of Interest**

- 5.1 Members must comply with the Member Code of Conduct within this Constitution.

5.2 No Member of the Committee may scrutinise a decision (whether or not implemented) in which they were directly involved as a member of the decision making body which made that decision.

5.3 Such a Member may only attend the Committee to:

- (a) make representations;
- (b) answer questions; or
- (c) give evidence about the decision.

## **6. Work Programme**

6.1 The Committee will set its own work programme.

## **7. Requests to Overview and Scrutiny**

7.1 The Mayor or Combined Authority Board may ask the Committee to review any of its functions or assist in developing budget and policy proposals.

## **6. Reference of Matters to Committees**

6.1 Any of the following may request a matter to be included on the agenda of the Overview and Scrutiny Committee provided it is relevant to the functions of the Combined Authority and not an excluded matter:

- (a) any member of the Overview and Scrutiny Committee;
- (b) any member of the Combined Authority; and
- (c) any member of a Constituent Council of the Combined Authority.

6.2 An “excluded matter” means any matter which is a local crime and disorder matter

6.3 The request must be submitted to the Monitoring Officer who will arrange for the item to be placed on the agenda of the next available meeting. The request should state why the Member considers it appropriate for the Committee to exercise any of these powers in relation to the matter and the Committee must have regard to these reasons.

6.4 If the Committee decides not to exercise any of its powers to review or scrutinise decisions made, or other action taken, in connection with:

- (a) the discharge of any functions which are the responsibility of the authority;
- (b) in connection with the discharge by the Mayor of any general functions;

It must notify the Member of its decision; and the reasons for it.

6.5 The Committee must provide the Member with a copy of any report or recommendations which it makes in connection with the matter.

## **7. Attendees**

7.1 The Committee shall have the power to:

- (a) require Members (including the Mayor and Deputy Mayor) or Officers of the Combined Authority to attend before it to answer questions, or provide information about any matter within its terms of reference;
- (b) invite other people, including members of the public, to attend meetings of the Committee to give evidence.

7.2 Where the Committee requires a Member, Officer or others to attend, the Monitoring Officer shall inform them in writing giving at least 5 clear working days' notice of the meeting. The notice will state:

- (a) the date of the meeting they are required to attend;
- (b) the nature of the item; and
- (c) whether they must produce any papers for the Committee.

7.3 A Member or Officer must comply with any notice they are given.

7.4 Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, the Committee shall consult with the Member or Officer to arrange an alternative date.

7.5 A person is not obliged to answer any question which he or she would be entitled to refuse to answer in relation to court proceedings.

## **8. Publishing Reports or Recommendations**

8.1 The Committee may publish any report or recommendations but

- (a) must exclude any confidential information; and
- (b) may exclude any relevant exempt information.

8.2 Where information is excluded, the Committee:

- (a) may replace so much of the document as discloses the information with a summary which does not disclose that information; and
- (b) must do so if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible.

## **9. Notice**

- 9.1 The Committee may by notice require the Combined Authority or the Mayor within two months of receiving any report or recommendations, to:
- (a) consider the report or recommendations;
  - (b) respond to the Committee indicating what (if any) action the Combined Authority or the Mayor proposes to take;
  - (c) publish the response, if the Overview and Scrutiny Committee has published the report or recommendations.
- 9.2 The Combined Authority or the Mayor shall comply with any notice given.

## **10. Publishing a Response**

- 10.1 In publishing the response, the Combined Authority or the Mayor:
- (a) must exclude any confidential information; and
  - (b) may exclude any relevant exempt information.
- 10.2 Where information is excluded, the Combined Authority or the Mayor:
- (a) may replace so much of the document as is necessary to exclude the exempt or confidential information with a summary which does not disclose that information; and
  - (b) if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible.

## **11. Call-in of Combined Authority and Mayoral Decisions**

- 11.1 The power of the Overview and Scrutiny Committee to review or scrutinise a key decision made but not implemented includes:
- (a) the power to direct that the decision is not to be implemented while it is under review by the Committee for a period not exceeding 14 days from the date the direction is issued, and
  - (b) the power to recommend that the decision be reconsidered.
- 11.2 Subject to the consent of the Combined Authority to the proposals and arrangements, the Committee must publish details of how it proposes to exercise its powers in relation to the review and scrutiny of key decisions made but not yet implemented and its arrangements in connection with those powers.

### **Publication of Decisions**

- 11.3 The Monitoring Officer shall publish details of key decisions of the Mayor, the Combined Authority and Officers on the Combined Authority website and to all Members of the Committee. Where the decision is made at a meeting, this shall

be no later than the close of business on the third clear working day following the day of the meeting at which the decision was made.

11.4 A decision on a matter dealt with under the urgency provisions set out in the Access to Information rules may be implemented immediately.

11.5 Any other decision of the Mayor, Combined Authority or an Officer may be implemented after 5.00pm of the fifth clear working day after the publication of the decision, unless it is called-in.

## Process

11.6 Five members of the Overview and Scrutiny Committee may call-in a key decision of the Mayor, the Combined Authority Board or an Officer for Scrutiny by notifying the Monitoring Officer.

11.7 On receipt of a call-in request, the Monitoring Officer shall:

(a) notify the Mayor, Members of the Combined Authority or Officer of the call-in; and

(b) call a meeting of the Overview and Scrutiny Committee to scrutinise the decision.

## Scrutinising the Decision

11.8 The Committee must scrutinise the decision within 10 clear working days of the Monitoring Officer receiving the request for call-in. If it does not meet within this time or does not conclude its scrutiny of the decision, the decision will automatically take effect at the end of the period.

11.9 Where the Committee has scrutinised a decision, it may:

(a) endorse the decision; or

(b) refer the decision back to the Mayor, Combined Authority or the Officer for reconsideration, setting out, in writing the nature of its concerns.

11.10 A decision which has been endorsed by the Committee may be implemented immediately.

11.11 Where a decision has been referred back, the Mayor, the Combined Authority or Officer shall hold a meeting to reconsider the decision no later than 10 days after the date on which the recommendations of the Committee were received by the Combined Authority unless it is dealt with under the urgency provisions within the Constitution, where the matter becomes urgent.

11.12 A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Combined Authority's, Constituent Councils or the public's interests.

11.13 A decision which has been recommended for re-consideration may not be implemented.

### **Re-considering the Decision**

11.14 The Chair of the Overview and Scrutiny Committee or their nominee may attend any meeting that is re-considering the decision, to present the report or recommendations.

11.15 The Mayor, Combined Authority or the Officer may confirm, amend or rescind the decision.

11.16 A decision which has been confirmed or amended may be implemented immediately.

## **12. Linking Sub-regional Scrutiny with Local Scrutiny**

12.1 The Scrutiny Officer of each Constituent Council will ensure that the work programme and minutes relating to the work carried out by the Combined Authority's Overview and Scrutiny Committee are circulated appropriately within their own Constituent Authorities' scrutiny arrangements.

## **13. Additional Rights of Access to Documents for Members of Overview and Scrutiny**

13.1 Additional rights of access to documents for Members of the Overview and Scrutiny Committee are set out in the Access to Information rules.

## **14. Scrutiny Officer**

14.1 The Combined Authority shall appoint a "Scrutiny Officer" to

(a) promoting the role of the Committee, and

(b) providing support and guidance:

(i) to the Committee, its working groups and its members, and

(ii) to members of the Combined Authority and to the Mayor in relation to the functions of the Overview and Scrutiny Committee).

14.2 The Combined Authority may not designate as the scrutiny officer any officer of a constituent council of the Combined Authority.



<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.7
	PUBLIC REPORT

**TITLE: APPOINTMENT OF SCRUTINY OFFICER**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
<p>The Shadow Committee are asked to note the progress in appointing a Scrutiny Officer and would welcome Members' comments.</p>	

**1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to ask the Shadow Overview and Scrutiny Committee to note the progress in appointing a Scrutiny Officer.

**2. BACKGROUND**

- 2.1 The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires Combined Authorities to appoint a Scrutiny Officer.
- 2.2 On 13 December, 2016, the Shadow Combined Authority agreed to establish a Scrutiny Officer post and to begin the recruitment process as soon as possible so as to provide the necessary support to the Overview & Scrutiny Committee. The closing date for applications was 24 March.
- 2.3 The draft job profile and person specification is attached (Appendix 1). The post was advertised on the Association of Democratic Services Officers, Constituent Councils' websites, and national recruitment sites. It was also circulated by the Centre for Public Scrutiny.

**3. FINANCIAL IMPLICATIONS**

- 3.1 Provision was made in the budget agreed by the Combined Authority on 20 March for the appointment of a scrutiny officer.

**4. LEGAL IMPLICATIONS**

- 4.1 These are dealt with in the report.



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

**5. EQUALITIES IMPLICATION**

5.1 N/A

**6. BACKGROUND DOCUMENTS**

6.1 Agenda and minutes for meetings of the Cambridgeshire and Peterborough Authority Board are available on the Cambridgeshire County Council website.

**7. APPENDICES**

7.1 Appendix 1 – Job Profile

## **Appendix 1**

### **CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY**

#### **JOB PROFILE**

JOB TITLE: SCRUTINY OFFICER	
REPORTS TO: COMBINED AUTHORITY	DATE: February 2017

#### **Purpose**

To be responsible for the provision of support to Overview and Scrutiny Committee of the Cambridgeshire and Peterborough Combined Authority.

#### **The key elements of the role are as follows:**

- Act as the custodian of the Combined Authority constitution, specifically in relation to Overview and Scrutiny.
- Maintaining awareness of changes in legislation, policy and practice in respect of the scrutiny function.
- Assisting the Overview and Scrutiny Committee with a range of support activities, to include work programming, advice, research, project planning and report writing.
- Ensure good policy development and scrutiny practices are in place through support to Members and identification of appropriate learning, training and development opportunities.
- Liaising with appropriate Officers within the combined authority to ensure the provision of relevant information to the Overview and Scrutiny Committees.
- Liaising with external organisations in terms of their information provision to the Overview and Scrutiny Committee (to include briefing witnesses and other providers of evidence).
- To advise constituent Councils on meeting their overview and scrutiny obligations in relation to the Combined Authority.
- Assisting Members with appropriate consultation exercises.
- Assisting Members with the drafting of Scrutiny reports.
- Provide Committee administration support as required in particular agenda preparation, minute taking and publication.
- Developing and delivering training to Members and Officers in complex subject matters
- Consultation with interested parties on reports and proposals and arranging publication of Scrutiny reports.

- Benchmarking/assessing Best Practice from elsewhere.
- Completion of research to benchmark policy development and scrutiny activities with other unitary authorities.
- Working closely with Democratic Services Officers to ensure overall support to the scrutiny function.
- Assisting the Head of Democratic Services in monitoring and reporting on the effectiveness of the scrutiny function.
- To take reasonable care of your own health and safety and co-operate with management so far as is necessary to ensure compliance with the Authority's health and safety rules and with legislation requirements.
- To undertake such personal training as may be deemed necessary to meet the duties and responsibilities of the post.
- To create presentations, develop and deliver training to colleagues, Senior Managers, Members, outside bodies and partner organisations to enable them to build an understanding and an overview of the policy development and scrutiny functions.
- To undertake or commission research work and information gathering activities so that elected Members are well briefed and supported with relevant information and evidence when undertaking scrutiny and policy development.
- To undertake other duties and responsibilities commensurate with the grading and nature of the post.
- To ensure that all customers both internal and external, receive a consistently high quality level of service, commensurate to the standards required by the combined authority.
- This post is Politically Restricted under the Local Government and Housing Act 1989, as amended by the Local Democracy, Economic Development and Construction Act 2009.

**NB** This post may require some out of hours working for which time off in lieu will be arranged.

### **PERSONAL SPECIFICATION**

Experience/Knowledge	<ul style="list-style-type: none"> <li>● An extensive understanding of the requirements of Overview and Scrutiny in the public sector would be desirable.</li> <li>● Successful record of planning, prioritising and producing work of a high standard. An awareness of Combined Authorities and Elected Mayors.</li> <li>● Direct experience of operating within a changing environment.</li> <li>● Experience of working with a wide range of people</li> <li>● A successful track record in local government</li> <li>● Extensive experience in one of the following areas: Scrutiny support</li> </ul>
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	<p>Policy development</p> <ul style="list-style-type: none"> <li>• A thorough understanding of the legislative provisions of the Local Government Act 2000, and subsequent legislation including Localism Act.</li> </ul>
Competence	<ul style="list-style-type: none"> <li>• The ability to maintain productive working relationships with Members and with Officers at all levels within the combined authority. An understanding of the combined authority's core values and objectives.</li> <li>• The ability to prioritise work and deliver outcomes within timescales.</li> <li>• The ability to understand, interpret and communicate varied &amp; complex data and information.</li> <li>• Report writing &amp; data processing skills.</li> <li>• Ability to develop and implement strategies, plans and frameworks over long-term</li> <li>• Proven ability to work in a rapidly changing environment.</li> <li>• Experience in research and development activity including data analysis</li> <li>• Experience of all software associated with Microsoft Office.</li> </ul>
Qualifications	<ul style="list-style-type: none"> <li>• Educated to graduate level plus relevant professional qualification or extensive demonstrable experience in directly relevant work experience.</li> </ul>
Personal Qualities and Attributes	<ul style="list-style-type: none"> <li>• A working style which commands confidence and respect of Officers and Members</li> <li>• Motivation, energy and enthusiasm</li> <li>• Ability to communicate effectively and persuasively with others, orally and in writing</li> <li>• Political sensitivity</li> <li>• Tact combined with assertiveness where appropriate</li> <li>• Able to demonstrate positive response to change</li> <li>• Skilled in the delivery of training and provision of advice, in an accessible manner, on complex issues</li> <li>• Ability to work with minimal supervision in managing workload and produce work under pressure to strict timescales.</li> <li>• Highly developed skills in diplomacy and negotiation to enable effective working in a politically sensitive environment.</li> </ul>
Personal Circumstances	The job will involve some every day and weekend working.

**Generic Responsibilities:** To carry out all responsibilities with regard to the Combined Authority's Equalities Policy and Procedures and Customer Care Policy.

To comply with all Health & Safety at work requirements as laid down by the

employer.

The Combined Authority is committed to safeguarding and promoting the welfare of children and vulnerable adults and expects all staff and volunteers to share this commitment.

**Flexibility Clause:** Other duties and responsibilities express and implied which arise from the nature and character of the post within the department (or section) mentioned above or in a comparable post in any of the organisation's other sections or departments.

**Variation Clause:** This is a description of the job as it is constituted at the date shown. It is the practice of this Authority to periodically examine job descriptions, update them and ensure that they relate to the job performed, or to incorporate any proposed changes. This procedure will be conducted by the appropriate manager in consultation with the postholder.

In these circumstances it will be the aim to reach agreement on reasonable changes, but if agreement is not possible the Head of Service reserves the right to make changes to your job description following consultation.



<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY –SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.8
	PUBLIC REPORT

**TITLE: CODE OF CONDUCT AND REGISTER OF INTERESTS**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
<p>The Shadow Committee are asked to note the code of conduct and the requirement to complete a register of interests following Members' appointment to the Overview and Scrutiny Committee.</p>	

**1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to advise members of the requirement to complete a register of interest following their appointment.

**2. BACKGROUND**

- 2.1 The Board adopted its code of conducts at its first meeting. By law, and in accordance with the code, members must register their disclosable pecuniary interests within 28 days of being elected or appointed to the Combined Authority, or one of its committees or sub-committees, or following the adoption of a code of conduct. The Code is attached (Appendix 1)
- 2.2 This requirement applies to co-opted members, observes and members of non-executive committees.
- 2.3 Councillors are required to complete a register of interest form as a member of their constituent councils and this is published on the Council's website. Much of the information on that form also applies to the combined authority. However, some questions only relate to the constituent council's area, such as interests in property and land. As the combined authority encompasses a wider area, Members will need to complete a supplementary form to declare any interests relating to the combined authority area.
- 2.4 The supplementary form is attached (Appendix 2). Once the Combined Authority website is live, each member's profile will provide a link to the members interest form on their constituent council website, and the supplementary form will be published on the Combined Authority's website.
- 2.5 Members of the Overview and Scrutiny Committee will be required to complete the supplementary form within 28 days of their appointment following the annual meeting.



**3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications.

**4. LEGAL IMPLICATIONS**

4.1 This is dealt with in the report.

**5. EQUALITIES IMPLICATION**

5.1 N/A

**6. BACKGROUND DOCUMENTS**

6.1 N/A.

**7. APPENDIX**

Appendix 1 – Code of Conduct

Appendix 2 - Declaration of Interest form (supplementary)



## Appendix 1

### Chapter 14 - Part 1 – Member Code of Conduct

#### 1. Principles of Public Life

1.1. The Members' Code of Conduct is intended to promote high standards of behaviour amongst the Members and co-opted Members of the Combined Authority.

1.2. The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

##### i. Selflessness

Holders of public office should act solely in terms of the public interest.

##### ii. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

##### iii. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

##### iv. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

##### v. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

##### vi. Honesty

Holders of public office should be truthful.

##### vii. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



## Part 1 – General Provisions

- 1.1 You are a Member or co-opted Member of the Combined Authority and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.2 Accordingly, when acting in your capacity as a Member or co-opted Member -
  - 1.2.1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
  - 1.2.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
  - 1.2.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
  - 1.2.4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
  - 1.2.5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
  - 1.2.6 You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box overleaf.
  - 1.2.7 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
  - 1.2.8 You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.



## Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

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<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.



## Part 2 – Interests

### 1. Disclosable Pecuniary Interests

1.1. Disclosable pecuniary interests are specified in the table below:

<b>Subject</b>	<b>Prescribed description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from Combined Authority) for any expenses incurred by you in carrying out your duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract with the Combined Authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> <p>This includes a contract between the Combined Authority and any body in which you, or a person specified in paragraph 1.2 below, has a beneficial interest</p>
Land	Any beneficial interest in land which is within the Combined Authority's area
Licences	Any licence (alone or jointly with others) to occupy land in the Combined Authority's area for a month or longer.
Corporate Tenancies	<p>Any tenancy where (to your knowledge):</p> <p>(a) the landlord is the Combined Authority; and</p> <p>(b) the tenant is a body in which you, or a person listed in paragraph 1.2 below, has a beneficial interest</p>



Securities	Any beneficial interest in securities of a body where:  (a) that body (to your knowledge) has a place of business or land in the Combined Authority's area; and  (b) either:  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the person in paragraph 1.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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1.2. You must declare an interest if:

- (a) It is your interest, or
- (b) It is an interest of:
  - (i) your spouse or civil partner;
  - (ii) a person with whom you are living as husband and wife, or
  - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

## 2. Other Disclosable Interests

- 2.1. You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.
- 2.2. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships

## 3. Registration of Disclosable Pecuniary Interests and Other Interests

- 3.1. Subject to paragraph 0 below (sensitive interests), you must, within 28 days of:
  - (a) this Code being adopted or applied by the Combined Authority; or



(b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

- 3.2. Subject to paragraph 0 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

#### **4. Disclosable Pecuniary Interests in matters considered at meetings or by a Single Member**

- 4.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:

(a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter;

(a)

(b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure; and

(c) whether the interest is registered or not you must not unless you have obtained a dispensation from the Monitoring Officer to participate, or participate further, in any discussion of the matter at the meeting

(d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit and Governance Committee participate in any vote, or further vote, taken on the matter at the meeting.

#### **Sensitive Interests**

- 4.2 Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.



CAMBRIDGESHIRE  
& PETERBOROUGH  
COMBINED AUTHORITY

Appendix 2

**REGISTER OF MEMBERS’  
FINANCIAL AND OTHER  
INTERESTS**



CAMBRIDGESHIRE  
& PETERBOROUGH  
COMBINED AUTHORITY

**FOR COUNCILLORS APPOINTED  
TO THE COMBINED AUTHORITY**

You must declare your interests on this form. The interests are recorded in a register. The register of interests is maintained by the Monitoring Officer and will be published on the Combined Authority’s website.

If you are a Councillor, you will have completed a form for your local council. This form aims to provide additional information that relates to the combined authority area that is not on your Council register.

You need not repeat information that is on your Council register.

**Name:** .....

**Member of**.....:

*(Please state which bodies you have been appointed to eg Combined Authority, the Audit and Governance Committee or the Overview and Scrutiny Committee or another body of the Combined Authority)*

**MEMBERS INTERESTS**

**PART 1: DISCLOSABLE PECUNIARY INTERESTS**

Please complete each section for you and your civil partner, spouse or partner you live with.

Please note: For the purposes of the register, an interest of your spouse or civil partner, which is listed in the national rules, is **your** disclosable pecuniary interest. The Combined Authority’s website will not name your partner. It must show all disclosable pecuniary interests and those that relate to your spouse, civil partner as your interests.

<b>Q1</b>	<b>CONTRACTS</b>
1.1	<p>Do you have any contracts with the Combined Authority for goods or services which has not been discharged? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services for this Combined Authority)</p> <p>If NO or NOT KNOWN, please state here and go to Q1.2</p>



If YES, please provide details of the goods or services provided	
Does the information provided relate to:	
You	
Your Civil Partner, spouse or partner you live with	
<p>1.2 Does any body, in which you hold a beneficial interest, have any contracts with the Combined Authority for goods or services which has not been discharged? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services for this Combined Authority)</p> <p>If NO or NOT KNOWN, please state here and got to Q2.</p> <hr/> <p>If YES, please provide details of the goods or services provided</p> <p>Does the information provided relate to:</p>	
You	
Your Civil Partner, spouse or partner you live with	

<b>Q2 LAND LICENCES AND CORPORATE TENANCIES</b>	
<p>2.1 Do you hold any beneficial interest in land within the Cambridgeshire and Peterborough Combined Authority's area? (A beneficial interest is one in which you have some proprietary interest in land or buildings, or parts of land or buildings. You should include your home under this heading as owner, lessee or tenant and any land in which you are joint owner, lessee or tenant. You should also include any property from which you receive rent, or of which you are a mortgagee).</p> <p>If NO, please state here and go to Q2.2 _____</p> <p>If YES, please give the address or a brief description of the land:</p> <p>Does the information provided relate to:</p>	
You	
Your Civil Partner, spouse or partner you live with	
<p>2.2 Do you have a licence to occupy land for a month or longer within the Cambridgeshire and Peterborough Combined Authority area? (A licence is a contract</p>	



granting you the right to occupy land or buildings on a non exclusive basis. Please include any licence which you have jointly with others)

If NO, please state here and go to Q4.3 \_\_\_\_\_

If YES, please give details of the licence (the address or a brief description of the land)

Does the information provided relate to:

You	
Your Civil Partner, spouse or partner you live with	

**2.3** Do you have a beneficial interest in any body which is the tenant of land where the Combined Authority is the landlord? (Please provide details of any land or buildings where Cambridgeshire and Peterborough Combined Authority is the landlord and the tenant is a body on which you have some proprietary interest for your own benefit e.g. your business. You should give the address or a brief description to identify the tenancy and the body which is the tenant)

If NO, please state here and go to Q3 \_\_\_\_\_

If YES, please provide the address(es) or other descriptions(s) of any land interest:

Does the information provided relate to:

You	
Your Civil Partner, spouse or partner you live with	

### **Q3 SECURITIES**

**3.1** Do you have a beneficial interest in a class of securities of a body that:  
(a) has a place of business in the Combined Authority's area and  
(b) that exceeds the nominal value of £25,000 or 1/100 of the total issued shared capital of that body?

(If you own shares or other form of equity in a company or other body which has a place of business within the Cambridgeshire and Peterborough Combined Authority area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate; not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000 but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body)

If NO, please state here and go to the signatory part of this form.

If YES, please provide details:



Does the information provided relate to:	
You	
Your Civil Partner, spouse or partner you live with	

**PART 2**

**NON-PECUNIARY (OTHER INTERESTS)**

Use this section to declare which are not Disclosable Pecuniary Interests, but which might be affected by Combined Authority business.

You should declare at meetings any interests of a partner or family member which might be affected by business under discussion.

Non Statutory Disclosable Interests (note – these are not Disclosable pecuniary interests) – please provide details of any other interest you wish to declare but which are not disclosable pecuniary interests. Examples are set out in the guidance note attached to the end of this document.	
You	
Your Civil Partner, spouse or partner you live with	

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this form to the Monitoring Officer, Cambridgeshire and Peterborough Combined Authority, c/o Town Hall, Bridge Street, Peterborough, PE1 1HG or by email to kim.Sawyer@peterborough.gov.uk

Signature of Monitoring Officer: \_\_\_\_\_ Date: \_\_\_\_\_



## **Guidance Notes for the Register of Members' Disclosable Pecuniary Interests and Non Statutory Disclosable Interests (other)**

### **Part 1 – Disclosable Pecuniary Interests**

These notes provide guidance about the information members should include on the register of disclosable pecuniary interests form. The relevant section of the register is given in bold, followed by the corresponding guidance.

It is a legal requirement that each member must register their disclosable pecuniary interests and those of their partner. (N.B. DCLG guidance suggests that the member may choose to register their partner's interests as if they were their own).

Each individual member must make their own judgement about making a declaration and they should not rely on a direction from an officer, though if in doubt they should seek advice from the Monitoring Officer. If you require any assistance in completing your members interests form, please contact the Monitoring Officer at [kim.sawyer@peterborough.gov.uk](mailto:kim.sawyer@peterborough.gov.uk) for assistance.

All members are required to complete the form within 28 days of the code of conduct having been adopted by the Combined Authority or within 28 days of being elected, re-elected or appointed to the Combined Authority.

Outside of this period, when members have declared a disclosable pecuniary interest at a meeting and that interest was not on their register, they must update their register within 28 days of that meeting. The same rule applies to members making decisions when acting alone.

Failure to register or to declare a “disclosable pecuniary interest” is a criminal offence. So is speaking and voting, unless you have a dispensation. This is punishable by a fine of up to £5,000 and/or disqualification as a Combined Authority Member for up to five years.

### **3. CONTRACTS**

You should describe all contracts, of which you/ your spouse, partner are aware, which are not fully discharged, and which are:

- (a) contracts between the Combined Authority and yourself/ your spouse, partner for the supply of goods, services or works to the Combined Authority or on the Combined Authority's behalf; and
- (b) contracts between a firm in which you/ your spouse, partner are a partner, or a company of which you are a Director, or in which you have a beneficial interest and the Combined Authority for the supply of goods, services or works to the Combined Authority or on the Combined Authority's behalf.

You need not say what the financial arrangements are, but should say for how long the contract is.

#### **4. LAND LICENCES AND CORPORATE TENANCIES**

You should declare any land in the Combined Authority area in which you/your spouse, partner have a beneficial interest (that is, in which you/ your spouse, partner have some proprietary interest for your own benefit). You should give the address or a brief description sufficient to identify it. If you/your spouse, partner live in the Combined Authority area you should declare your home as owner, lessee, or tenant.

You should also declare any property from which you/your spouse, partner receive rent, or of which you are the mortgagee.

You should declare land in the Combined Authority area which you/your spouse, partner have a right either alone or jointly with another to occupy for 28 days or longer, but neither own nor have a tenancy of.

You should declare the address or a brief description to identify it.

You should list any tenancies of property of which you/your spouse, partner are aware where the landlord is the Combined Authority, and the tenant is either a firm in which you/your spouse, partner are a partner or a company of which you/your spouse, partner are a Director or in which you/your spouse, partner have a beneficial interest.

Note: "Land" includes any buildings or parts of buildings.

#### **5 SECURITIES**

If you/ your spouse, partner own shares or other form of equity in a company or other body which has a place of business within the Cambridgeshire and Peterborough Combined Authority area, you will need to consider whether the interest is to be registered.

Identify the nominal value; this is the amount of shares indicated on the certificate; not the market value. If this exceeds £25,000, you need to register the name of the company or body.

If this is less than £25,000 but your/your spouse, partner's share is more than 1% of the total issued share capital, you need to register the name of the company or body.

#### **Part 2 – Non-Statutory Disclosable Interests**

Non Statutory Disclosable Interests (note – these are not disclosable pecuniary interests)

You should provide details of any other interests you wish to declare but which are not disclosable pecuniary interests. Examples could include membership of, or position of control or management in any body to which you have been appointed by the Combined Authority as its representative;

This category should not include organisations through which you have a disclosable pecuniary interest. Such organisations should be listed in the appropriate place elsewhere on the register.



## **Sensitive Information**

1. Where you consider that the information relating to any of your/your spouse, partner's personal interests is sensitive information, and your authority's Monitoring Officer agrees, you need not include that information when registering that interest, or as the case may be, a change to that interest.
2. You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under the previous paragraph is no longer sensitive information, notify the Director of Governance asking that the information be included in the authority's register of members' interests.
3. "Sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

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<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY – SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.9
	PUBLIC REPORT

**TITLE: ARRANGEMENTS FOR OVERVIEW AND SCRUTINY COMMITTEE MEETINGS**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer and Author</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
The Shadow Committee are asked to decide on the time, frequency and location of Overview and Scrutiny Committee meetings.	

**1. PURPOSE AND REASON FOR REPORT**

1.1 The purpose of the report is to advise members of the proposed dates of Combined Authority Board meetings and to request Members' views on the timing, frequency and location of Overview and Scrutiny Committee meetings.

**2. BACKGROUND**

2.1 At the scrutiny workshop Members agreed to discuss the time, frequency and location of meetings.

2.2 The Board is also considering its calendar of meetings. The proposed dates for Board meetings is as follows: This information might help with your discussions.

2.3 All meetings to start at 10.00a.m on the following dates:

**2017**

Wednesday, 31 May

Wednesday, 28 June

Thursday, 27 July

Wednesday, 27 September

Wednesday, 25 October

Wednesday, 29 November



Wednesday, 20 December

**2018**

Wednesday, 31 January

Wednesday, 28 February

Wednesday, 28 March

Wednesday, 25 April

Wednesday, 30 May

**3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications.

**4. LEGAL IMPLICATIONS**

4.1 There are no legal implications.

**5. EQUALITIES IMPLICATION**

5.1 N/A

**6. BACKGROUND DOCUMENTS**

6.1 N/A.