

SHAREHOLDER CABINET COMMITTEE

MONDAY 13 SEPTEMBER 2021
2.00 PM

Engine Shed - Sand Martin House

AGENDA

	Page No
1. Apologies for Absence	
2. Declarations of Interest	
3. Minutes of the Meeting Held on 14 June 2021	3 - 6
4. Opportunity Peterborough	7 - 12
5. Internal Audit Work to Support the Shareholder Cabinet Committee	13 - 30
6. Amendments to the Mayor of Peterborough's Charity Fund Constitution and Associated Memorandum of Understanding	31 - 80
7. University Funding and Finance Interim Update	81 - 144
8. City Culture Peterborough	145 - 150
9. Shareholder Cabinet Committee Work Programme	151 - 154

Committee Members:

Councillors: Allen (Chair), Ayres, M Cereste, Coles (Vice Chairman) and I Walsh

Further information about this meeting can be obtained from Pippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point. The duty Beadle or Council staff member will assume overall control during any evacuation, however in the unlikely event a Beadle or Council staff member is unavailable, this responsibility will be assumed by the Committee Chair.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at:

<http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=Protocol%20on%20the%20use%20of%20Recording&ID=690&RPID=2625610&sch=doc&cat=13385&path=13385>

**MINUTES OF THE SHAREHOLDER CABINET COMMITTEE MEETING
HELD AT 10:00AM ON
MONDAY 14 JUNE 2021
VIA ZOOM**

Members Present: Councillors Allen (Chair), Councillor Bisby, Councillor Coles, Councillor Walsh

1. Apologies for Absence

Apologies for absence were received from Councillor Ayres and Councillor Cereste, with Councillor Bisby in attendance as a substitute for Councillor Ayres.

2. Declarations of Interest

There were no declarations of interest received.

3. Minutes of the Meeting Held on 1 March 2021

The minutes of the meeting held on 1 March 2021 were approved as a true and accurate record.

4. Delivery of Leisure Services Since 1 October 2020 by Peterborough Limited

The Shareholder Cabinet Committee received a report in relation to the Delivery of Leisure Services by Peterborough Limited.

The purpose of this report was to update the committee on the Council's existing and ongoing Leisure arrangements.

The Corporate Director for Resources addressed the Shareholder Cabinet Committee and advised that services for leisure and culture had been handed back to the Council from Vivacity in October 2020. Information on culture services would be provided to the next meeting of the committee. Members were informed that assessment of the affordability of leisure services was difficult at the current time, as the service had not be open for a large portion of the year, due to COVID-19 lockdowns. The services were now open, but on a limited basis. Positive feedback had, however, been received in relation to opening the Lido in October 2020.

In past years the Council had provided Vivacity with a £2 million subsidy to support leisure services and work was being done on whether this would be affordable going forward. It was further noted that leisure services and 3rd party contractors across the country were struggling in the current climate.

A successful bid for £500,000 had been placed as services reopened in January/February 2021. It was further advised that it was intended to retain leisure services in-house for 3 years in order for the service to return to normality.

The Shareholder Cabinet Committee debated the report and in summary, key points raised and responses to questions included:

- The momentum to host outside classes was still present, and formed part of the Active Lifestyles and Sports Strategy, however officers were in the process of establishing where this could take place.
- Further work was being completed on five additional outdoor table tennis tables in the next few weeks.
- It was noted that outdoor classes had been run and had proven popular, however interest had decreased in light of indoor classes resuming.
- The service was currently working on implementing a new IT system, which would provide more flexibility to host lessons outdoors.
- Work was still ongoing in relation to the active lifestyles programme, but was progress at a slower rate in order to bring the programme in line with the Sports England 10 Year Strategy, which was to be finalised within the next week.
- It was noted that a number of queries had been raised with Members about the maintenance of children's play areas, and it was advised that the Council was currently in the middle of an upgrading programme of around 56 playgrounds.
- It was further noted that work was being done to establish outdoor spaces for activities. It would depend on the activity taking place as to whether any provider would require a licence.
- Consideration was given to whether further sites should be provided for older children and teenagers, and officers confirmed that this was part of the Parks Accelerator programme, with the introduction of a parkour park being considered.
- Comment was made that further communication to the public about sites being open and how to make bookings would be beneficial.

The Shareholder Cabinet Committee considered the report and **RESOLVED** to note:

1. Peterborough Limited's performance in the initial part of the contract (since 1st October 2020);
2. The proposal to extend leisure services provided by Peterborough Limited for three additional years to September 2024, to get through the COVID-19 situation and ensure there are viable options to compete against at that time;
3. The required ongoing client arrangements for the contract; and
4. The makeup of the financial remuneration package for Peterborough Limited.

REASONS FOR THE DECISION

The ensured that the services were stabilised in the medium term, with information collected in that period ensuring that the Council made the right decision for the long-term delivery of the service

ALTERNATIVE OPTIONS CONSIDERED

There were three other options that were considered:

- Giving parts of the service to other providers to run;
- Letting 3rd Parties deliver the Sports service (Charitable and Commercial);
- Setting up another Trust to deliver the services.

At the present time, with the condition of the market these were not thought to be deliverable in the medium term.

A full in house transfer was considered but bringing services into a PCC owned entity gave the services the flexibility to work towards an independent future in the long term and gave them the ability to access funding that may not have been available to the Council itself.

5. Shareholder Cabinet Committee Work Programme

The Shareholder Cabinet Committee received the Shareholder Cabinet Committee work programme for the 2021/2022 municipal year.

The Shareholder Cabinet Committee considered the report and **RESOLVED** to note the latest version of the work programme, subject to the following changes:

- To amend 'City of Culture' to 'City Culture'
- To defer the 'NPS Update' to November

The Shareholder Cabinet Committee further requested that a briefing note be circulate to all Members prior to the meeting in September in relation to communications from the Council's partner organisations.

Chairman
10:00am – 10:24am
14 June 2021

This page is intentionally left blank

SHAREHOLDER CABINET COMMITTEE	AGENDA ITEM No. 4
13 SEPTEMBER 2021	PUBLIC REPORT

Report of:	Steve Cox, Executive Director Place and Economy	
Cabinet Member(s) responsible:	Cllr Peter Hiller, Cabinet Member for Strategic Planning, Commercial Strategy, and Investments	
Contact Officer(s):	Steve Cox, Executive Director Place and Economy Tom Hennessy, CEO, Opportunity Peterborough	Tel. 01733 453475 01733 317412

OPPORTUNITY PETERBOROUGH

RECOMMENDATIONS	
FROM: Steve Cox, Executive Director Place and Economy Tom Hennessy, CEO, Opportunity Peterborough	Deadline date: NA
<p>The Shareholder Cabinet Committee is asked to:</p> <ul style="list-style-type: none"> Note the achievements and impact of Opportunity Peterborough with regards to support for the local economy and jobs creation. 	

1. ORIGIN OF REPORT

1.1 This report is being submitted to the Shareholder Cabinet Committee at their request.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to provide an update on the activities and achievements of Opportunity Peterborough.

2.2 This report is for the Shareholder Cabinet Committee to consider under its Terms of Reference No. 3.3.2 (a), *'To monitor performance and financial delivery of the companies, partnerships and charities set out above in line with Cabinet approved business plans...'*

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

4.1 Opportunity Peterborough is the city's economic development company.

Our mission is to support inclusive and sustainable economic growth across the Greater Peterborough area, improving prosperity, job opportunities, and life chances for those who live and work here whilst ensuring that growth embraces smart innovation, contributes to

Peterborough's Net Zero Carbon target, and helps to build a resilient economy and city of the future.

We do this by:

- Supporting Peterborough's businesses to grow, innovate, diversify, create new, good quality jobs, and become more resilient and more sustainable
- Attracting new companies to the city to create new, good quality jobs and support a diverse and vibrant economy
- Making sure students and workers have the skills they need to have power in the jobs market, and by raising the career aspirations of young people
- Working with partners at a strategic level to create an enabling environment by addressing barriers to growth in areas such as infrastructure and skills
- Delivering the Future Peterborough programme to help make Peterborough a smarter, more sustainable, resilient, and attractive city in which to work, live, and play.

In addition to its city focused services, Opportunity Peterborough provides a range of services directly to Peterborough City Council, including (but not limited to):

- Leading the response to major job crises such as the recent Debenhams closure, and through organising events such as the jobs fair after the Thomas Cook closure
- Responding to consultations on behalf of Peterborough regarding the development of strategic documents such as the National Industrial Strategy and Local Industrial Strategy
- Representing Peterborough on strategic groups such as the CPCA's Economic Recovery Sub-Group and Mayoral Forum, both of which have been set up in response to the current COVID crisis
- Running the Bondholder Network which provides PCC with a highly effective channel through which to drive business engagement.
- Supporting PCC business facing teams by presenting the needs, challenges, language, and perceptions of business in ways that enhance policy making and service delivery.
- Supporting PCC in major initiatives such as the post lockdown re-opening of the city centre in which OP has played a critical role.

Below is an update regarding Opportunity Peterborough's progress on major programmes this year:

- **Promoting Peterborough** – We are building on our success in promoting the city to attract inward investment and expanding that work to become the city's Place Marketing Agency, incorporating inward investment, visitor economy, business tourism, and talent attraction. It is our aim to raise the profile and improve perceptions of the city, internally and externally, and in doing so increase the attraction and retention of international businesses; attract financial investment to aid the sustainable growth of our city; support the growth of businesses and the creation of high quality jobs; attract more people to live, work, and study in, and visit; and provide much needed support to the leisure, hospitality, retail, and tourism business in and around the city.

In April this year Opportunity Peterborough took responsibility for the Visit Peterborough website and social media channels. A number of improvements have been made to the site content and communications strategy that have resulted in a marked improvement in site visitor numbers, followers, and engagement measures.

Funding commitments have been secured from the Café Culture fund and the Welcome Back Fund to make more substantial changes to the websites aesthetics, user

experience, and functionality, as well as to fund place marketing activity related to the city animation initiative.

This will form a key element in the development of a membership organisation for retail, hospitality, leisure, and tourism business, enabling Opportunity Peterborough to develop a sustainable financial model to increase the quality and quantity of promotional activity, resulting in increased visitor numbers, dwell time, overnight stays, and ultimately visitor spend.

The team continues to work closely with PCC's tourism manager, Peterborough Positive, City Culture Peterborough and other stakeholders in order to shape the short, medium, and long term approach to delivering better visitor economy outcomes for the city.

Opportunity Peterborough continues to provide support for major recent investors such as McCormick and Oatly, and is working closely with a range of partners to manage a pipeline of live enquiries representing 1,000+ potential new jobs, equivalent to c.£30m of additional economic output for the city.

- **The Skills Service** – We are building on the Skills Services' excellent work to date to develop innovative new programmes and activities to help drive the development of skills in the city, raise the aspirations of young people and address key issues regarding youth unemployment.

We have recently started to deliver a sustainability and net zero project to Peterborough schools on behalf of Peterborough City Council, and (at the time of writing) we are awaiting final confirmation from HMCLG regarding a Community Renewal Fund bid focusing on net zero and green skills.

- **Startup Peterborough** – Peterborough is an entrepreneurial city. We are supporting and encouraging our entrepreneurs through the development and delivery of a startup support programme, backed by private sector partners and incorporating peer networks, workshops, bootcamps, incubators, and competitions and awards in order to drive up business creation levels in the city and, more importantly, increase business survival rates.

The first Startup Peterborough bootcamp proved to be a great success with over 30 startups signing up for the course. A second bootcamp is due to start on 14th Sept.

We will continue to work with these cohorts of businesses to ensure they have the support they need to survive, to continue to evolve the programme, and to monitor long term impact on survival rates of bootcamp 'graduates' compared to the city's baseline figures.

- **Smart Manufacturing Alliance** – OP has led the development of the Smart Manufacturing Alliance. Through the launch of this new joint venture with the Cambridgeshire and Peterborough Combined Authority later this year, we will support the development of a world class manufacturing cluster by providing businesses with the support they need to increase productivity, innovation, sustainability, resilience, competitiveness, and ultimately, profitability, whilst also supporting the creation of high quality jobs.

A programme director was recruited to lead on the development of the Alliance in April. At the time of writing a recruitment process is underway to fill two additional posts.

A website build is underway, an industry advisory board has been created bringing together academic and industry leaders to oversee the work of the Alliance, and a launch event is being planned for early October.

- **ACMI4.0 (Advanced Capacities for Manufacturing: Industry 4.0)** – We will deliver a £1.3m grant funding and support programme to drive increased productivity, sustainability, and innovation within manufacturing SMEs across Cambridgeshire and Peterborough. ACMI4.0 is an ERDF (EU) funded programme aimed at supporting manufacturing SMEs and their supply chains to adopt industry 4.0 technologies and design principles through 1-2-1 support, workshops, and access to a £300,000 grant funding pot.

Recruitment is currently underway for two industry 4.0 specialists to deliver this programme alongside members of the Smart Manufacturing Alliance team.

- **Future Peterborough** – We are working to drive innovation and sustainability in business but also in the community, and at the strategic level, supporting public service transformation and infrastructure improvements in order to support Peterborough City Council's targets of Net Zero by 2030 and becoming a Circular City by 2050, and through the development of a Digital City Strategy.

We are currently recruiting for a 6 month fixed term contract for a Digital Incubator Project Manager to lead on the development of the Digital Incubator Feasibility Study as part of the city's Towns Fund programme, as well as to lead on the development of the Digital City Strategy.

We are also awaiting final sign-off on the Innovate-2-Zero Community Renewal Fund application which has passed the first round of appraisal at the Combined Authority and now sits with MHCLG. Subject to final approval this £630,000 programme will focus on furthering the net zero agenda and the development of green skills with businesses and communities across Peterborough and Fenland, and will be delivered in conjunction with PECT, Living Sport, and the University of Cambridge. Within Opportunity Peterborough this project will predominantly be delivered by the Future Peterborough and Skills Service teams.

5. CONSULTATION

- 5.1 No consultation is required at this time.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 That the Shareholder Cabinet Committee notes the contents of this report and continues to support Opportunity Peterborough in its mission - to support inclusive and sustainable economic growth across the Greater Peterborough area, improving prosperity, job opportunities, and life chances for those who live and work here whilst ensuring that such growth embraces smart innovation, contributes to Peterborough's Net Zero Carbon target, and helps to build a resilient economy and city of the future.

7. REASON FOR THE RECOMMENDATION

- 7.1 We believe that, with the continued support of the Council, we can make Peterborough a better place to work, to invest and do business, to visit and enjoy, and above all, to call home.

Our work programme has been mapped against Peterborough City Council priorities to ensure that what we are providing aligns with what matters most to the Council and the communities it serves.

By supporting the delivery of these priorities we believe that we can also reduce demand on the Council's services thereby having a positive budgetary impact as well as increase the Council's income via increased business rates receipts.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 This report is predominantly for information.

The alternative to supporting Opportunity Peterborough's plans is:

- To not support Opportunity Peterborough's work and progress to date.

This has been rejected on the basis that Opportunity Peterborough's work programme closely aligns with, and adds value to, the Council's own priorities and provides excellent value for money as a means of meeting these priorities.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications arising from this report.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 None.

11. APPENDICES

11.1 None.

This page is intentionally left blank

SHAREHOLDER CABINET COMMITTEE	AGENDA ITEM No. 5
13 SEPTEMBER 2021	PUBLIC REPORT

Report of:	Peter Carpenter, Corporate Director of Resources	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance	
Contact Officer(s):	Steve Crabtree, Chief Internal Auditor	Tel. 384557

INTERNAL AUDIT WORK TO SUPPORT THE SHAREHOLDER CABINET COMMITTEE

RECOMMENDATIONS	
FROM: Corporate Director of Resources	Deadline date: N/A
It is recommended that the Shareholder Cabinet Committee note: <ul style="list-style-type: none"> 1. Works undertaken by the Internal Audit service to support the terms of reference of the Committee 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Shareholder Cabinet Committee in line with a referral from the Monitoring Officer / s151 Finance Officer.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report sets out details of all audit activities which have been undertaken which cover Council activities, charities and partnerships which fall within the remit of the Shareholder Cabinet Committee.
- 2.2 This report is for Shareholder Cabinet Committee to consider under its Terms of Reference No. 3.3.2.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

- 4.1 Internal Audit review the systems and processes of the Council throughout the year in line with its agreed risk-based Audit Plans. These plans are approved annually by the Audit Committee. Throughout the year, audits are undertaken, and an annual Audit Opinion is produced for that committee in the July cycle.

4.2 A number of functions, whether Council companies, partnerships or charities (dependent on the risks identified each year as part of the Plans above), may form part of the works undertaken by the Team. These will produce a series of audit reports with associated recommendations and agreed actions. It also places a level of assurance on the systems / processes reviewed. Four levels of assurance can be awarded – Substantial; Reasonable; Limited or No Assurance.

4.3 Following an audit review of the operations of the Shareholder Cabinet Committee, it was considered best practice to provide the Committee with details of all audit works which have a bearing on its terms of reference. The attached Appendix sets out all the activities which have been undertaken in recent years. This provides Members with details of all the audit activity, the main findings and areas of concern together with the conclusions and number of recommendations agreed. Going forward, this will form part of a standing item on the Committee agenda.

5. CONSULTATION

5.1 All papers have been shared with the Corporate Director of Resources and the Director of Law and Governance.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that this will provide a focal point for Internal Audit to raise Member awareness of its workings together with demonstrating appropriate challenge and scrutiny of the Councils functions.

7. REASON FOR THE RECOMMENDATION

7.1 The recommendation of this report ensures that all services which have been subject to audit have been brought to the attention of the Committee and that Members can place reliance on the activities delivered by or on behalf of the Council.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 It is seen as best practice to provide Members with details of audit activities undertaken so as to be able to be open and transparent on all its activities.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications identified within the report. Separate audit recommendations made by require some financial input which will be met within those services to cover.

Legal Implications

9.2 There are no legal implications from this report.

Carbon Impact Implications

9.3 There are no carbon impact implications from this report.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Annual Audit Opinion Reports submitted to Audit Committee

11. APPENDICES

11.1 Appendix A: Shareholder Cabinet Committee Internal Audit Coverage

This page is intentionally left blank

SHAREHOLDER CABINET COMMITTEE

INTERNAL AUDIT COVERAGE

ANNUAL REPORT

- 1...Introduction
- 2...Arriving at an Opinion
- 3...Committee Terms of Reference
- 4...Audit Outputs
- 5...Future Coverage

1... **INTRODUCTION**

- 1.1 Internal Audit review the systems and processes of the Council throughout the year in line with its agreed risk based Audit Plans. These plans are approved annually by the Audit Committee. Throughout the year, audits are undertaken and an annual Audit Opinion is produced for that committee in the July cycle.
- 1.2 A number of functions, whether Council companies, partnerships or charities (dependent on the risks identified each year as part of the Plans above), may form part of the works undertaken by the Team. These will produce a series of audit reports with associated recommendations and agreed actions. It also places a level of assurance on the systems / processes reviewed.
- 1.3 Following an audit review of the operations of the Shareholder Cabinet Committee, it was considered best practice to provide the Committee with details of all audit works which have a bearing on its terms of reference. The attached Appendix sets out all the activities which have been undertaken in recent years. This provides Members with details of all the audit activity, the main findings and areas of concern together with the conclusions and number of recommendations agreed. Going forward, this will form part of a standing item on the Committee agenda.

2... **ARRIVING AT AN OPINION**

- 2.1 There are two key elements to each internal audit review.
 - Firstly, the control and risk environment is reviewed by identifying the objectives of the system and then assessing the controls in place mitigating the risk of those objectives not being achieved. Completion of this work enables internal audit to establish an opinion on how well the control framework has been designed to mitigate identified risk, and whether there are any gaps in control.
 - However, controls are not always complied with which in itself will increase risk, so the second part of an audit is to ascertain the extent to which the controls are operating in practice. This element of the review enables internal audit to form a view on the extent of compliance with the control framework.
- 2.2 Where appropriate, each report we issue during the year is given an overall opinion, as shown in the table below.
- 2.3 Certain pieces of work do not result in a formal audit report with an opinion – such as consultancy work, grant reviews and involvement in working groups. However the certification of grant work should indicate that at the point of approval, information being submitted to external organisation meets required criteria.

OPINION / ASSURANCE	DESCRIPTION
SUBSTANTIAL	The internal control system is well designed to meet objectives and address relevant risks, and key controls are consistently applied. There is some scope to improve the design of, or compliance with, the control framework in order to increase efficiency and effectiveness.
REASONABLE	The internal control system is generally sound but there are some weaknesses in the design of controls and / or the inconsistent application of controls. Opportunities exist to strengthen the control framework and mitigate further against potential risks.
LIMITED	The internal control system is poorly designed and / or there is significant non-compliance with controls, which can put the system objectives at risk. Therefore, there is a need to introduce additional controls and improve compliance with existing ones to reduce the risk exposure for the Authority.

NO	There are significant weaknesses in the design of the internal control system, and there is consistent non-compliance with those controls that exist. Failure to improve controls will expose the Authority to significant risk, which could lead to major financial loss, embarrassment or failure to achieve key service objectives.
----	--

RECOMMENDATION GRADE	DESCRIPTION
CRITICAL	Fundamental control weakness that jeopardises the complete operation of the service. TO BE IMPLEMENTED IMMEDIATELY.
HIGH	Major control weakness which significantly increases the risk / scope for error, fraud, or loss of efficiency. To be implemented as a matter of priority.
MEDIUM	Moderate control weakness which reduces the effectiveness of procedures designed to protect assets and revenue of the Authority. To be implemented at the first opportunity.
LOW	Minor control weakness, which, if corrected, will enhance control procedures that are already relatively robust. To be implemented as soon as reasonably practical.

2.4 In line with our reporting arrangements, all audit reports are issued to the appropriate Service Manager and Corporate Director to deliver agreed actions and for information to the Corporate Director of Resources, Chief Executive, Leader of the Council, the Cabinet Member for Finance and the Chair of Audit Committee. Should there be any reports identified that are seen as Limited or No Assurance, then the Executive Summary is included for information.

3. SHAREHOLDER CABINET COMMITTEE: TERMS OF REFERENCE (Extract from Constitution, Part 3 – Executive Functions)

3.1 Purpose

3.1.1 The Committee will have functions relating to the Council's companies, partnerships and charities set out below including, but not limited to:

- Peterborough Limited
- Blue Sky Peterborough
- Empower Peterborough
- Opportunity Peterborough
- Peterborough Investment Partnership LLP
- Medesham Home LLP
- NPS Peterborough Ltd
- Peterborough Museum and Art Gallery
- The Mayor's Charity; and
- Vivacity Culture and Leisure.

3.1.2 The Shareholder Cabinet Committee will act as a decision making body in relation to the functions delegated to it as well as an advisory body to Cabinet. Support and advice will be provided to the

Shareholder Cabinet Committee by the Monitoring Officer, the Section 151 Officer and other client officers as appropriate.

3.2 Membership and Operation of the Shareholder Cabinet Committee

3.2.1 The Shareholder Cabinet Committee will comprise a maximum of five Cabinet Members to be determined by the Leader annually. The Chairman and Vice-Chairman of the Committee will also be appointed by the Leader on an annual basis.

3.2.2 The quorum of the Shareholder Cabinet Committee shall be 3 and meetings shall take place quarterly or as determined by the Chairman.

3.3 Functions of the Shareholder Cabinet Committee

- To monitor performance and financial delivery of the companies, partnerships and charities set out above in line with Cabinet approved business plans by means of monthly performance monitoring and scrutiny;
- To ensure that those companies, partnerships and charities comply with relevant Council policies, strategies and objectives;
- To exercise decisions, where delegated by Cabinet, in relation to a company, partnership or charity's reserved matters;
- To make recommendations to Cabinet in relation to investments, loans and assets;
- To oversee the relationships between the Council and the Council's companies, partnerships and charities, and any such relationships between the Council's companies, partnerships and charities in accordance with the Council's objectives;
- To review any reports in relation to the Council's companies, partnerships or charities prior to their submission to the Audit Committee to ensure compliance with Council policies, strategies and objectives;
- To determine for each individual company, partnership or charity whether the Shareholder Cabinet Committee recommends to Cabinet the delegation of any functions to the officers of the Council.

4. AUDIT OUTPUTS

4.1 Included for information are details of all audit work undertaken where there is a link to the functions within this Committee.

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2017 / 2018						
Strategic Partnerships: Skanska	Reasonable	-	1	2	1	4
Scope: A review of the partnership management arrangements in place for service delivery						

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2018 / 2019						
Norfolk Property Services Peterborough	Limited	-	2	4	-	6
Scope: A review of the governance arrangements in place to manage the Councils interests in the joint venture						
<p>NPSP is a joint venture company between Peterborough City Council and NPS Group. It began trading in July 2016, at the start of a 10 year contract, and delivers estates and asset management services. The purpose of the audit was to review joint venture arrangements to ensure that-</p> <ul style="list-style-type: none"> • It operates effectively and adequate governance arrangements are in place to include performance and risk management • There is a written JV agreement / Contract and an effective JV structure • There is an effective budget planning and monitoring process • Communication and relations promote effective monitoring of business needs affordability and value for money The scope covered the arrangements that the Council has put in place to manage the joint venture with Norfolk Property Services Peterborough (NPSP). <p>Main Findings</p> <ul style="list-style-type: none"> • The NPSP joint venture operates with the involvement of two key council officers. During the audit, the Corporate Director Growth and Regeneration acted as a director on the JV board and in this capacity had a duty to act in the best interests of the JV. There is also a Head of Property Services who manages the contract with NPSP to ensure the terms of the contract are met for the benefit of the Council. The Corporate Director Growth and Regeneration had direct line management responsibility for the Head of Property Services and, in the absence of any overarching scrutiny framework, this appears to be a conflict of interest. This arrangement is currently no longer in place, but is important that such conflicts are not repeated in any new management arrangements. • The Service Specification is in need of review. Elements are unclear and open to interpretation, particularly in relation to facilities management, which has been explained as an omission to the specification. This omission has not been resolved in the two years since the contract began and has been compounded by a lack of clarity within the Council due to the split of responsibilities between the NPSP and Amey contracts. It is understood that this area is under review with the imminent proposals to bring the Amey contract deliverables into the new local authority trading company, Peterborough Ltd. 						

Conclusion and Opinion

- Internal Audit's primary focus was how the Council manages the relationship with NPSP, both in terms of its role as a joint partner in the company, and also how it manages the delivery of the contract. Whilst there is good practice in place, Internal Audit has made observations in relation to potential conflicts of interest for those officers involved, the unclear elements of the Service Agreement and aspects of the contract management process.
- Internal Audit has also raised earlier concerns within the Peterborough Investment Partnership report, regarding the lack of formal governance structure for all commercial / external entities within Peterborough City Council in order to effectively monitor arrangements, activity and achievements as per Business Plans. The Director of Legal & Governance Services and the Acting Corporate Director Resources are currently reviewing and implementing a new structure and scrutiny arrangements to ensure it can be demonstrated that they operate in the best interests of the Council.

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2018 / 2019						
Commercial Activities: Peterborough Investment Partnership	Reasonable	-	2	1	-	3
Scope: A review of the arrangements in place to manage the Council's interests in this joint venture arrangement						

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2018 / 2019						
Mayors Charity 2016/2017 Mayors Charity 2017/2018	Limited	-	4	12	3	19
Scope: Review of financial control and governance framework for the Mayors Charity accounts						

Every May a new Mayor is elected by full Council from within their membership. One of the Mayor's roles is to nominate charities that they support, and to raise funds on behalf of those charities during their term of office, with the assistance of a new management committee of volunteers. The Mayor of Peterborough's Charity Fund (MPCF) is a registered charity in its own right, and is independent from the Council. The MPCF is required by the Charity Commission to upload accounts and a trustee's report every year to the Commission's website. Once accounts are finalised, all net proceeds are shared out between the nominated charities. This takes place early in the following mayoral year. The Charity Commission also require that where a charity's annual gross income exceeds certain thresholds, the accounts are subject to external scrutiny (i.e. either an independent examination or a full audit).

The Council provides support to the MPCF in a number of ways. For example, administrative support from council employees, provision of Council venues and equipment for fund-raising events, and printing of posters and tickets. Since September 2017 the role of MPCF Treasurer was brought 'in-house', and is performed by the Mayoral Services Manager. In the event that there were significant issues with the finances of the MPCF, the Council could have its own reputation damaged due to its closeness to the fund. It is therefore important that the council satisfies itself that the MPCF is being appropriately managed. An audit of the MPCF's accounts for mayoral year 2017/18 was requested as part of the 2018/19

audit plan.

The objectives of the review were to:

- Carry out an independent examination of the fund for 2017-18, verifying the income and expenditure statement to source documentation and bank statements, in compliance with Charity Commission requirements.
- Evaluate controls for managing the fund and provide any advice needed (for example relating to segregation of duties, approvals, evidence and record keeping)

Following initial evaluation, our objectives were expanded to include:

- Perform a bank reconciliation for 2017-18, including any necessary adjustments to the workbook
- Compile a set of receipts and payments accounts for 2016-17 and 2017-18 as required by the Charity Commission
- Advise on the form and content of the Trustees' Annual Report, as required by the Charity Commission
- Advise on an appropriate format for the workbook, such that it assists with the performance of bank reconciliations and the production of accounts

Main Findings

- Registration as a charity confers the obligation to upload to the Charity Commission's website by a specific deadline: a set of accounts; a statement that the accounts have been audited; and an annual trustees report. This deadline was missed for the 2016/17 year and the Charity Commission wrote to the trustees in July 2018 stating that the MPCF was in default of its legal obligations. A time extension was arranged with the Charity Commission, and the required documents were subsequently uploaded to the website by the revised deadline. Awareness of the Charity Commission requirements has increased during the course of this review, although some documented guidance would assist current and future members of the MPCF in fulfilling their roles
- The MPCF has two governing documents. The constitution, dated December 2015, was adopted prior to registration as a charity. There is also a separate Memorandum of Understanding (MoU) between the key parties for each mayoral year. The constitution and MoUs differ over who the charity's trustees are. Additionally, the formal processes for handing over from one set of trustees from one mayoral year to the next set, as implied by the constitution, are not reflected in the MoU, and are not followed in practice. Work is already in progress to update and align both documents.
- A reconciliation of the bank balances to the calculated net proceeds was performed at year end, but this did not balance. A number of accounting errors were subsequently identified and corrected, enabling the correct net proceeds total to be established, and for this total to be reconciled against the bank account funds. Regular bank reconciliations throughout the year would enable earlier identification and correction of errors and anomalies; a smoother year end accounts and audit process; and speedier payments to the nominated charities.
- Approximately 70% of the income transactions examined for 2017-18 during testing were not supported by a written receipt. It is important that receipts are issued for all income so that it can be demonstrated that the income has been reflected in the accounts.
- The previous Treasurer's internet banking credentials had not been terminated. However there was no evidence of any suspicious transactions from the MPCF's bank account.
- There is a lack of required segregation of duties in the MPCF's financial processes, which presents a greater risks of fraud, error, and failing to maximise fund-raising. Examples include lack of managerial oversight of accounting records and cash held, ability of event organisers to reclaim their own expenses from cash held without submitting a claim, and freedom of organisers to spend what they like on the events they hold.

Conclusion and Opinion

Registration as a charity in late 2015 has resulted in the MPCF having a number of responsibilities, of which it had not previously been aware. During the course of this review, the MPCF's understanding of the Charity Commission's requirements has increased. Internal Audit are satisfied with the accounts for 2017-18, and there are no material issues to be reported. The Trustees' Annual Report for that year has been written, so the March 2019 deadline for uploading these documents to the Charity Commission's website should be met.

The review identified a number of financial and governance controls that need to be improved, and these have been discussed with the Civic Office throughout the review. These issues, along with further details in relation to the main findings mentioned above, are explained in the main body of this report, with recommendations on how they might be

addressed. Internal Audit are continuing to provide advice and support. Work has been undertaken to deliver an enhanced accounting workbook that will semi-automate bank reconciliations and production of final accounts. This should assist the Treasurer in keeping the accounts balanced throughout the year, speeding up closure at year end, and reducing work in the long run. The Charity Commission also provide general guidance on internal financial controls, and this can be found at <https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8>.

The audit opinion, based on the internal controls identified, is Limited Assurance. The Chief Internal Auditor's opinion in relation to the MPCF's accounts for 2017- 18 as the charity's Independent Examiner is that:

"In connection with my examination, no matter has come to my attention:

- Which gives me reasonable cause to believe that in, any material respect, the requirements to keep accounting records in accordance with the 2011 Act; and prepare accounts which accord with the accounting records and comply with the accounting requirements of the 2011 Act, have not been met; or
- To which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

While not impacting on the materiality of the accounts, some improvements have been identified to enhance the monitoring, record keeping, preparation and completion of accounts following a change of officers managing the accounts."

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2018 / 2019						
Mayors Charity	Not applicable – consultancy work	n/a	n/a	n/a	n/a	n/a
Scope: Cash book redesign to facilitate reconciliations and easier production of annual accounts. Guidance on charity commission requirements, including the form and content of the Trustees Annual Report						

AUDIT ACTIVITY	Assurance Opinion	
2019 / 2020		
Peterborough Investment Partnership – Follow Up	Reasonable	A follow up review of the 2018 / 2019 Audit to verify arrangements in place to manage the Council's interests in this joint venture arrangement. All 3 recommendations have been implemented.

AUDIT ACTIVITY	Assurance Opinion	
2019 / 2020		
Norfolk Property Services – Follow Up	Reasonable	<p>A follow up review of the 2018 / 2019 Audit of the joint venture arrangement previously auditing last year which had ‘Limited Assurance’</p> <p>Of the 6 recommendations agreed:</p> <ul style="list-style-type: none"> • 3 have been fully implemented • 2 actions are in progress • 1 no significant process. This will now form part of additional works

AUDIT ACTIVITY	Assurance Opinion	
2019 / 2020		
Mayors Charity – Follow Up	Reasonable	<p>A follow up review of the 19 recommendations made have shown that:</p> <ul style="list-style-type: none"> • 3 have been fully implemented • 1 alternative action has been introduced • 10 actions are in progress • 5 actions have seen no significant progress on <p>Internal Audit intend to conduct a further check on progress of recommendations when the review of the 2019/20 accounts take place</p>

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2019 / 2020						
Oversight of Shareholder Cabinet Committee	Reasonable	0	0	6	0	6
Scope: Governance arrangements relating to the new Shareholder Cabinet Committee responsible for overseeing Council companies, partnerships or charities						

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2019 / 2020						
Transfer of Amey contract to Council LatCo	Limited	-	4	-	-	4
Scope: Governance and project management arrangements for the transfer of services back to the Council						
<p>In July 2018 Cabinet made the decision to transfer services provided under the Amey contract to a Local Authority Trading Company (LATCo), as Amey were making a substantial loss and Peterborough City Council (PCC) had concerns over quality and performance. A loan facility of up to £1.75 million to the Company was also authorised, to provide working capital and cover start - up costs. The programme for transition of services commenced following Cabinet approval in July 2018, and a phased transition approach was taken between February and May 2019.</p> <p>The purpose of this audit was to review programme management arrangements to ensure that:-</p> <ul style="list-style-type: none"> • Corporate processes are followed • Adequate governance arrangements are in place • There is stakeholder engagement • Appropriate skills and resources are utilised • There is effective communication • Finance and risks are adequately considered and addressed <p>The scope of the audit covered:</p> <ul style="list-style-type: none"> • A review of the process of Programme Management during planning and delivery only, in relation to the transfer of services provided by Amey to a PCC wholly owned Local Authority Trading Company (LATCo). Information has been gathered from 4OC, Project Programme & Assurance Office, client side Peterborough City Council Officers and Serco. • The programme of work that enabled the transition to take place was reviewed. The project outcomes, benefits realisation and subsequent operation of the company did not form part of this review. <p>Main Findings</p> <ul style="list-style-type: none"> • There have been many changes of personnel throughout this project, particularly in the programme management role, resulting in unclear lines of delegation and responsibility, a lack of clear ownership within PCC, and limited evidence of a structured approach. • The corporate project management system, Verto, was not used and it is unclear why this decision was made. A structured programme management approach was instigated in January 2019 by the PCC Project Programme & Assurance Office, but was used inconsistently by the variety of staff involved in the project from PCC, Serco and external consultants. • The documentation we would expect for a project of this size was not found. Most of the information we viewed was brought together during the structured approach mentioned above, although it was not complete. There was very little information available before or after this period, and none of that was in a structured format. • It was discovered that Internal Audit do not have access rights to audit the governance arrangements of Peterborough Limited (PL). This compounded the issue in relation to information availability post April 2019, but was not the reason for our inability to locate sufficient information prior to this time. 215 Annual Audit Opinion 2019 / 2020 <p>Conclusion and Opinion</p> <ul style="list-style-type: none"> • This was a complex programme with a number of staffing changes making it challenging to manage. Despite this, the transfer from Amey to PL occurred with a phased mobilisation in February, April and May 2019. Internal Audit did not review the operational success of the programme, however a recent report to the Shareholder Cabinet 						

Committee, September 2019, provides a positive overview of the mobilisation phase and current service delivery.

- Whilst the project to transfer services from Amey to Peterborough Limited (PL) has completed, limited evidence was available to demonstrate that the process was effective, efficient and economic. This is of concern for a project of this size and the lessons learned should be used to inform future projects. In particular, it is important that all staff involved in a project are aware of their responsibilities and accountabilities and understand the project approach to be followed.
- This report details recommendations that cannot be addressed in relation to the processes for this particular project. However, they are relevant to all future programmes and projects to ensure smooth delivery, successful outcomes and a review / lessons learned process. In light of the disbandment of the Project, Programme and Assurance Office, Corporate Management Team should consider processes for structured and documented management arrangements for the future.

AUDIT ACTIVITY	Assurance Opinion	RECOMMENDATIONS MADE				
		Critical	High	Medium	Low	Total
2020 / 2021						
Mayors Charity	Certified	0	1	2	1	4
Scope: Funds for this charity fell below the Charities Commission threshold in 2019 / 20 and therefore an audit under the regulations was not required. However, management requested a review of the accounts to provide assurance that they were accurate and complete prior to the release of funds to the nominated charities.						

AUDIT ACTIVITY	Assurance Opinion	
2020 / 2021		
Shareholders Cabinet Committee – Follow Up	Reasonable	(This overarching Committee report and the associated appendix provides closure of the audit recommendations)

AUDIT ACTIVITY	Assurance Opinion	
2020 / 2021		
Norfolk Property Services – Additional Follow Up	Reasonable	This further follow up was carried out as 3 of the original 6 recommendations were in progress. 2 of those made remain under review as circumstances change. It has been stated that actions are being taken forward and progressed to address these issues, and as such they should be resolved to a satisfactory conclusion.

AUDIT ACTIVITY	Assurance Opinion	
2020 / 2021		
Aragon Transition Project – Follow Up	Reasonable	<p>A follow up review has recently been conducted as a result of the Aragon Internal Audit report issued January 2020. The findings are detailed below.</p> <p>The outstanding observations and recommendations made in the original report related to project management. Internal Audit have discussed the overall actions being taken on Programme and Project Management with the officers now responsible for this in the Business Improvement & Development Team. At this point in time, good progress is being made in addressing the key areas of establishing consistent and robust project management principles, processes and methodology, in order to assist the Council achieve its financial savings.</p>

5... **FUTURE COVERAGE**

- 5.1 A risk-based approach is used to develop the Internal Audit Annual Plan, allowing us to direct resources at areas key to the organisation's success and to provide an opinion on the control environment. In an ever-changing risk and control environment, it is important that audit plans can adapt quickly to the needs of the Council, and this has been particularly important this year. The whole "audit universe" is reassessed to determine those of greatest risk. Our approach gives precedence to areas assessed as high risk, although we aim to provide coverage over a wide range of activities to ensure our opinion is comprehensive.
- 5.2 The current Audit Plan was agreed at Audit Committee in March 2021. Based on the assessment at that time the following audit areas were identified for potential review:
- Mayors Charities
 - Aragon
 - Aragon - Vivacity
 - City College – Vivacity
 - Peterborough Investment Partnership
 - Follow Ups
- 5.3 **However**, these are subject to change as the audit plan is regularly refreshed as well as having the suitable audit time and resources available to be devoted to the more significant areas.

This page is intentionally left blank

SHAREHOLDER CABINET COMMITTEE	AGENDA ITEM No. 6
13 SEPTEMBER 2021	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Cllr Marco Cereste, Cabinet Member for Digital Services and Transformation	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services Shelley Hardy, Lawyer- Contracts and Procurement	Tel. 452277

AMENDMENTS TO THE MAYOR OF PETERBOROUGH’S CHARITY FUND (MPCF) CONSTITUTION AND ASSOCIATED MEMORANDUM OF UNDERSTANDING

RECOMMENDATIONS	
FROM: Rachel Edwards, Head of Constitutional Services	Deadline date: N/A
<p>It is recommended that the Shareholder Cabinet Committee:</p> <ol style="list-style-type: none"> 1. Notes the amendments to the Mayor of Peterborough’s Charity Fund’s (MPCF) Constitution, the amended MPCF Constitution can be found at Appendix 1. 2. Notes the contents of the Memorandum of Understanding (MOU), a template of the MOU can be found at Appendix 2 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Shareholder Cabinet Committee following referral from the Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to supply the Shareholder’s Committee with a copy of the amended Constitution, as set out in Appendix 1 and the MOU, as set out in Appendix 2 and advise the Shareholder’s Committee of the changes.

2.2 This report is for Shareholder Cabinet Committee to consider under its Terms of Reference No. 3.3.2(e), “to oversee the relationships between the Council and the Council’s companies, partnerships and charities, and any such relationships between the Council’s companies, partnerships and charities in accordance with the Council’s objectives”.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

- 4.1 On the 17th December 2015 the Council resolved to apply to the Charity Commission for charitable status of the Mayor of Peterborough Charity Fund (MPCF) and to appoint the role of the Mayor as trustee of MPCF. See link for details of the decision.

<https://democracy.peterborough.gov.uk/documents/s25746/13d.%20Registration%20of%20the%20Mayors%20Charity%20with%20the%20Charity%20Commission.pdf>

- 4.2 Following this resolution, the MPCF registered the charity with the Charity Commission under charity number 1165640 and adopted its Constitution. Please refer to Appendix 3 for a copy of the previous Constitution.

- 4.3 The MPCF's Constitution had not been amended since it was adopted, on the 17th December 2015 and it had, become apparent that some provisions needed clarification and amending. Accordingly, at the MPCF AGM, on the 15th July 2021, it was agreed that the Constitution at Appendix 1 be adopted. The amendments mainly relate to setting a maximum amount of trustees and to clearly set out the quorum. A summary of the amendments is as follows:

Trustees

1. Maximum of four trustees for MPCF.
2. Two trustees (Chair and Secretary) will change each year, at the AGM.
3. Two trustees who are employed by Peterborough City Council (the Treasurer- Mayoral Services Manager and Head of Constitutional Services) remain in post unless terminated.
4. Responsible for managing the business of MPCF.

Members

5. All trustees are members of MPCF.
6. The charitable organisations (ie the Mayor's chosen charities) can be members– each organisation will need to nominate one named representative from their organisation. Each organisation has one vote only. Anyone from the charitable organisation can attend the meetings, as a guest, but only the named representative can vote. Guests can also assist the members with the running of the events

Voting

7. Quorum required to agree on the events to raise funds – at least half of the members must be at the meeting, including two trustees.
8. Quorum required at the AGM - two trustees required to elect the new membership and also to elect the new Chair and Secretary.
9. Quorum required for any other issue relating to MPCF (not in relation to the funding raising) - two trustees.
10. The chair of the meeting has the casting vote, where there is an equality of votes.

- 4.4 The Constitution is supported by a Memorandum of Understanding (MOU) which is a document signed by the MPCF, Peterborough City Council and all of the chosen charities (usually three local charities) for the mayoral year (selected by the current Mayor). The MOU sets out the requirements of each party during the year. The MOU is effective whilst the Mayor for the current mayoral year is in post. At the start of each mayoral year, a new MOU will be entered into.

5. CONSULTATION

- 5.1 No consultation is required at this time.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 By amending the MPCF's Constitution and MOU, in accordance with Appendix 1 and Appendix 2, any ambiguity, with regards to quorum, will be minimised. The amendments will enable MPCF

to operate more effectively and the provisions of the Constitution will be clearer, allowing a more streamline approach to raising funds.

7. REASON FOR THE RECOMMENDATION

- 7.1 The reason for the recommendation is to update the Shareholder's Committee of the changes which are required to enable the MPCF to continue to raise valuable funds for the MPCF charitable purpose.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The alternative option was to leave the Constitution and MOU as drafted without making the suggested amendments. However, as stated within this report, the purpose of these suggested amendments is to benefit the MPCF and enable the continuation of effective fund raising.

9. IMPLICATIONS

Financial Implications

- 9.1 No financial implications.

Legal Implications

- 9.2 The amended Constitution (together with copy of the resolution) must sent to the Charity Commission. Also, the Charity Commission must be notified of the names of the current trustees. The MOU can just be amended without notifying the Charity Commission's or obtaining their approval.

Equalities Implications

- 9.3 No equalities implications.

Carbon Impact Implications

- 9.4 No carbon impact implications.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 *Full Council meeting 17.12.2015*
<https://democracy.peterborough.gov.uk/documents/s25746/13d.%20Registration%20of%20the%20Mayors%20Charity%20with%20the%20Charity%20Commission.pdf>

.

11. APPENDICES

- 11.1 *Appendix 1 – MPCF Constitution (adopted on 28th July 2021)*
Appendix 2 – MOU template
Appendix 3 – Constitution adopted on 17/12/15

This page is intentionally left blank

The Mayor of Peterborough's Charity Fund
Charitable Association
Constitution

Dated:JULY.....2021

This Constitution is adopted on the 2021 and replaces, in its entirety any other Constitution previously adopted,

PART 1

1. Adoption of the constitution

The association and its property will be administered and managed in accordance with the provisions in Parts 1 and 2 of this constitution.

2. Name

The association's name is

The Mayor of Peterborough's Charity Fund (and in this document it is called the Charity).

3. Objects

The Charity's objects ('the objects') are

That income will be generated through fundraising events throughout the city of Peterborough which are organized by The Mayor of Peterborough's Charity Fund and from donations by individuals and local organisations. The income is applied to support the Mayor's nominated local charitable organisations within the city of Peterborough or any other charitable projects which The Mayor of Peterborough's Charity Fund deem worthy and to promote such other charitable purposes as may from time to time be determined.

4. Application of income and property

- (1) The income and property of the Charity shall be applied solely towards the promotion of the objects.
 - (a) A charity trustee is entitled to be reimbursed from the property of the Charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the Charity.
 - (b) A charity trustee may benefit from trustee indemnity insurance cover purchased at the charity's expense in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011.
- (2) None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent a member who is not also a trustee from receiving:
 - (a) a benefit from the Charity in the capacity of a beneficiary of the Charity;
 - (b) reasonable and proper remuneration for any goods or services supplied to the Charity.

5. Benefits and payments to charity trustees and connected persons

(1) *General provisions -*

No charity trustee or connected person may:

- (a) buy or receive any goods or services from the Charity on terms preferential to those applicable to members of the public;
- (b) sell goods, services or any interest in land to the Charity ;
- (c) be employed by, or receive any remuneration from, the Charity;

- (d) receive any other financial benefit from the Charity unless the payment is permitted by sub-clause (2) of this clause, or authorised by the court or the Charity Commission ('the Commission').

In this clause, a 'financial benefit' means a benefit, direct or indirect, which is either money or has a monetary value.

(2) *Scope and powers permitting trustees' or connected persons' benefits*

- (a) A charity trustee or connected person may receive a benefit from the Charity in the capacity of a beneficiary of the Charity provided that a majority of the trustees do not benefit in this way.
- (b) A charity trustee or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the Charity where that is permitted in accordance with, and subject to the conditions in, section 185 of the Charities Act 2011.
- (c) Subject to sub-clause (3) of this clause a charity trustee or connected person may provide the Charity with goods that are not supplied in connection with services provided to the Charity by the charity trustee or connected person.
- (d) A charity trustee or connected person may receive interest on money lent to the Charity at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).
- (e) A charity trustee or connected person may receive rent for premises let by the trustee or connected person to the Charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
- (f) A charity trustee or connected person may take part in the normal trading and fundraising activities of the Charity on the same terms as members of the public.

(3) *Payment for supply of goods only - controls*

The Charity and its charity trustees may only rely upon the authority provided by sub-clause 2(c) of this clause if each of the following conditions is satisfied:

- (a) The amount or maximum amount of the payment for the goods is set out in an agreement in writing between the Charity and the charity trustee or connected person supplying the goods ('the supplier') under which the supplier is to supply the goods in question to or on behalf of the Charity.
- (b) The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- (c) The other charity trustees are satisfied that it is in the best interests of the Charity to contract with the supplier rather than with someone who is not a charity trustee or connected person. In reaching that decision the charity trustees must balance the advantage of contracting with a charity trustee or connected person against the disadvantages of doing so.
- (d) The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the Charity.

- (e) The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of charity trustees is present at the meeting.
- (f) The reason for their decision is recorded by the charity trustees in the minute book.
- (g) A majority of the charity trustees then in office are not in receipt of remuneration or payments authorised by clause 5.

(4) *In sub-clauses (2) and (3) of this clause:*

- (a) 'the charity' includes any company in which the charity:
 - (i) holds more than 50% of the shares; or
 - (ii) controls more than 50% of the voting rights attached to the shares; or
 - (iii) has the right to appoint one or more trustees to the board of the company.
- (b) 'connected person' includes any person within the definition set out in clause 34 (Interpretation).

6. Dissolution

- (1) If the members resolve to dissolve the Charity the trustees will remain in office as charity trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.
- (2) The trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities of the Charity.
- (3) The trustees must apply any remaining property or money:
 - (a) directly for the objects;
 - (b) by transfer to any charity or charities for purposes the same as or similar to the Charity ;
 - (c) in such other manner as the Charity Commission for England and Wales ('the Commission') may approve in writing in advance.
- (4) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the trustees are to apply the remaining property or assets of the Charity and the trustees must comply with the resolution if it is consistent with paragraphs (a) - (c) inclusive in sub-clause (3) above.
- (5) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a charity).
- (6) The trustees must notify the Commission promptly that the Charity has been dissolved. If the trustees are obliged to send the Charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the Charity's final accounts.

7. Amendment of constitution

- (1) The Charity may amend any provision contained in Part 1 of this constitution provided that:

- (a) no amendment may be made that would have the effect of making the Charity cease to be a charity at law;
 - (b) no amendment may be made to alter the objects if the change would undermine or work against the previous objects of the Charity;
 - (c) no amendment may be made to clause 3 (Objects), 4 (Application of income and property), clause 5 (Benefits and payments to charity trustees and connected persons), clause 6 (Dissolution) or this clause without the prior consent in writing of the Commission;
 - (d) any resolution to amend a provision of Part 1 of this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- (2) Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
 - (3) A copy of any resolution amending this constitution shall be sent to the Commission within twenty one days of it being passed.

PART 2

8. Membership

- (1) Charity membership is open to individuals over eighteen or organisations who have been invited by the Mayor of Peterborough to participate. All members of the Charity must be approved by the trustees. In general, memberships of the Charity are temporary, lasting for the duration of the Mayor's own term of office.
- (2) Peterborough City Council provides three members of the Charity, with an option for a fourth. These are:
 - (a) The Mayor of Peterborough. Their term as an individual member of the Charity commences after their election as Mayor by full council, and lasts until they are replaced by the next Mayor.
 - (b) Deputy Mayor of Peterborough. Their term as an individual member of the Charity commences after their election as Deputy Mayor by full council, and ceases automatically following the next appointment of Mayor. This membership is first offered to the elected Deputy Mayor, but should the Deputy Mayor decline to take up this membership, it will be offered to the Mayor's consort. Should the Mayor's consort also decline, this membership will remain vacant until the next change of Mayor and Deputy.
 - (c) Two nominated Council employees, who are both individual members of the Charity. Their membership is permanent. subject to the provisions of clause 9 (a) Other organisations (which include the Mayor's nominated charities) must nominate and appoint a named representative at the commencement of their organisational membership. To be clear, the nominated representative is not a member of the charity in their own right, but may exercise the same general powers granted to individual members, on behalf of the organisation they represent. The organisation, while still a member, may replace their representative at any time, provided that written notification is provided in advance.
- (4) The trustees may refuse an application for membership if,
 - (a) The individual applicant is part of an organisation who already is a member of the Charity;
 - (b) An organisation is applying to be a member of the Charity but is already represented by a member of the Charity (e.g. one of their volunteers/employees is already an individual member);

- (c) Acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
- (d) The trustees must inform the applicant, in writing, of the reasons for the refusal, within twenty-one days of the decision.
- (e) The trustees must consider any written representations the applicant may make about the decision. The trustees' decision following any written representations must be notified to the applicant, in writing, but shall be final.
- (5) Membership is not transferable to anyone else.
- (6) The trustees must keep a register of names and addresses of the members which must be made available to any member upon request.

9. Termination of membership

Membership of the Charity is terminated as follows:

- (1) Automatically, for all individual and organisational members, (excepting the two permanent memberships occupied by Peterborough City Council employees) with effect from the conclusion of the item at the annual general meeting next after the commencement of their membership, at which membership for the Charity for the new mayoral year is agreed. Any individual whose membership lapses in such manner may reapply for membership at or after that annual general meeting;
- (2) If the member dies or, if it is an organisation, ceases to exist;
- (3) If the member resigns, or organisation withdraws from the Charity, by written notice to the Charity unless, after the resignation, there would be less than two members;
- (4) If, in the case of permanent members of the Charity provided by Peterborough City Council, the Council shall nominate other members to replace the existing ones. Membership will not automatically lapse on cessation of employment with the Council, to enable time for a successor to be appointed, but the Council must make new appointments in a timely manner.
- (5) If any sum due from the member to the Charity is not paid in full within six months of it falling due;
- (6) If the member is removed from membership by a resolution of the trustees that it is in the best interests of the Charity that their membership is terminated. A resolution to remove a member from membership may only be passed if:
 - (a) The member has been given at least twenty one days' notice in writing of the meeting of the trustees at which the resolution will be proposed and the reasons why it is to be proposed;
 - (b) The member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

10. General meetings

- (1) The Charity must hold a general meeting within twelve months of the date of the adoption of this constitution.
- (2) The annual general meeting is the meeting at which membership and trusteeship are determined, and will usually be the first general meeting of the Charity following the election of the new Mayor.
- (3) All **general meetings** other than **annual general meetings** shall be called '**special general meetings**'.

- (4) The trustees may call a special general meeting at any time.
- (5) The trustees must call a special general meeting, if requested to do so, in writing, by at least ten members or one tenth of the membership, whichever is the greater. The request must state the nature of the business that is to be discussed. If the trustees fail to hold the meeting within twenty-eight days of the request, the members may proceed to call a special general meeting but in doing so they must comply with the provisions of this constitution.

11. Notice

- (1) The minimum period of notice required to hold any general meeting of the Charity is fourteen clear days from the date on which the notice is deemed to have been given.
- (2) A general meeting may be called by shorter notice, if it is so agreed by all the members entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so.
- (4) The notice must be given to all the members.

12. Quorum

- (1) No business shall be transacted (ie cannot be decided upon but can be discussed) at any general meeting unless a quorum is present. The quorum is as follows:
 - (i) Half of the total number of membership, including two (2) trustees;
 - (ii) at the annual general meeting – two (2) trustees is required to elect the new membership and also to elect the new Chair and Secretary.
- (2) For the purpose of a meeting of trustees as set out in clause 21 (Proceedings of Trustees) below, the quorum is two (2).
- (3) If:
 - (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during a meeting a quorum ceases to be present, the meeting shall be adjourned to such time and place as the trustees shall determine.
- (4) The trustees must re-convene the meeting and must give at least seven clear days' notice of the re-convened meeting stating the date time and place of the meeting.
- (5) If no quorum is present at the re-convened meeting within fifteen minutes of the time specified for the start of the meeting the members present at that time shall constitute the quorum for that meeting.

13. Chair

- (1) General meetings shall be chaired by the person who has been elected as Chair of the Charity.
- (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a trustee nominated by the trustees shall chair the meeting.

- (3) If there is only one trustee present and willing to act, he or she shall chair the meeting.
- (4) If no trustee is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present and entitled to vote must choose one of their number to chair the meeting.

14. Adjournments

- (1) The members present at a meeting may resolve that the meeting shall be adjourned even if there is not sufficient quorum.
- (2) The person who is chairing the meeting must decide the date time and place at which meeting is to be re-convened unless those details are specified in the resolution.
- (3) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- (4) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the re-convened meeting stating the date time and place of the meeting.

15. Votes

- (1) Each member shall have one vote but if there is an equality of votes, the person who is chairing the meeting shall have a casting vote in addition to any other vote he or she may have.
- (2) A resolution in writing signed by each member (or in the case of a member that is an organisation, by its authorised representative) who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective. It may comprise several copies each signed by or on behalf of one or more members.

16. Representatives of other bodies

- (1) Any organisation that is a member of the Charity must nominate a person to act as its representative prior to the commencement of its membership and before at any meeting of the Charity. In the case where the organisation has nominated more than one representative to attend the meeting, only one vote is permitted and that is of the organisation's named representative, as set out at paragraph 8(1) above. Any other representatives attending the meeting will not have the right to vote.
- (2) The organisation must give written notice to the Charity of the name of its representative. The nominee shall not be entitled to represent the organisation at any meeting unless the notice has been received by the Charity. The nominee will continue to represent the organisation until written notice to the contrary is received by the Charity.
- (3) Any notice given to the Charity will be conclusive evidence that the nominee is entitled to represent the organisation or that his or her authority has been revoked. The Charity shall not be required to consider whether the nominee has been properly appointed by the organisation.

17. Trustees

- (1) The Charity and its property shall be managed and administered by trustees elected in accordance with this constitution.
- (2) The Charity shall have the following:
 - (a) A chair of the charity, who will be elected at the annual general meeting
 - (b) A secretary, who will be elected from membership at the annual general meeting.
 - (c) A treasurer, who must be an ex-officio permanent member and who is an employee of Peterborough City Council, who has been nominated by the Chief Executive or Director of Peterborough City Council.
 - (d) a trustee, who must be an ex-officio permanent member and who is an employee of Peterborough City Council, who has been nominated by the Chief Executive or Director of Peterborough City Council.
- (3) A trustee must be a member of the Charity or the nominated representative of an organisation that is a member of the Charity. An organisation may only hold an organisational trusteeship as the direct result of their nominated representative being elected Chair of the Charity, or Secretary. Should the organisation change its nominated representative, then its organisational trusteeship and former representative's position as Chair or Secretary are automatically terminated and these roles must immediately be subject to new election from within the Charity's membership. This does not preclude the membership from electing the new representative as Chair or Secretary resulting in the re-award of trusteeship to the same organisation.
- (4) No one may be appointed a trustee if he or she would be disqualified from acting under the provisions of clause 20.
- (5) The number of trustees shall be not less than three (unless otherwise determined by a resolution of the Charity in general meeting) and shall be subject to a maximum of four trustees.
- (6) The first trustees shall be those persons elected as trustees at the meeting at which this constitution is adopted.
- (7) A trustee may not appoint anyone to act on his or her behalf at meetings of the trustees.

18. Appointment of trustees

- (1) The Charity at every **annual general meeting** shall elect the Chair and the Secretary. An annual general meeting shall be convened every June or upon a date which is more convenient for the Charity and those individual members elected as Chair of the Charity and Secretary are also elected to be trustees of the Charity.
- (2) The trustees may appoint any person who is willing to act as a trustee. Subject to sub-clause 5(b) of this clause and providing that there are fewer than four (4) trustees already in post.
- (3) A trustee shall cease to hold office if he or she became a trustee as a result of being elected Chair of the Charity or Secretary by the membership and then vacates the post of Chair of the Charity or Secretary, even if their membership of the Charity continues. Similarly, if the Chair of Charity or Secretary was the nominated representative of an organisational member, then any organisational trusteeship ceases at the point that the Chair of Charity or Secretary post was vacated.
- (4) No-one may be elected a trustee at any annual general meeting unless, prior to the meeting, the Charity is given a notice that:

- (a) is signed by a member entitled to vote at the meeting;
 - (b) states the member's intention to elect a member to the role(s) of Chair and/or Secretary, or appoint an emergency trustee under the provisions of 18(2).
- (5) (a) The appointment of a trustee, whether by the Charity in general meeting or by the other trustees, must not cause the number of trustees to exceed any number fixed in accordance with this constitution as the maximum number of trustees.
- (b) The trustees may not appoint a person to be a trustee if a person has already been elected or appointed to that office and has not vacated the office.

19. Powers of trustees

- (1) The trustees must manage the business of the Charity and have the following powers in order to further the objects (but not for any other purpose):
- (a) to raise funds. In doing so, the trustees must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
 - (b) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
 - (c) to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the trustees must comply as appropriate with sections 117 - 122 of the Charities Act 2011;
 - (d) to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed. The trustees must comply as appropriate with sections 124 - 126 of the Charities Act 2011, if they intend to mortgage land;
 - (e) to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
 - (f) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;
 - (g) to acquire, merge with or enter into any partnership or joint venture arrangement with any other Charity formed for any of the objects;
 - (h) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
 - (i) to obtain and pay for such goods and services as are necessary for carrying out the work of the Charity;
 - (j) to open and operate such bank and other accounts as the trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
 - (k) to do all such other lawful things as are necessary for the achievement of the objects.
- (2) No alteration of this constitution or any special resolution shall have retrospective effect to invalidate any prior act of the trustees.
- (3) Any meeting of trustees, at which a quorum is present, at the time the relevant decision is made, may exercise all the powers exercisable by the trustees.

- (4) Trustees may discuss and agree actions relating to the trustee's powers at 19(1) during general meetings. However, should a formal vote be required on matters that are reserved for trustees during a **general meeting**,
- (a) the quorum requirements for trustee-only meetings at 21(7) must be satisfied, and
- (b) only trustees can vote on those matters.

20. Termination of Trusteeship

A trustee shall cease to hold office if he or she:

- (1) is disqualified from acting as a trustee by virtue of sections 178 and 179 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the Charity;
- (3) in the written opinion, given to the Charity, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a trustee and may remain so for more than three months;
- (4) resigns as a trustee by notice to the Charity (but only if at least two trustees will remain in office when the notice of resignation is to take effect);
- (5) is absent without the permission of the trustees from all their meetings held within a period of six consecutive months and the trustees resolve that his or her office be vacated; and / or
- (6) Each of the trustees, with the exception of the Treasurer, shall retire with effect from the conclusion of the annual general meeting next after his or her appointment, but shall be eligible for re-election at that annual general meeting, unless their membership has automatically terminated in accordance with clause 9, above.
- (7) Was appointed as a trustee under 18(2) as a temporary emergency trustee to enable the minimum number of trustees required by 17(5) to be met and the number of trustees appointed, via usual means, now meets the requirements of 17(5).

21. Proceedings of trustees

- (1) The trustees may regulate their proceedings as they think fit, subject to the provisions of this constitution.
- (2) Any trustee may call a meeting of the trustees. This is called a meeting of the trustees.
- (3) Questions arising at a meeting must be decided by a majority of votes.

- (4) The person elected as the Chair shall chair meetings of the trustees. In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.
- (5) No decision may be made by a meeting of the trustees unless a quorum is present at the time the decision is purported to be made.
- (6) The quorum is two or the number nearest to one-third of the total number of trustees, whichever is the greater or such larger number as may be decided from time to time by the trustees.
- (7) A trustee shall not be counted in the quorum present when any decision is made about a matter upon which that trustee is not entitled to vote.
- (8) If the number of trustees is less than the number fixed as the quorum, the continuing trustees or trustee may act only for the purpose of filling vacancies or of calling a general meeting.
- (9) If the Chair is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the trustees present may appoint one of their number to chair that meeting.
- (10) The person appointed to chair meetings of the trustees shall have no functions or powers except those conferred by this constitution or delegated to him or her in writing by the trustees.
- (11) A resolution in writing signed by all the trustees entitled to receive notice of a meeting of trustees and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the trustees duly convened and held.
- (12) The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more trustees.

22. Conflicts of interests and conflicts of loyalties

A Charity trustee must:

- (1) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Charity or in any transaction or arrangement entered into by the Charity which has not been previously declared; and
- (2) absent himself or herself from any discussions of the Charity trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal or professional interest (including but not limited to any personal financial interest or professional interests in relation to organisations they represent as an employee or volunteer).

Any charity trustee absenting himself or herself from any discussions, in accordance with this clause, must not vote or be counted as part of the quorum in any decision of the charity trustees on the matter.

23. Saving provisions

- (1) Subject to sub-clause (2) of this clause, all decisions of the charity trustees, shall be valid notwithstanding the participation in any vote of a charity trustee:
- (a) who is disqualified from holding office;
 - (b) who had previously retired or who had been obliged by this constitution to vacate office;
 - (c) who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise;

if, without the vote of that charity trustee and that charity trustee being counted in the quorum, the decision has been made by a majority of the charity trustees at a quorate meeting.

- (2) Sub-clause (1) of this clause does not permit a charity trustee to keep any benefit that may be conferred upon him or her by a resolution of the charity trustees if, but for sub-clause (1), the resolution would have been void, or if the charity trustee has not complied with clause 22 (Conflicts of interests and conflicts of loyalties).

24. Guests

With the permission of the membership, the Charity will allow guests to assist in the running of its events, attending its general meetings or the events. It should be noted that guests are not members or trustees and do not have any voting rights or any other powers.

25. Irregularities in proceedings

- (1) Subject to sub-clause (2) of this clause, all acts done by a meeting of trustees, shall be valid notwithstanding the participation in any vote of a trustee:
- (a) who was disqualified from holding office;
 - (b) who had previously retired or who had been obliged by the constitution to vacate office;
 - (c) who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise; if, without:
 - (d) the vote of that trustee; and
 - (e) that trustee being counted in the quorum,
- the decision has been made by a majority of the trustees at a quorate meeting

- (2) Sub-clause (1) of this clause does not permit a trustee to keep any benefit that may be conferred upon him or her by a resolution of the trustees if the resolution would otherwise have been void
- (3) No resolution or act of
- (a) the trustees
 - (b) the Charity in general meeting

shall be invalidated by reason of the failure to give notice to any trustee or member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a member or the beneficiaries of the Charity .

26. Minutes

The trustees must keep minutes of all

- (1) appointments trustees made by the trustees;
- (2) proceedings at meetings of the Charity;
- (3) meetings of the trustees including:
 - (a) the names of the trustees and members present at the meeting;
 - (b) the decisions made at the meetings; and
 - (c) where appropriate the reasons for the decisions.

27. Accounts, Annual Report, Annual Return

- (1) The trustees must comply with their obligations under the Charities Act 2011 with regard to:
 - (a) the keeping of accounting records for the Charity ;
 - (b) the preparation of annual statements of account for the Charity ;
 - (c) the transmission of the statements of account to the Commission;
 - (d) the preparation of an Annual Report and its transmission to the Commission;
 - (e) the preparation of an Annual Return and its transmission to the Commission.
- (2) The trustees must ensure that accounts are prepared in accordance with the instructions issued by the Commission. Accounts must meet the provisions of any Statement of Recommended Practice issued by the Commission, or similar Statement prepared by another body, unless gross annual income falls below the threshold at which simpler "Receipts and Payments" accounting is permitted by the Commission.

28. Registered particulars

The trustees must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.

29. Property

- (1) The trustees must ensure the title to:
 - (a) all land held by or in trust for the Charity that is not vested in the Official Custodian of Charities; and
 - (b) all investments held by or on behalf of the Charity, is vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees.
- (2) The terms of the appointment of any holding trustees must provide that they may act only in accordance with lawful directions of the trustees and that if they do so they will not be liable for the acts and defaults of the trustees or of the members of the Charity.
- (3) The trustees may remove the holding trustees at any time.

30. Repair and insurance

The trustees must keep in repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability and employer's liability.

31. Notices

- (1) Any notice required by this constitution to be given to or by any person must be:
 - (a) in writing; or
 - (b) given using electronic communications.
- (2) The Charity may give any notice to a member either:
 - (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
 - (c) by leaving it at the address of the member; or
 - (d) by giving it using electronic communications to the member's address.
- (3) A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
- (4) A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
- (5)
 - (a) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
 - (b) Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given.
 - (c) A notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

32. Rules

- (1) The trustees may from time to time make rules or bye-laws for the conduct of their business.
- (2) The bye-laws may regulate the following matters but are not restricted to them:
 - (a) the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members,

and the entrance fees, subscriptions and other fees or payments to be made by members;

- (b) the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;
 - (c) the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;
 - (d) the procedure at general meeting and meetings of the trustees in so far as such procedure is not regulated by this constitution;
 - (e) the keeping and authenticating of records. (If regulations made under this clause permit records of the Charity to be kept in electronic form and requires a trustee to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated.)
 - (f) generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.
- (3) The Charity in general meeting has the power to alter, add to or repeal the rules or bye-laws.
 - (4) The trustees must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Charity.
 - (5) The rules or bye-laws shall be binding on all members of the Charity. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this constitution.

33. Disputes

If a dispute arises between members of the Charity about the validity or propriety of anything done by the members under this constitution and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

34. Interpretation and Supporting Information

Interpretation

34.1 In this constitution the following terms and expressions shall mean:

'connected person' means:

- (1) a child, parent, grandchild, grandparent, brother or sister of the trustee;
- (2) the spouse or civil partner of the trustee or of any person falling within sub-clause (1) above;
- (3) a person carrying on business in partnership with the trustee or with any person falling within sub-clause (1) or (2) above;
- (4) an institution which is controlled –
 - (a) by the trustee or any connected person falling within sub-clause (1), (2), or (3) above; or
 - (b) by two or more persons falling within sub-clause (4)(a), when taken together

- (5) a body corporate in which -
- (a) the charity trustee or any connected person falling within sub-clauses (1) to (3) above has a substantial interest; or
 - (b) two or more persons falling within sub-clause (5)(a) who, when taken together, have a substantial interest.
- (6) Sections 350 - 352 of the Charities Act 2011 apply for the purposes of interpreting the terms used in this clause.

‘the Chair’ means the chair of the Charity, acting as a trustee and elected at every annual general meeting. It will usually be the Mayor.

‘the Council’ means Peterborough City Council.

‘Guest’ means someone attending a general meeting or an event who has been invited and has been given permission from a member. All guests are not members or trustees and do not have any voting rights or any other powers.

‘the Mayor’ it is generally expected convention that the Mayor will stand for election as Chair of the Charity. The elected Mayor of the Council will be nominated to be the Chair of the trustees, unless the Mayor refuses to be the Chair. In the event the Mayor refuses to be the Chair, the Mayor can nominate the Deputy Mayor, or a Director or the Chief Executive of the Council can nominate another person to be Chair.

‘Member’ means member of the Charity.

‘the Secretary’ means a trustee who is the secretary of the Charity and who is to be elected by the membership.

‘the Treasurer’ means a trustee who is the treasurer of the Charity and who is to remain in office until their membership terminates in accordance with paragraph 9(3) above. The Treasurer will be an employee of the Council and nominated by the Director or the Chief Executive of the Council.

‘the Trustees’ means the trustees of the Charity and includes the Chair, the Secretary and the Treasurer. Trustees must understand that following termination of their trusteeship, they still have a residual responsibility to co-operate with their successors in terms of any requests for information, explanations, or evidence.

(except where the context otherwise requires) words denoting the singular include the plural and vice-versa, words denoting any gender include all genders and words denoting persons include the trustees, members, any natural person, partnership, joint venture, body corporate, incorporated association, government, governmental agency, persons having a joint or common interest, or any other legal or commercial entity or undertakings and vice-versa.

Supporting Information

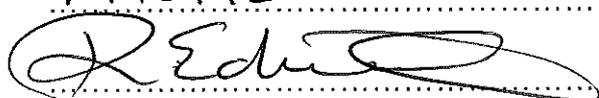
34.2 Each year Peterborough City Council (“the Council”) appoints a Mayor (and a Deputy Mayor) as the first citizen for the city of Peterborough. As

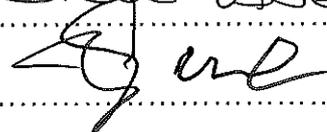
Peterborough's first citizen, the Mayor acts as ambassador for the Council and also for Peterborough itself on the wider regional, national and international stage. By being an impartial figure, he or she can represent the whole community, regardless of differences.

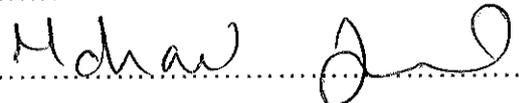
- 34.3 In fulfilling the role of Peterborough's first citizen, the Mayor will speak and act for all of the diverse communities represented in Peterborough. The Mayor will usually lead civic events to raise funds for his chosen local charitable organisations. Following election to those roles, the Mayor and Deputy Mayor automatically become a members of the Charity for their mayoral year. Should the Deputy Mayor decline to be a member, or becomes a member and later resigns, the Mayor's consort will be offered the Deputy Mayor's ex-officio position as a member of the Charity for the remainder of the Mayoral year.

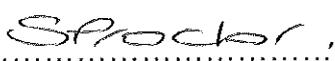
- 34.4 The Council will hold a permanent ex-officio post for two Council employees as members of the Charity. The individuals filling these roles will be nominated by the Council's Director with the relevant responsibility, or the Chief Executive. Ordinarily it is expected that the ex-officio member roles will be filled by the Head of Constitutional Services and Mayoral Services Manager (or equivalent job titles). If these roles change substantially as a result of restructuring, or these employees are unable/unwilling to serve as part of the Charity, the Director or Chief Executive must nominate suitable alternatives at the earliest opportunity.

Signatures:

RACHEL EDWARDS FULL NAME OF TRUSTEE
 SIGNATURE OF TRUSTEE

STEVE LOVE FULL NAME OF TRUSTEE
 SIGNATURE OF TRUSTEE

MOHAMMED JAMIL FULL NAME OF TRUSTEE
 SIGNATURE OF TRUSTEE

SUSAN PROCTOR FULL NAME OF TRUSTEE
 SIGNATURE OF TRUSTEE

MEMORANDUM OF UNDERSTANDING

between

Peterborough City Council (1)

and

The Mayor of Peterborough's Charity Fund (2)

and

The Mayor's Charities:

*** (3)**

and

*** (4)**

and

*** (5)**

THIS MEMORANDUM OF UNDERSTANDING is dated the 2021

PARTIES

(1) Peterborough City Council of Sand Martin House, Bittern Way, Fletton Quays, PE2 8TY (“the Council”);

and

(2) The Mayor of Peterborough Charity Fund, The Mayor’s Parlour, Town Hall, Bridge Street, Peterborough, PE1 1HG (“MPCF”);

and

(3) *
and

(4) *

and

(5) *

(3); (4); and (5) are collectively referred to as “the Mayor’s Charities” for the purpose of this Memorandum of Understanding.

1. BACKGROUND:

- 1.1 This Memorandum of Understanding (“**MOU**”) sets out the levels of support and sponsorship provided by the Council to the MFCP, which is a charity registered with the Charity Commission under reference 1165640 and the Mayor’s nominated charities (“**the Mayor’s Charities**”), which have also been registered with the Charity Commission, during the mayoral year 2021/2022 and the obligations of each party.
- 1.2 Each year the Council appoints a Mayor as the first citizen for the city of Peterborough. The Council appointed ‘Councillor Stephen Lane’ as Mayor on the 27th May 2021 (and ‘Councillor Muhammed Jamil’ as his deputy). As Peterborough’s first citizen, the Mayor acts as ambassador for the Council and also for Peterborough itself on the wider regional, national and international stage. By being an impartial figure, he or she can represent the whole community, regardless of differences.
- 1.3 In addition to being the first citizen, the Mayor will also be a member of MPCF and may be elected to be a trustee, also.
- 1.4 In fulfilling the role of Peterborough’s first citizen, the Mayor is expected to speak and act for all of the diverse communities represented in Peterborough. The Mayor will usually lead each of the civic events (at Schedule 1 of this MOU). He or she also attends events where the Council has been invited to send a civic representative.
- 1.5 The Mayor has the opportunity to raise funds on behalf of the MPCF for various registered charities based within the city of Peterborough.

- 1.6 Upon becoming Mayor, he nominated three (3) charities for the current mayoral year: Family Voice Peterborough, Supporting Peterborough Veterans and Light Project Peterborough.
- 1.7 Each year the MPCF shall invite representatives of the Mayor's Charities to join its Management Committee and a named representative of their organisation to become a member of the MPCF in order to discuss the fundraising events and activities to be organised, promoted and delivered during the current mayoral year.
- 1.8 The Mayor shall assume the role of Chair of the Management Committee for the first meeting, only, of the current mayoral year, unless he or she appoints another member to be the Chair of the Management Committee. The Mayor may decide to be the Chair of the Management Committee throughout the mayoral year.
- 1.9 This MOU sets out the support the Council shall give to the MPCF and the Mayor's Charities and the responsibilities of the MPCF and the Mayor's Charities throughout the current mayoral year.

2. THE MPCF'S EVENTS

- 2.1 The Management Committee shall meet to discuss and agree how the fundraising events and activities, detailed in Schedule 1 will be organised, promoted and delivered. The Civic Office in Peterborough shall be responsible for organising and delivering the fundraising events and activities with support from the Management Committee.
- 2.2 Representatives from each of the Mayor's Charities shall be invited to become a member of MPCF, for the current mayoral year and attend the fundraising events and activities organised by the Management Committee and to undertake their own fundraising events and activities, where appropriate.

3. THE MANAGEMENT COMMITTEE

- 3.1 The members of Management Committee shall include the Trustees of MPCF, the named representative from each of the Mayor's Charities and any other person which the Mayor may invite. The members of the Management Committee are responsible for making decisions relating to this MOU. They do not have to be unanimous, but the majority of the members of the Management Committee must agree.
- 3.2 No decisions shall be made at any meeting, except the first meeting, unless the quorum is present.
- 3.3 The quorum of the Management Committee is half of the total number of membership of the MPCF, including two (2) trustees;
- 3.4 The first meeting of the new Mayoral year will be an annual general meeting, where trusteeship and membership are determined. For clarity, the following occurs:
 - a. elect/appoint the members and the trustees of MPCF for the current mayoral year. The trustees with special roles are elected; the Chair and the Secretary. (Please note that the trustees who hold these special roles of MPCF are known as Officers).
 - b. agree and confirm in principle the fundraising events and activities it shall undertake during the current mayoral year.
 - c. elect/appoint the Chair of the Management Committee and the Vice-Chair for the current Mayoral year. For the avoidance of doubt, the Chair of the

Management Committee does not necessarily have to be the Chair of the Trustees. The Chair of the Management Committee will chair the meetings only.

- 3.5 Following the first meeting, the Secretary of MPCF shall be invited to attend future Management Committee meetings to offer support and guidance to the Mayor's Charities, arrange all future meetings, issue invitations, decide the content of the agenda and take and retain minutes of the meetings. The Management Committee shall meet in the Mayor's Parlour at the Town Hall, Bridge Street, Peterborough unless an alternative venue is arranged.

4. OBLIGATIONS OF THE PARTIES

- 4.1 The parties agree to adopt the following principles when carrying out the fundraising events and activities:

- (a) collaborate and co-operate. Establish and adhere to the governance structure set out in this MOU to ensure that activities are delivered and actions taken as required;
- (b) be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities set out in this MOU;
- (c) be open. Communicate openly about major concerns, issues or opportunities relating to the fundraising events and activities;
- (d) learn, develop and seek to achieve full potential. Share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;
- (e) adopt a positive outlook. Behave in a positive, proactive manner;
- (f) adhere to statutory requirements and best practice. Comply with applicable laws and standards including procurement rules, data protection and freedom of information legislation. In particular the parties agree no personal data will be shared between the parties.
- (g) act in a timely manner. Recognise the time-critical nature of the fundraising events and activities and respond accordingly to requests for support;
- (h) act in good faith to support the fundraising events and activities and compliance with this MOU.

4.2 OBLIGATIONS OF THE COUNCIL:

- 4.2.1 In order to assist with MPCF's fundraising events and activities the Council shall provide:

- 4.2.1.1 assistance with the Mayor of Peterborough's Facebook page which is maintained by the Council's Mayoral Services Office, it includes all the promotions of MPCF fundraising events and activities.
- 4.2.1.2 printing facilities for posters of up to A3 size;
- 4.2.1.3 display areas for the posters and other promotional materials on Council owned premises;

- 4.2.1.4 for the sale of tickets from the Council's Visitor Information Centre;
- 4.2.1.5 a non-exclusive licence to use the Council's name and logo on all materials for the purpose of the fundraising events and activities
- 4.2.1.6 an electronic copy of the standard correspondence relating to each event to be organised by MPCF;
- 4.2.1.7 the use of the Town Hall, in Peterborough (if available), as a venue for the MPCF's fundraising events and activities, at no charge.

4.3 OBLIGATIONS OF THE MAYOR'S CHARITIES

- 4.3.1 In relation to the fundraising events and activities, the Mayor's Charities shall endeavour to provide:
 - 4.3.1.1 sponsorship;
 - 4.3.1.2 prizes for raffles and other competitions;
 - 4.3.1.3 all necessary administrative assistance for event planning, including booking venues and caterers, issuing invitations, recording meal choices, the distribution of promotional materials, such as posters etc; and
 - 4.3.1.4 volunteers of suitable character, with the necessary skills and experience to assist with the fundraising events and activities.
- 4.3.2 The Mayor's Charities shall each agree to carry out their fundraising duties to a high standard, in a professional and respectful manner and shall use their best endeavours to promote the interest of the MCPF.

4.4 OBLIGATIONS OF THE MCPF

The MCPF agrees

- 4.4.1 to comply with the requirements of the Charity Commission at all times.
- 4.4.2 to comply with their obligations under the Charities Act 2011 with regard to:
 - 4.4.2.1 the keeping of accounting records for the Charity;
 - 4.4.2.2 the preparation of annual statements of account for the Charity;
 - 4.4.2.3 the transmission of the statements of account to the Charity Commission;
 - 4.4.2.4 the preparation of an Annual Report and its transmission to the Charity Commission;
 - 4.4.2.5 the preparation of an Annual Return and its transmission to the Charity Commission.
- 4.4.3 to ensure the accounts are prepared in accordance with the instructions issued by the Charity Commission. Accounts must meet the provisions of any Statement of Recommended Practice issued by the Charity Commission, or similar Statement prepared by another body, unless gross annual income falls below the threshold at which simpler "Receipts and Payments" accounting is permitted by the Commission.

- 4.4.4 to submit an annual return to the Charity Commission, where its annual income is over £10,000. Where its annual income is over £25,000, the MPCF shall also submit any required additional information to the Charity Commission.
- 4.4.5 to send the annual return within 10 months following the end of the current financial year.
- 4.4.6 to comply with the Council's Civic Protocol, at all times.

5. DISTRIBUTION OF FUNDS

- 5.1 The MPCF shall distribute all funds raised throughout the current Mayoral year in accordance with the charitable purposes of the MPCF and as agreed by the Management Committee.
- 5.2 The Mayor's Charities are the beneficiaries for the distribution of funds raised throughout the current Mayoral year.
- 5.3 The Trustees of the MPCF shall determine what percentage of the funds shall be distributed to the Mayor's Charities at the end of the current Mayoral year and the percentage shall be based upon the level of support and participation by the Mayor's Charities in the fundraising events and activities of the MPCF throughout the current Mayoral year.
- 5.4 The MPCF is registered with the Charity Commission. A bank account is held with the HSBC Bank and MPCF's Treasurer shall undertake the day to day administration of this account. All monies raised during the current Mayoral year shall be distributed to the Mayor's Charities, in accordance with paragraph 5.3 above, as soon as possible, after the end of the Mayor's term of office.
- 5.5 The Mayor's Charities agree to cash any cheque(s) received from the MPCF within eight weeks of receipt of the cheque(s).
- 5.6 The Mayor's Charities shall ensure that all funds donated by the MPCF at the end of the current Mayoral year shall be used in accordance with the charitable purpose of MPCF. Including, and if possible, to benefit the geographical area of Peterborough and furthermore be utilised for the Mayor's Charities charitable purposes (i.e. towards research, services, support and helplines for National Charities).
- 5.7 The Mayor's Charities shall not use any funds received by way of donation from MPCF for any purposes other than those outlined within their charitable purpose and public benefit. A letter confirming the Mayor's Charities acceptance of this obligation shall be issued, simultaneously, as funds are distributed to the Mayor's Charities, at the end of the current Mayoral Year.
- 5.8 Under the terms of the Financial Regulations the Council's Officers cannot receive funds in person. All funds must be paid through the Council's nominated cashiers or other acceptable means.

6. INTELLECTUAL PROPERTY

The parties intend that any intellectual property rights created in the course of the MOU shall vest in the party who created them.

7. TERM AND TERMINATION

- 7.1 The MOU shall commence on the date of this MOU and shall automatically terminate upon the conclusion of the item at the next annual general meeting after the commencement of this MOU, where membership for the MPCF for the new mayoral year is agreed.
- 7.2 Any party of the Mayor's Charities may cease to be a party to this MOU by giving at least one months' notice, in writing, to the other parties and shall forfeit all rights to receive a share of the funds raised through the fundraising events and activities. The membership of the MPCF will also automatically terminate.

8. VARIATION

This MOU may only be varied upon the written agreement of all parties.

9. CHARGES AND LIABILITIES

- 9.1 Except as otherwise provided, the parties shall each bear their own costs and expenses incurred in complying with their obligations under this MOU.
- 9.2 The parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither party intends that the other parties shall be liable for any loss it suffers as a result of this MOU.

10. STATUS

- 10.1 This MOU is not intending to be legally binding and no legal obligations or legal rights shall arise between the parties from this MOU. The parties enter into the MOU intending to honour all of their obligations.
- 10.2 Nothing in this MOU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.

11. ESCALATION

- 11.1 If any party has any issues, concerns or complaints about any matter in this MOU, that party shall notify the other party(ies) and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to a meeting of the Management Committee, which shall decide on the appropriate course of action to be taken.
- 11.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the MOU, the matter shall promptly have referred to the Charity's Management Committee. No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the MOU, without the prior approval of the Charity's Management Committee.

12. DATA PROTECTION LEGISLATION

- 12.1 The Council has adopted a Corporate Privacy Notice. The Council's Mayoral's Office will not share any personal information with the parties to this MOU. All emails will be sent as a blind copy from the Mayor's office.
- 12.2 Each Mayor's Charity will accept the requirements of the Data Protection Legislation, which is all applicable data protection and privacy law (including the UK

GDPR, the Data Protection Act 2018 and the Data Protection Brexit Regulations) and any other European Union legislation relating to personal data and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of personal data (including, without limitation, the privacy of electronic communications) and any related guidance or codes of practice issued from time to time by the Information Commissioner.

13. GOVERNING LAW AND JURISDICTION

This MOU shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in clause 11, each party agrees to submit to the exclusive jurisdiction of the courts of England.

AGREED by the Parties on the date of this MOU.

SIGNED for and on behalf of
Peterborough City Council by:

.....
Authorised Signatory

.....
Officer's Name and Title

SIGNED for and on behalf of
The Mayor of Peterborough's Charity Fund by:

.....
Charity Trustee (1)

.....
Print Name

.....
Charity Trustee (2)

.....
Print Name

.....
Charity Trustee (3)

.....
Print Name

.....
Charity Trustee (4)

.....
Print Name

SIGNED for and on behalf of
* by:

.....
Authorised Signatory

.....
Print Name

SIGNED for and on behalf of * by:

.....
Authorised Signatory

.....
Print Name

SIGNED for and on behalf of
* by:

.....
Authorised Signatory

.....
Print Name

SCHEDULE 1

List of Civic Events

This is a listing of Civic Events that will be organised by the Civic Office. However, these Civic Events shall provide an opportunity for fundraising by the Management Committee.

Plus other ad-hoc events throughout the year.

The Mayor of Peterborough's Charity Fund
Charitable Association
Constitution

Dated:

This Constitution is adopted on the 20 and replaces, in its entirety any other Constitution previously adopted,

PART 1

1. Adoption of the constitution

The association and its property will be administered and managed in accordance with the provisions in Parts 1 and 2 of this constitution.

2. Name

The association's name is

The Mayor of Peterborough's Charity Fund (and in this document it is called the Charity).

3. Objects

The Charity's objects ('the objects') are

That income will be generated through fundraising events throughout the city of Peterborough which are organized by The Mayor of Peterborough's Charity Fund and from donations by individuals and local organisations. The income is applied to support the Mayor's nominated local charitable organisations within the city of Peterborough or any other charitable projects which The Mayor of Peterborough's Charity Fund deem worthy and to promote such other charitable purposes as may from time to time be determined.

4. Application of income and property

- (1) The income and property of the Charity shall be applied solely towards the promotion of the objects.
 - (a) A charity trustee is entitled to be reimbursed from the property of the Charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the Charity.
 - (b) A charity trustee may benefit from trustee indemnity insurance cover purchased at the charity's expense in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011.
- (2) None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent a member who is not also a trustee from receiving:
 - (a) a benefit from the Charity in the capacity of a beneficiary of the Charity;
 - (b) reasonable and proper remuneration for any goods or services supplied to the Charity.

5. Benefits and payments to charity trustees and connected persons

(1) *General provisions -*

No charity trustee or connected person may:

- (a) buy or receive any goods or services from the Charity on terms preferential to those applicable to members of the public;
- (b) sell goods, services or any interest in land to the Charity ;
- (c) be employed by, or receive any remuneration from, the Charity;

- (d) receive any other financial benefit from the Charity unless the payment is permitted by sub-clause (2) of this clause, or authorised by the court or the Charity Commission ('the Commission').

In this clause, a 'financial benefit' means a benefit, direct or indirect, which is either money or has a monetary value.

(2) *Scope and powers permitting trustees' or connected persons' benefits*

- (a) A charity trustee or connected person may receive a benefit from the Charity in the capacity of a beneficiary of the Charity provided that a majority of the trustees do not benefit in this way.
- (b) A charity trustee or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the Charity where that is permitted in accordance with, and subject to the conditions in, section 185 of the Charities Act 2011.
- (c) Subject to sub-clause (3) of this clause a charity trustee or connected person may provide the Charity with goods that are not supplied in connection with services provided to the Charity by the charity trustee or connected person.
- (d) A charity trustee or connected person may receive interest on money lent to the Charity at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).
- (e) A charity trustee or connected person may receive rent for premises let by the trustee or connected person to the Charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
- (f) A charity trustee or connected person may take part in the normal trading and fundraising activities of the Charity on the same terms as members of the public.

(3) *Payment for supply of goods only - controls*

The Charity and its charity trustees may only rely upon the authority provided by sub-clause 2(c) of this clause if each of the following conditions is satisfied:

- (a) The amount or maximum amount of the payment for the goods is set out in an agreement in writing between the Charity and the charity trustee or connected person supplying the goods ('the supplier') under which the supplier is to supply the goods in question to or on behalf of the Charity.
- (b) The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- (c) The other charity trustees are satisfied that it is in the best interests of the Charity to contract with the supplier rather than with someone who is not a charity trustee or connected person. In reaching that decision the charity trustees must balance the advantage of contracting with a charity trustee or connected person against the disadvantages of doing so.
- (d) The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the Charity.

- (e) The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of charity trustees is present at the meeting.
- (f) The reason for their decision is recorded by the charity trustees in the minute book.
- (g) A majority of the charity trustees then in office are not in receipt of remuneration or payments authorised by clause 5.

(4) In sub-clauses (2) and (3) of this clause:

- (a) 'the charity' includes any company in which the charity:
 - (i) holds more than 50% of the shares; or
 - (ii) controls more than 50% of the voting rights attached to the shares; or
 - (iii) has the right to appoint one or more trustees to the board of the company.
- (b) 'connected person' includes any person within the definition set out in clause 34 (Interpretation).

6. Dissolution

- (1) If the members resolve to dissolve the Charity the trustees will remain in office as charity trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.
- (2) The trustees must collect in all the assets of the Charity and must pay or make provision for all the liabilities of the Charity.
- (3) The trustees must apply any remaining property or money:
 - (a) directly for the objects;
 - (b) by transfer to any charity or charities for purposes the same as or similar to the Charity ;
 - (c) in such other manner as the Charity Commission for England and Wales ('the Commission') may approve in writing in advance.
- (4) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the trustees are to apply the remaining property or assets of the Charity and the trustees must comply with the resolution if it is consistent with paragraphs (a) - (c) inclusive in sub-clause (3) above.
- (5) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a charity).
- (6) The trustees must notify the Commission promptly that the Charity has been dissolved. If the trustees are obliged to send the Charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the Charity's final accounts.

7. Amendment of constitution

- (1) The Charity may amend any provision contained in Part 1 of this constitution provided that:

- (a) no amendment may be made that would have the effect of making the Charity cease to be a charity at law;
 - (b) no amendment may be made to alter the objects if the change would undermine or work against the previous objects of the Charity;
 - (c) no amendment may be made to clause 3 (Objects), 4 (Application of income and property), clause 5 (Benefits and payments to charity trustees and connected persons), clause 6 (Dissolution) or this clause without the prior consent in writing of the Commission;
 - (d) any resolution to amend a provision of Part 1 of this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- (2) Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
 - (3) A copy of any resolution amending this constitution shall be sent to the Commission within twenty one days of it being passed.

PART 2

8. Membership

- (1) Charity membership is open to individuals over eighteen or organisations who have been invited by the Mayor of Peterborough to participate. All members of the Charity must be approved by the trustees. In general, memberships of the Charity are temporary, lasting for the duration of the Mayor's own term of office.
- (2) Peterborough City Council provides three members of the Charity, with an option for a fourth. These are:
 - (a) The Mayor of Peterborough. Their term as an individual member of the Charity commences after their election as Mayor by full council, and lasts until they are replaced by the next Mayor.
 - (b) Deputy Mayor of Peterborough. Their term as an individual member of the Charity commences after their election as Deputy Mayor by full council, and ceases automatically following the next appointment of Mayor. This membership is first offered to the elected Deputy Mayor, but should the Deputy Mayor decline to take up this membership, it will be offered to the Mayor's consort. Should the Mayor's consort also decline, this membership will remain vacant until the next change of Mayor and Deputy.
 - (c) Two nominated Council employees, who are both individual members of the Charity, Their membership is permanent. subject to the provisions of clause 9 (a) Other organisations (which include the Mayor's nominated charities) must nominate and appoint a named representative at the commencement of their organisational membership. To be clear, the nominated representative is not a member of the charity in their own right, but may exercise the same general powers granted to individual members, on behalf of the organisation they represent. The organisation, while still a member, may replace their representative at any time, provided that written notification is provided in advance.
- (4) The trustees may refuse an application for membership if,
 - (a) The individual applicant is part of an organisation who already is a member of the Charity;
 - (b) An organisation is applying to be a member of the Charity but is already represented by a member of the Charity (e.g. one of their volunteers/employees is already an individual member);

- (c) Acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
- (d) The trustees must inform the applicant, in writing, of the reasons for the refusal, within twenty-one days of the decision.
- (e) The trustees must consider any written representations the applicant may make about the decision. The trustees' decision following any written representations must be notified to the applicant, in writing, but shall be final.
- (5) Membership is not transferable to anyone else.
- (6) The trustees must keep a register of names and addresses of the members which must be made available to any member upon request.

9. Termination of membership

Membership of the Charity is terminated as follows:

- (1) Automatically, for all individual and organisational members, (excepting the two permanent memberships occupied by Peterborough City Council employees) with effect from the conclusion of the item at the annual general meeting next after the commencement of their membership, at which membership for the Charity for the new mayoral year is agreed. Any individual whose membership lapses in such manner may reapply for membership at or after that annual general meeting;
- (2) If the member dies or, if it is an organisation, ceases to exist;
- (3) If the member resigns, or organisation withdraws from the Charity, by written notice to the Charity unless, after the resignation, there would be less than two members;
- (4) If, in the case of permanent members of the Charity provided by Peterborough City Council, the Council shall nominate other members to replace the existing ones. Membership will not automatically lapse on cessation of employment with the Council, to enable time for a successor to be appointed, but the Council must make new appointments in a timely manner.
- (5) If any sum due from the member to the Charity is not paid in full within six months of it falling due;
- (6) If the member is removed from membership by a resolution of the trustees that it is in the best interests of the Charity that their membership is terminated. A resolution to remove a member from membership may only be passed if:
 - (a) The member has been given at least twenty one days' notice in writing of the meeting of the trustees at which the resolution will be proposed and the reasons why it is to be proposed;
 - (b) The member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

10. General meetings

- (1) The Charity must hold a general meeting within twelve months of the date of the adoption of this constitution.
- (2) The annual general meeting is the meeting at which membership and trusteeship are determined, and will usually be the first general meeting of the Charity following the election of the new Mayor.
- (3) All **general meetings** other than **annual general meetings** shall be called '**special general meetings**'.

- (4) The trustees may call a special general meeting at any time.
- (5) The trustees must call a special general meeting, if requested to do so, in writing, by at least ten members or one tenth of the membership, whichever is the greater. The request must state the nature of the business that is to be discussed. If the trustees fail to hold the meeting within twenty-eight days of the request, the members may proceed to call a special general meeting but in doing so they must comply with the provisions of this constitution.

11. Notice

- (1) The minimum period of notice required to hold any general meeting of the Charity is fourteen clear days from the date on which the notice is deemed to have been given.
- (2) A general meeting may be called by shorter notice, if it is so agreed by all the members entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so.
- (4) The notice must be given to all the members.

12. Quorum

- (1) No business shall be transacted (ie cannot be decided upon but can be discussed) at any general meeting unless a quorum is present. The quorum is as follows:
 - (i) Half of the total number of membership, including two (2) trustees;
 - (ii) at the annual general meeting – two (2) trustees is required to elect the new membership and also to elect the new Chair and Secretary.
- (2) For the purpose of a meeting of trustees as set out in clause 21 (Proceedings of Trustees) below, the quorum is two (2).
- (3) If:
 - (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during a meeting a quorum ceases to be present, the meeting shall be adjourned to such time and place as the trustees shall determine.
- (4) The trustees must re-convene the meeting and must give at least seven clear days' notice of the re-convened meeting stating the date time and place of the meeting.
- (5) If no quorum is present at the re-convened meeting within fifteen minutes of the time specified for the start of the meeting the members present at that time shall constitute the quorum for that meeting.

13. Chair

- (1) General meetings shall be chaired by the person who has been elected as Chair of the Charity.
- (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a trustee nominated by the trustees shall chair the meeting.

- (3) If there is only one trustee present and willing to act, he or she shall chair the meeting.
- (4) If no trustee is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present and entitled to vote must choose one of their number to chair the meeting.

14. Adjournments

- (1) The members present at a meeting may resolve that the meeting shall be adjourned even if there is not sufficient quorum.
- (2) The person who is chairing the meeting must decide the date time and place at which meeting is to be re-convened unless those details are specified in the resolution.
- (3) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- (4) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the re-convened meeting stating the date time and place of the meeting.

15. Votes

- (1) Each member shall have one vote but if there is an equality of votes, the person who is chairing the meeting shall have a casting vote in addition to any other vote he or she may have.
- (2) A resolution in writing signed by each member (or in the case of a member that is an organisation, by its authorised representative) who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective. It may comprise several copies each signed by or on behalf of one or more members.

16. Representatives of other bodies

- (1) Any organisation that is a member of the Charity must nominate a person to act as its representative prior to the commencement of its membership and before at any meeting of the Charity. In the case where the organisation has nominated more than one representative to attend the meeting, only one vote is permitted and that is of the organisation's named representative, as set out at paragraph 8(1) above. Any other representatives attending the meeting will not have the right to vote.
- (2) The organisation must give written notice to the Charity of the name of its representative. The nominee shall not be entitled to represent the organisation at any meeting unless the notice has been received by the Charity. The nominee will continue to represent the organisation until written notice to the contrary is received by the Charity.
- (3) Any notice given to the Charity will be conclusive evidence that the nominee is entitled to represent the organisation or that his or her authority has been revoked. The Charity shall not be required to consider whether the nominee has been properly appointed by the organisation.

17. Trustees

- (1) The Charity and its property shall be managed and administered by trustees elected in accordance with this constitution.
- (2) The Charity shall have the following:
 - (a) A chair of the charity, who will be elected at the annual general meeting
 - (b) A secretary, who will be elected from membership at the annual general meeting.
 - (c) A treasurer, who must be an ex-officio permanent member and who is an employee of Peterborough City Council, who has been nominated by the Chief Executive or Director of Peterborough City Council.
 - (d) a trustee, who must be an ex-officio permanent member and who is an employee of Peterborough City Council, who has been nominated by the Chief Executive or Director of Peterborough City Council.
- (3) A trustee must be a member of the Charity or the nominated representative of an organisation that is a member of the Charity. An organisation may only hold an organisational trusteeship as the direct result of their nominated representative being elected Chair of the Charity, or Secretary. Should the organisation change its nominated representative, then its organisational trusteeship and former representative's position as Chair or Secretary are automatically terminated and these roles must immediately be subject to new election from within the Charity's membership. This does not preclude the membership from electing the new representative as Chair or Secretary resulting in the re-award of trusteeship to the same organisation.
- (4) No one may be appointed a trustee if he or she would be disqualified from acting under the provisions of clause 20.
- (5) The number of trustees shall be not less than three (unless otherwise determined by a resolution of the Charity in general meeting) and shall be subject to a maximum of four trustees.
- (6) The first trustees shall be those persons elected as trustees at the meeting at which this constitution is adopted.
- (7) A trustee may not appoint anyone to act on his or her behalf at meetings of the trustees.

18. Appointment of trustees

- (1) The Charity at every **annual general meeting** shall elect the Chair and the Secretary. An annual general meeting shall be convened every June or upon a date which is more convenient for the Charity and those individual members elected as Chair of the Charity and Secretary are also elected to be trustees of the Charity.
- (2) The trustees may appoint any person who is willing to act as a trustee. Subject to sub-clause 5(b) of this clause and providing that there are fewer than four (4) trustees already in post.
- (3) A trustee shall cease to hold office if he or she became a trustee as a result of being elected Chair of the Charity or Secretary by the membership and then vacates the post of Chair of the Charity or Secretary, even if their membership of the Charity continues. Similarly, if the Chair of Charity or Secretary was the nominated representative of an organisational member, then any organisational trusteeship ceases at the point that the Chair of Charity or Secretary post was vacated.
- (4) No-one may be elected a trustee at any annual general meeting unless, prior to the meeting, the Charity is given a notice that:

- (a) is signed by a member entitled to vote at the meeting;
 - (b) states the member's intention to elect a member to the role(s) of Chair and/or Secretary, or appoint an emergency trustee under the provisions of 18(2).
- (5) (a) The appointment of a trustee, whether by the Charity in general meeting or by the other trustees, must not cause the number of trustees to exceed any number fixed in accordance with this constitution as the maximum number of trustees.
- (b) The trustees may not appoint a person to be a trustee if a person has already been elected or appointed to that office and has not vacated the office.

19. Powers of trustees

- (1) The trustees must manage the business of the Charity and have the following powers in order to further the objects (but not for any other purpose):
- (a) to raise funds. In doing so, the trustees must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
 - (b) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
 - (c) to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the trustees must comply as appropriate with sections 117 - 122 of the Charities Act 2011;
 - (d) to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed. The trustees must comply as appropriate with sections 124 - 126 of the Charities Act 2011, if they intend to mortgage land;
 - (e) to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
 - (f) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;
 - (g) to acquire, merge with or enter into any partnership or joint venture arrangement with any other Charity formed for any of the objects;
 - (h) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
 - (i) to obtain and pay for such goods and services as are necessary for carrying out the work of the Charity;
 - (j) to open and operate such bank and other accounts as the trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
 - (k) to do all such other lawful things as are necessary for the achievement of the objects.
- (2) No alteration of this constitution or any special resolution shall have retrospective effect to invalidate any prior act of the trustees.
- (3) Any meeting of trustees, at which a quorum is present, at the time the relevant decision is made, may exercise all the powers exercisable by the trustees.

- (4) Trustees may discuss and agree actions relating to the trustee's powers at 19(1) during general meetings. However, should a formal vote be required on matters that are reserved for trustees during a **general meeting**,
- (a) the quorum requirements for trustee-only meetings at 21(7) must be satisfied, and
- (b) only trustees can vote on those matters.

20. Termination of Trusteeship

A trustee shall cease to hold office if he or she:

- (1) is disqualified from acting as a trustee by virtue of sections 178 and 179 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the Charity;
- (3) in the written opinion, given to the Charity, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a trustee and may remain so for more than three months;
- (4) resigns as a trustee by notice to the Charity (but only if at least two trustees will remain in office when the notice of resignation is to take effect);
- (5) is absent without the permission of the trustees from all their meetings held within a period of six consecutive months and the trustees resolve that his or her office be vacated; and / or
- (6) Each of the trustees, with the exception of the Treasurer, shall retire with effect from the conclusion of the annual general meeting next after his or her appointment, but shall be eligible for re-election at that annual general meeting, unless their membership has automatically terminated in accordance with clause 9, above.
- (7) Was appointed as a trustee under 18(2) as a temporary emergency trustee to enable the minimum number of trustees required by 17(5) to be met and the number of trustees appointed, via usual means, now meets the requirements of 17(5).

21. Proceedings of trustees

- (1) The trustees may regulate their proceedings as they think fit, subject to the provisions of this constitution.
- (2) Any trustee may call a meeting of the trustees. This is called a meeting of the trustees.
- (3) Questions arising at a meeting must be decided by a majority of votes.

- (4) The person elected as the Chair shall chair meetings of the trustees. In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.
- (5) No decision may be made by a meeting of the trustees unless a quorum is present at the time the decision is purported to be made.
- (6) The quorum is two or the number nearest to one-third of the total number of trustees, whichever is the greater or such larger number as may be decided from time to time by the trustees.
- (7) A trustee shall not be counted in the quorum present when any decision is made about a matter upon which that trustee is not entitled to vote.
- (8) If the number of trustees is less than the number fixed as the quorum, the continuing trustees or trustee may act only for the purpose of filling vacancies or of calling a general meeting.
- (9) If the Chair is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the trustees present may appoint one of their number to chair that meeting.
- (10) The person appointed to chair meetings of the trustees shall have no functions or powers except those conferred by this constitution or delegated to him or her in writing by the trustees.
- (11) A resolution in writing signed by all the trustees entitled to receive notice of a meeting of trustees and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the trustees duly convened and held.
- (12) The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more trustees.

22. Conflicts of interests and conflicts of loyalties

A Charity trustee must:

- (1) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Charity or in any transaction or arrangement entered into by the Charity which has not been previously declared; and
- (2) absent himself or herself from any discussions of the Charity trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal or professional interest (including but not limited to any personal financial interest or professional interests in relation to organisations they represent as an employee or volunteer).

Any charity trustee absenting himself or herself from any discussions, in accordance with this clause, must not vote or be counted as part of the quorum in any decision of the charity trustees on the matter.

23. Saving provisions

- (1) Subject to sub-clause (2) of this clause, all decisions of the charity trustees, shall be valid notwithstanding the participation in any vote of a charity trustee:
- (a) who is disqualified from holding office;
 - (b) who had previously retired or who had been obliged by this constitution to vacate office;
 - (c) who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise;

if, without the vote of that charity trustee and that charity trustee being counted in the quorum, the decision has been made by a majority of the charity trustees at a quorate meeting.

- (2) Sub-clause (1) of this clause does not permit a charity trustee to keep any benefit that may be conferred upon him or her by a resolution of the charity trustees if, but for sub-clause (1), the resolution would have been void, or if the charity trustee has not complied with clause 22 (Conflicts of interests and conflicts of loyalties).

24. Guests

With the permission of the membership, the Charity will allow guests to assist in the running of its events, attending its general meetings or the events. It should be noted that guests are not members or trustees and do not have any voting rights or any other powers.

25. Irregularities in proceedings

- (1) Subject to sub-clause (2) of this clause, all acts done by a meeting of trustees, shall be valid notwithstanding the participation in any vote of a trustee:
- (a) who was disqualified from holding office;
 - (b) who had previously retired or who had been obliged by the constitution to vacate office;
 - (c) who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise; if, without:
 - (d) the vote of that trustee; and
 - (e) that trustee being counted in the quorum,
- the decision has been made by a majority of the trustees at a quorate meeting

- (2) Sub-clause (1) of this clause does not permit a trustee to keep any benefit that may be conferred upon him or her by a resolution of the trustees if the resolution would otherwise have been void

- (3) No resolution or act of

- (a) the trustees
- (b) the Charity in general meeting

shall be invalidated by reason of the failure to give notice to any trustee or member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a member or the beneficiaries of the Charity .

26. Minutes

The trustees must keep minutes of all

- (1) appointments trustees made by the trustees;
- (2) proceedings at meetings of the Charity;
- (3) meetings of the trustees including:
 - (a) the names of the trustees and members present at the meeting;
 - (b) the decisions made at the meetings; and
 - (c) where appropriate the reasons for the decisions.

27. Accounts, Annual Report, Annual Return

- (1) The trustees must comply with their obligations under the Charities Act 2011 with regard to:
 - (a) the keeping of accounting records for the Charity ;
 - (b) the preparation of annual statements of account for the Charity ;
 - (c) the transmission of the statements of account to the Commission;
 - (d) the preparation of an Annual Report and its transmission to the Commission;
 - (e) the preparation of an Annual Return and its transmission to the Commission.
- (2) The trustees must ensure that accounts are prepared in accordance with the instructions issued by the Commission. Accounts must meet the provisions of any Statement of Recommended Practice issued by the Commission, or similar Statement prepared by another body, unless gross annual income falls below the threshold at which simpler "Receipts and Payments" accounting is permitted by the Commission.

28. Registered particulars

The trustees must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.

29. Property

- (1) The trustees must ensure the title to:
 - (a) all land held by or in trust for the Charity that is not vested in the Official Custodian of Charities; and
 - (b) all investments held by or on behalf of the Charity, is vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees.
- (2) The terms of the appointment of any holding trustees must provide that they may act only in accordance with lawful directions of the trustees and that if they do so they will not be liable for the acts and defaults of the trustees or of the members of the Charity.
- (3) The trustees may remove the holding trustees at any time.

30. Repair and insurance

The trustees must keep in repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability and employer's liability.

31. Notices

- (1) Any notice required by this constitution to be given to or by any person must be:
 - (a) in writing; or
 - (b) given using electronic communications.
- (2) The Charity may give any notice to a member either:
 - (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
 - (c) by leaving it at the address of the member; or
 - (d) by giving it using electronic communications to the member's address.
- (3) A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
- (4) A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
- (5)
 - (a) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
 - (b) Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given.
 - (c) A notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

32. Rules

- (1) The trustees may from time to time make rules or bye-laws for the conduct of their business.
- (2) The bye-laws may regulate the following matters but are not restricted to them:
 - (a) the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members,

and the entrance fees, subscriptions and other fees or payments to be made by members;

(b) the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;

(c) the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;

(d) the procedure at general meeting and meetings of the trustees in so far as such procedure is not regulated by this constitution;

(e) the keeping and authenticating of records. (If regulations made under this clause permit records of the Charity to be kept in electronic form and requires a trustee to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated.)

(f) generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.

- (3) The Charity in general meeting has the power to alter, add to or repeal the rules or bye-laws.
- (4) The trustees must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Charity.
- (5) The rules or bye-laws shall be binding on all members of the Charity. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this constitution.

33. Disputes

If a dispute arises between members of the Charity about the validity or propriety of anything done by the members under this constitution and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

34. Interpretation and Supporting Information

Interpretation

34.1 In this constitution the following terms and expressions shall mean:

'connected person' means:

- (1) a child, parent, grandchild, grandparent, brother or sister of the trustee;
- (2) the spouse or civil partner of the trustee or of any person falling within sub-clause (1) above;
- (3) a person carrying on business in partnership with the trustee or with any person falling within sub-clause (1) or (2) above;
- (4) an institution which is controlled –
 - (a) by the trustee or any connected person falling within sub-clause (1), (2), or (3) above; or
 - (b) by two or more persons falling within sub-clause (4)(a), when taken together

- (5) a body corporate in which -
- (a) the charity trustee or any connected person falling within sub-clauses (1) to (3) above has a substantial interest; or
 - (b) two or more persons falling within sub-clause (5)(a) who, when taken together, have a substantial interest.
- (6) Sections 350 - 352 of the Charities Act 2011 apply for the purposes of interpreting the terms used in this clause.

‘the Chair’ means the chair of the Charity, acting as a trustee and elected at every annual general meeting. It will usually be the Mayor.

‘the Council’ means Peterborough City Council.

‘Guest’ means someone attending a general meeting or an event who has been invited and has been given permission from a member. All guests are not members or trustees and do not have any voting rights or any other powers.

‘the Mayor’ it is generally expected convention that the Mayor will stand for election as Chair of the Charity. The elected Mayor of the Council will be nominated to be the Chair of the trustees, unless the Mayor refuses to be the Chair. In the event the Mayor refuses to be the Chair, the Mayor can nominate the Deputy Mayor, or a Director or the Chief Executive of the Council can nominate another person to be Chair.

‘Member’ means member of the Charity.

‘the Secretary’ means a trustee who is the secretary of the Charity and who is to be elected by the membership.

‘the Treasurer’ means a trustee who is the treasurer of the Charity and who is to remain in office until their membership terminates in accordance with paragraph 9(3) above. The Treasurer will be an employee of the Council and nominated by the Director or the Chief Executive of the Council.

‘the Trustees’ means the trustees of the Charity and includes the Chair, the Secretary and the Treasurer. Trustees must understand that following termination of their trusteeship, they still have a residual responsibility to co-operate with their successors in terms of any requests for information, explanations, or evidence.

(except where the context otherwise requires) words denoting the singular include the plural and vice-versa, words denoting any gender include all genders and words denoting persons include the trustees, members, any natural person, partnership, joint venture, body corporate, incorporated association, government, governmental agency, persons having a joint or common interest, or any other legal or commercial entity or undertakings and vice-versa.

Supporting Information

34.2 Each year Peterborough City Council (“the Council”) appoints a Mayor (and a Deputy Mayor) as the first citizen for the city of Peterborough. As

Peterborough’s first citizen, the Mayor acts as ambassador for the Council and also for Peterborough itself on the wider regional, national and international stage. By being an impartial figure, he or she can represent the whole community, regardless of differences.

34.3 In fulfilling the role of Peterborough’s first citizen, the Mayor will speak and act for all of the diverse communities represented in Peterborough. The Mayor will usually lead civic events to raise funds for his chosen local charitable organisations. Following election to those roles, the Mayor and Deputy Mayor automatically become a members of the Charity for their mayoral year. Should the Deputy Mayor decline to be a member, or becomes a member and later resigns, the Mayor’s consort will be offered the Deputy Mayor’s ex-officio position as a member of the Charity for the remainder of the Mayoral year.

34.4 The Council will hold a permanent ex-officio post for two Council employees as members of the Charity. The individuals filling these roles will be nominated by the Council’s Director with the relevant responsibility, or the Chief Executive. Ordinarily it is expected that the ex-officio member roles will be filled by the Head of Constitutional Services and Mayoral Services Manager (or equivalent job titles). If these roles change substantially as a result of restructuring, or these employees are unable/unwilling to serve as part of the Charity, the Director or Chief Executive must nominate suitable alternatives at the earliest opportunity.

Signatures:

..... FULL NAME OF TRUSTEE

..... SIGNATURE OF TRUSTEE

..... FULL NAME OF TRUSTEE

..... SIGNATURE OF TRUSTEE

..... FULL NAME OF TRUSTEE

..... SIGNATURE OF TRUSTEE

..... FULL NAME OF TRUSTEE

..... SIGNATURE OF TRUSTEE

SHAREHOLDER CABINET COMMITTEE	AGENDA ITEM No. 7
13 SEPTEMBER 2021	PUBLIC REPORT

Report from:	Steve Cox, Executive Director Place and Economy	
Cabinet Member(s) responsible:	Councillor Lynne Ayres, Cabinet Member for Children's Services, Education, Skills and the University. Councillor Peter Hiller, Cabinet Member for Strategic Planning and Commercial Strategy and Investments.	
Contact Officer(s):	Emma Gee, Assistant Director, Growth & Regeneration, Place and Economy Email: emma.gee@peterborough.gov.uk	Tel. 07983 345184

UNIVERSITY FUNDING AND FINANCE INTERIM UPDATE

RECOMMENDATIONS	
FROM: Executive Director Place and Economy	Deadline date: 25 th October 2021
<p>It is recommended that Committee note a paper will be taken to Cabinet on October 25th 2021 with recommendations for approval on various university project matters including:</p> <ol style="list-style-type: none"> 1) Repurposing the pre-existing £2m PCC contribution to the university programme in the MTFS from a contribution to a new parkway access to enabling infrastructure; 2) Entering the Getting Building Fund Grant Agreement with the Cambridgeshire and Peterborough Combined Authority to deliver parking capacity to support phases 1 and 2 of the university; 3) Entering a lease with PropCo 1 for car park spaces on the regional pool car park and 4) In the event of Levelling Up Fund (LUF) bid success, entering the grant agreement and making arrangements to transfer funding to PropCo1 to deliver phase 3 of the university. 	

1. ORIGIN OF REPORT

- 1.1 This interim update is submitted to the Shareholder Cabinet Committee following the grant of planning permission for phase 2 and councils £20M Levelling Up Fund (LUF) bid in June 2021.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide advance notice of a cabinet paper with recommendations for approval on October 25th 2021 relating to the university project.
- 2.2 This report is for Cabinet Shareholder Committee to consider under its Terms of Reference No. 3.3.2.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	25/10/21
Date for relevant Council meeting	10/11/21 or 17/11/21	Date for submission to Government Dept. <i>(Please specify which Government Dept.)</i>	N/A

4. BACKGROUND AND KEY ISSUES

4.1 Background

This report sets out progress against university objectives of the Council's and partners Cambridgeshire and Peterborough Combined Authority (CPCA) and Anglia Ruskin University (ARU).

In 2020 Anglia Ruskin University was awarded Academic Delivery Partner status and entered into contract to deliver:

- Up to 2,000 students for the 2022/23 academic year
- Rising to 3,000 by 2024/25 and
- Up to 4,000 by 2025/26, with an aspirational target of
- Up to 12,500 students by 2030/31.

The £31m university phase 1 building will enable delivery of a curriculum matched to the growth needs of local businesses, providing new opportunities for communities to gain access to higher level skills, better paid employment, and enhanced life-chances. The first teaching building is now on site and scheduled for completion in September 2022.

The £16m phase 2 research building will house established and start-up companies developing cutting edge technologies linked to net zero carbon products and equipment development, as well as advanced manufacturing processes to produce them. The anchor tenant, will be Photocentric, developing new 3D printed battery technologies for vehicles. This phase of the University will link academia and industry to establish a net zero research cluster in the very heart of Peterborough, providing a platform for a high value manufacturing innovation eco-system with a Technical University at its core. The building is anticipated to complete in December 2022.

In July 2021, PCC planners advised that any further phases of the university would need to be guided by an outline planning application (OPA) to ensure that the campus develops in a strategic way that allows for future growth and assimilates with the wider embankment in a complementary way. This OPA will include phase 3 which in July 2021 was the subject of a PCC bid to MHCLG Levelling Up Fund. The 'Living Lab and University Cultural Quarter' application form to government can be seen at Appendix 1 and is hyperlinked at heading 4.5.

With regards the necessary infrastructure to support delivery of the university several workstreams are currently underway.

In July 2020, PCC allocated £2M in the Capital Programme to deliver a new access to the Parkway to support delivery of university phase 2. Subsequently, priorities for enabling infrastructure to support the delivery of the phase changed and in order to facilitate the implementation of the planning consent it was necessary to secure external grant funding and allocate PCC capital funding to car parking.

In October 2020, PCC secured a grant of £827,000 from the Cambridgeshire & Peterborough Getting Building Fund to support infrastructure delivery on the programme.

In June 2021 planning permission was secured for phase 2 with outline permission for new a car park with capacity for up to 180 additional spaces. Following this it was determined that PCC would, with the help fo external grant, deliver this additional parking capacity.

4.2 **£2m contribution to university project**

Following discussion with CPCA over July 2021, it became clear that PCC would need to deliver a car park in support of phase 2 rather than a new parkway access.

As such, it is now proposed that the £2m in the Capital Programme for the year 2021/21 firstly be reprofiled for expenditure in 22/23 and secondly be redefined to cover 'enabling infrastructure' where the definition of such is 'infrastructure that supports delivery of future phases of the university'. An element of this will complement external grant to release the necessary 128 spaces to satisfy the planning conditions for phase 2 with the remainder made available to support future needs as part of the Council's financial contribution to the university. The implications of the recommendation to cabinet will be outlined in more detail in the upcoming cabinet report.

University access (and broader improved access to the city centre off Frank Perkins Parkway) is still the subject of a transport business case in partnership with CPCA.

4.3 **Getting Building Fund Grant Agreement**

The council secured £827,000 from the Getting Building Fund to support infrastructure delivery on the university project. The grant will deliver new parking capacity at embankment which will free up a part of the current regional pool carpark for use by the university. The grant agreement is current being finalised in preparation for signature and pending cabinet approval. The implications of the recommendation to cabinet will be outlined in the upcoming cabinet report.

4.4 **Lease of spaces on regional pool car park**

CPCA and PCC have agreed that a parking solution is required to support phase 2 and in order to discharge planning conditions which require the car park to be operational on occupation of the phase 2 building. The wider campus ambition and phasing, including parking provision on or off site will be considered by both the Embankment Masterplan and any accompanying city centre wide Parking Strategy (more on this at para 4.6) and the outline planning application.

It has been agreed in principle (subject to commercial terms which be outlined in the upcoming cabinet report) that council will lease 128 spaces on the regional pool car park to Peterborough HE Property Company Limited (PropCo 1) for university users given its adjacency to university phases 1 and 2. The implications of the recommendation to cabinet will be outlined in the cabinet report.

4.5 **Levelling Up Fund Bid**

The council submitted a £20M LUF bid to government in June 2021 seeking funding to deliver the next academic building, namely the Living Lab, University Quarter Cultural Hub (phase 3). A decision is expected in Autumn 2021 from MHCLG. In the event of LUF bid success, it is proposed that council will enter the grant agreement with MHCLG and then onward transfer the funding with relevant conditions to PropCo 1 to deliver the building and environs.

In addition to the capital funding, PCC will also transfer a further tranche of land to PropCo1, as previously agreed by Cabinet and subsequent CMDN.

All partners receive shares in the Peterborough HE Property Company Ltd that will own the building, in proportion to their contribution to it. If the Council is successful in securing the additional investment into the university it would increase the Council's share allocation in PropCo1 to make PCC the second majority shareholder. The implications of the recommendation to cabinet will be outlined in the upcoming cabinet report.

4.6 Embankment Masterplan

In January 2021, PCC was successful in agreeing terms with MHCLG to deliver a capital programme of £22.9m over 10 projects to boost the city with a wealth of cultural, health and wellbeing and tourism improvements and to make it an even better place to live, work and visit. One of the projects was to plan for an enhanced green and accessible place for residents to relax and enjoy for leisure and entertainment purposes, linking in with the new planned University and driving footfall to and from the city centre.

Masterplanners have now been appointed and over the next 6 months will pull together a vision for the future of the whole of embankment and Middleholme supported by technical studies to ensure proposals are appropriate and deliverable. There will be widespread community and stakeholder engagement as part of the exercise.

The masterplan will inform and influence the development of the outline planning application for the next phases of the university.

5. CONSULTATION

5.1 This report is for information and there are no direct consultation matters arising.

5.2 Consultation on the recommendations to cabinet will be outlined in the cabinet report.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 This report is for information and there are no anticipated outcomes or impact.

6.2 The anticipated outcomes/impacts of the recommendations to cabinet will be outlined in the cabinet report.

7. REASON FOR THE RECOMMENDATION

7.1 This report is for information and there are no reasons for recommendations.

7.2 The reason for the recommendation to cabinet will be outlined in the cabinet report.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 This report is for information and there are no alternative options for consideration.

8.2 The alternative options for consideration around the recommendations to cabinet will be outlined in the cabinet report.

9. IMPLICATIONS

Financial Implications

9.1 This report is for information and there are no direct financial implications arising.

9.2 The financial implications of the recommendations to cabinet will be outlined in the cabinet report.

10 **Legal Implications**

10.1 This report is for information and there are no direct legal implications arising.

10.2 The legal implications of the recommendations to cabinet will be outlined in the cabinet report.

11 **Equalities Implications**

11.1 No implications – relates to funding & finance arrangements on university programme only

12 **Rural Implications**

12.1 This report is for information and there are no direct rural implications arising.

13 **Carbon Impact Assessment**

13.1 No implications – relates to funding & finance arrangements on university programme only.

10. **BACKGROUND DOCUMENTS**

10.1 None

11. **APPENDICES**

11.1 Appendix 1 – Levelling Up Fund Bid

This page is intentionally left blank



Levelling Up Fund Application Form

This form is for bidding entities, applying for funding from the Levelling Up Fund (LUF) across the UK. Prior to completing the application form, applicants should read the [LUF Technical Note](#).

The Levelling Up Fund Prospectus is available [here](#).

The level of detail you provide in the Application Form should be in proportion to the amount of funding that you are requesting. For example, bids for more than £10m should provide considerably more information than bids for less than £10m.

Specifically, for larger transport projects requesting between £20m and £50m, bidding entities may submit the Application Form or if available an Outline Business Case (OBC) or Full Business Case (FBC). Further detail on requirements for larger transport projects is provided in the [Technical Note](#).

One application form should be completed per bid.

Applicant & Bid Information

Local authority name / Applicant name(s)*: Peterborough City Council (PCC) / Cambridgeshire and Peterborough Combined Authority (CPCA) / Anglia Ruskin University Peterborough (ARU Peterborough).

Note: All three partners will deliver the project through a joint venture company already established, namely: **Peterborough HE Property Company Ltd ('PropCo1')**

Bid Manager Name and position: Professor Ross Renton (Principal, ARU Peterborough)

Name and position of officer with day-to-day responsibility for delivering the proposed scheme.

Contact telephone number: +44 (0) 1245 683124 **Email address:** ross.renton@aru.ac.uk

Postal address: Guild House, Swain Ct, Peterborough, PE2 9PW

Nominated Local Authority Single Point of Contact: Emma Gee, Assistant Director Growth and Regeneration, Peterborough City Council

Senior Responsible Officer contact details: Steve Cox, Executive Director; Place & Economy, Cambridgeshire and Peterborough, Peterborough City Council

Chief Finance Officer contact details: Peter Carpenter

Country:

England

Please provide the name of any consultancy companies involved in the preparation of the bid:

Metro Dynamics

For bids from **Northern Ireland applicants** please confirm type of organisation

Northern Ireland Executive

Third Sector

Public Sector Body

Private Sector

District Council

Other (please state)

PART 1 GATEWAY CRITERIA	
Failure to meet the criteria below will result in an application not being taken forward in this funding round	
<p>1a Gateway Criteria for <u>all</u> bids</p> <p>Please tick the box to confirm that your bid includes plans for some LUF expenditure in 2021-22</p> <p><i>Please ensure that you evidenced this in the financial case / profile.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/></p>
<p>1b Gateway Criteria for private and third sector organisations in Northern Ireland bids only</p> <p>(i) Please confirm that you have attached last two years of audited accounts.</p>	<p><input type="checkbox"/> n/a</p>
<p>(ii) Northern Ireland bids only Please provide evidence of the delivery team having experience of delivering two capital projects of similar size and scale in the last five years. (Limit 250 words)</p>	
<p>n/a</p>	

PART 2 EQUALITY AND DIVERSITY ANALYSIS

2a Please describe how equalities impacts of your proposal have been considered, the relevant affected groups based on protected characteristics, and any measures you propose to implement in response to these impacts. (500 words)

The City Council's Single Equality Scheme brings together all the City Council's equalities activities in one place. The Council believes that:

- Everybody should have an equal opportunity to contribute to and benefit from society and;
- A diverse integrated and cohesive community is a positive asset to the City, which allows greater opportunities for a wider society to influence and contribute to Council strategy.

We recognises that people still experience inequality in society because of their background and will not tolerate discrimination directly or indirectly in recruitment or employment or against customers on the grounds of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. We have adopted all these as “protected characteristics.” This extends to cover all aspects of service, including employment procedures; service delivery; information, consultation and involvement procedures; implementation and accountability.

The project activities outlined in this bid have been designed in alignment with the following operating principles, which take active steps to challenge prejudice, discrimination and harassment and promote equality of opportunity as well as equality of outcomes:

- Providing accessible information to stakeholders and public.
- Undertaking assessments of activities and outputs to determine if there is any adverse impact for equalities.
- Delivering the activities in ways which are appropriate, relevant and sensitive to stakeholder, employee and public and user needs and, whenever possible, removing barriers which may deny access.
- Using our powers to ensure that organisations providing services on our behalf operate in accordance with the aims of this Policy and have a good track record in handling equality issues, covering both employment as well as project delivery issues.
- Ensuring, wherever possible, out-sourced services are provided by local organisations or those with close connections with region.
- Promoting widely the availability of the Complaints system to ensure people know how to raise issues about project activities.

- Ensuring staff do not discriminate against or harass a member of the public in the delivery of the project.
- Ensuring that reasonable adjustments are made to remove barriers and enable those with a disability to participate in activities and benefit from project outcomes.
- Discussing the importance of equality policies with all partners and encouraging service providers to use the same or similar formats for evaluation purposes such as equality monitoring categories, equality impact assessments templates, etc.

We will ensure that any engagement process to inform the project have also been conducted in line with our policy and that:

- A wide range of people including employees and stakeholders are informed about plans related to the project and given the opportunity to influence any subsequent policies and practices that result from these.
- People from different backgrounds are consulted and able to fully participate in consultation and involvement activities.
- Local people are given a voice and involved in decision-making and review structures so that any proposed changes are considered and adopted where appropriate.

In addition, upon initiation we will prepare a specific Equality and Equal Opportunities Action Plan for this project, further ensuring embedded equalities good practice in staff training, performance review, delivery model and working methods.

When authorities submit a bid for funding to the UKG, as part of the Government's commitment to greater openness in the public sector under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, they must also publish a version excluding any commercially sensitive information on their own website within five working days of the announcement of successful bids by UKG. UKG reserves the right to deem the bid as non-compliant if this is not adhered to.

Please specify the weblink where this bid will be published:

<https://www.peterborough.gov.uk/council/planning-and-development/regeneration/levelling-up-fund>

PART 3 BID SUMMARY

3a Please specify the type of bid you are submitting

Single Bid (one project)

Package Bid (up to 3 multiple complimentary projects)

3b Please provide an overview of the bid proposal. Where bids have multiple components (package bids) you should clearly explain how the component elements are aligned with each other and represent a coherent set of interventions (Limit 500 words).

This project, for a **Living Lab, University Quarter Cultural Hub and expanded university in Peterborough**, will meet cultural, regeneration and economic levelling up priorities in Peterborough by:

- Creating a new landmark **cultural** asset,¹ The Living Lab;
- **Regenerating** a dilapidated mixed brownfield site² adjacent to the city centre to create a new destination space for Peterborough, the University Quarter Cultural Hub, with the Living Lab at its centre;
- Providing facilities within the Living Lab building to support 1,700 local students studying in STEM fields, supporting a critical stage in the expansion of the ARU Peterborough and enabling **economic recovery and growth**³ and levelling up by addressing the persistent local skills deficits which hold back Peterborough's growth and productivity.

The Living Lab will be a new open, interactive science lab and education space to creatively engage people (especially young people) in science and technology. **Broadening Peterborough's cultural offer**,⁴ it will provide a window into the city's **net zero**⁵ future through events, exhibitions and flexible learning, including

¹ Aligns with example Culture and Heritage interventions in Levelling Up Fund Technical Notes Annex B: Intervention framework

² Aligns with example Regeneration interventions in Levelling Up Fund Technical Notes Annex B: Intervention framework

³ Aligns with assessment criteria of Levelling Up Fund Prospectus

⁴ Aligns with example Culture and Heritage outcomes in Levelling Up Fund Technical Notes Annex B: Intervention framework

⁵ Levelling Up Fund Prospectus; p8: Investment themes

festivals of ideas, immersive displays, hackathons, forums and evening classes.

Examples of how the Living Lab might look – a mixture of high quality design and built environment, with exciting interactive exhibitions.



The project delivers the vision of the City's Culture Board to upgrade, create and connect **existing and new cultural and creative spaces**⁶ - in this case three museums, an arts venue, two theatres and two libraries in 50 acres of renewed, open, green space in an **enhanced natural environment**.⁷ In so doing, it creates a University Quarter that becomes a central **cultural hub for the city**, attracting 50,000 visitors a year and creating a destination area greater than the sum of its parts. The Living Lab will be the centrepiece of Peterborough's new **University Quarter Cultural Hub**.

The regeneration of the river embankment will open up a key leisure area for the city centre.⁸ Opening up the embankment, clearing the scrub areas, illuminating it and populating it with hundreds of students moving between the university quarter and the city centre will **improve public security**⁹ and **transform a poorly used city-centre site**¹⁰ into a vibrant cultural, commercial and community hub that local people can be proud of.¹¹

⁶ Levelling Up Fund Prospectus; p8

⁷ Levelling Up Fund Prospectus; p9: Government's net zero and wider environmental ambitions

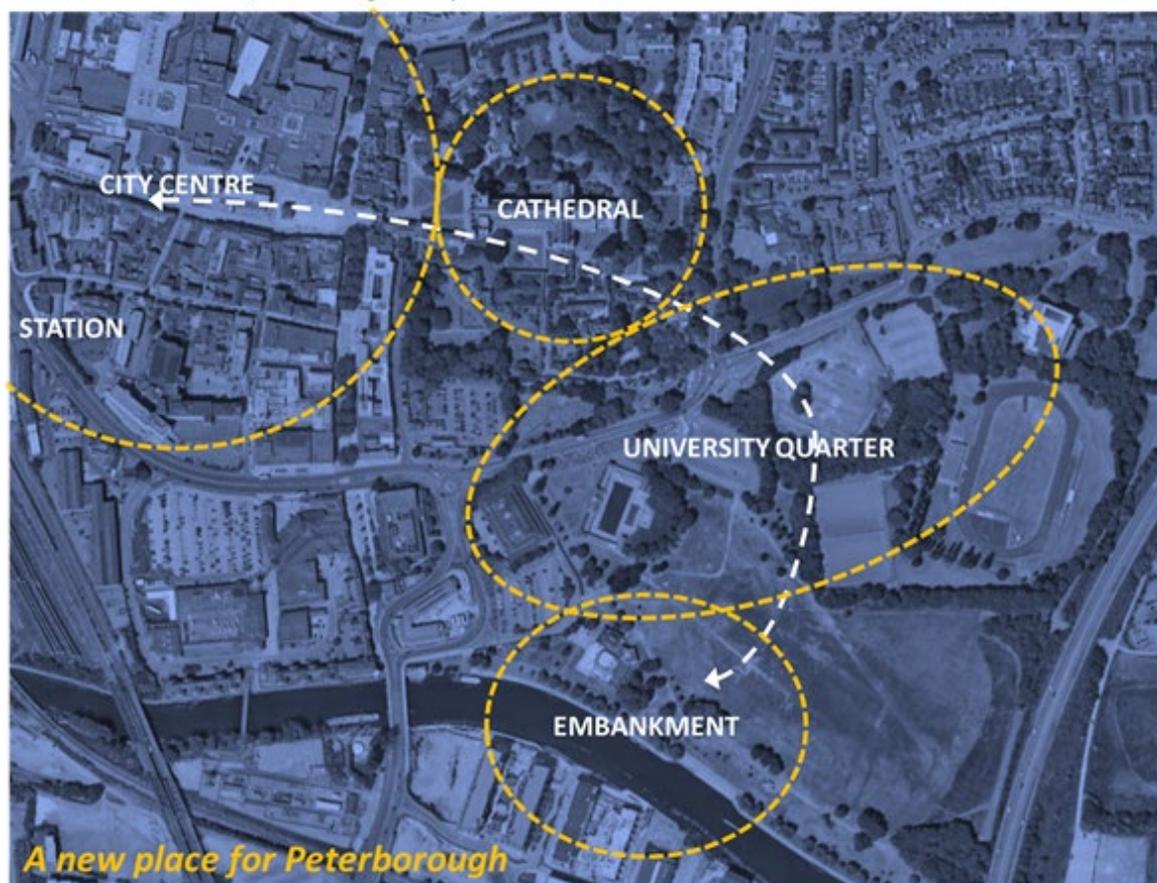
⁸ Levelling Up Fund Prospectus; p10: Objectives for Regeneration

⁹ Levelling Up Fund Prospectus; p11: Objectives for Regeneration

¹⁰ Levelling Up Fund Prospectus; p11: Objectives for Regeneration

¹¹ Levelling Up Fund Prospectus; p11: Objectives for Regeneration

The University Quarter will create a cultural destination area in Peterborough, supporting multi-complex events and exhibitions, and linking the city centre with the Embankment site on the River Nene



This catalytic investment to create the University Living Lab and additional teaching space, **builds on and integrates £45m of prior and current investments**¹² made through the Local Growth Fund and Towns Fund. It will have a **visible, tangible impact on people and places**,¹³ and **support economic recovery**.¹⁴

The university and its catalytic ability to transform the culture of the city was foreseen by and is a **stated objective of three key regional strategies**¹⁵ - the [Local Industrial, Skills](#) and [COVID Economic Recovery Strategies](#).

The combined impact of this cultural and educational investment will generate a positive economic impact onto the City's visitor economy, and a much greater **positive impact on the overall competitiveness of Peterborough's workforce and ability to grow and attract higher value employment**.¹⁶

¹² Levelling Up Fund Prospectus; p20: Strategic fit with local priorities

¹³ Levelling Up Fund Prospectus; p2: Introduction

¹⁴ Levelling Up Fund Prospectus; p2: Introduction

¹⁵ Levelling Up Fund Prospectus; p20: Strategic fit with local priorities

¹⁶ Levelling Up Fund Prospectus; p20: Value for money

This produces an **excellent BCR of 25**, but one that is also matched by high social value impacts.¹⁷

The Combined Authority and City Council, as **the local delivery partners have demonstrated the ability to collaborate for rapid project delivery**.¹⁸ They are already on track to deliver the first two phases of the university within tight timescales and to budget, including for the first university building, which will host 3,000 students and open in September 2022.

Project delivery will begin Q3 2021 with initial procurement and design works. **Construction works will be complete by Q4 2023/24**.¹⁹

The bid **complements existing cultural assets**²⁰, including £15m of concurrent investment in city centre cultural facilities funded through Peterborough's Town Investment Plan and emerging masterplan for the city centre.

Local partners are coinvesting 28% of the costs of this £28m project.²¹

The project has the support of key local stakeholders²² including both MPs for the City and the Council's Leader.

The project fully aligns with UK legal commitments on **delivering Net Zero**²³ through a building design that maximises sustainable materials and renewable energy.

The Living Lab and second teaching building will be a landmark building for Peterborough, and the focal point of the university quarter



¹⁷ Levelling Up Fund Prospectus; p20: Value for money

¹⁸ Levelling Up Fund Prospectus; p19: Deliverability

¹⁹ Levelling Up Fund Technical Note; p7: LUF assessment and decision-making

²⁰ Levelling Up Fund Prospectus; p12: Objectives for Culture and Heritage

²¹ Levelling Up Fund Prospectus; p19: Deliverability

²² Levelling Up Fund Prospectus; p19: Assessment criteria

²³ Levelling Up Fund Prospectus; p19: Strategic fit with local priorities

3c Please set out the value of capital grant being requested from UK Government (UKG) (£). This should align with the financial case:		£20m
3d Please specify the proportion of funding requested for each of the Fund's three investment themes	Regeneration and town centre	50%
	Cultural	50%
	Transport	0%

PART 4 STRATEGIC FIT	
4.1 Member of Parliament Endorsement (GB Only)	
See technical note section 5 for Role of MP in bidding and Table 1 for further guidance.	
4.1a Have any MPs formally endorsed this bid? If so confirm name and constituency. Please ensure you have attached the MP's endorsement letter.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/>
Paul Bristow, Member of Parliament for Peterborough has provided a formal letter endorsing the bid which is appended to the application form.	
4.2 Stakeholder Engagement and Support	
See technical note Table 1 for further guidance.	
4.2a Describe what engagement you have undertaken with local stakeholders and the community (communities, civic society, private sector and local businesses) to inform your bid and what support you have from them. (Limit 500 words)	
<p>Partners across Peterborough have been planning and engaging stakeholders in this project for 9 months prior to this application.</p> <p>The site is already designated for this use for planning purposes and is listed in the Town Investment Plan. Major examples of consultation on the project include:</p> <ul style="list-style-type: none"> • COVID Economic Recovery Strategy Group including all the regions' business, health, cultural and education groups along with all 6 local authorities and MCA, which identified this project as a key intervention for recovery on page 33. • PCC's Cultural Strategy Board through consultative workshops and meetings with local artists and representatives of the city's cultural community that provided place-based evidence of the cultural need and a cultural strategy that identified integrating cultural assets as a major goal. 	

- PCC’s production of the Peterborough Town Investment Plan that drew on a diverse range of engagement exercises with several stakeholder groups, including communities and business to develop investment plans for the city centre, which this bid is integrated into. This included a Major Survey 2019-2020, Covid-19 Engagement and #MyTownsFund Facebook campaign, which drew over 500 responses.
- PCC’s work to create the Local Plan which demonstrates demand for new and improved cultural venues and events, particularly those to attract younger residents and visitors. It also notes the need for riverside development with cultural venues that maximises natural surroundings to unlock the embankment area and connect it to the wider city.
- ARU Peterborough has undertaken multiple rounds of business and community engagement, seeking input into course design, the role of STEM in local industries, and wider principles of the university’s design. This included consultation with over 100 businesses and roundtables with School Headteachers, FE Principals and Senior Leaders.
- ARU Peterborough has also established 5 Sector Interest Groups (engineering, agri-tech and sustainability, business and management, data science, gaming) to lead on industry engagement in local growth sectors, influencing the university’s curriculum offering that complements the Living Lab’s stimulation of people into STEM and a university education.
- PCC’s selection of this project as the Peterborough Constituency bid was the result of an open call for proposals and a rigorously and objectively scored officer evaluation, concluded upon by a decision-making panel of the PCC Leaders, both MPs, supported by the CA Mayor and the chair of his Business board.

4.2b Are any aspects of your proposal controversial or not supported by the whole community? Please provide a brief summary, including any campaigns or particular groups in support or opposition? (Limit 250 words)

The breadth and depth of support for this project is demonstrated through the joint letter of support from a range of key local stakeholders appended to this application.

At no point were any concerns or controversies expressed by stakeholders, including the local community, business organisations and voluntary and community groups. In fact, consultation demonstrated widespread support for the project, which is seen as a positive way to address local cultural, social and economic challenges, including an acute shortage of cultural and educational venues and an opportunity to attract local people and visitors to the embankment area and wider city centre.

Recent individual consultations confirm that the project and bid have the support of key stakeholders at the University, Peterborough City Council and all constituent councils of the CPCA , including the new Mayor.	
4.2c Where the bidding local authority does not have the statutory responsibility for the delivery of projects, have you appended a letter from the responsible authority or body confirming their support?	<input checked="" type="checkbox"/> N/A
For Northern Ireland transport bids, have you appended a letter of support from the relevant district council	<input checked="" type="checkbox"/> N/A
<h3>4.3 The Case for Investment</h3> <p>See technical note Table 1 for further guidance.</p>	
4.3a Please provide evidence of the local challenges/barriers to growth and context that the bid is seeking to respond to. (Limit 500 words)	
<p>People who attend cultural events are 60% more likely to report good health than others,²⁴ and report higher levels of subjective wellbeing due to reduced exclusion and isolation, and increased literacy and cognitive skills. But Peterborough is recognised as a ‘cultural cold spot’ with lower levels of participation in cultural activities than similar cities.²⁵ The 2017 Active Lives survey found just 39% of the city’s population engaged with cultural activity, ranking Peterborough as 321st out of 355 UK districts.</p> <p>A lack of assets restricts cultural activity in Peterborough. The RSA Heritage Index ranks Peterborough 227th out of 325 local authorities for cultural assets.²⁶</p> <p>To overcome this barrier to growth and achieve an improved, accessible cultural offer in Peterborough, new cultural assets are required to act as catalyst and to integrate current assets into a coherent offer:</p> <p><i>‘It is essential that Peterborough has high quality state of the art facilities that keep pace with the growth agenda and city ambition. Significant investment is required in the sector and the public ‘cultural’ estate.’ - Developing a Cultural Strategy for Peterborough (Jan 2020).</i></p> <p>As laid out in the <u>Local Plan</u>, Peterborough’s development hinges on regenerating the town centre and providing more high-quality, connected</p>	

²⁴ <https://www.gov.scot/publications/healthy-attendance-impact-cultural-engagement-sports-participation-health-satisfaction-life-scotland/>

²⁵ Developing a cultural strategy for Peterborough, January 2020

²⁶ <https://www.thersa.org/projects/heritage/index>

and open public space. The University Quarter Cultural Hub is an essential space in the longer-term transformation of Peterborough city centre.

Designated as a new town in the 1960s, Peterborough's urban design has given prominence to the car, leaving a series of disconnected places that constrain potential and prevent the city from developing a comprehensive cultural and visitor offering.²⁷

The Town Investment Plan (TIP) process has, through extensive consultation with the community and stakeholder groups, identified a range of place challenges including:

- A lack of a university for the city
- A lack of entertaining visitor attractions to complement the heritage of Peterborough Cathedral.
- The need for an animated riverfront with attractive pedestrian routes between station/river/city centre.

As the LUF prospectus correctly states: 'Perception of place is an important 'pull' factor in investment and business location decisions and can affect a place's capacity to attract talent – especially young people – and retain workers.'²⁸ This project aims to alleviate the city's long-term economic challenges by regenerating a mixed-brownfield area into an enhanced University Quarter Cultural Hub that is more attractive to residents, businesses and visitors.²⁹

Peterborough is recognised as a left-behind place, with persistent skills deficits entrenched by a lack of local higher education provision connected to many other indices of deprivation, for instance:

- **Social deprivation**, particularly high near the centre and south of the city,³⁰ and rates of unemployment persistently higher than national averages.
- **Child poverty**, with 25% in Peterborough living in poverty, compared to 17% nationally.³¹
- **Social mobility**, with Peterborough ranked 191st and nearby Fenland ranked 319th out of 324 local authority districts.³²
- **Healthy life expectancy** which is below retirement age in parts of the north of the county.³³

Just 32.1% of the population have NVQ4+ skills compared to 43% nationally.³⁴

Low education aspirations help explain this: **Half of the expected proportion**

²⁷ Peterborough Town Investment Plan; July 2020

²⁸ Levelling Up Fund Prospectus; p12: Objectives for Culture and Heritage

²⁹ Levelling Up Fund Prospectus; p8: Investment Themes

³⁰ Index of Multiple Deprivation, 2019

³¹ Income Deprivation Affecting Children Index (IDACI), 2019

³² Social Mobility Index, 2016

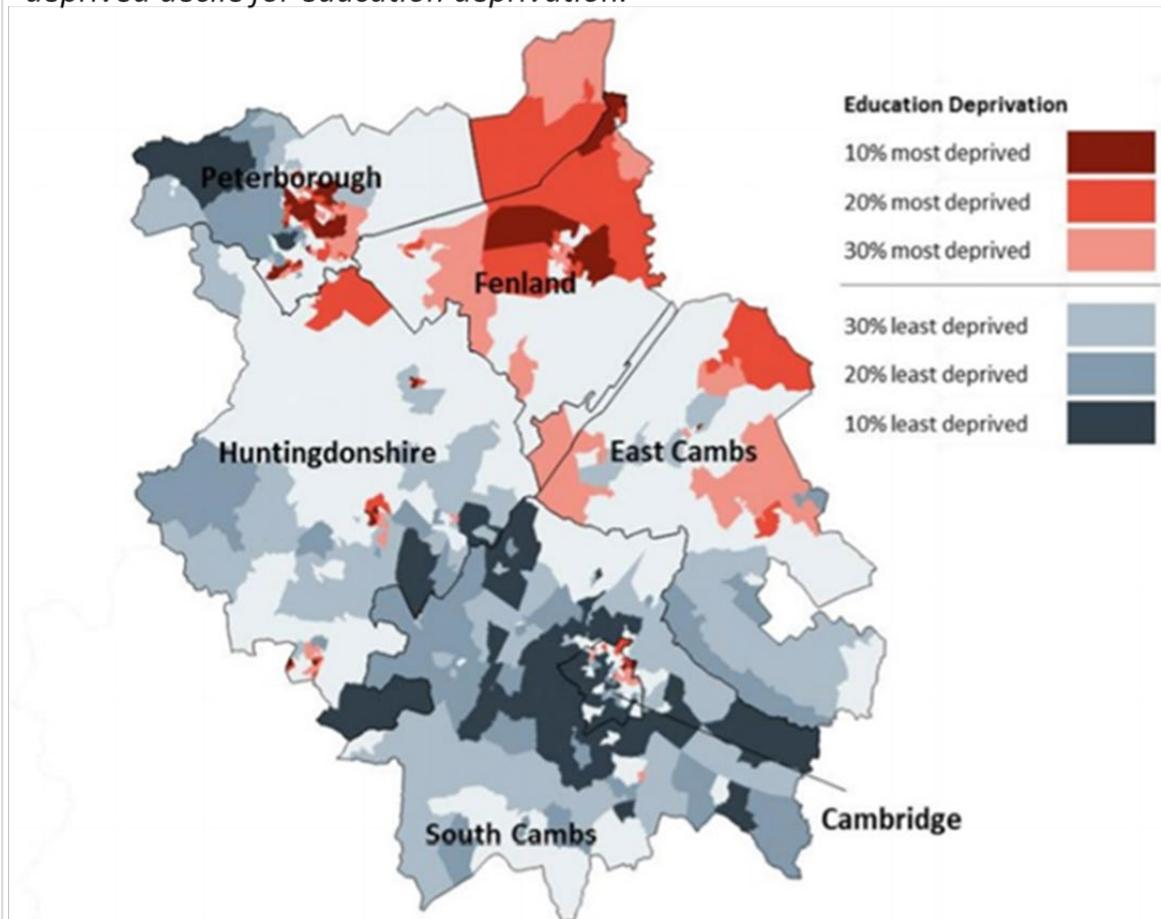
³³ ONS Health and Life Expectancies, 2016-2018

³⁴ ONS Annual Population Survey (2021)

of young people are in full time education, compared to the national average – 17% locally vs 33% nationally.³⁵ A key reason for low aspirations is that higher education isn't easily accessible: **Peterborough is one of the largest cities in the UK still without a university.**³⁶ The evidence clearly shows that in terms of human capital, Peterborough has been “left behind” and education deprivation is a major cause that needs to be addressed. The CPIER identifies a new higher education institution in Peterborough as the only viable solution to the HE cold spot.

Education, Skills and Training deprivation, IMD, 2019, for CPCA.

One in four LSOAs (neighbourhoods) in Peterborough are ranked in the most deprived decile for education deprivation.



4.3b Explain why Government investment is needed (what is the market failure)? (Limit 250 words)

Both the cultural elements of the Living Lab and the education facilities co-located in the building will generate significant socially beneficial externalities, which

³⁵ ONS Annual Population Survey (2021)

³⁶ <http://lovemytown.co.uk/universities/universitiestable2.asp>

cannot be fully captured by the market and will therefore result in under-provision and non-provision without public investment.

Public investment is needed because this space is more than simply a visitor destination. Firstly, the Living Lab is beneficial as it will be a community space enabling a range of socially useful activities – evening classes, community group meet-ups, and other learning events. Secondly, the Living Lab will play an essential role in highlighting the impact of local people and businesses in tackling important sustainability challenges, helping to raise awareness and aspirations, and co-create solutions. The LUF prospectus rightly identifies the role of cultural facilities in ‘inspiring a sense of pride and community cohesion’ and the Living Lab will do this.

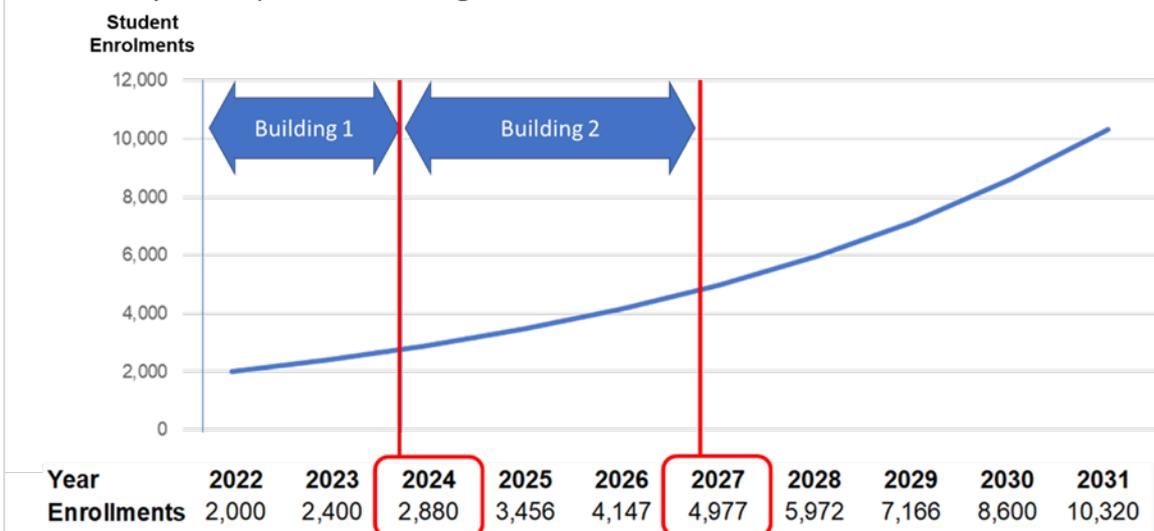
The co-location of the Living Lab within the university, and its integration into connected libraries, theatres and museums, **creates a Cultural Hub** which will play an important role in bringing local people of all ages into the University Quarter. In this way, it will open up the horizons of local people and better integrate the university with the city, producing wider economic benefits for local businesses and institutions.

The education space that complements the demand stimulation activities of the Living Lab generates major public externalities through the provision of higher education. **Public sector investment is required to maintain momentum for student recruitment** to the university and ensure the university can reach a ‘critical mass’ of students to make it commercially viable, beyond a single building. Failure to do so puts the wider university project at risk of commercial failure.

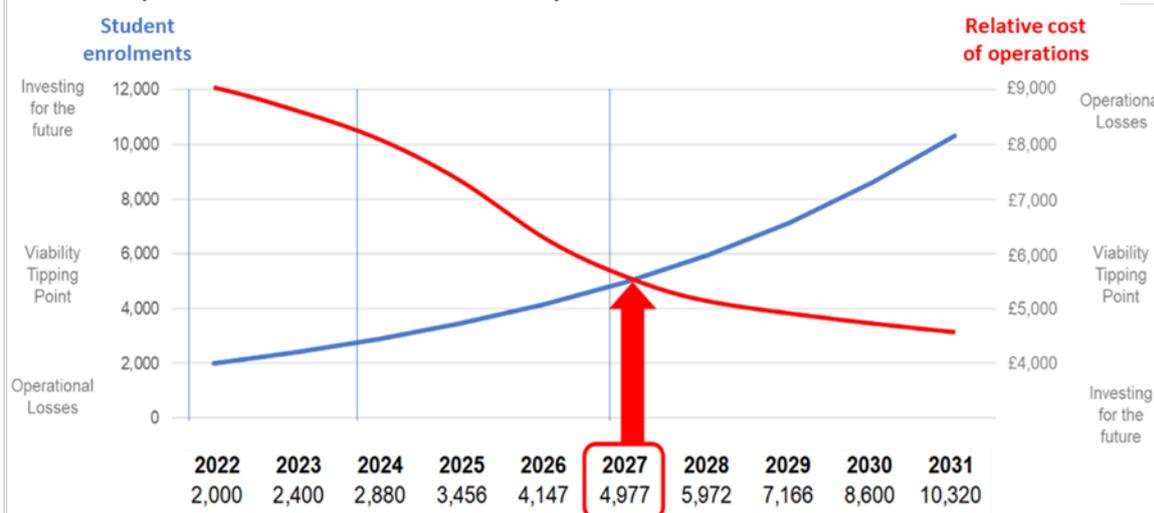
The £30.5m investment by local partners to create the first building, provided the “Anchor Investment” for the university project and the springboard to enable student recruitment to begin and build. The addition of the Living Lab to the campus will provide further momentum to achieve the critical mass that secures the university as a permanent institution for Peterborough.

ARU, PCC and CPCA, as the anchor investors, planned for further phases to be co-funded through central government to enable the university to become commercially viable and independent of the CPCA’s current operational subsidy which is not sustainable long term.

The second teaching building will support an additional 1,700 students at the university, on its path to reaching critical mass as an institution



As student enrolments rise the relative cost of operations will fall, allowing the university to reach financial sustainability.



4.3c Please set out a clear explanation on what you are proposing to invest in and why the proposed interventions in the bid will address those challenges and barriers with evidence to support that explanation. As part of this, we would expect to understand the rationale for the location. (Limit 500 words)

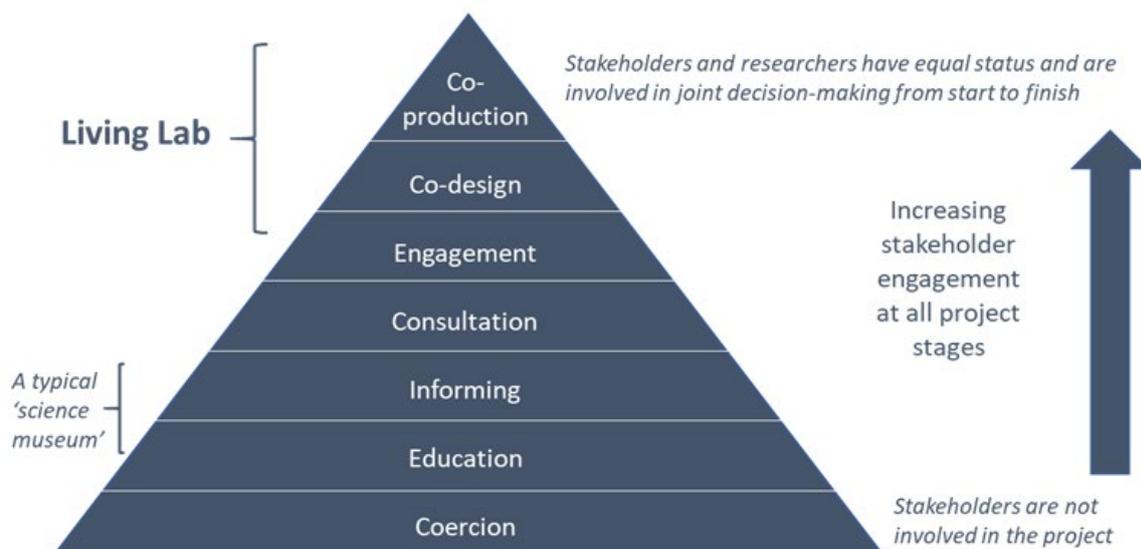
Occupying 1,000m² on the ground floor of a university teaching building, with dedicated educational facilities on the upper floors, the Living Lab will be a new place for open interactive science in Peterborough. It will be an integral part of **Peterborough’s University Quarter Cultural Hub**, which will contain the city’s foremost assets for culture and learning in a new destination area.

Similar in style to an interactive science museum but more ambitious in terms of community impact, Living Labs:

- Are integrated into the community through the co-creation, exploration and evaluation of ideas;
- Address complex problems through collective actions and community interactions;
- Facilitate the co-creation and appropriation of innovations by users in community settings.

Pyramid of stakeholder participation in projects

Source: *Think Local Act Personal Partnership, 2018*



The Living Lab building will be a striking feature building - a space to distinguish Peterborough from other cities, **contributing to regeneration** and giving Peterborough residents a new landmark building to be proud of.

Concept images of ARU Peterborough



It will be the centrepiece of the University Quarter Cultural Hub, a new **destination for creativity and engagement**, linking museums, theatres, libraries and sports facilities through regenerated open green space, pedestrian areas and cycle paths. The quarter will complete the link between the city centre and cathedral to the west, and the River Nene embankment to the south, helping to expand, connect, beautify and diversify Peterborough's urban centre.

The building will help to **create a 'visible university'** linking with Bishop's Road, the open space and riverside to the south, and the elevated approach along Frank Perkins Parkway. The building's surrounds will be regenerated to open up an area currently dominated by low quality trees and shrubs, improving visibility and creating a safer feel to the area.

The university quarter will regenerate an area which is currently a focal point for anti-social behaviour into a destination space for the community



Aerial from south-east: Existing view



Aerial from south-east: View of proposal



View from Bishop's Road: Existing view



View from Bishop's Road: View of proposal

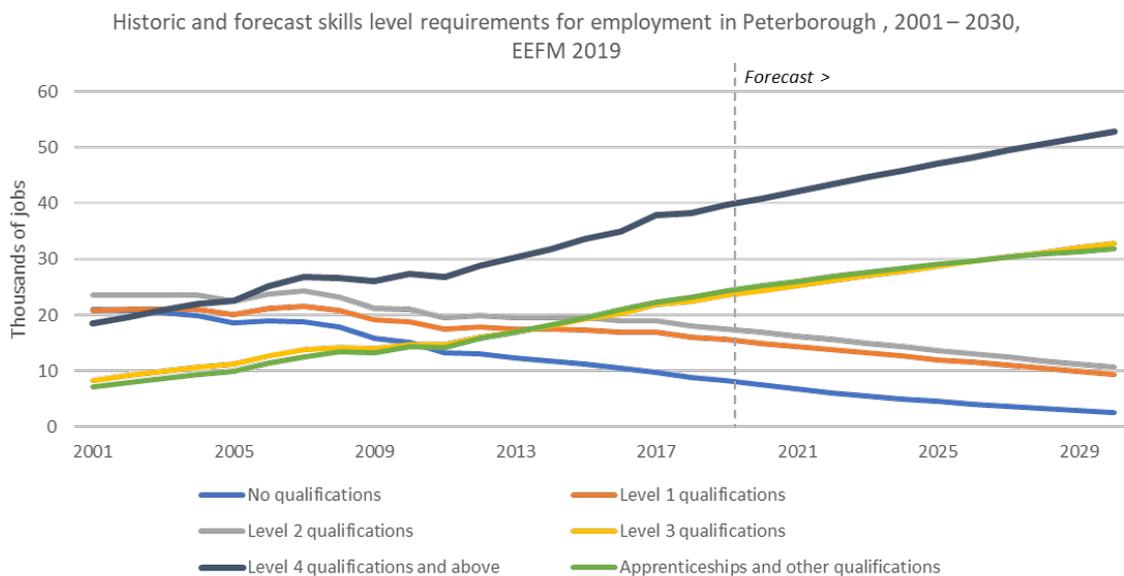
Exhibitions and facilities at the Living Lab will explore green technologies, such as vertical farming, renewable energy and green vehicles, making the University's STEM curriculum more accessible and relevant to local people. By engaging local people in science and net zero technology the long-term aim is to encourage more local people to study in STEM fields and go on to fill the higher-value knowledge intensive jobs that Peterborough's businesses require for growth, thus **supporting inclusive growth and levelling up the area**.

The Living Lab and educational facilities will provide a space where local people can go to study STEM subjects. Over time this will ensure **economic levelling up of Peterborough** by raising local skills levels in a deprived region. Peterborough suffers from poorer skills outcomes than 90% of UK cities, with especially low levels of degree-level qualifications.³⁷ If Peterborough matched skills levels across the East of England an additional 12,000 people aged 16-64 would have an NVQ Level 4 qualification or above. Such a step change in local skills levels would help reverse 40 years of relative decline in economic and health outcomes and would ensure local people can fill forecast demand from Peterborough's businesses for 11,000 additional workers with NVQ4+ qualifications by 2030.³⁸ To this end, the

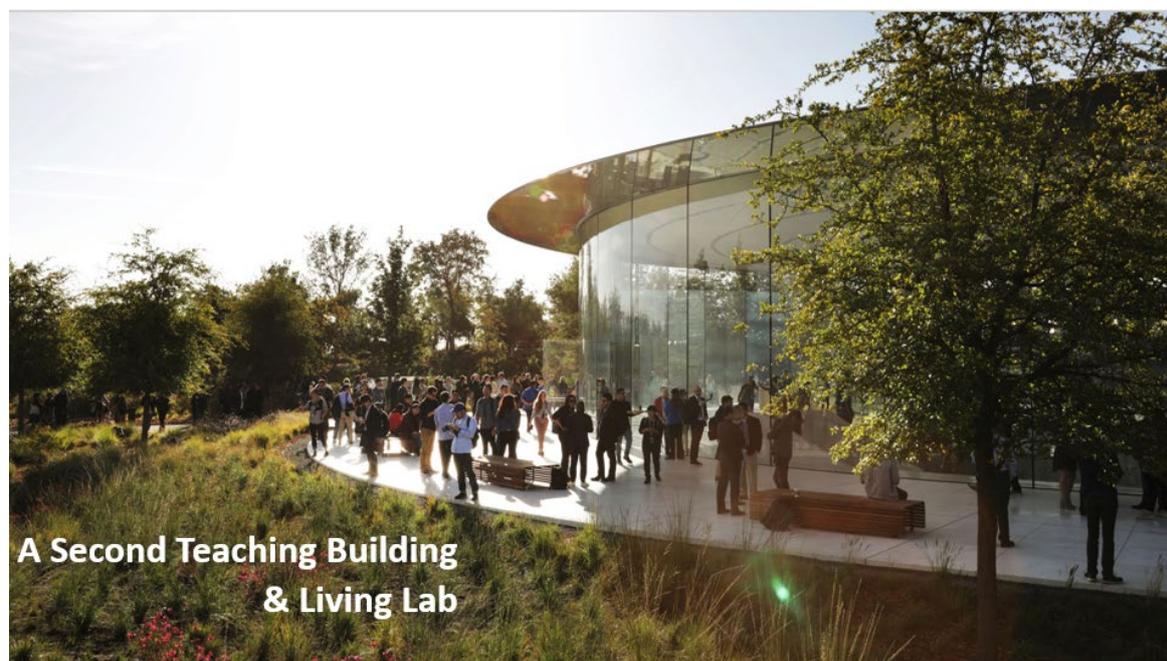
³⁷ <https://cambridgeshireinsight.org.uk/children-and-young-people/report/view/b4f7b0c938074dfbb0979d4a0510e8cb/E1000003>

³⁸ East of England Forecasting Model, 2019

Living Lab and second teaching building will support 4,674 graduates into the local economy over ten years.



Encouraging more residents into higher value jobs will help to **raise social mobility in Peterborough**, which has been faltering in recent years, a trend exacerbated by Covid-19. The Peterborough TIP notes that more deprived residents tend to experience poorer health and educational outcomes and fail to progress to higher paid jobs and better housing, in part because there is no local higher education institution to enable social mobility. There is a danger of these residents becoming trapped in low skill, low pay employment and failing to reach their potential. The new university presents a genuine opportunity to improve career prospects for all.



4.3d For Transport Bids: Have you provided an Option Assessment Report (OAR)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>4.3e Please explain how you will deliver the outputs and confirm how results are likely to flow from the interventions. This should be demonstrated through a well-evidenced <i>Theory of Change</i>. Further guidance on producing a Theory of Change can be found within HM Treasury's Magenta Book (page 24, section 2.2.1) and MHCLG's appraisal guidance. (Limit 500 words)</p>	
<p>This bid addresses three problems that currently prevent Peterborough from levelling up:</p> <ol style="list-style-type: none"> 1. Culture and heritage: A lack of cultural assets in the city restricting cultural activity 2. Regeneration: A need to expand, connect, beautify and diversify the city centre 3. Economic levelling up: Persistent skills deficits entrenched by a lack of higher education provision. <p>This bid helps solve these problems by investing in a new cultural asset - the Living Lab - within the second teaching building of the expanding university and regenerating the surrounding area to create a learning, culture and lifestyle precinct as a University Quarter Cultural Hub in the heart of the city centre. The second teaching building will host 1,700 students drawn mostly from the local area to study in STEM fields, overcoming the persistent skills deficit and ensuring local residents meet rising demand for higher-skill jobs in Peterborough's businesses, thereby enabling inclusive growth and a step change in economic, health and wellbeing outcomes for Peterborough's residents.</p> <p>The Living Lab is critical to achieving a skills transformation by making science, technology and Peterborough's net zero future feel accessible, relevant and exciting to local people, raising aspirations for higher education and entry into STEM based careers, which are key to economic growth and raising productivity for Peterborough.</p>	

Theme	Culture and heritage	Regeneration	Economic levelling up
Issue	Peterborough is recognised as a 'cultural cold spot' with participation in cultural activities ranked in the bottom 10% of UK districts. A lack of suitable cultural assets restricts cultural activity	Peterborough's development hinges on regenerating the town centre and providing more high-quality, connected and open public space	Peterborough is recognised as a left-behind place, with persistent skills deficits entrenched by a lack of local higher education provision connected to many other indices of deprivation. Peterborough is one of the largest UK cities still without a university.
Intervention	The Living Lab will be a new high quality interactive science museum for Peterborough, hosting events, exhibitions, debates, forums and more, focused on science and the net zero transition.	The university quarter which will form around the Living Lab will be a destination for creativity and engagement.	Create a university teaching building around the Living Lab with teaching space for 1,700 locally-drawn students studying in STEM fields, supporting a critical stage in the expansion of the University of Peterborough and meeting the long-term aspiration for HE provision for the local community, enabling inclusive growth.
Input	£28m capital funding: £20m LUF + £7.9m local investment (ARU, CPCA, PCC)		
Outputs	<ul style="list-style-type: none"> 1,000m² new Community and Cultural space for staging events, immersive displays and exhibitions 	New and remediated public space, including: <ul style="list-style-type: none"> 4 acres of regenerated open green space upcycled from mixed brownfield site Cycle path and pedestrian footpaths linked into broader Peterborough networks 270 temporary construction FTEs 	<ul style="list-style-type: none"> New teaching facilities as part of the Living Lab building 65 additional FTE at the university
Outcomes	<ul style="list-style-type: none"> 50,000 additional visits per year to Peterborough 20 large events per year £3.2m additional visitor spend per year in the local economy Improved cultural and heritage offer than is more visible and easier for residents and visitors to access Improved resident wellbeing through access to culture, with positive benefits for physical and mental health Improved cultural assets to host cultural and community events in Peterborough 	<ul style="list-style-type: none"> Improved appearance of the area and links between different areas of the city centre Increased civic pride for residents of a 'university city' Enhanced outcomes for surrounding cultural assets benefitting from university quarter's appeal as a destination area Reduced / resolved anti-social behaviour enabled by the existing site 	<ul style="list-style-type: none"> 5700 graduates over 10 years, including 4,700 who will fill local jobs Increase in graduates working in the city Increase in productivity through higher skilled population Higher numbers of businesses Increased aspiration and social mobility for local people Reduced deprivation in a left-behind area Increased wellbeing, health and healthy life expectancy
Impacts	<ul style="list-style-type: none"> The general increase in higher skilled workforce within the City due to additional students will increase aggregate productivity across the City, generating an additional £833m GVA economic benefit over 10 years, supporting 531 indirect jobs per annum and establishing an additional 301 enterprises in the city over a ten year period. 		

4.4 Alignment with the local and national context

See technical note Table 1 for further guidance.

4.4a Explain how your bid aligns to and supports relevant local strategies (such as Local Plans, local economic strategies or Local Transport Plans) and local objectives for investment, improving infrastructure and levelling up. (Limit 500 words)

Investment to create a University Quarter Cultural Hub as a means of regenerating Peterborough is a priority reflected across several local plans and objectives. This includes the **Peterborough City Council's Town Investment Plan (TIP)**, which aims to kick-start economic growth through urban regeneration, the development of skills infrastructure and improved connectivity. Specifically, the plan includes the development of "a university with the potential to transform the city" on 'Opportunity Site 5' as a means of regenerating city centre space, integrated into surrounding areas through publicly accessible spaces and buildings linked by a network of pedestrian and cycle paths.

There is also alignment with Peterborough City Council's long-term regeneration and investment priorities as identified in its **Local Plan**, namely its spatial plan for how the university would occupy essential city space, and its **Cultural Strategy**,³⁹ which lists plans to develop a cultural quarter linked to the city centre.

The cultural priorities of the bid fit with local plans for the creation of a **Cultural Compact** to allow key cultural assets to be linked together to stimulate a resurgence of grassroots culture in the city, with the University Quarter an integral part of this. In particular, the project meets the **Peterborough Cultural Strategy Group's** recommendations⁴⁰ to integrate the city's cultural assets into a coordinated programme of events that link with FE and HE courses to provide local progression opportunities.

In line with regional objectives, the new university, its component buildings and wider ecosystem are key features of the **CPCA's devolution deal** agreed with government and seen as critical for the growth of the local economy and addressing skills shortage and to make Peterborough "a leading place to live, learn & work by 2030". Moreover, the **C&P Independent Economic Review** and **CPCA LIS** both identified a higher education institution as the solution to address the persistent gap in higher level skills in Peterborough and surrounding districts. While the regeneration, economic and levelling up benefits generated by the bid will contribute to **Local Industrial Strategy** and the **CPCA's Business Plan** goals to double the size of the local economy and provide the UK's most technically skilled workforce.

³⁹ To be published summer 2021

⁴⁰ To be published summer 2021

The Living Lab is designed to stimulate and inspire more young people into STEM sectors, including into the university's STEM-focused curriculum, which will be taught in the same building. It will serve to increase skills provisions in these areas, offering a step change in local education provision. This will support the growth of two important local sectors: life sciences, as identified in **CPCA's Life Science Sector Strategy**⁴¹ by addressing the current skills constraints which curtail further growth; and advanced manufacturing by bridging the high skills shortfall identified in **CPCA's Advanced Manufacturing Sector Strategy**⁴² and acting on its recommendation to encourage more people to consider careers in technology, engineering and advanced manufacturing, and to ensure there is the supportive environment developing these skills for the future.

4.4b Explain how the bid aligns to and supports the UK Government policy objectives, legal and statutory commitments, such as delivering Net Zero carbon emissions and improving air quality. Bids for transport projects in particular should clearly explain their carbon benefits. (Limit 250 words)

The bid aligns to Government's **Levelling Up Fund** priorities through the regeneration of a brownfield site, repurposed into a cultural community asset that serves as a visitor attraction. It also supports fund aims such as the upgrade of existing athletics facilities and improvement of public realm that offers additional cultural and arts spaces to host events. Further, the effects of regeneration and improved connectivity will meet the Fund's objectives to design out crime and improve security in urban centres to encourage new businesses and services to locate.

The bid also aligns to wider Governmental policy, including the national **Industrial Strategy with its economic and levelling up priorities creating** local inclusive growth and more prosperous communities. It will achieve this by making higher education accessible to local residents and enabling them to meet rising demand for higher-level skills that lead to better jobs with improved earnings.

It will support **national economic and skills policy**, including the Skills for Jobs White Paper by increasing the supply of higher-level technical skills, ensuring inclusiveness in higher education provision and support the expansion of agile modes of learning.

The bid supports Government's **net-zero objectives** with a building design that maximises sustainable materials and renewable energy, and external development that improves connectivity between the embankment and wider region - optimising new cycle paths and reducing local carbon emissions. Further, by showcasing net-zero technologies, the museum will educate and inspire local people and businesses about the role they can play in the UK's net zero transition - encouraging more people to pursue education and careers in the field.

⁴¹ To be published later in 2021

⁴² To be published later in 2021

Finally as part of net zero objectives, PCC in partnership with Cranfield University, SSE and Element Energy made a successful bid to Innovate UK for funding to test the feasibility of an **integrated renewable energy infrastructure** that will provide renewable energy to 42 commercial sites across the city, including the new University. The study is ambitious and aims to provide ‘private wire’ connections from the Council’s Energy Recovery Facility in Fengate to build a smart, responsive, low-carbon, energy infrastructure to support the city’s growth in a sustainable way, smoothing the transition to zero carbon.

4.4c Where applicable explain how the bid complements / or aligns to and supports other investments from different funding streams. (Limit 250 words)

The project is part of the ongoing programme to establish a university in Peterborough. This programme of work has already attracted £45m of investment, which this project will build upon:

- Phase 1 (£30.5m): a first university building, opening in September 2022 with capacity for 3,000 students – funded by PCC, ARU and the CPCA using £25.4m of devolution deal Gainshare funding and Local Growth Funds.
- Phase 2 (£15m): R&D, innovation and incubator expansion, which proceeds independently of this proposal – funded by local businesses and the CPCA using £13.5m of the Get Building Fund.
- **Phase 3 (£27.9m: for the Living Lab, university quarter and second teaching building, including a £20m investment from the Levelling Up Fund):** Construction complete in 2024 for the Living Lab and second teaching building supporting additional 1,700 students (570 graduates per year), with potential for significant growth in student numbers in future.

The £20m of Levelling Up Funds requested will be leveraged with £7.9m of local investment from the City Council, Combined Authority and ARU to help establish the university quarter.

Investment into Living Lab, University Quarter and second teaching building					
Contributor	LUF	PCC	CPCA	ARU	Total
Value (£m)	20	1.87	2	4	27.87
% of total	71.8%	6.7%	7.2%	14.4%	100%

The Living Lab will act as a catalyst to bring together a number of individual projects to realise the concept of the University Quarter as the Cultural Hub for

Peterborough. Concurrent investments in the University Quarter via the Peterborough Towns Fund include:

1. £10m for the New Vine Library, 5 minutes' walk from the university, that will connect to the university library within the initial university building to provide both physical and digital interactive access to knowledge and the city's heritage.
2. £2m for the new National Bronze Age Museum, a 10-minute riverside cycle from the university, that will link with the city museum, and new interactive science museum, to create an integrated heritage offer for the university quarter.
3. £1m for the enhancement of the Riverside Walkway at the foot of the northern river embankment upon which the university sits. This will connect the university with the City's theatre and on to the city centre, encouraging the commercial development of hospitality and leisure along the riverside.
4. £2m for the River Nene Pedestrian Bridge, that will connect the university and Riverside Walkway with the south bank of the Nene, where a new Hilton hotel is being constructed, along with riverside restaurants and bars.

The combined £92.4m of investment across these complementary projects will together create the University Quarter Cultural Hub for Peterborough.



4.4d Please explain how the bid aligns to and supports the Government's expectation that all local road projects will deliver or improve cycling and walking infrastructure and include bus priority measures (unless it can be shown that there is little or no need to do so). Cycling elements of proposals should follow the Government's cycling design guidance which sets out the standards required. (Limit 250 words)

This is not a transport project and does not include new roads. However, pedestrian cycle paths (not on roads) will be provided as part of this project, within the university quarter.

PART 5 VALUE FOR MONEY

5.1 Appropriateness of data sources and evidence

See technical note Annex B and Table 1 for further guidance.

All costs and benefits must be compliant or in line with [HMT's Green Book](#), [DfT Transport Analysis Guidance](#) and [MHCLG Appraisal Guidance](#).

5.1a Please use up to date evidence to demonstrate the scale and significance of local problems and issues. (Limit 250 words)

Peterborough is one of the fastest-growing cities in the country⁴³, with net business creation outpacing regional and national trends, and growth in economic output (GVA) and new patent registrations showing strong evidence of innovation⁴⁴. The City's strategic location with good rail access to London, Birmingham and nearby Cambridge mean that it is well-placed to grow as an employment centre.

However, while Peterborough has seen recent employment growth (prior to the pandemic) and possesses a strong manufacturing sector (14% of Peterborough's GVA compared to 10% nationally) it remains a low skill, low wage economy.

Only 32.1% of the population have NVQ4+ skills compared to 43% nationally⁴⁵. This means that wages are 9% lower than the England average⁴⁶ with productivity per worker 11% below the average⁴⁷. Unemployment remains above the national average and there are pockets of extreme deprivation.

The Covid-19 crisis has made all these challenges substantially more acute. Rates of Universal Credit claims in the city doubled in the 12 months from March 2020 to rise above 27,000 in a city with a workforce of 120,000.⁴⁸

⁴³ Peterborough was the third fastest growing city in England between 2008 and 2018. Source: <https://www.centreforcities.org/blog/2008-2018-an-uneven-geography-of-population-growth-in-uk-cities/>

⁴⁴ Peterborough Economic Intelligence Report 2019, Opportunity Peterborough

⁴⁵ ONS (2021) Annual Population Survey

⁴⁶ ONS (2021) Annual Survey of Hours and Incomes

⁴⁷ ONS (2020) Subregional productivity: labour productivity indices by UK NUTS2 and NUTS3 subregions

⁴⁸ <https://cambridgeshirepeterborough-ca.gov.uk/what-we-deliver/resilience-2/>

5.1b Bids should demonstrate the quality assurance of data analysis and evidence for explaining the scale and significance of local problems and issues. Please demonstrate how any data, surveys and evidence is robust, up to date and unbiased. (Limit 500 words)

Economic data is drawn from the Office for National Statistics, as well as other Government and commercial sources where needed, and is therefore credible, robust and timely. Experts within the Council, supported by partners from CPCA have worked together to understand the changing shape of the local economy over the past several years. Where needed, we also commission expert consultants to provide additional evidence.

Examples of our work to ensure a strong evidence base include:

- The Peterborough Economic Intelligence Report 2019⁴⁹ provided an up-to-date review of the City's economic needs, opportunities and challenges prior to the pandemic.
- Since the pandemic, Peterborough City Council and the Cambridgeshire & Peterborough Combined Authority have worked closely together to establish the [CPCA Covid-19 recovery monitoring dashboard](#). This provides timely data on key economic, employment and business issues, allowing us to maintain a view on the ongoing impact of the pandemic on the local economy.
- As well as this, we have also supported the CPCA's work on a Local COVID 19 Economic Recovery Strategy ([LERS](#)) which has drawn on the dashboard data and involved further workstreams looking at Skills data, which focused on the skills deficits evident in Peterborough and nearby Fenland.
- The [East of England Forecasting Model](#), maintained by Cambridgeshire Insight, provides a set of detailed baseline economic, demographic and labour market forecasts for the region and local authorities within it, including Peterborough.

The result of this is that we have an extensive understanding of the key opportunities and challenges affecting the local economy.

As part of the [Town Investment Plan](#) (TIP) work we engaged widely to understand local issues and concerns about the City and the City Centre that might not be well captured within existing datasets. This also built on our engagement as part of the Local Plan and the City Masterplan, as well as the 2016 Peterborough Environment City Trust (PECT) work which asked local people their views about Peterborough, undertaking 623 interviews plus a further 104,000 contacts through social media, events and radio.

⁴⁹ Peterborough Economic Intelligence Report 2019, Opportunity Peterborough

Engagement for the TIP included:

- Engaging through the press, including articles in Peterborough Telegraph and Moment Magazine
- Engaging through social media including Facebook and My Town to inform local people about the Towns Fund. Facebook generated over 500 comments.
- Engagement with key stakeholder organisations in the city such as the Civic Society, the Cultural Strategy Group, and local Business Groups.

This has therefore given us broad engagement across a range of stakeholders. The feedback from this engagement has helped to shape both our vision for the city and specific project proposals.

Throughout the TIP process there was also very close working with the Peterborough Economic Recovery Programme Group which was set up to ensure an early bounce back from COVID-19.

Therefore, our evidence consists of a mix of hard economic and statistical evidence as well as broad engagement with local residents and local stakeholder groups.

5.1c Please demonstrate that data and evidence chosen is appropriate to the area of influence of the interventions. (Limit 250 words)

The Living Lab will sit at the heart of the city within the University Quarter Cultural Hub and serve the city as a whole. For that reason, most of the analysis undertaken uses economic indicators for Peterborough as a whole, as the Living Lab will contribute to the cultural offer, and the long-term skills provision for the whole city. Therefore it is appropriate to consider area-wide indicators such as skills levels, unemployment, wage levels, GVA, and productivity.

Our evidence gathering in terms of the city-centre and the cultural offer has been specifically focussed on how the city-centre and different areas within the city centre are functioning. This has gathered more specific resident and stakeholder perception evidence about the area in question.

5.2 Effectiveness of proposal in addressing problems

5.2a Please provide analysis and evidence to demonstrate how the proposal will address existing or anticipated future problems. Quantifiable impacts should usually be forecasted using a suitable model. (Limit 500 words)

The following are forecasts based on the first 10 years after completion and building opening

- Number of additional graduates created including higher level apprenticeships: 5,700
- Number of direct permanent jobs created: 65 additional FTE jobs as building staff.
- Number of direct temporary jobs created: 270 construction FTEs
- Number of indirect jobs created: 531 indirect jobs supported per annum.
- Number of graduates employed in local jobs: 4,674 graduates employed into local jobs.

The project generates an additional range of quantifiable outputs:

Benefits accruing during construction

- Design and construction of the university building will support an estimated 270 jobs over construction lifespan from 2021 – 2024.

Benefits accruing through additional visitors to the city and students within the city (and associated spend in the local economy), and regeneration of public space to reduce antisocial behaviour.

- We estimate 50,000 additional visits per year owing to the new cultural attraction, which is expected to host 20 events a year. This creates estimated additional visitor spend of £3.2m per year.
- We estimate that existing antisocial behaviour issues in this area will be resolved by the removal of poor quality trees and shrubs from the area, which currently make the space secluded and unsafe for the general public.

Benefits accruing through direct employment at the living lab and teaching space

- We estimate 65 new FTE jobs at the new building.

Benefits accruing through delivery of university facilities which will support increased learning outcomes and benefits to the wider economy.

- The building itself will deliver 3,000m² of new space, of which 1,000m² will be dedicated community and cultural space for the Living Lab and associated community learning space.
- 570 additional students per year will be enabled through the enhanced teaching facilities.
- We anticipate that of these 570 students per year, 82% will remain in the City upon graduation, increasing the supply of locally available graduates by

467 students per year and adding £833m to the economy over 10 years through increased higher skilled employment.

- We anticipate that the general increase in higher skilled workforce within the City due to these additional students, will increase aggregate productivity across the City in line with nationally-observed trends. This will generate an additional £89m of GVA over 10 years.
- Given all of the benefits described above, we estimate that approximately 531 indirect jobs per annum will be generated in the wider economy in the initial 10 years of operation.
- We further estimate that this additional high skilled population will lead to the creation of an additional 301 new enterprises established in the city over a ten year period.

5.2b Please describe the robustness of the forecast assumptions, methodology and model outputs. Key factors to be covered include the quality of the analysis or model (in terms of its accuracy and functionality) (Limit 500 words)

We have used standard HMT Green Book methodology to calculate the economic benefits, applying additionality using established research on the net additionality attributed to investments of this type⁵⁰, and through applying a discount rate of 3.5% in line with HMT requirements to both costs and benefits. Note that using established estimates of net additionality results in overall additionality of less than 1 which is realistic and avoids the potential for optimism bias in assessing future effects.

We have estimated the economic benefits using a range of standard 'ready reckoners' and available economic data. Our answer to 5.4a (below) lists out the assumptions in the model in terms of each element and the sources for particular assumptions.

In terms of forecasting assumptions – the main ones are:

- The numbers of additional graduates due to the Living Lab and University space. This is a very high probability forecast given that the amount of space is well defined and is part of the long-term expansion of the campus by Anglia Ruskin University.
- Economic assumptions about productivity uplift are generated by the East of England Forecasting Model (EEFM)⁵¹. EEFM is an established forecasting model with a strong track record of accuracy and is locally-developed and specific and therefore highly accurate for the area under consideration.

⁵⁰ BEIS (2009) Research to improve the assessment of additionality

⁵¹ <https://cambridgeshireinsight.org.uk/eefm/>

- Assumptions about student retention within the local area reflect established evidence on student retention rates for students that study locally which is anticipated to be a very high proportion of the student population.
- Assumptions about student employment levels reflect the strong expected future demand for graduate skills which is anticipated in the EEFM. The EEFM forecasts 18,100 more graduate-level jobs (NVQ4+ skills requirement) in 2037 compared to 2021. Therefore, the additional supply of graduates generated by this intervention is far below the anticipated demand and therefore it is reasonable to anticipate full employment of these graduates locally. Further, the EEFM is based on our expectations of the additional employment generated through the CPCA Business Growth Service which is expected to generate 2,670 jobs alone, the vast majority of which will be high-skilled graduate jobs.
- Visitor numbers to the Living Lab have been conservatively estimated based on available data for other visitor attractions in Peterborough.

Therefore, the overall forecasting assumptions are reasonable and grounded in likely probabilities based on established evidence. We have very conservatively assumed persistence of economic benefits of ten years for each type of benefit (excluding construction employment which is transitory in nature). Clearly, given that this is a long-term infrastructure investment, this assumption is extremely conservative.

We therefore consider the model that we have developed to be highly robust and compliant with HMT Green Book methodology. Whilst it is a conservative assessment, it very clearly demonstrates that this project delivers excellent value for money.

Specifically, we consider this assessment to be particularly robust because all of the benefits (and the phasing of those benefits) associated with the additional university teaching space – in terms of additional long-term economic benefits due to upskilling, and in terms of additional student expenditure in the local economy – can be reliably forecasted from an understanding of the additional student capacity created by the university.

5.3 Economic costs of proposal

5.3a Please explain the economic costs of the bid. Costs should be consistent with the costs in the financial case, but adjusted for the economic case. This should include but not be limited to providing evidence of costs having been adjusted to an appropriate base year and that inflation has been included or taken into account. In addition, please provide detail that cost risks and uncertainty have

been considered and adequately quantified. Optimism bias must also be included in the cost estimates in the economic case. (Limit 500 words)

The table below illustrates the funding contributions sought, and a financial summary of the project expense streams.

The funding request takes into account all components of cost required to deliver the project including construction works, support services from professional consultants and the design team, legal support, surveys and investigations.

Consideration of wider client related project costs including internal project management, project financial accounting and statutory contributions such as section 106 contributions and land purchase have been considered.

A separate contingency has been identified to safeguard the financial viability of the schemes, including taking into account inflation over the project's lifecycle. Please refer to section 6.1 for further information relating to project contingency.

PROJECT FINANCIAL DETAILS	
Total Project Costs	£27.87m
Total Capital	£27.87m
Total Revenue	£0m
Total 3rd Party Contribution	£7.87m
Total LUF requested	£20m

	2020/21	2021/22	2022/23	2023/24	2024/25	Total
COSTS (£) (inc VAT)						
CONSTRUCTION			3,313,516	17,174,484	312,000	20,800,000
DESIGN & SURVEYS		597,188	877,500	475,312		1,950,000
CLIENT DIRECTS & OTHER		150,000	350,000	150,000		650,000
CONTINGENCY		130,000	1,413,750	1,056,250		2,600,000

LAND PURCHASE		1,870,000				2,000,000
TOTAL COSTS	£	£2,747,188	£5,954,766	£18,856,046	£312,000	£27,870,000

5.4 Analysis of monetised costs and benefits

5.4a Please describe how the economic benefits have been estimated. These must be categorised according to different impact. Depending on the nature of intervention, there could be land value uplift, air quality benefits, reduce journey times, support economic growth, support employment, or reduce carbon emissions. (Limit 750 words)

We have estimated the economic benefits using a range of standard 'ready reckoners' and available economic data. We have used standard HMT Green Book methodology to calculate the economic benefits, applying additionality using standard estimates⁵², and through applying a discount rate of 3.5% in line with HMT requirements.

Specific details of the estimates are as follows:

- Direct FTE jobs estimates have been provided by Anglia Ruskin University and reflect both the staffing required for the Living Lab, and the staff required to support the teaching building.
- Construction employment is based on the estimated construction spend and a standard assumption of 15 FTE jobs per million pounds of construction expenditure.
- We have estimated additional visitor numbers conservatively based on available comparator data (e.g. Peterborough Cathedral attracted an average of 206,000 visitors annually in the period in 2018-2019⁵³). Visitor spend estimates are calculated using Visit Britain data on average spend⁵⁴ at an East of England level and assuming an 80/20 split between day visits and overnight stays.
- We have calculated the GVA increase associated with retaining more skilled graduates on the basis of the additional HE students. We have used established regional percentages for student retention⁵⁵ alongside GVA data for Peterborough.

⁵² BEIS (2009) Research to improve the assessment of additionality

⁵³ Visit England (2019) Most visited free attractions – East of England 2019

⁵⁴ Visit Britain (2019) Great Britain Day Visits Survey 2019

⁵⁵ HESA Leavers Destination data: Destinations of Leavers from Higher Education in the United Kingdom for the academic year 2015/16 | HESA. Note: 82% is an East of England average figure.

- The teaching element of the Living Lab will support an additional 570 students / graduates per year at ARU Peterborough, assuming the 1,700 students the teaching facility will support at any one time are evenly spread over three graduate cohorts.⁵⁶
- We have calculated the amount of indirect employment in two parts: Firstly, we have estimated the impact of additional spend in local job creation, based on the additional visitor spend in the local economy and average expenditure per job figures. Secondly, we have reflected the number of new graduates in the economy, assuming that 82% of graduates remain locally as is the average for locally-focussed universities such as ARU-P where the vast majority of the intake is anticipated to be from the local community⁵⁷.
- We have assumed that the contribution of additional graduates to the economy increases steadily over time in line with established data on wage increases⁵⁸. We have modelled this so that new graduates make a smaller contribution than more experienced graduates (e.g. after 3-5 years) do within the economy.
- Drawing on established research⁵⁹, we have assumed that the increase in the proportion of working people in the City with higher level skills will increase overall productivity by 0.035%⁶⁰ per 1 percentage point increase in the proportion of the working population with NVQ4+ skills.
- We have assumed additional enterprise creation of 301 new firms over 10 years, reflecting that as the working age population increases in the City due to the additional graduates, we would naturally anticipate new businesses /start-ups being created due to the presence of these graduates in the City. We have therefore used existing ratios of the average number of businesses per working age people, using existing business density data⁶¹, coupled with the additional graduate numbers due to the new building.
- Additionality has been applied drawing on established guidance for this type of facility.⁶² This results in a net additionality of less than one, which represents a conservative assumption but avoids any optimism bias.

We have very conservatively assumed persistence of economic benefits of ten years for each type of benefit (excluding construction employment which is transitory in nature). **Clearly, given that this is a long-term infrastructure investment, this assumption is extremely conservative.**

⁵⁶ Figures provided by Anglia Ruskin University

⁵⁷ HESA Leavers Destination data: Destinations of Leavers from Higher Education in the United Kingdom for the academic year 2015/16 | HESA. Note: 82% is an East of England average figure.

⁵⁸ DfE (2021) Graduate outcomes (LEO)

⁵⁹ DfE & IFS (2020) The impact of undergraduate degrees on lifetime earnings

⁶⁰ This is the mid-point in the identified effect in Ibid.

⁶¹ ONS (2021) Business Demography

⁶² See BIS (2009) Research to improve the assessment of additionality

We are also cognisant that there are a range of broader social benefits which remain unquantified at this stage. These are set out in 5.5b. We are confident that if these benefits were quantified the stated economic value of this project would be considerably higher than it already is.

5.4b Please complete Tab A and B on the **appended excel spreadsheet** to demonstrate your:

Tab A - Discounted total costs by funding source (£m)

Tab B – Discounted benefits by category (£m)

5.5 Value for money of proposal

5.5a Please provide a summary of the overall Value for Money of the proposal. This should include reporting of Benefit Cost Ratios. If a Benefit Cost Ratio (BCR) has been estimated there should be a clear explanation of how this is estimated in a methodology note. Benefit Cost Ratios should be calculated in a way that is consistent with [HMT's Green Book](#). For non-transport bids it should be consistent with [MHCLG's appraisal guidance](#). For bids requesting funding for transport projects this should be consistent with [DfT Transport Analysis Guidance](#). (Limit 500 words)

The provisional financial arrangements for the project are:

- a. LUF £20m
 - b. ARU £4m
 - c. CPCA £2m
 - d. PCC £1.87m – contribution of land value
- £27.87m total

In terms of the LUF contribution, there is therefore an NPV cost of £20m.

The NPV of benefits is calculated at £833m.

Net additionality is estimated at 60% in line with established guidance⁶³.

Therefore, the BCR for this project is currently estimated at 25.01. This represents exceptional value for money, and – as stated above – is a conservative estimate of the economic benefits of this project.

5.5b Please describe what other non-monetised impacts the bid will have, and provide a summary of how these have been assessed. (Limit 250 words)

⁶³ See BIS (2009) Research to improve the assessment of additionality

Overall, this project delivers **significant social value** through the provision of a dedicated community cultural and learning space in a core area of the City Centre.

It will help raise aspirations and awareness amongst local people helping attract local residents to study at the university and ensuring that more highly skilled young people in Peterborough remain in the city.

Wider non-monetised benefits include:

- Greater opportunities for and appreciation of cultural activities in Peterborough, including higher visitor numbers supported at other venues in the university quarter
- Improving connectivity in the local area through high quality pedestrian and cycle links.
- Improved connectivity to sustainable transport modes / public transport.
- Improvement in environment / surrounding greenspace – improving air quality and tackling climate change
- Resolved issues around the area providing cover for anti-social behaviour and criminal activity
- Encourage model shift to active travel, promoting health and well being
- Help tackle congestion
- Increase in local land values
- Increase attractiveness of area/town centre to other employment / development
- Address inequalities
- Improved inclusive mobility
- Increased local engagement with net zero themes
- Contribute towards the DfT Gear Change and Bus Back Better Visions.

In commissioning this work, we will adhere to the social value in government procurement framework, therefore taking the opportunity to increase the social value of the project even further.

All the above can be monetised and calculated when the scheme progresses. The project will aim to quantify social value as far as possible as part of an FBC for local assurance, with monitoring and evaluation after completion.

5.5c Please provide a summary assessment of risks and uncertainties that could affect the overall Value for Money of the bid. (Limit 250 words)

Key risks and uncertainties relate to construction and timely delivery of the project.

However, these are mitigated by the fact that **local delivery partners have already demonstrated their ability to collaborate for rapid project delivery.** They are on track to deliver the first two phases of the university within tight timescales and to budget. The Phase 1 first teaching building was approved for funding in late 2019 and is already under construction with completion confirmed for July 2022. The Phase 2 Research Centre was approved for funding in mid-2020 and is about to receive planning permission with a spade in the ground this year and completion confirmed for December 2022.

Project management arrangements for construction works will be based on the successful approach employed for these Phase 1 and 2 projects.

The established and already operating, special purpose vehicle to deliver all the phases of the university development, The Peterborough HE Property Company (PropCo1), will require the support of an appropriately skilled and resourced organisation to manage the delivery of this project. This will include the following key activities:

- Initial designs to enable early planning discussions
- Technical documents for the procurement process
- Management of the design development with the contractor through to execution of a JCT D&B
- Submission of planning application at the appropriate time
- Practical management of the works as contract administrator/ clerk of works, including regular meetings, quality assurance and delivery against timescales.
- Cost management and reporting
- Compliance with funding obligations

Subject to procurement, the local partners anticipate using the same contractors, MACE, to support delivery of Phase 3.

BCR for the project has considered and remains robust against any slippage in construction time.

The on-going COVID-19 health pandemic and consequent restrictions on social movement and activities present a level of risk to the overall Value for Money in respect to the Living Lab component of the building as a cultural and visitor attraction. However, this risk is considerably mitigated by the fact that the building will not open to the public until 2024, by which time it is most likely that the worst effects of the pandemic will have passed.

In respect to the teaching component of the building, the nature of the courses that will be taught within the building are well attuned to the needs of the local labour market, which will ensure a steady rate of long-term demand.

5.5d For transport bids, we would expect the [Appraisal Summary Table](#), to be completed to enable a full range of transport impacts to be considered. Other material supporting the assessment of the scheme described in this section should be appended to your bid.

PART 6 DELIVERABILITY

6.1 Financial

See technical note Table 1 for further guidance.

6.1a Please summarise below your financial ask of the LUF, and what if any local and third party contributions have been secured (please note that a minimum local (public or private sector) contribution of 10% of the bid costs is encouraged). Please also note that a contribution will be expected from private sector stakeholders, such as developers, if they stand to benefit from a specific bid (Limit 250 words)

The financial ask of the LUF is for £20m of capital funding.

The provisional financial arrangements for Phase 3 of the project are:

- a. LUF £20m
- b. ARU £4m
- c. CPCA £2m
- d. PCC £1.87m – contribution of land value

£27.87m total

Secured third party contributions amount to £7.87m: 28.2% of the total financial requirement of £27.87m.

6.1b Please also complete Tabs C and D in the appended excel spreadsheet, setting out details of the costs and spend profile at the project and bid level in the format requested within the excel sheet. The funding detail should be as accurate as possible as it will form the basis for funding agreements. Please note that we would expect all funding provided from the Fund to be spent by 31 March 2024, and, exceptionally, into 2024-25 for larger schemes.

6.1c Please confirm if the bid will be part funded through other third-party funding (public or private sector). If so, please include evidence (i.e. letters, contractual commitments) to show how any third-party contributions are being secured, the level of commitment and when they will become

Yes

No

<p>available. The UKG may accept the provision of land from third parties as part of the local contribution towards scheme costs. Where relevant, bidders should provide evidence in the form of an attached letter from an <u>independent</u> valuer to verify the true market value of the land.</p>	
<p>6.1d Please explain what if any funding gaps there are, or what further work needs to be done to secure third party funding contributions. (Limit 250 words)</p>	
<p>There are no funding gaps. Third party funding contributions are approved and committed at board/cabinet level from PCC, CPCA and ARU, contingent on this application to the Levelling Up Fund being successful.</p>	
<p>6.1e Please list any other funding applications you have made for this scheme or variants thereof and the outcome of these applications, including any reasons for rejection. (Limit 250 words)</p>	
<ol style="list-style-type: none"> 1. An application has been submitted to CPCA's Local Growth Funds for a £2m capital investment. The release of Local Growth Funds for this project has been approved, contingent on this application to the Levelling Up Fund being successful. 2. A September 2020 cabinet authority, supplemented by a March 2020 Cabinet Member Decision Note authorises the transfer of up to 13.5 acres of land to support development of the university over the lifetime of the project. These approvals are appended to match funding letter at Appendix 3a as is a 2020 red book valuation for 3.92 acres, the same amount of land being transferred to facilitate Phase 3. The land will be valued again at point of transfer. Local agency advice suggests the value will only increase resulting in at least £1.87m of land on the site being transferred from PCC to the project via The Peterborough HE Property Company (<u>PropCo1</u>). This has been approved contingent on this application to the Levelling Up Fund being successful. 3. An application has been submitted to ARU's board for £4m of capital investment. This has been approved contingent on this application to the Levelling Up Fund being successful. 	
<p>6.1f Please provide information on margins and contingencies that have been allowed for and the rationale behind them. (Limit 250 words)</p>	
<p>In parallel with a structured risk management regime, the contingency sums established to indemnify against residual risk will be systematically appraised and revaluated at strategic points during the life of the project. The initial contingency</p>	

sum has been ringfenced at 12.5% of construction works value, which is appropriate to the perceived level of complexity and inherent risk in the overall project. This level of contingency is also commensurate to the contingency levels carried on the previous phases.

As the project progresses we will undertake analysis to monitor what has gone before, enable forward strategic planning, and make value judgments to inform corrective measures to control future events and to mitigate budget overspend. This analysis will focus primarily on:

- The trend of variation expenditure and programme success
- Rates of contingency commitment
- Remaining risk on work yet to be executed
- Risk on settlement of accounts and achievement of practical completion
- The residual amount of contingency to cover the remaining areas of risk.

6.1g Please set out below, what the main financial risks are and how they will be mitigated, including how cost overruns will be dealt with and shared between non-UKG funding partners. (You should cross refer to the Risk Register). (Limit 500 words)

Financial risks to the project will be assessed from the widest possible range of constituencies and through review of information from all possible project sources and stakeholders - including funders, users, designers, constructors and suppliers. PropCo1 has engaged an independent specialised project manager, MACE, to ensure the effective management of construction.

The main financial risks to this project and steps to ensure they are effectively mitigated have been assessed as follows:

A lack of clarity on the design requirements due to sufficient input on the needs of end users. This could lead to a risk of assumptions needing to be made, possibly causing late changes during the design and construction phase, which will cause delay to the programme and increased cost. This risk will be mitigated through robust stakeholder engagement upfront to clearly define the project and design brief. MACE will adopt a project gateway system ensuring that outputs at key design stages are agreed by all parties and are authorised by PropCo1. This approach ensures stakeholders are consulted and bought-in to the developing design, avoiding the likelihood of late change and abortive works.

A risk of requirement for increased statutory services, specifically electrical supply capacity. Capacity increases will be dependent on the energy demands of the building design and any infrastructure upgrade requirements will likely be costly and be unlikely to be funded within the building works budget. To mitigate this risk the design team will submit early applications to relevant utility providers to establish available capacity and assess the likelihood of any required upgrades. Design options will be thoroughly considered to minimise any impact.

Adverse ground conditions including classification of soils, ground bearing capacity or antiquities causing cost increases to building works exceeding budget. To mitigate this risk a professional team will be instructed to undertake required surveys and ground investigations to ascertain the likelihood and potential impact of adverse ground conditions. The findings of surveys and investigations will inform the design solutions available and the team will review and select the most commercially advantageous design solutions available to safeguard funding overspend.

Lower than expected student numbers occupying the Living Lab teaching space, which could lead to lower revenues and jeopardise the long-term financial viability of the building. Effective processes are in place to monitor the recruitment and admission of potential students and degree apprentices to mitigate this risk. This includes monthly reports and detailed analysis to the ARU senior management team. The recruitment strategy will be reviewed and adapted at key points in the recruitment cycle. Data informed marketing campaign will be implemented to target key student groups, using both digital and direct contact. If required, additional resources will be directed to these campaigns to ramp up student numbers. Course delivery will be blended and includes flexible online options so they are open to a greater range of audiences. Accordingly, there will be an increased focus on marketing and recruitment activity that emphasises flexibility and innovation within the course portfolio. If there is a lower-than-expected September student intake, there can be an increased provision of January starts and the introduction of a May intake to balance numbers overall and make up for any losses.

Risks will be described in a standard format including cause and consequence, ownership, mitigation strategy and status, and will be analysed to show both qualitative and quantitative impacts. The risks will be held in a central risk register to ensure consistency and ease of collation and reporting and will be specifically identified according to design or construction impacts with a clear indication of the financial impact. Risks will be reviewed on a periodic basis and subjected to peer-review. The risk register will be regularly updated and readily available for review by the PropCo1 or the project team at any time.

6.2 Commercial

See technical note Section 4 and Table 1 for further guidance.

6.2a Please summarise your commercial structure, risk allocation and procurement strategy which sets out the rationale for the strategy selected and other options considered and discounted. The procurement route should also be set out with an explanation as to why it is appropriate for a bid of the scale and nature submitted.

Please note - all procurements must be made in accordance with all relevant legal requirements. Applicants must describe their approach to ensuring full compliance in order to discharge their legal duties. (Limit 500 words)

Commercial structure

Project partners, PCC, ARU and CPCA, have already formed a special purpose vehicle – the Peterborough HE Property Company LTD ('PropCo1') - to deliver the new university campus in Peterborough. Should this application be successful PropCo1 will continue to be the entity through which funding is deployed, and delivery will be PropCo1's responsibility. PropCo1 will receive land transferred in exchange for shares, from PCC under a separate Land Transfer Agreement.

Procurement

Procurement (following approval of this application) of the construction to deliver the physical capital works will be as per the procurement of the phase 1 works, a Restricted Procedure, in accordance with the Public Contract Regulations 2015 as amended 2020. The choice of procedure is based on the volume of main contractors and known market interest in the project to ensure an effective competition balanced with proportionality. The procurement will be a two stage Design & Build process with the successful supplier being selected on an evaluation of quality and deliverability against profit and overhead costs. The successful supplier will initially be awarded a Pre-Construction Service Agreement through which the design will be progressed to enable a lump sum JCT Design & Build contract. This route approach is being proposed so as to ensure the project can progress in accordance with the project timescales.

The property will, as per Phase 1, be leased to the already established special purpose vehicle to operate the university (UniCo). As academic delivery partner for the project, ARU will provide the skills, knowledge, experience and resources to make a practical reality of UniCo as the new higher education provider and ultimately a university with degree awarding powers.

Completion of the overall Project is conditional on:

1. The transfer of the land, LUF funding, CPCA-LGF funding and ARU match funding investment being completed
2. Planning Permission being obtained
3. Update to the Propco 1 legal arrangements, this to reflect the additional investments being made and any resulting impacts on decision making processes
4. The Building Contract being successfully procured

Our current programme outline projects for the above to be completed aligned with a successful delivery of March 2024.

Sustainable supply chains and local labour will be used for construction to generate social value in procurement, ensuring that the project adheres to principles set out in the Social Value in Government Procurement Framework.

6.3 Management

See technical note Section 4 and Table 1 for further guidance

Delivery Plan: Places are asked to submit a delivery plan which demonstrates:

- Clear milestones, key dependencies and interfaces, resource requirements, task durations and contingency.
- An understanding of the roles and responsibilities, skills, capability, or capacity needed.
- Arrangements for managing any delivery partners and the plan for benefits realisation.
- Engagement of developers/ occupiers (where needed)
- The strategy for managing stakeholders and considering their interests and influences.
- Confirmation of any powers or consents needed, and statutory approvals eg Planning permission and details of information of ownership or agreements of land/ assets needed to deliver the bid with evidence
- Please also list any powers / consents etc needed/ obtained, details of date acquired, challenge period (if applicable) and date of expiry of powers and conditions attached to them.

6.3a Please summarise the delivery plan, with reference to the above (Limit 500 words)

PCC, ARU and CPCA have already formed a special purpose vehicle – the Peterborough HE Property Company LTD ('PropCo1') - to deliver the new university campus in Peterborough.

Reaching build completion by March 2024.

The first milestone for PropCo1 will be the initial procurement of the multidisciplinary team and legal advice in Q4 2021 ready for commencement of the design and procurement of the facility, to be in place for construction works to start in March 2023.

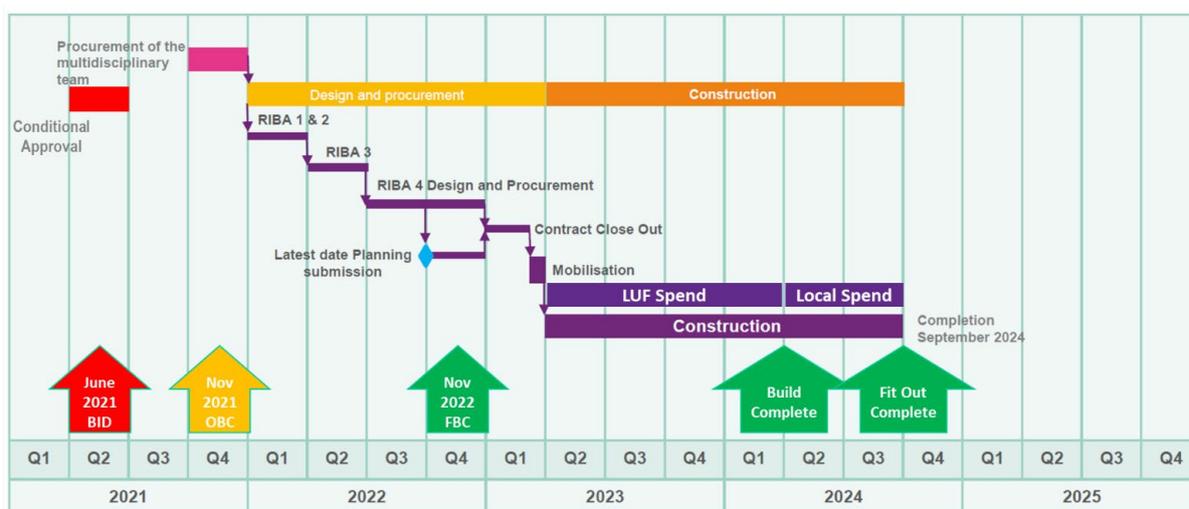
The development will be constructed on Land owned by PCC whom as part of PropCo1 will arrange third party valuation and due diligence on the land which must

be complete for the point of contract award alongside the Agreement for lease and fixed price sum with the main contractor who will deliver the new facility.

Planning application for the development will be developed as part of the early design Gateways to ensure timely application ahead of start on site date. PropCo1 will purchase land from PCC under a separate Land Transfer Agreement ahead of necessary land transfer, which has already been done twice before under the developments of phase 1 and phase 2 of the University.

Completion of the building will be achieved through concurrent processing of design and procurement Jan 22 to Mar 23. This approach has proven successful in delivering the first teaching building for its deadline to open for students in September 2022.

The requested £20m for LUF and £2m from PCC, will be used first to acquire the land and complete construction of the building structure by March 2024, with the £6m of local funding used to fit out the living lab and teaching facilities to be complete by September 2024.



Providing the Assurance Stages Post Approval

Should this bid be approved by Government, we will work with the CPCA, using their Local Assurance Framework to move from Grant Offer to construction contracts using an OBC in November 21, to request local approval to move to concurrent design and procurement of the build. This will include independent validation of the Living Lab business plan and the impact of the additional student volumes in helping university operations to reach critical mass, and long term commercial sustainability. It will also include independent confirmation VAT recovery and state aid compliance.

An FBC in November 22 will be used to request approval to transfer the funding into the university special purpose vehicle company, for it to lay the contracts for construction.

6.3b Has a delivery plan been appended to your bid?	<input checked="" type="checkbox"/> Yes
6.3c Can you demonstrate ability to begin delivery on the ground in 2021-22?	<input checked="" type="checkbox"/> Yes
<p>6.3e Risk Management: Places are asked to set out a detailed risk assessment which sets out (word limit 500 words not including the risk register):</p>	
<p>Risk management for the project follows best-practice guidelines and considers uncertainty, opportunity and threat risks. It is an ongoing iterative process throughout the project management lifecycle, with specific interventions at project gateways (in line with RIBA and Gateway sign-off stages) and across the business case, design, planning, procurement, construction and after-care life-cycle of projects.</p> <p>The risk management process ensures that we understand how to identify and manage risk at all levels of the organisation.</p> <p>A detailed project risk register (including risk control strategies) has been developed based on the following risk categories:</p> <ol style="list-style-type: none"> 1. Surveys and Site Constraints 2. Commercial 3. Design 4. Legal 5. Procurement 6. Operational 7. Governance <p>The risk register is appended to this application.</p> <p>Day to day responsibility for risk management will be the responsibility of the Project Manager, who will hold quarterly risk workshops with members of the project team and the PropCo1 Board. The risk register will be reviewed at least monthly by the PropCo1 Board. These monthly risk reviews will be an integral part of monthly reporting to PropCo1 by CPCA.</p>	
6.3f Has a risk register been appended to your bid?	<input checked="" type="checkbox"/> Yes

6.3g Please evidence your track record and past experience of delivering schemes of a similar scale and type (Limit 250 words)

PropCo1 is currently delivering Phase 1 of this programme of work. Construction on the university commenced as planned in 2020 and is on schedule for building works to be complete by July 2022.

Partners within PropCo1 have strong track records of delivering similar projects, including:

- PCC-led regeneration of Fletton Quays through The Peterborough Investment Partnership LLP (PIP). As part of regeneration proposals, the Council acquired office space on site to serve in the role of anchor tenant. To date successful developments on the site include:
 - The Council's new Offices, completed in 2018
 - A new car park, made ready for use in 2018
 - Weston Homes Apartments (260 in total), opened in 2019
 - Hilton Garden Inn Hotel, construction started in 2020 and will be complete within 2 years

ARU is an experienced developer of university campuses, having already established successful campuses in Cambridge, Chelmsford and London, as below:

ARU Campus / Project	£ Investment	Build Time	Handover
MedBIC, Chelmsford	£6m	11 months	March 2014
School of Medicine, Essex	£17.8m	16 months	September 2018
Science Centre, Cambridge	£40m	24 months	October 2017
University Centre Harlow	£8.5m	12 months	September 2011

6.3h Assurance: We will require Chief Financial Officer confirmation that adequate assurance systems are in place.

For larger transport projects (between £20m - £50m) please provide evidence of an integrated assurance and approval plan. This should include details around planned health checks or gateway reviews. (Limit 250 words)

CPCA's Assurance Framework can be found [here](#).

It sets out how the seven principles of public life shape the culture, processes and practice within CPCA in discharging its responsibilities in the administration of the

Cambridgeshire and Peterborough Investment, incorporating the Single Pot funding. At project level, project assurance will be conducted under the main transactional agreements and, once the conditions precedent are satisfied, responsibility for project assurance will transfer to PropCo1 and UniCo for the building and HE operations respectively.

The Phase 3 building must be open for business to students in September 2024. This will be achieved by a detailed programme management that will correlate all key interdependencies, such as achieving planning consent, design freeze, tendering and procurement etc, in addition to delivering an efficient building form and utilising readily available components that will minimise the risk of construction over-runs.

6.4 Monitoring and Evaluation

See technical note Section 4 and Table 1 for further guidance.

6.4a Monitoring and Evaluation Plan: Please set out proportionate plans for M&E which should include (1000 word limit):

- Bid level M&E objectives and research questions
- Outline of bid level M&E approach
- Overview of key metrics for M&E (covering inputs, outputs, outcomes and impacts), informed by bid objectives and Theory of Change. Please complete Tabs E and F on the **appended excel spreadsheet**
- Resourcing and governance arrangements for bid level M&E

Following the approval of funding, a Monitoring and Evaluation Plan (MEP) will be developed which will set out the detailed approach to monitoring and evaluation (M&E) pre and post completion. The MEP will outline:

- M&E objectives;
- The project logic model and underpinning assumptions which will provide the focus for evaluation;
- A description of the approach and methods that will be used;
- The quantitative indicators that will be monitored;
- An implementation plan; and,
- How the findings will be disseminated and used for inform future policy and project development.

On-going monitoring of the project pre and post completion will be undertaken in-house by a designated Project Administrator and overseen by an experienced Project Manager. The objectives of project monitoring will be to track project expenditure and

the delivery of quantitative project outputs and outcomes in order to monitor project performance, manage delivery risks, and provide assurance/progress updates to funders.

KPIs will be determined by the project logic model and Theory of Change which will be developed as part of the MEP, but are anticipated to include as a minimum:

Outputs:

- Ha of land developed;
- Sq m of commercial space created;
- Ha of new public space created;
- Jobs created

Outcomes:

- Improved perceptions of place by students
- Increased student numbers;
- New start businesses created;
- Existing businesses supported;

Data will be collated via project monitoring forms, the university's internal data/student management system, and annual student surveys.

As the impacts of the project will primarily materialise following construction, external evaluators will be procured to work with the university to embed monitoring and evaluation processes to facilitate on-going impact assessment. External evaluators will also provide an independent impact evaluation of the project following completion. This has been included in project costs.

The strategic objectives for evaluation will be to determine:

- how effectively the project was delivered and what can be learnt from the delivery process to inform future interventions;
- what difference the project made and whether outputs, outcomes and impacts materialised as anticipated; and,
- whether the project has represented good value for money.

External evaluation will be overseen by a steering group comprising key university personnel involved in the delivery and on-going management of the facility. It is anticipated that the evaluation will use a Theory-based methodology and a blend of qualitative and quantitative research methods including as a minimum:

- desk-based analysis of project monitoring and management data;
- consultations with key stakeholders
- consultations/survey of end beneficiaries.

The MEP will set out the full dissemination plan, but this is expected to include dissemination of the impact evaluation within the university to key personnel involved in the delivery of comparable projects, and to funders.

PART 7 DECLARATIONS

7.1 Senior Responsible Owner Declaration

As Senior Responsible Owner for the Living Lab, University Quarter Cultural Hub and expanded university in Peterborough I hereby submit this request for approval to UKG on behalf of Peterborough City Council and confirm that I have the necessary authority to do so.

I confirm that Peterborough City Council will have all the necessary statutory powers and other relevant consents in place to ensure the planned timescales in the application can be realised.

Name: Peter Carpenter

Signed:



7.2 Chief Finance Officer Declaration

As Chief Finance Officer for Peterborough City Council I declare that the scheme cost estimates quoted in this bid are accurate to the best of my knowledge and that Peterborough City Council:

- has allocated sufficient budget to deliver this scheme on the basis of its proposed funding contribution
- accepts responsibility for meeting any costs over and above the UKG contribution requested, including potential cost overruns and the underwriting of any funding contributions expected from third parties
- accepts responsibility for meeting any ongoing revenue requirements in relation to the scheme
- accepts that no further increase in UKG funding will be considered beyond the maximum contribution requested and that no UKG funding will be provided after 2024-25

- confirm that the authority commits to ensure successful bids will deliver value for money or best value.
- confirms that the authority has the necessary governance / assurance arrangements in place and that all legal and other statutory obligations and consents will be adhered to.

Name: Peter Carpenter

Signed:



7.3 Data Protection

Please note that The Ministry of Housing, Communities and Local Government (MHCLG) is a data controller for all Levelling Up Fund related personal data collected with the relevant forms submitted to MHCLG, and the control and processing of Personal Data.

The Department, and its contractors where relevant, may process the Personal Data that it collects from you, and use the information provided as part of the application to the Department for funding from the Levelling Up Fund, as well as in accordance with its privacy policies. For the purposes of assessing your bid the Department may need to share your Personal Data with other Government departments and departments in the Devolved Administrations and by submitting this form you are agreeing to your Personal Data being used in this way.

Any information you provide will be kept securely and destroyed within 7 years of the application process completing.

You can find more information about how the Department deals with your data [here](#).

ANNEX D - Check List Great Britain Local Authorities

Questions	Y/N	Comments
4.1a Member of Parliament support		
MPs have the option of providing formal written support for one bid which they see as a priority. Have you appended a letter from the MP to support this case?	Y	
Part 4.2 Stakeholder Engagement and Support		
Where the bidding local authority does not have responsibility for the delivery of projects, have you appended a letter from the responsible authority or body confirming their support?	n/a	
Part 4.3 The Case for Investment		
For Transport Bids: Have you provided an Option Assessment Report (OAR)	n/a	
Part 6.1 Financial		
Have you appended copies of confirmed match funding?	Y	
The UKG may accept the provision of land from third parties as part of the local contribution towards scheme costs. Please provide evidence in the form of a letter from an independent valuer to verify the true market value of the land. Have you appended a letter to support this case?	Y	
Part 6.3 Management		
Has a delivery plan been appended to your bid?	Y	

Has a letter relating to land acquisition been appended?	Y	
Have you attached a copy of your Risk Register?	Y	
Annex A-C - Project description Summary (only required for package bid)		
Have you appended a map showing the location (and where applicable the route) of the proposed scheme, existing transport infrastructure and other points of particular interest to the bid e.g. development sites, areas of existing employment, constraints etc.	Y	

Appendices

1. Workbook Tables A – F
2. Letters of Support
 - a. MP endorsement letter
 - b. Stakeholder support letter
3. Match funding confirmation letters and evidence with contractual commitments hyperlinked below
 - a. [Peterborough City Council](#)
 - b. [Cambridgeshire and Peterborough Combined Authority](#)
 - c. [Anglia Ruskin University](#)
4. Delivery Plan including programme
5. Risk register
6. Map showing location

This page is intentionally left blank

SHAREHOLDER CABINET COMMITTEE	AGENDA ITEM No. 8
21 SEPTEMBER 2021	PUBLIC REPORT

Report of:	Adrian Chapman: Service Director for Communities and Partnerships	
Cabinet Member(s) responsible:	Cllr Steve Allen: Cabinet Member for Housing, Culture and Communities	
Contact Officer(s):	Pat Carrington: Assistant Director for Skills and Employment, and CEO for City Culture Peterborough	Tel.01733 293891

CITY CULTURE PETERBOROUGH

RECOMMENDATIONS	
FROM: <i>Service Director for Communities and Partnership</i>	Deadline date: <i>N/A</i>
<p>It is recommended that the Shareholder Cabinet Committee:</p> <p>1. Notes the progress and review of the services that City Culture Peterborough manage on behalf of Peterborough City Council.</p>	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Shareholder Cabinet Committee as an annual update to the committee.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to give an update on the progress made on delivery of the culture services which were transferred to City Culture Peterborough when the previous contract with Vivacity ended.
- 2.2 This report is for Shareholder Cabinet Committee to consider under its Terms of Reference No. 3.3.2.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

- 4.1 City Culture Peterborough (CCP) manages, on behalf of Peterborough City Council, the following services:
- Peterborough Museum and Art Gallery
 - Flag Fen
 - Peterborough Libraries and Archive Service
 - Key Theatre

This arrangement has been in place since October 2020, and was as a result of Vivacity giving notice on their contract with Peterborough City Council as a result of the impacts of the Covid-19 pandemic.

- 4.2 City Culture Peterborough is a trading company of the City College Peterborough charitable foundation. When CCP took over the management of these services, the majority of staff were furloughed and all the services were closed to the public.
- 4.3 Over the past 12 months there has been significant progress in the recovery, growth and transformation of the services, and this forms part of a trajectory that is designed to support the revival of our city post-covid, both in terms of social wellbeing and economic growth.

In addition, CCP have also been successful in attracting new money into the services, identifying efficiencies, attracting new visitors and audiences, and re-forming partnerships with stakeholders whilst developing new partnerships and bringing together non-traditional partners.

CCP have developed a vision, with each service having an identified blueprint of what is required for the next four years.

To date PCC, along with CCP, have been successful in securing funding through two rounds of the Arts Council England Culture Recovery Fund. There is currently a bid into central government for the Community Renewal Fund, a joint project between City College Peterborough and City Culture Peterborough, for circa £0.5m, and there are also plans to apply for National Portfolio Organisation (NPO) status in 2022. If successful this would see additional funding from the Arts Council to assist in delivering arts and culture across the City.

Even though we are still in the first year of transition, some efficiencies have already been realised with an initial review of the structure and the most senior posts within CCP being shared with City College Peterborough.

The remainder of this report takes each service area and gives an overview of the progress to date.

4.3.1 Peterborough Museum and Art Gallery

After a very short opening in November 2020, the museum fully reopened to the public in May 2021 with a newly styled Café – the Edwardian Kitchen. Return visits from the public were initially very slow but following the development of a Summer Activity schedule with new targeted marketing, the visitor figures for July 2021 have exceeded those of July 2018 and 2019. Events that have taken place include Rotten Romans, Dinosaur Tuesdays, Natural History, and a Colour Carnival.

Schools also returned to the museum and Mondays became full with school visits (until the end of term) and we also have bookings in place for the new term.

Although the museum was mainly closed between October 2020 and May 2021, and some staff remained furloughed, work was undertaken in applying for bids, developing the vision and blueprint and in undertaking outreach and widening participation work.

In addition to the above, CCP are also working on the development of the plan for the museum Bronze Age extension and applications for funding, which will be needed to match fund the partial funding from the Towns Fund.

4.3.2 Flag Fen

The continued preservation of the Flag Fen site and its artefacts has been the key priority, this work being of significant importance as much of what we have at Flag Fen are the only examples in the world (the boats and the causeway) or the earliest known examples (i.e. the wheel).

Working with Heritage England, CCP secured funding from them and PCC to undertake some urgent preservation work on the Must Farm Boats. CCP are now working with York Archaeological Trust to have the boats preserved and conserved. This is a significant piece of work that involves tanking and, in some cases, having the boats transported to York for the work. Once complete the boats will be housed in the new Museum extension.

As the boats were discovered at Must Farm in Whittlesey, CCP and PCC have also been working with Whittlesey Town Council to link up with them and their new heritage centre to ensure a complete tourist trail for the bronze age experience.

CCP have also set up a Flag Fen and Must Farm Advisory Board that consists of specialist archaeologists and stakeholders to help advise and support this internationally significant site.

In addition to the above CCP have also:

- a. Re-engaged with Professor Francis Pryor, the archaeologist who discovered Flag Fen and he has now joined the board of directors of City Culture Peterborough
- b. Opened the site all year round (formerly open between March and September only)
- c. Planned an archaeological dig commencing in the autumn, funded by Heritage England and being undertaken by Cambridge Archaeological Unit
- d. Created plans and investment for a Heritage Farm on the site
- e. Started to develop Flag Fen's produce range (for example Flag Fen Honey)
- f. Engaged with the National Trust for guidance and support, and they are now acting as a critical friend for us
- g. Planned to build the first of two new additional round houses on the site
- h. Ran some successful events on site, including a Summer Solstice family event, a free Key Worker week, Fledgling Fridays, Sticks and Stories, and an Evening with Francis Pryor
- i. Offered work experience to City College 16-19 students in which they have learnt heritage and environmental skills
- j. In conjunction with City College, planned to run some adult course on-site, for example astronomy.

Again, although initial numbers were low when Flag Fen first reopened, July and August, has seen a significant increase in visitor numbers to the site.

What is apparent from the first 12 months is that Flag Fen is a very exciting proposition and has the ability in the future to become a self-sustaining visitor attraction that will have a significant impact on the visitor economy, alongside supporting the wellbeing of local residents.

4.3.3 Libraries and Archive Service

For much of the pandemic, and in accordance with government guidelines, libraries and the archives service remained closed. During that period funding was secured to facilitate a Reading Friends programme aimed to support reading groups through video conferencing and by telephone. Alongside this, an application to be one of five selected local authority libraries was won with the aim to increase engagement of specific audience groups e.g. teenagers, carers and jobseekers. Work will start on this early in 2022.

Once guidelines allowed, CCP started to reopen libraries and the archives service in order to support the local residents of Peterborough. In May all libraries across the City reopened their doors and the mobile library was back on the road. Computer suites were also re-opened enabling people to access public access computers. Libraries have seen a steady increase in visitor numbers and new memberships. In more recent months they have engaged in new activities to promote literacy and reading across the City, along with partners (e.g. the National Literacy Trust). This has involved three main initiatives:

1. The High Street Safari
2. The Summer Reading Challenge
3. The Mini Vine

The archives service re-opened in line with libraries and has seen its highest monthly user numbers since July 2014 and its highest enquiry numbers since July 2017. Despite reduced opening hours, visitor numbers are now on par with pre-Covid visitors.

The Business and Intellectual Property Centre has been relocated and refurbished. This British Library funded provision aims to support new business sign ups, and therefore will be a useful provision for city residents looking at starting their own business post-Covid.

In addition to the above, CCP have also been working with PCC on the development and forward plans for the Vine, which is planned to be the new home for the Central Library. Work and research is currently being undertaken to look at the requirements for a library of the future to ensure that what we offer in the new space meets the local needs of now and the future.

4.3.4 The Key Theatre

The Key Theatre, as with many other services, had to close to the public during the pandemic. Once able to reopen, many shows were still unavailable, and the safety requirements meant that audience numbers had to be kept very low. This had, and still has, a significant impact on ticket sales and income.

However, the Key Theatre are now seeing numbers creep up and shows returning. There is currently a focus on preparing for the pantomime, Cinderella.

Although the Key Theatre could not fully reopen, with the assistance of the Arts Council recovery fund, The Key Theatre has been able to undertake outreach work, digital workshops and planning activities that has widened the participation within local communities. Lost in Translation workshops are an example of this in which the first weekend saw over 450 engage in the workshops that ran in Ifter Park. Other activities have been undertaken in conjunction with libraries (i.e. Summer Reading Challenge, and family films).

4.3.5 The Mini Vine

Although in its first phase and infancy, the Mini Vine already appears to be a hit, with over 2,000 visitors in the first two weeks. City Culture is involved in this project alongside City College and its aim is to present the positive opportunities that Peterborough has to offer.

Phase 1 of the Mini Vine has a mini library space offering rhyme time and story time, book giveaways, promotion of heritage and arts, a uniform exchange, careers and learning and skills advice and some taster sessions.

5. **CONSULTATION**

- 5.1 Formal partnership management arrangements are in place between City Culture Peterborough and the City Council, via a formal Partnership Board. Consultation has commenced with the Friends Groups and a plan is being formulated in which to consult with communities on future provision.

6. **ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 To provide assurance to Members of the arrangements in place relating to the management of the services.

7. **REASON FOR THE RECOMMENDATION**

- 7.1 To give an update on the transfer of services and in helping to improve service provision.

8. **ALTERNATIVE OPTIONS CONSIDERED**

8.1 None.

9. IMPLICATIONS

Financial Implications

9.1 Work is underway to fully understand the impacts the pandemic has had on visitor numbers and the resultant impact on income and costs.

Legal Implications

9.2 No implications.

Equalities Implications

9.3 The delivery and design of the future services will be carried out in such a way as to widen participation and be inclusive to all.

Carbon Impact Assessment

9.4 No implications.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 None

11. APPENDICES

11.1 None

This page is intentionally left blank

Shareholder Cabinet Committee Work Programme 2021/22

Meeting Date	Item	Comments
14 June 2021 <i>Draft Report: 26 May 2021</i> <i>Final Report: 2 June 2021</i> <i>Deadline for Exempt Information Notice: 7 May 2021</i>	Guidance for Members and Officers who Serve on Outside Bodies Lead Officer: Fiona McMillan	
	Mayor's Charities Lead Officer: Shelley Hardy	
	Peterborough Limited Leisure Lead Officer: Pete Carpenter/Adrian Chapman	
13 September 2021 <i>Draft Report: 25 August 2021</i> <i>Final Report: 1 September 2021</i> <i>Deadline for Exempt Information Notice: 13 August 2021</i>	City Culture Peterborough with Business Plan Lead Officer: Adrian Chapman	
	Opportunity Peterborough – Interim Update Lead Officer: Steve Cox/Tom Hennessy	
	Peterborough HE Property Company Ltd Lead Officer: Steve Cox	

	<p>Internal Audit Overview</p> <p>Lead Officer: Steve Crabtree</p>	
	<p>Mayor's Charities Report</p> <p>Lead Officer: Shelley Hardy</p>	
<p>8 November 2021 <i>Draft Report: 20 October 2021</i> <i>Final Report: 27 October 2021</i></p> <p><i>Deadline for Exempt Information Notice: 8 October 2021</i></p>	<p>Peterborough Limited Update with Business Plan</p> <p>Lead Officer: Steve Cox/James Collingridge/Annette Reader</p>	
	<p>Medesham Homes With Business Plan</p> <p>Lead Officer: Steve Cox</p>	
	<p>NPS Update with Business Plan</p> <p>Lead Officer: Alex Gee/Pete Carpenter</p>	

<p>28 February 2022 <i>Draft Report: 9 February 2022</i> <i>Final Report: 16 February 2022</i></p> <p><i>Deadline for Exempt Information Notice: 28 January 2022</i></p>	<p>Empower Peterborough Lead Officer: Pete Carpenter</p>	
	<p>Peterborough Investment Partnership (PIP) With Business Plan Lead Officer: Steve Cox/Howard Bright</p>	
	<p>Opportunity Peterborough Lead Officer: Steve Cox/Tom Hennessy</p>	

Standing Items

- **Guidance for Member and Officers who Serve on Outside Bodies (Lead Officer: Fiona McMillan)**
 First Meeting of the Municipal Year

This page is intentionally left blank