



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Wednesday, 31 January 2018

10:30a.m. – 12:30p.m.

Kreis Viersen Room, Shire Hall, Cambridge CB3 0AP

AGENDA

Open to Public and Press

Number	Agenda Item	Mayor/ Lead Member/ Chief Officer	Papers	Pages
	Part 1 – Governance items			
1.1	Apologies and Declarations of Interests	Mayor	oral	-
1.2	Minutes – 20 December 2017	Mayor	yes	4-10
1.3	Petitions	Mayor	oral	-
1.4	Public Questions	Mayor	oral	-
1.5	Forward Plan	Mayor	yes	To follow
1.6	Corporate Governance Framework	Mayor	yes	11-39

Number	Agenda Item	Mayor/ Lead Member/ Chief Officer	Papers	Pages
1.7	Appointment of Interim Chief Finance Officer and Section 151 Officer	Mayor	yes	40-42
	Part 2 – Key Decisions			
2.1	Mass Rapid Transport – Strategic Options Assessment	Mayor/ Portfolio Holder for Transport and Infrastructure	yes	43-51
	Part 3- Non Key Decisions			
3.1	Housing: Off Site Manufacture <i>Appendix 1 & 2 of this report are confidential. If Combined Authority members wish to discuss these, it will be necessary to exclude the press and public as detailed in item 5.1 below.</i>	Portfolio Holder for New Homes and Communities	yes	52-58
3.2	Establishing a new Stronger Public and Private Sector Partnership in Cambridgeshire and Peterborough – Business Board	Mayor	yes	59-62
	Part 4 – Date of next meeting			
4.1	Date: Wednesday, 14 February 2018 (Budget meeting) Civic Suite Room A, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN	Mayor	oral	-
	Part 5 - Exclusion of Press & Public			
5.1	That the press and public be excluded from the meeting during the consideration of the following report on the grounds that it is likely to involve the disclosure of exempt information under	Mayor	oral	

Number	Agenda Item	Mayor/ Lead Member/ Chief Officer	Papers	Pages
	paragraph 3 of Part 1 Schedule 12 A of the Local Government Act 1972 and that it would not be in the public interest for the information to be disclosed (information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

The Combined Authority currently comprises the following members:

Mayor: J Palmer

Councillors: G Bull, J Clark, S Count, L Herbert, J Holdich, C Roberts and P Topping

Substitute members: Councillors A Bailey, W Fitzgerald, R Fuller, R Hickford, K Price, W Sutton & N Wright

Observers: J Ablewhite (Police and Crime Commissioner), J Bawden (Clinical Commissioning Group), and Councillor K Reynolds (Chairman - Cambridgeshire and Peterborough Fire Authority)

The Combined Authority is committed to open government and members of the public are welcome to attend Committee meetings. It supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens.

Public speaking on the agenda items above is encouraged. Speakers must register their wish to speak by making a request in writing to the Monitoring Officer no later than 12.00 noon three working days before the meeting. The request must include the name, address and contact details of the person wishing to speak, together with the full text of the question to be asked.

For more information about this meeting, please contact Michelle Rowe at the Cambridgeshire County Council's Democratic Services on Cambridge (01223) 699180 or by email at michelle.rowe@cambridgeshire.gov.uk



Agenda Item No.1.2

CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY: MINUTES

Date: Wednesday, 20 December 2017

Time: 10.30am – 11.15am

Present: J Palmer (Mayor)
G Bull – Huntingdonshire District Council, J Clark – Fenland District Council, S Count – Cambridgeshire County Council, L Herbert – Cambridge City Council, and C Roberts – East Cambridgeshire District Council

Observers: J Ablewhite (Police and Crime Commissioner), G Howsam (substituting for J Bawden) (Clinical Commissioning Group) and K Reynolds (Chairman, Cambridgeshire and Peterborough Fire Authority)

113. APOLOGIES AND DECLARATIONS OF INTERESTS

Apologies received from Councillors J Holdich and P Topping, and Jess Bawden.

Councillor Count declared a non-statutory disclosable interest under the Code of Conduct in relation to minute 121, as a member of the Local Enterprise Partnership Board. He reported that he did not have a conflict of interest but should the discussion reveal an interest he would make the Board aware and take the necessary action.

114. MINUTES – 29TH NOVEMBER 2017

The minutes of the meeting held on 29th November 2017 were agreed as a correct record and signed by the Mayor.

115. PETITIONS

No petitions were received.

116. PUBLIC QUESTIONS

No public questions were received.

117. FORWARD PLAN

The Board noted the Forward Plan of Executive Decisions dated to be published on 22 December 2017. The Mayor stated that the Forward Plan was updated on a regular basis and was available online for public inspection at the following link
<https://cmis.cambridgeshire.gov.uk/ccclive/Documents/PublicDocuments.aspx>)

It was resolved unanimously to approve the Forward Plan of Executive Decisions dated to be published on 22 December 2017.

118. TRANSPORT: DEVELOPING OUR DECISION MAKING AND DELIVERY ARRANGEMENTS

The Portfolio Holder for Transport and Infrastructure introduced a report setting out the transport role of the Combined Authority. He explained that the transfer of local transport planning powers to the Combined Authority had created a complex environment with a variety of bodies with different powers and responsibilities. Although a significant amount of good work had taken place, there was a need for all authorities to work together to maximise significant investment. Greater clarity was therefore needed regarding the transport role of the Combined Authority and how this related to other bodies working within the transport environment. Attention was drawn to the principles detailed in the report which should be adopted to create a simple understandable regime for decision making and delivery. Further work would be undertaken to determine how the design of these principles would work in practice

Members welcomed the proposal to improve clarity of decision making in relation to transport. One Member highlighted the need to also focus on the quality of decision making in relation to working with other organisations. He explained that it was important the Combined Authority worked in partnership, where it could, to deliver major improvements. He drew attention to the Greater Cambridge Partnership and work on the mass rapid transit and other projects. He acknowledged the importance of clarifying the strategic role of the Combined Authority and its link to existing initiatives and investment from Government.

The County Council's representative stressed the importance of clarity moving forward. He looked forward to working in partnership with the Combined Authority, which had devolved its financial transport powers and budgets to the County Council and Peterborough City Council for this financial year.

It was resolved unanimously to

- (a) Agree the strategic transport role of the Combined Authority - as set out in paragraphs 2.4 – 2.7;
- (b) Agree the principles that should be adopted to create a simple understandable regime for decision making and delivery – as set out in paragraphs 2.8 – 2.11;
- (c) Note that further work would be undertaken to determine how the design of these principles would work in practice and proposals would be brought back to the Combined Authority Board in February 2018 for consideration;
- (d) Agree the delegation of transport powers to Cambridgeshire County Council and Peterborough City Council for the 2018/19 financial year - as set out in paragraph 2.16.

The Board was informed that the Overview and Scrutiny Committee had met on 18 December 2017. A request had been submitted by the Committee to ask three

questions at the meeting of the Combined Authority. The Mayor invited the Chairman of the Overview and Scrutiny Committee to submit his questions. The questions and responses are detailed below:

1. Could the Board clarify who had control of the transport budget, if the budget had been devolved to the County Council and Peterborough City Council, was the Board aware of proposals being suggested of the removal of certain transport subsidies by Peterborough City Council? The Chairman added that this question related to clarity of decision making and, in particular, whether the Combined Authority could appeal decisions made by the County Council and Peterborough City Council.

Answer – For the 17/18 financial year transport powers and budgets have been devolved to Cambridgeshire County Council and Peterborough City Council. It is intended that transport budgets would continue to be devolved for 18/19 along with certain transport functions, including the role of Travel Concessionaire Authority and the provision of socially necessary bus services. Whilst the Combined Authority was responsible for budget setting, it was the responsibility of Cambridgeshire County Council and Peterborough City Council to decide how this funding was allocated. This included any decisions relating to bus subsidy.

2. Clarity around which subsidies were being looked at, were school transport subsidies included?

Answer – The Mayor reported that he was surprised at this question as school transport was not included in the devolution document. He confirmed that the Combined Authority was not responsible for school transport. These responsibilities continued to lie with the upper tier authorities and had not changed following devolution.

3. Integrated planning, the Overview and Scrutiny Committee were seeking assurance that they would be fully involved in May/June meetings.

Answer – As part of the development of the Local Transport Plan strategy the project team would be engaging with a cross-section of officers and members from each of the constituent members of the Combined Authority and would include the Overview and Scrutiny Committee.

119. ESTABLISHING THE CAMBRIDGESHIRE AND PETERBOROUGH LAND COMMISSION

The Portfolio Holder for Strategic Planning reminded the Board of arrangements for developing the non-statutory Spatial Plan. He explained that the proposals detailed in the report would link into this plan, and Local Plans. It was noted that both the public sector and national bodies held land, the proposal to form a Land Commission would bring forward both public and private land, particularly brownfield sites, for development. He drew attention to the scope of the Cambridgeshire and Peterborough Land Commission, which would identify specific barriers that were holding back the supply of land for key strategic development sites. These barriers needed to be overcome in order to deliver extra and affordable housing. The Board was informed of

the membership of the Land Commission, which would take forward the work started by the County Council.

The Mayor thanked the Portfolio Holder for Strategic Planning for his excellent work.

It was resolved unanimously to:

- (a) Agree the Terms of Reference for the Land Commission (2.7-2.9)
- (b) Agree the membership and appoint the portfolio holder for Spatial Planning as the Chair of the Land Commission (2.10-2.15)
- (c) Agree the timetable for implementation of the Land Commission and ask the Chair of the Land Commission to bring regular progress reports to the Board
- (d) Approve a budget allocation of up to £80,000 to support the work of the Land Commission

120. UPDATE ON PETERBOROUGH UNIVERSITY BUSINESS CASES AND PROJECT PROGRESS

The Chief Executive introduced an update report on the extensive progress being made on the University of Peterborough Project. He explained that the project team had undertaken a considerable amount of work over the last few months to identify the best interim location. Discussions had taken place with partners regarding the best use of public estate in the Peterborough area. It was noted that further detail would be presented to the Board at its February meeting. The Chief Executive reported that steps had been taken to strengthen the project in respect of scale and specific skills.

The Portfolio Holder for Fiscal Strategy highlighted the importance of the University to the north of the County, which did not have the same advantages as the south. He drew attention to the funding to be identified in the Business Case detailed at section 3.2. He reported that the Combined Authority could not be a grant funding authority and there was a limit to what it could achieve in relation to rotating funds. He therefore hoped that every opportunity would be taken to avoid grant funding the Business Case.

In conclusion, the Mayor stressed the importance of investing in the largest city in Cambridgeshire.

It was resolved unanimously to:

note the current progress being made by partners on the University project

121. ESTABLISHING A NEW STRONGER PUBLIC AND PRIVATE SECTOR PARTNERSHIP IN CAMBRIDGESHIRE AND PETERBOROUGH

The Mayor reported that the Local Enterprise Partnership (LEP) had met on 19 December to discuss alternative proposals for delivery and how the Combined Authority could deliver a new model of strategic leadership. The agenda for the Combined

Authority had been published before the LEP meeting and as a result the report had been published confidentially. The Mayor explained that since the meeting of the LEP had now taken place, he was of the view that this report could be debated and voted on in public.

It was resolved unanimously to:

not exclude the press and public when considering Appendix 1 as the Board would be considering exempt information under categories 3 and 4 of schedule 12A of the Local Government Act 1972.

The Chief Executive informed the Board that the Chair of the Greater Cambridgeshire and Greater Peterborough Local Enterprise Partnership Board (GCGP LEP) had resigned with immediate effect. The other members of the GCGP LEP had resigned conditionally subject to the Government meeting the LEP's liabilities. The Chief Executive confirmed that he had received assurances that short-term liabilities would be met in full. When the full extent of liabilities was known, the GCGP LEP would be voluntarily wound up on a solvent basis with effect from 31 March 2018. This decision had been agreed by the GCGP LEP on 19 December in order to ensure the best interests of the area.

The Chief Executive explained that a series of actions had been taken to secure short term and longer term liabilities. As interim Chief Executive of the LEP, he had taken steps to start the voluntary winding up process. He would provide the Combined Authority with ongoing reports until the transformation position had been completed.

Attention was drawn to the establishment of a new Business Board with the same responsibilities as the GCGP LEP. It was proposed that the Board should comprise a diverse respected and powerful group. The new members would represent key sectors in economic growth, and would have a role in speaking to sectors in the wider area and Government. The purpose of the Board would be to deliver strategic advice to the Combined Authority in order to support economic growth. It was noted that there would therefore be a single approach to Spatial Planning, and financial matters. The new arrangements would also provide the opportunity to create a single officer structure providing better resilience and value for money.

It was proposed upon creation of the new Business Board, subject to agreement by Government, that the Combined Authority would become the Accountable Body for all business growth funding streams from 1 April 2018. This would create clarity regarding the totality of funding which would be held in one place. In conclusion, the Chief Executive reported that this proposal would provide a new direction to consider afresh the geography of the economic area and the relationship with those local authorities outside of Cambridgeshire and Peterborough.

The Police and Crime Commissioner, as a former member of the GCGP LEP Board, reported that he had been concerned about the lack of joined up thinking between the LEP, local authorities and the wider geography. He therefore welcomed the proposal to reassess the functioning of the economic geography and to identify the benefits of authorities working together where they shared ambitions for growth and they were focused on the same strategic objectives. He felt that the LEP should have been

coterminous with Cambridgeshire and Peterborough. He highlighted the key growth areas along the A14, A1 (M) and M11.

The Portfolio Holder for Strategic Planning acknowledged the need for the proposal but expressed regret about how it had been brought about. He was concerned that the Combined Authority was not building on some of the strengths of the LEP particularly the independent voice of business. He was waiting to see whether the Business Board would have real independence and some powers. Even though there had been issues regarding the effectiveness of the LEP, he highlighted the importance of thanking the LEP members for the economic investment which had occurred in the county. Although he was not wedded to a geography of county boundaries, he stressed the need to avoid areas being in two LEPs, and for there to be a link with spatial planning.

The Portfolio Holder for Fiscal Strategy acknowledged the importance of giving the Business Board a strong voice. He reminded Members that the Combined Authority would be responsible for the Local Industrial Strategy set by Government. He welcomed the proposal to remove a tier of bureaucracy, and highlighted the need to inform the public that a single structure would deliver good value for money. He reminded Members that the County Council had led the way on shared services working with Peterborough and establishing LGSS. He acknowledged the importance of looking at the economic geography of the Business Board.

In conclusion, the Mayor commented that he had been very much aware of the need for joint working with the LEP from an early stage in order to achieve a strong economic Cambridgeshire and Peterborough, which was why an offer had been made to the Chair of the LEP to join the Combined Authority Board. Together over the last few years, the Combined Authority had helped the LEP make the economy of Cambridgeshire and Peterborough stronger. He explained that the new Business Board would have an independent chair from the business community. In his view, this proposal provided the right direction and investment to make Cambridgeshire and Peterborough even stronger.

It was resolved unanimously to:

- (a) Note the decisions proposed to the Greater Cambridgeshire and Greater Peterborough Local Enterprise Partnership Board (GCGP LEP) regarding the future of its Company;
- (b) Note that the GCGP LEP had accepted the proposals made to it, and:
 - i. To note that it was proposed that a new Local Enterprise Partnership would be established in the form of a Business Board;
 - ii. To note the future working relationship of the Combined Authority and the new Business Board, and the membership of the new Business Board;
 - iii. Agree that the Combined Authority shall become the Accountable Body for the Business Board from 1st April 2018.

- (c) note that periodic reports would be made to the Combined Authority Board from the New Year regarding the arrangements for the future working relationship between the two Boards.

122. BUDGET 2018-19

The Portfolio Holder for Fiscal Strategy presented a report detailing a draft 'indicative' budget for the Combined Authority produced in accordance with the 'emerging strategic themes' for 2018/19 as set out in the October Board meeting, to be consulted on by the consultees as approved by the Board. He drew attention to the new funding requirements for 2018/19 set out in the report at Section 2.8. It was noted that it did not encompass changes resulting from the new structure to replace the LEP. He also drew attention to the impact of the Autumn budget statement on the Combined Authority.

It was resolved unanimously to:

consider and approve the draft 2018/19 Combined Authority budget for consultation purposes.

123. BUDGET 2018-19 (MAYOR'S BUDGET)

The Portfolio Holder for Fiscal Strategy presented a report setting out the Mayor's draft budget for 2018/19 for review by the Combined Authority Board. He reminded the Board that it must review the Mayor's draft budget, and it could, if necessary, make a report to the Mayor. The Mayor's draft budget would be deemed to be approved by the Combined Authority unless the Authority made a report to the Mayor before 8 February.

It was resolved unanimously to:

1. Review the Mayor's draft budget for 2018/19
2. Approve the draft budget in its current form.

124. DATE OF NEXT MEETING

It was resolved to note the date of the next meeting – Wednesday, 31 January 2018 at 10.30 am in the Kreis Viersen Room, Shire Hall, Cambridge.

Mayor



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 1.6
31 JANUARY 2018	PUBLIC REPORT

CORPORATE GOVERNANCE FRAMEWORK

1.0 PURPOSE

- 1.1. Good corporate governance is essential to deliver an effective organisation. In authorities which serve the public it demonstrates a commitment to transparency of decision making and ethical conduct and therefore delivers public confidence.
- 1.2. The purpose of this report is to seek Board approval to a number of measures designed to enhance the corporate governance framework of the Combined Authority. The Audit and Governance Committee recommend the following policies and procedures for adoption:
- (a) a Member Complaints Procedure
 - (b) a corporate complaints procedure,
 - (c) a Data Protection Policy, Freedom of Information Policy and a publication scheme.

<u>DECISION REQUIRED</u>	
Lead Member:	James Palmer, Mayor
Lead Officer:	Kim Sawyer, Legal Counsel and Monitoring officer
Forward Plan Ref: Not applicable	Key Decision: No
<p>The Combined Authority Board is recommended to:</p> <p>Member Complaints Procedure</p> <p>(a) Approve the process for dealing with complaints about the Mayor, Members of the Combined Authority or its Committees for breach of the Code of Conduct (Appendix 1);</p> <p>(b) Delegate authority to the Legal Counsel and Monitoring Officer to select a suitable Independent</p>	<p>Voting arrangements</p> <p>(a) (b) and (c) Simple majority of all Members</p>

<p>Person for Member Complaints and approve a proposed allowance of £250 per annum (in lieu of expenses claims);</p> <p>(c) Request the Legal Counsel and Monitoring Officer to seek to set up a panel of Independent Persons for Member Complaints from amongst Constituent Council Independent Persons;</p> <p>(d) Agree to amend the constitution to include the member complaints procedure;</p> <p>Corporate Complaints</p> <p>(e) Approve and adopt the complaints procedure;</p> <p>(f) Request Legal Counsel and Monitoring Officer to notify the Local Government and Social Care Ombudsman of the Combined Authority's complaints procedure and to make any changes recommended by the Ombudsman; and</p> <p>Data Protection Policy and Freedom of Information</p> <p>(g) Approve the Data Protection Policy (Appendix 3), the Freedom of Information Policy (Appendix 4) and the publication scheme listing the types of information that is available or will be made available on the Combined Authority website (Appendix 5)</p>	<p>(d) At least two-thirds of all Members (or their Substitute Members)</p> <p>(e), (f), and (g) Simple majority of all Members</p>
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2.0 BACKGROUND

2.1. In accordance with the constitution, the Audit and Governance Committee is responsible for:

- (a) reviewing corporate governance arrangements; and
- (b) ensuring that the Combined Authority has effective policies and processes in place to ensure high standards of conduct by its Members and Co-opted Members.

2.2. The Committee considered a number of corporate governance issues at its meeting on 18 December and consequently makes a number of recommendations to the Board.

3.0 MEMBER CODE OF CONDUCT: PROCEDURE FOR HEARINGS BY THE AUDIT AND GOVERNANCE COMMITTEE

3.1. The Mayor, Members of the Combined Authority or its committees sign a code of conduct upon their appointment.

- 3.2. The Committee on 18 December 2017 agreed a process for dealing with complaints where there is an alleged breach of the code of conduct as set out in **Appendix 1**.

Hearings Panel

- 3.3. The Committee also has the power to set up a Hearings Panel, a sub-committee, to decide the outcome of any investigation regarding a breach of the Code of Conduct.
- 3.4. The Panel has the following functions in relation to complaints:
- (a) On matters being referred by the Monitoring Officer deciding whether complaints concerning Members should be investigated;
 - (b) Hearing complaints that have been referred to them by the Monitoring Officer following investigation; and
 - (c) The agreement of relevant procedures for the undertaking of its functions, when appropriate to be included within the Constitution.
- 3.5. The Committee agreed that the Hearings Panel will comprise of three Members of the Audit and Governance Committee, who will be selected by rotation and be politically balanced.
- 3.6. It also recommends that the Board amend the constitution to include the member complaints procedure and the membership of the panel.

Independent person

- 3.7. The Localism Act 2011 requires that all Local Authorities must appoint at least one Independent Person to oversee the process for dealing with allegations that a Member has breached the Members' Code of Conduct. The Independent Person is a separate appointment to the independent member of the Audit and Governance Committee.
- 3.8. The role of the Independent Person is as consultee on the decisions made by the Monitoring Officer and Hearings Panel before proceeding to investigation, hearing or decision on a complaint.
- 3.9. Given that a number of independent persons have been appointed to constituent councils, the Committee recommended that the Legal Counsel and Monitoring Officer should select a suitable candidate from amongst existing independent persons. As only the Combined Authority can appoint the independent person, a further report will be submitted to the Board to confirm the proposed appointment.
- 3.10. An allowance of £250 per annum is recommended to meet the out of pocket expenses of the independent person. This allowance will be paid in lieu of the independent person submitting any claims for travel and subsistence expenses throughout the year. The Combined Authority will meet any training costs

incurred by the independent person as a result of their appointment to the role which will be subject to approval by the Legal Counsel and Monitoring Officer in advance.

- 3.11. The Legal Counsel and Monitoring Officer will also look into establishing a panel of independent persons from amongst constituent councils.

4.0 CORPORATE COMPLAINTS PROCEDURE

- 4.1. An effective complaints procedure is one of the key elements of ensuring good customer care, quality assurance and a quest for excellence.
- 4.2. The Committee on 18 December 2017 recommended that the Board approve and adopt the complaints procedure set out in **Appendix 2**.
- 4.3. The procedure is in line with the Local Government Ombudsman's guidance to assist Combined Authorities to produce a simple integrated complaints system.
- 4.4. The procedure ensures the public are directed to the right organisation and uses the correct procedure. It is proposed that there is a two stage process:
- (a) Informal resolution
 - (b) Formal complaints review
- 4.5. The procedure aims to resolve complaints as soon as possible after they are identified, and to enable the complainant to complain to the Local Government and Social Care Ombudsman without unnecessary delay if they feel the authority has not dealt with their complaint appropriately.
- 4.6. Complaints will be used as a learning tool with regular summary reports being submitted to the combined authority management team. An annual report will be produced for scrutiny by the Audit and Governance Committee.
- 4.7. Following approval by the Board, the Legal Counsel and Monitoring Officer will notify the Local Government and Social Care Ombudsman of its decision to approve and adopt the complaints procedure. Any changes recommended by the Local Ombudsman may be made by the Legal Counsel and Monitoring Officer under her delegated powers.

5.0 FREEDOM OF INFORMATION AND DATA PROTECTION POLICY

Data Protection

- 5.1. The Data Protection Act 1998 (DPA) requires organisations that process personal information to notify the Information Commissioner's Office (ICO). The Combined Authority is registered with the ICO as a data controller. Its registration sets out its uses of personal information and is available on the ICO website.

- 5.2. The authority is also required to have a Data Protection Policy setting out its commitment to implement and comply with the eight Data Protection Principles under the Act. The draft policy is set out in **Appendix 3** and will be published on the Combined Authority's website.
- 5.3. The General Data Protection Regulation (GDPR) (Regulations (EU) 2016/679) takes effect from 25 May 2018 and will supersede the DPA 1998. The GDPR intends to strengthen and unify data protection for all individuals within the European Union (EU). The Legal Counsel and Monitoring Officer will commission a specialist in Data Protection from amongst the constituent councils to ensure that the authority is prepared for the new regulations.

Freedom of Information

- 5.4. The Freedom of Information Act 2000 (FOIA) gives rights of public access to information held by public authorities. It does this in two ways:
- (a) public authorities are required to adopt and maintain a "publication scheme" setting out what information will routinely be made available.
 - (b) members of the public are entitled to request information from public authorities.

The public's rights to request information is set out in **Appendix 4** and will be published on the combined authority's website.

- 5.5. The combined authority will adopt the ICO's model publication scheme which identifies the following 7 classes of information.
- (a) Who we are and what we do
 - (b) What we spend and how we spend it
 - (c) What our priorities are and how we are doing
 - (d) How we make decisions
 - (e) Our policies and procedures
 - (f) Lists and registers
 - (g) The services we offer

- 5.6. In the interests of accountability and transparency, the combined authority will publish as much of its information on line. **Appendix 5** sets out the types of information that are or will be published on the website. The publication scheme also takes account of information recommended for publication in the Transparency Code 2015 published by the Department for Communities and Local Government.

6.0 FINANCIAL IMPLICATIONS

Independent Person

- 6.1. There is currently no allowance agreed for an independent person to support the complaints process. Any independent persons would be entitled to make a claim for any expenses incurred in order to avoid submission and processing of expenses for what is anticipated will be small amounts. It is proposed that a

one off allowance of £250 is made to the independent person to meet costs over the course of the year.

Corporate Complaints Procedure and Freedom of Information

- 6.2. There are no financial implications

7.0 LEGAL IMPLICATIONS

Independent Person

- 7.1. The Combined Authority is required to abide by the provisions of the Localism Act 2011 and appoint an independent person. That person must be appointed by a majority of the members of the Combined Authority.

Corporate Complaints

- 7.2. The Monitoring Officer has a statutory duty to report any findings of maladministration to the combined authority board. This means that the Monitoring Officer is primarily responsible for ensuring complaints are dealt with effectively as part of her role.
- 7.3. The Local Ombudsman has recently written to the Monitoring Officer requesting details of the complaints procedure adopted by the Combined Authority. The Monitoring Officer will write to the Ombudsman once this procedure is approved by the Board.
- 7.4. In order to fulfil that statutory obligation, the Legal Counsel and Monitoring Officer works in conjunction with the Audit and Governance Committee to monitor complaints made and action taken as a result. The Legal Counsel and Monitoring Officer has delegated authority to make any changes to the complaints procedure.

Freedom of Information and Data Protection Policy

- 7.5. The legal implications are set out in the report and appendices.

8.0 SIGNIFICANT IMPLICATIONS

- 8.1. Any equality and other statutory issues are dealt with as part of the complaints and Freedom of Information process.

9.0 APPENDICES

Appendix 1 –Member Complaints Procedure
Appendix 2 –Corporate Complaints Procedure
Appendix 3 –Data Protection Policy
Appendix 4 --Freedom of Information Policy
Appendix 5 --Publication Scheme

<u>Source Documents</u>	<u>Location</u>
<p>List background papers: Constitution, the Localism Act 2011 and associated regulations.</p> <p>Principles of complaint handling in combined authorities and devolved settings by Local Government and Social Care Ombudsman</p> <p>Guidance issued by the Information Commissioner's Office</p> <p>Transparency Code 2015 published by the Department for Communities and Local Government</p>	<p>http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Combined-Authority-Constitution.pdf</p> <p>http://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/principles-combined-authorities</p> <p>https://ico.org.uk/</p> <p>https://www.gov.uk/government/publications/local-government-transparency-code-2015</p>

Appendix 1



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

COMPLAINTS AGAINST MEMBERS OF THE COMBINED AUTHORITY

Introduction

1. The Combined Authority has adopted a Member Code of Conduct which applies to:
 - (a) all members of the combined authority, and co-opted members
 - (b) all members of its committees or sub-committees.
2. The code sets out how members will conduct themselves when carrying out combined authority business. All members must adhere to the code.

Making a complaint

3. A complainant alleging a failure to comply with the Code should submit their complaint in writing to the Legal Counsel and Monitoring Officer for initial assessment
4. The complaint must set out:
 - (a) who was involved
 - (b) The alleged misconduct
 - (c) When and where it occurred; and
 - (d) How the complainant wants the complaint resolved.
 - (e) The name and a contact address or email address of the complainant.
5. The complainant should complete a complaints form available from the Combined Authority's website. Complaints can be made in writing without completing the form, but if information is missing, the complainant might be asked to resubmit the complaint by completing a form.
6. The Combined Authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so¹.

¹ The Monitoring Officer has to balance the rights of the member to understand who is making a complaint against them, against the rights of the person making the complaint. The person making the complaint will have to provide reasons why their name ought to remain confidential. If the Monitoring Officer does not consider those reasons justify anonymity, the complainant will be given the opportunity to withdraw the complaint if they do not wish to proceed without anonymity.

7. Any person making a complaint who would like to keep their name and address confidential can indicate this on the complaint form. Where a person has asked for confidentiality the Monitoring Officer will not disclose their name and address to the member complained about without prior consent.
8. Even where anonymity is agreed at the outset of the complaint it may not always be possible to bring the matter to hearing without the complainant agreeing to give evidence at the hearing.

Stage 1 - Initial Assessment of Complaints Received

9. The Monitoring Officer will:
 - (a) acknowledge the complaint within 5 working days of receiving it.
 - (b) notify a member about any complaint against them.
 - (c) undertake an initial assessment of the complaint to determine whether the complaint should be investigated.
10. Where a complaint may relate to a member in their capacity as a Member of a constituent council, the Monitoring Officer will consult with the Monitoring Officer of the relevant council.
11. The Monitoring Officer may decide to consult the Independent Person.²
12. The Monitoring Officer will decide the complaint should be dealt with under stage 2 of the procedure – informal resolution. (Stage 2) or whether to proceed to a matter for formal investigation (Stage 3). The Monitoring Officer will have regard to a range of factors including:
 - (a) Whether there is sufficient information upon which to base a decision
 - (b) How serious the alleged action is
 - (c) Is the complaint politically motivated, vexatious or tit for tat;
 - (d) Has there been any delay between the action complained of and the complaint;
 - (e) Do the allegations relate to actions occurring whilst the subject member was acting in their official capacity;
 - (f) The opinion of the elected member regarding the complaint
13. The initial assessment will normally be completed within 28 days of receiving the complaint and the person making the complaint and the member will be informed, in writing, of the outcome.
14. Unless exceptional circumstances exist, the Monitoring Officer will always inform the member of the receipt and nature of the complaint and invite their comments.

² The Independent Person is appointed by the Combined Authority to provide an impartial and independent opinion regarding the conduct of the member. The Independent Person is not an elected member of a constituent council or the Combined Authority.

15. Where the Monitoring Officer requires additional information to come to a decision, they may refer back to the person making the complaint or ask the member against whom the complaint is directed.
16. If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer is authorised to refer the complaint to the Police and other regulatory agencies.

Stage 2 - Informal Resolution

17. In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Informal resolution may include:
 - (a) An **explanation** by the member of the circumstances surrounding the complain
 - (b) An **apology** from the member
 - (c) An agreement from the member to attend relevant **training** or take part in a **mentoring** process
 - (d) An offer of **mediation or conciliation** between the member and the complainant; or
 - (e) **Any other action** capable of resolving the complaint.

Stage 3 -Formal Investigation

18. If the Monitoring Officer and Independent Person decide that a complaint merits formal investigation, they will appoint an Investigating Officer. This could be another officer of the authority, or of another authority or an external investigator. The decision regarding the appointment will depend upon a variety of factors including staff capacity and nature of the complaint.
19. The investigating officer will decide to whom they need to speak. It is likely that they will begin the investigation by speaking to the person making the complaint and to gather any documents the investigating officer needs to see. This will also help the investigating officer to decide whom they need to interview.
20. The investigating officer would normally
 - (a) write to the member complained of
 - (b) provide them with a copy of the complaint,
 - (c) ask the member to provide their explanation of events,
 - (d) identify what documents they need to see and
 - (e) make a list of interviewees
21. In exceptional cases, where disclosure of the details of the complaint to the member might prejudice the investigation, the investigating officer may delay notifying the member until the investigation has progressed sufficiently.

22. At the end of the investigation, the investigating officer will produce a draft report and will send copies of that draft report, in confidence, to the person making the complaint and to the member concerned, giving both an opportunity to identify any matter in that draft report which they disagree with or which they consider requires more investigation.
23. Having received and taken account of any comments which may be made on the draft report, the investigating officer will send the final report to the Monitoring Officer. The Combined Authority aims to conclude the investigation stage within 3 months of a complaint being received.
24. The Monitoring Officer will, in consultation with the independent person, review the investigating officer's report
25. If the investigating officer concludes that there is evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person will either:
 - (a) seek an local resolution or
 - (b) send the matter for local hearing before the Hearings Panel

Local Resolution

26. The Monitoring Officer may consider that the matter can be resolved without the need for a hearing. Such resolution may include the member accepting that their conduct was unacceptable and offering an apology, and/or other remedial action agreed. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the authority's Audit and Governance Committee for information, but will take no further action.

Local Hearing

27. The Monitoring Officer will report the Investigating Officer's report to the Hearings Panel of the Audit and Governance Committee, which will conduct a local hearing to decide whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.
28. The Hearings Panel is a Sub-Committee of the Combined Authority's Audit and Governance Committee and will consist of three members of the Committee.
29. The Monitoring Officer will conduct a "pre-hearing process", asking the member to give their response to the Investigating Officer's report. This will identify what is likely to be agreed and what is likely to be in contention at the hearing. The Chairperson of the Hearings Panel may decide, in consultation with the Monitoring Officer to give instructions about the way in which the hearing will be conducted.
30. At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary, and make representations to substantiate their conclusion that the member has failed to comply with the

Code of Conduct. For this purpose, the Investigating Officer may ask the complainant to attend and give evidence to the Hearings Panel.

31. The member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearings Panel as to why they consider that they did not fail to comply with the Code of Conduct.
32. The Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the member did not fail to comply with the Code of Conduct, and so dismiss the complaint.
33. Alternatively, if the Hearings Panel finds that the member did fail to comply with the Code of Conduct, the Chairperson will inform the member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the member an opportunity to make representations to the Panel and will consult the Independent Person.

Actions Hearings Panel can take for failure to comply with the Code

34. The Combined Authority has delegated to the Hearings Panel such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may:
 - (a) Publish its findings in respect of the member's conduct;
 - (b) Report its findings to Combined Authority for information;
 - (c) Recommend to the Constituent Council or to the Combined Authority that they be removed from any or all Committees or Sub-Committees of the Combined Authority;
 - (d) Recommend to the Mayor that the member be removed from particular Portfolio responsibilities;
 - (e) Recommend to the Combined Authority to remove the member from any or all outside appointments to which they have been appointed or nominated by the authority;
 - (f) Recommend to Combined Authority that it restricts the member from contacting specified Combined Authority's officers.
35. The Hearings Panel has no power to suspend or disqualify the member or to withdraw members' allowances.
36. At the end of the hearing, the Chairperson will state the decision of the Hearings Panel as to whether the member failed to comply with the Code of Conduct and set out any actions which the Hearings Panel resolves to take.
37. The Monitoring Officer will prepare a formal decision notice in consultation with the Chairperson of the Hearings Panel, and send a copy to the person making the complaint, to the member, and make the decision notice available for public

inspection. If appropriate the Monitoring Officer will report the outcome of the hearing to the next Combined Authority meeting

Independent Person

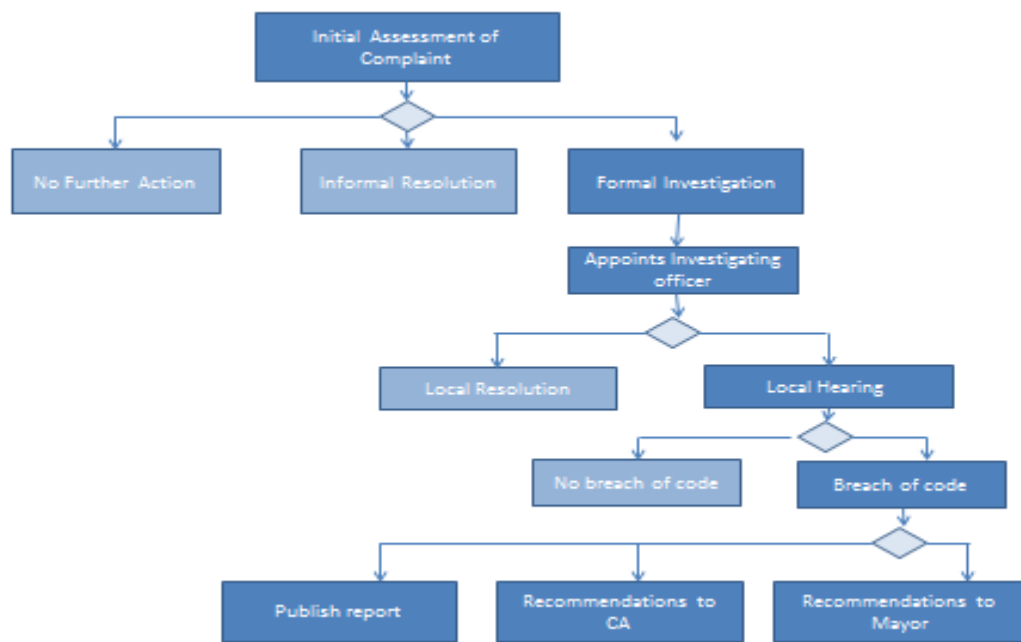
38. The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought before the Hearings Panel takes any decision on whether the member's conduct constitutes a failure to comply with the Code of Conduct and determines any action to be taken following a finding of failure to comply with the Code of Conduct.
39. The Independent Person is a person appointed by a positive vote from a majority of all the members of Combined Authority. A person cannot be "independent" if they:
 - (a) are, or have been within the past 5 years, a member, co-opted member or officer of the combined authority, constituent council or any parish council within the Combined Authority area;
 - (b) are a relative or close friend, of a person within paragraph a above. For this purpose, "relative" means –
 - i) Spouse or civil partner;
 - ii) Living with the other person as husband and wife or as if they were civil partners;
 - iii) Grandparent of the other person;
 - iv) A lineal descendent of a grandparent of the other person;
 - v) A parent, sibling or child of a person within paragraphs i or ii;
 - vi) A spouse or civil partner of a person within paragraphs iii, iv or v; or
 - vii. Living with a person within paragraphs iii, iv or v as husband and wife or as if they were civil partners.

Revision of these arrangements

40. The Combined Authority may by resolution agree to amend these arrangements, and has delegated to the Chairperson of the Hearings Panel the right to depart from these arrangements where they consider it is expedient to do so to secure the effective and fair consideration of any matter.

Appeals

41. There is no right of appeal for a complainant or for the member against a decision of the Monitoring Officer or of the Hearings Panel.
42. If a complainant feels that the authority has failed to deal with their complaint properly, they may make a complaint to the Local Government Ombudsman.



Appendix 2



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Complaints Policy

Table of Content

1. Introduction
2. Our aims
3. What is a complaint?
4. How do I make a complaint?
 - a. Transport and Street Matters
 - b. Great Cambridge/Greater Peterborough Enterprise Partnership
 - c. Great Cambridge Partnership
5. Cambridgeshire and Peterborough Combined Authority
6. Local Government Ombudsman

1. Introduction

We are committed to providing high-quality services for all members of the public, businesses and organisations. We welcome our customers' views and will use them to improve our services.

This policy describes how we will deal with complaints and the role of the Local Government and Social Care Ombudsman.

2. Aims of the Complaints Policy

Our complaints policy aims to ensure that customers:

- (a) know where and how to complain to us
- (b) receive an acknowledgement and information on progress of their complaint
- (c) receive an appropriate response and action is taken where we have failed to provide a satisfactory service.

We are committed to treating all our customers fairly and equally.

We will use complaints to review and improve the way we provide services.

If you wish to make an appointment to discuss a complaint please contact the Monitoring Officer by email contactus@cambridgeshirepeterborough-ca.gov.uk

3. What is a complaint?

A complaint is an expression of dissatisfaction about the standard of service the CPCA provides.

There are some complaints that will not be dealt with under this policy such as:

- (a) Where legal processes are involved – where a legal challenge is being made regarding whether a decision or action is lawful;
- (b) Where there is a more appropriate individual or organisation to deal with your complaint, such as a tribunal, Ombudsman or another local organisation or council;
- (c) We would not normally deal with complaints about something that happened more than a year ago;
- (d) Complaints about members of the Combined Authority – elected councillors have a separate complaints process and the Monitoring Officer can advise you about this
- (e) Whistleblowing policy – there is a separate policy relating to whistleblowing
- (f) Complaints about Freedom of Information (FOI) requests. We have a separate policy for these types of complaints.

4. How do I make a complaint? – Choosing the correct organisation

Before raising a complaint to the Cambridgeshire and Peterborough Combined Authority (CPCA), you should ensure that you have raised the complaint with the correct organisation.

- (a) The CPCA has not replaced existing local authorities; there are seven individual councils in the Cambridgeshire and Peterborough area who deliver the vast majority of services for your community
- (b) The CPCA is separate from the Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership and the Greater Cambridge Partnership (formerly call the “City Deal”).
- (c) The CPCA has not replaced companies and organisations providing public transport in Cambridgeshire and Peterborough area.

If you have a complaint that does not directly relate to an activity carried out by the CPCA, you should submit your complaint to the appropriate Council; Local Enterprise Partnership or transport company/organisation.

1. Transport and Street Matters

If you have a complaint about any transport services or street related matter please contact your local authority for your area.

Peterborough City Council

Website: <https://www.peterborough.gov.uk/contact-us/>

Cambridgeshire County Council

Website: <https://www.cambridgeshire.gov.uk/council/contact-us/>

2. Greater Cambridge Partnership

If you have a complaint about the Greater Cambridge Partnership, please contact

Greater Cambridge Partnership,
SH1311, Shire Hall,
Cambridge,
CB3 0AJ

Email: contactus@greatercambridge.org.uk

Telephone: 01223 699906

<https://www.greatercambridge.org.uk/>

3. Great Cambridge/Greater Peterborough Enterprise Partnership

If you have a complaint about the Great Cambridge/Greater Peterborough

Enterprise Partnership, please contact:

Chief Executive,
Greater Cambridge Greater Peterborough Enterprise Partnership,
The Incubator,
Alconbury Weald Enterprise Campus,
Alconbury Weald,
Huntingdon,
Cambridgeshire,
PE28 4WX

Email: info@gcgp.co.uk
Telephone: 01480 277180
Website: <http://www.gcgp.co.uk/>

5. How do I make a complaint? Cambridgeshire and Peterborough Combined Authority

The CA has a two stage policy.

Step One - Informal Complaint

We will try to deal with your complaint informally. This means that you should phone or take your complaint to the office or person who dealt with your enquiry. Our staff will do their best to settle your complaint without you needing to do anything else.

Step Two - Formal Complaint

If you have spoken to our staff about your complaint but they have not been able to put things right, or you are not happy with the result, the next step is for you to make a formal complaint in writing to the Monitoring Officer:

You can make a complaint (or compliment) in a number of ways. You can:

- email us on contactus@cambridgeshirepeterborough-ca.gov.uk
- write to Complaints, Cambridgeshire and Peterborough Combined Authority, c/o Scrutiny Officer, The Grange, Nutholt Lane, Ely CB7 4EE

When you contact us, please give us your name and address - including your postcode - and your phone number. If you prefer, you can ask a friend or relative to speak or write to us for you.

The Monitoring Officer will ask a Director to look into your complaint. If we cannot resolve your complaint immediately we will write to you within three working days to let you know we have received your complaint. We will give you a reference number and let you know that we are investigating your complaint.

This information will make it easier for you to contact the person dealing with your complaint if you need to.

The Director will:

- investigate your complaint;
- take any necessary action; and
- make sure they send a written reply within 15 working days.

If your complaint needs more investigation, and we cannot send you a written reply within 15 working days, we will write to you and let you know when you will receive a written reply.

Step 3 - Complaint Review

If you have been through Steps 1 and 2 of the complaints procedure and you are still not happy with the results of the investigations, you can write to the Local Government Ombudsman

6. Local Government Ombudsman

You can contact the Local Government Ombudsman about your complaint at any time. However, the Ombudsman usually gives the Combined Authority the opportunity to investigate first.

You can contact the Local Government Ombudsman at:

Local Government & Social Care Ombudsman
PO Box 4771
Coventry CV4 0EH

Phone: 0300 061 0614
Text: 'call back' to 0762 480 3014
Website: www.lgo.org.uk

You can get leaflets about how to complain to the Local Government Ombudsman from any of Council's offices or any library.

7. Comments and suggestions

As well as learning from complaints, we want to know any comments or suggestions you may have that will help us improve our services. You can do this by telling a member of staff about your comment or suggestion or by putting your comment or suggestion in writing. (contactus@cambridgeshirepeterborough-ca.gov.uk)

Appendix 3



DATA PROTECTION POLICY

1. Cambridgeshire and Peterborough Combined Authority ("CPCA") shall take all necessary steps to ensure that the personal data it holds about its customers, suppliers, employees and all other individuals is processed fairly and lawfully.
2. CPCA shall ensure that all relevant statutory requirements are complied with and that its internal data protection procedures are monitored regularly.
3. CPCA shall implement and comply with the eight Data Protection Principles contained in the Data Protection Act 1998 ("the Act") which promotes good conduct in relation to processing personal information.
4. These Principles are:
 - (1) Personal data shall be processed fairly and lawfully. Individuals will not be misled as to the uses to which CPCA will put the information given.
 - (2) Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes. CPCA ensures that individuals whose data is processed will be informed as fully as possible about the purposes for which the information is being processed.
 - (3) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed. The information obtained by CPCA will be sufficient to ensure accurate processing.
 - (4) Personal data shall be accurate and where necessary, kept up to date. Errors will be corrected as soon as discovered or notified.
 - (5) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes. Data which is no longer required will be securely destroyed.

- (6) Personal data shall be processed in accordance with the rights of data subjects outlined in the Act. CPCA will attempt to reply to subject access requests as quickly as possible and in all cases within the 40 day timeframe allowed by the Act.
- (7) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss, destruction or damage. In particular, unauthorised staff and other individuals will be prevented from gaining access to personal information. Appropriate physical security will be in place with visitors being received and supervised at all times within CPCA's premises where information about individuals is stored.
- (8) Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
5. CPCA shall ensure that the Information Commissioner's Office is informed of all its uses of personal information and will review and update those entries from time to time.
6. CPCA shall take such measures as may be necessary to ensure the proper training, supervision and instruction of all relevant employees in matters concerning data protection and to provide any necessary information.
7. CPCA shall consult with its employees periodically to ascertain what measures should be taken to increase awareness of data protection issues and to ensure that all necessary measures are in place to make this Policy effective.
8. Where reasonable and practicable personal data shared with any partner, associate or other organisation shall be the subject either of a protocol or confidentiality agreement which will define the context and limits of the data exchange.
9. CPCA's Legal Counsel & Monitoring Officer shall have overall responsibility for data protection issues within the organisation.
10. CPCA will keep this Policy under review taking account of changes in legislation, advice from the Information Commissioner's Office, decisions of the Courts, changes in technology, experience in practice and relevant guidance from other representatives.

Appendix 4



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Freedom of Information

The Freedom of Information Act (FOIA) gives you the right to access recorded information held by public sector organisations. Anyone can request information – there are no restrictions on your age, nationality or where you live.

1. Introduction

The Cambridgeshire and Combined Authority ("the Authority") is committed to open government and the proactive release of the information it holds.

2. What is the Freedom of Information Act 2000?

The Freedom of Information Act 2000 ("the Act") grants a right of access to information held by public authorities. It promotes openness and accountability among public sector organisations so that everyone can understand how authorities make decisions, carry out their duties and spend public money. As such, any person who makes a request for information to the Authority is entitled to be informed, subject to any exemptions, whether the Authority holds that information and, if so, to be supplied with that information.

There are some exemptions to this general right of access. These are known as 'absolute exemptions' and 'qualified exemptions'. If a qualified exemption applies, then it is subject to the public interest test. This means the Authority must decide whether in each case it serves the public interests better to withhold or disclose the information requested.

3. What is a Publication Scheme?

Every public authority subject to the Freedom of Information Act is required to adopt and maintain a publication scheme setting out what information will routinely be made available, how the information can be accessed and whether or not the information is free of charge.

The idea of a publication scheme is to try and make sure as much information as possible is freely available and easy to access so you do not need to make a specific request.

The Authority has adopted the Information Commissioner's Office's (ICO's) model publication scheme. The scheme consists of information already published and held by the Authority or information which is to be published in the future. All information in our publication scheme is either available for you on our website to download and print off, or is available in traditional document form. Information within the publication scheme will be available either free, or at a charge.

Some information may not be made available when:

- We do not hold the information.
- The information is exempt from disclosure.
- We cannot easily access the information.

4. Classes of information published by the Authority

The ICO's model publication scheme identifies 7 "classes" of information as follows:

- [Who we are and what we do](#)
- [What we spend and how we spend it](#)
- [What our priorities are and how we are doing](#)
- [How we make decisions](#)
- [Our policies and procedures](#)
- [Lists and registers](#)
- [The services we offer](#)

The Authority is required to specify the information which it holds and which falls within those categories of information and has produced a simple guide which lists the specific information it publishes within each of the above classes.

5. How to make a request for information not contained in the Publication Scheme

The Authority includes as much information in the scheme as it can. However, if you cannot find what you are looking for you can make a request for information.

The Act gives you the right to express a preference for information to be provided in a particular way and we will do our best to help with this so far as reasonably practicable. In order for us to ensure your application is dealt with promptly you must provide:

- your name and address so we can respond to your request;
- a clear and understandable written request with enough detail to locate the information;

- an indication about the form in which you would like the information.

Some documents may include exempt information; in this case you will only be furnished with the information which is not exempt.

The Authority is obliged to disclose the information you request within 20 working days unless a fees notice is applicable or the Authority requires a reasonable extension of time to consider the public interest test. Where the information is exempt, the Authority will state so and explain its decision. You have the right to request an internal review of the Authority's decision and if you are still not satisfied, to complain to the Information Commissioner.

To make a request for information not available on the website you should contact:

- Legal Counsel and Monitoring Officer
Senior Information Officer
Email: contactus@cambridgeshirepeterborough-ca.gov.uk
Telephone: (xxx) xxxxxx

6. Making a complaint

If you are dissatisfied with the handling of a Freedom of Information request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

- Legal Counsel and Monitoring Officer
Information Officer
Email: contactus@cambridgeshirepeterborough-ca.gov.uk
Telephone: (xxx) xxxxxx

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at:

- Information Commissioner's Office
Wycliffe House
Water Lane, Wilmslow
Cheshire
SK9 5AF

Website: www.ico.org.uk (external site - opens in new window)

7. Comments/feedback about our Publication Scheme

If you wish to provide feedback about our publication scheme or if you require further assistance, please contact:

- xxxx
Information Officer
Email: contactus@cambridgeshirepeterborough-ca.gov.uk
Telephone: (xxx) xxxxxx

8. Fees and cost of compliance

Material which is published and accessed on the website can be downloaded free of charge.

The Authority does not make charges for reasonable requests for hard copy information. However, if a charge for information is applicable, this will be in respect of:

- reproducing any document containing the information e.g. printing or photocopying
- postage and other forms of transmitting the information.

Where a charge is applicable, you will be sent a fees notice specifying the fee and the requirement to pay within 3 months of the fees notice being issued. If the Authority does not receive payment within that period, it is no longer obliged to respond to your request.

Under the Act, a public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit set by the Fees Regulations. However, the Authority will inform you if the limit will be exceeded and will try to let you know what can be provided within the limit. Despite not being obliged to provide the information which exceeds the limit, the Authority will still be under a duty to provide advice and assistance.

9. Review of Publication Scheme

The Authority will review its publication scheme on an annual basis. However, material contained within the classes of information will be updated as required and any out-of-date information will be removed.

The publication scheme is maintained by the Information Officer whose details are set out in Section 5 above.

Appendix 5

Publication Scheme

Principles	Documents	Current
Who we are and what we do	Membership of the Combined Authority	http://cambridgeshirepeterborough-ca.gov.uk/about-us/who-we-are/
	Senior Management Team/Organisation Chart	
	Location and contact information	http://cambridgeshirepeterborough-ca.gov.uk/contact-us
	About the CA	http://cambridgeshirepeterborough-ca.gov.uk/about-us/what-we-do/
What we spend and how we spend it	Summary of revenue and capital expenditure plans	
	Annual Statement of Accounts	
	Final Statement of Account ending 31 March 2017	http://cambridgeshirepeterborough-ca.gov.uk/assets/Audit-and-Governance-Committee/CPCA-Final-Statement-Of-Accounts-period-ending-310317.pdf
	Annual Audit Letter 2016-17	http://cambridgeshirepeterborough-ca.gov.uk/assets/Audit-and-Governance-Committee/CPCA-Annual-Audit-Letter-16-17.pdf
	Audit results report	http://cambridgeshirepeterborough-ca.gov.uk/assets/Audit-and-Governance-Committee/Final-ISA-260-CPCA-EY-Audit-Results-Report-2016-17.pdf
	Audit certificate ended 31 March 2017	http://cambridgeshirepeterborough-ca.gov.uk/assets/Audit-and-Governance-Committee/CPCA-Notice-of-Conclusion-of-Audit-for-period-ending-310317.pdf
	Member and Offices Expenditure	
	Member Allowances Scheme	

	Allowances and Expenses paid to Members (published annually in April)	To be provided in April 2018
	Expenses paid to Senior Officers (published annually)	To be provided in April 2018
	Expenditure exceeding £500	
	List of expenditure over £500	http://cambridgeshirepeterborough-ca.gov.uk/about-us/transparency/
	Procurement Procedures/Contract Standing Orders	http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Combined-Authority-Constitution.pdf
	Procurement Information/List of contracts and values	Quarterly publications Publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000.
	Tendering Contracts	Quarterly publications Publish details of every invitation to tender for contracts to provide goods and/or services with a value that exceeds £5,000.
	Grants to voluntary, community and social enterprise organisations	
	Financial Regulations	http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Combined-Authority-Constitution.pdf
	Officer Delegation Scheme	http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Combined-Authority-Constitution.pdf
	Corporate Card expenditure	
What our priorities are and how we are doing	Cambridgeshire and Peterborough 2030 Cambridgeshire and Peterborough – 4 Year Plan	To be published in February 2018
	Transport Plan	
	Skills Strategy	To be published in March 2018

	Strategic Economic Plan	
	Bus Information Strategy	
	Assurance Framework	
	Evaluation Framework	
How we make decisions	Schedule of meetings open to the public	Dates on board meetings and links to agendas and minutes http://cambridgeshirepeterborough-ca.gov.uk/about-us/what-we-do/
	Agendas and approved minutes of CA	On site
	Agendas and approved minutes of Overview and Scrutiny Committees	Membership and agendas http://cambridgeshirepeterborough-ca.gov.uk/about-us/committees/overview-and-scrutiny-committee/
	Agendas and approved minutes of Audit and Governance Committees	Membership and agendas http://cambridgeshirepeterborough-ca.gov.uk/about-us/committees/audit-and-governance-committee/
		Forward Plan http://cambridgeshirepeterborough-ca.gov.uk/about-us/what-we-do/
	Public Consultation	To be developed
Our policies and procedures	Conduct of Authority Business	
	Constitution - lists	http://cambridgeshirepeterborough-ca.gov.uk/home/SearchForm?Search=constitution&action_results=Go
	Code of corporate Governance	In development
	Annual Governance Statement	Published with accounts
	Procedure for considering complaints alleging a failure to comply with Member Code of conduct	In development
	Code of Conduct for officers	To be developed
	Provision of Services	
	Guide for dealing with FOI requests	In development Dec 2017

	Employment of staff	
	Attendance Policy	To be developed in 2018
	Disciplinary, conduct and capability policy	To be developed in 2018
	Employee Equality and Diversity Policy	To be developed in 2018
	Grievance Policy	To be developed in 2018
	Health and Safety Policy	To be developed in 2018
	Whistleblowing Policy	To be developed in 2018
	Records management and personal data	
	ICT Security Policy	
	Data Protection Policy	In development
Lists and registers	Land and Buildings Register Annual publication Publish details of all land and building assets	To be developed
	Register of Members Financial and other interests	Provide link
	Register of Gifts and Hospitality	To be published in April 2018
The services we offer		



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 1.7
31 JANUARY 2018	PUBLIC REPORT

APPOINTMENT OF INTERIM CHIEF FINANCE OFFICER AND SECTION 151 OFFICER

1.0 PURPOSE

- 1.1 The purpose of this report is to ask the Board to appoint Rachel Musson as interim statutory Chief Finance Officer for the Combined Authority.

<u>DECISION REQUIRED</u>	
Lead Member:	James Palmer, Mayor
Lead Officer:	Martin Whiteley, Chief Executive
Forward Plan Ref: Not applicable	Key Decision: No
It is recommended that the Board appoints Rachel Musson as interim statutory Chief Finance Officer and S151 Officer to the Combined Authority	Voting arrangements Simple majority of the Members (or their Substitute Members)

2.0 BACKGROUND

- 2.1 Chapter 4 paragraph 1.5 of the Constitution states that the appointment of statutory officers is reserved to the Board. The Chief Finance Officer is a statutory officer of the Combined Authority and a 'proper officer' for this purpose.
- 2.2 Alex Colyer, Executive Director at South Cambridgeshire District Council, was appointed by the Chief Executive as the interim S151 Officer and Chief Finance Officer from 31 August for 3 days a week. This secondment has now expired.
- 2.3 It is now recommended that the Board confirm the appointment of Rachel Musson as the interim S151 Officer for the combined authority. Rachel is a qualified accountant and is a Fellow of the Association of Chartered Certified Accountants (FCCA).

2.4 Rachel has extensive senior management and S151 experience. Her most recent experience includes:

- (a) Interim Strategic Finance Director, s151 Reading Borough Council
- (b) Interim Executive Director Finance and Resources, s151 Brighton and Hove City Council
- (c) Executive Director Enabling Services, and Company Secretary, Future Cities Catapult
- (d) Interim Chief Operating Officer, s151, Cheshire East Council
- (e) Corporate Head of Finance and Commerce, Shropshire Council CFO, s151; Treasurer Shropshire Fire and Rescue Service; Treasurer West Mercia Energy; and Pensions Administrator Shropshire County Pension Fund
- (f) Assistant Director Finance, Birmingham City Council

2.5 As agreed at the last meeting of the Board, the Combined Authority will be the accountable body for all government funding streams channelled through the new Local Enterprise Partnership (LEP) Business Board, once established. The S151 Officer will be responsible for ensuring that the LEP complies with all national financial and assurance frameworks for government grant funding.

3.0 FINANCIAL IMPLICATIONS

3.1 The funding for the role is within the existing budget. The annual salary range is between £105987-£129430 plus on costs (employers' national insurance and pension contributions). The pro-rated costs including on costs would be £35.3k for 2017/18.

4.0 LEGAL IMPLICATIONS

4.1 It is a legal requirement under the 1972 Local Government Act that the Combined Authority appoints a Chief Finance Officer (known as the s151 officer). The role of Chief Finance Officer is a statutory requirement and the appointment of this role is reserved to the Board.

5.0 OTHER IMPLICATIONS

5.1 There are no equalities or other implications arising from this report.

6.0 APPENDICES

None

<u>Source Documents</u>	<u>Location</u>
Constitution Local Government Act 1972 Local Government and Housing Act 1989	Combined Authority website http://cambridgeshirepeterborough-ca.gov.uk/assets/Combined-Authority/Combined-Authority-Constitution.pdf Legislation can be found on Government websites



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 2.1
31 JANUARY 2018	PUBLIC REPORT

MASS RAPID TRANSPORT – STRATEGIC OPTIONS ASSESSMENT

1.0 PURPOSE

- 1.1. Greater Cambridge and the wider Combined Authority Area are of enormous economic significance locally and nationally. The Combined Authority is committed to improving accessibility and connectivity to boost growth and prosperity whilst also addressing the congestion and delays that face residents and visitors to the area. The Mayor and the Combined Authority's ambition is to deliver world-class public transport across Cambridgeshire and Peterborough, the city region and future growth centres as well as into neighbouring counties.
- 1.2. In July 2017, the Combined Authority Board approved the commissioning of a strategic options assessment to investigate potential mass rapid transit solutions. This study has now been concluded, and has established that there is a strong case to develop this initiative further.
- 1.3. This Board paper sets out the key findings from this study and requests approval to develop a Strategic Outline Business Case and Options Appraisal Report for the Cambridgeshire Autonomous Metro proposal.

<u>DECISION REQUIRED</u>	
Lead Member:	John Clark, Transport & Infrastructure Portfolio Holder
Lead Officer:	Keith McWilliams, Transport & Infrastructure Director
Forward Plan Ref: 2018/005	Key Decision: Yes
The Combined Authority Board is recommended to: (a) Note the findings of the Cambridgeshire Mass Transit Strategic Options Assessment and the recommendation that the	Voting arrangements (a) Simple majority of all Members

Cambridgeshire Autonomous Metro be carried forward for further development	
(b) Approve £600,000 to develop a Strategic Outline Business Case and an Options Appraisal Report for the Cambridgeshire Autonomous Metro proposal.	(b) At least two-thirds of all Members (or their Substitute Members) to include Cambridgeshire County Council and Peterborough City Council representatives

2.0 BACKGROUND

Context to the Study

- 2.1 Greater Cambridge and the surrounding economic and travel to work areas are of enormous economic significance both locally and nationally. Despite this success, there is growing evidence that the economy of this geographic area is close to overheating. Cambridge is now one of the least affordable cities in the UK, impacting on the ability of local businesses to attract staff and increasing congestion on our roads to accommodate a greater number of commuters.
- 2.2 The Combined Authority is committed to improving accessibility and connectivity to boost growth and prosperity whilst also addressing the congestion and delays that face residents and visitors to the area.
- 2.3 The Combined Authority's ambition is to deliver world-class public transport across Cambridgeshire and Peterborough, including city regions, future growth centres and into neighbouring counties. This vision will enable strategic sites for new housing and business to be unlocked.
- 2.4 As a first step in connecting Greater Cambridge and the wider surrounding economic area, enabling people and businesses to move rapidly across and into the city of Cambridge, the Combined Authority commissioned a feasibility study into mass rapid transport. This study was funded jointly with the Greater Cambridge Partnership.

Scope of the Mass Rapid Transport Study

- 2.5 The study area included Greater Cambridge and the surrounding economic and geographic travel to work areas.
- 2.6 The primary purpose of the study was to evaluate and recommend the most appropriate mass transport solution in order to support the following aims:
 - (a) Support economic growth – recognising the critical significance of the Greater Cambridge economy for the area as well as for the UK

- (b) Improve accessibility and connectivity across the City to boost economic growth and prosperity
 - (c) Address current congestion and delays, and build intelligent mobility within Cambridge City and the rest of the transport/infrastructure network
- 2.7 It was recognised that any mass rapid solution should be underpinned by a number of key principles. It must:
- (a) Deliver a high quality, high frequency, reliable service to be attractive to encourage mode shift
 - (b) Deliver maximum connectivity, network coverage and reliable journey times
 - (c) Provide sufficient capacity for future growth
 - (d) Be flexible to adapt for the future including the adoption of emerging technologies
 - (e) Represent value for money, and be affordable and deliverable
- 2.8 The study was, therefore, wide ranging in its considerations. A comprehensive list of both traditional and emerging mass rapid transport modes were considered and evaluated. Importantly these were placed in the context of the region's vision for growth; the current and future transport constraints; network requirements encompassing key destination and development sites; and a range travel demand scenarios.

Key findings from the Mass Rapid Transport Study

- 2.9 The study recognises that there are a number of major transport schemes currently under development in the Cambridge area that will deliver significant benefits. However, these solutions alone will not deliver seamless connectivity between the City Centre, key development sites on the City fringe and the wider corridors in the region.
- 2.10 The study concluded that there is a strong strategic case for mass rapid transport that could support the wider economy through:
- (a) Proximity effects – which creates closer concentration of businesses, skilled workers and academics, and improves productivity as they collectively benefit from each other's innovations, ideas and creativity
 - (b) Expanded labour markets – through the provision of a transport network that successfully connects workers to jobs, facilitating recruitment and enables businesses to grow
 - (c) Direct productivity impacts – by reducing travel time and increasing the efficiency and competitiveness of businesses
 - (d) Transport and social factors – by connecting people with jobs, services and leisure activities. Improving quality of life by providing greater access to more affordable housing, reducing congestion, improving air quality and improved health by encouraging walking at the beginning and end of journeys

- 2.11 Given the likely constraints in terms of physical constraints on the network, congestion and the anticipated growth of the area, it is unlikely that the City Centre can accommodate significant increases in bus throughputs under the current bus configuration. Any significant increase is likely to be accompanied by increased journey times. This points strongly towards the need for tunnelled solutions for the mass transit network.
- 2.12 The study considered a long list of traditional and emerging mass transit solutions before shortlisting three options for more detailed evaluation. These included Light Rail Transit (LRT), Affordable Very Rapid Transit (AVRT), and Cambridgeshire Autonomous Metro (CAM). In the case of LRT and AVRT, the project team was able to draw upon the good work that had already been undertaken by Cambridge Connect and Professor John Miles in developing these respective proposals. For clarity, each of these options are described below:

Light Rail Transit	This is a generic term for any railed vehicle lighter than a convention/traditional heavy rail solution. LRT operates on dedicated tracks and is segregated from other modes of transport. Vehicle capacity is circa 200 passengers and can operate a service frequency in excess of every ten minutes along each route.
Affordability Very Rapid Transit	This consist of small rubber-tyred vehicles operating at high speed within a network of small single-bore tunnels. Vehicles operate with a capacity of approximately 40 passengers with a potential frequency in excess of 25 vehicles per hour. Services operate autonomously as a series of simple end-to-end shuttles.
Cambridge Autonomous Metro	<p>This represents an evolution of both LRT and Bus Rapid Transit (BRT) type solutions. It operates using bespoke rubber-tyred articulated vehicles and can achieve vehicle frequencies of every five minutes during peak periods. This solution has the ability to operate on both segregated and existing on-street infrastructure.</p> <p>Due to the range of potential vehicles available for this solution, this option was developed on the basis of a high-quality, tram-like vehicle with a capacity of up to 100-200 passengers.</p>



Figure 1 – Illustration of CAM vehicle

2.13 Each option was assessed against seven transport and six deliverability risks as outlined below.

Transport Benefits	Deliverability Risks
Network coverage	Technical feasibility
Route flexibility	Technology
Frequency of service	Value for money
Journey time / reliability	Affordability
Number of interchanges	Powers / consents / legislation
Accessibility	Stakeholder / public acceptability
Perceived quality	

2.14 It should be noted that this evaluation framework was developed purely to enable an effective comparison of options. It is recognised that there are a wider range of additional factors which must be considered during the subsequent development of the mass rapid transit proposal and that existing conclusions must continue to be reviewed as the proposal gains definition. Once individual routes emerge this will demand detailed consideration of environmental impacts.

2.15 The outcome of this evaluation was that CAM offered the best overall solution without any significant dis-benefits. Importantly it offered the greatest route flexibility through its ability operate on both segregated and existing on-street infrastructure. As a result it had the potential to offer the greatest service coverage across all radial corridors. Perceived quality was also a major consideration and it was concluded that higher specification vehicles, as shown

in Figure 1, would offer provide an excellent passenger experience especially along segregated routes.

- 2.16 Whilst CAM performed well on many of the transport benefits described above, it performed significantly better than other options when assessed against a range of deliverability risks. Of all the options considered, CAM is the most likely to achieve value for money and an operating surplus. This greatly increases the deliverability of the mass transit proposal and is most likely to achieve private sector investment.
- 2.17 The flexibility of CAM to operate on both segregated and existing on-street infrastructure also has further practical benefits in its implementation. Importantly, it enables the incremental provision of a segregated network to match growth requirements.
- 2.18 There are no technical feasibility showstoppers with CAM although there are recognisable challenges, as there are with the other options, in tunnelling and the provision of underground station. From a technology perspective CAM can use technology that is readily available and can transition from driver operated to autonomous technology as this matures.

Costs and funding

- 2.19 The capital costs of implementing the CAM proposal is estimated to be in the region of £1.5-1.7bn. This includes scheme development and design, implementation, project management, risk and (in accordance with the Treasury's Green Book) optimism bias.
- 2.20 Costs have been benchmarked from publicly available data for similar transport schemes in the UK with due consideration of the scheme characteristics such as route length, tunnelling length, number of stations and number of vehicles. However, a significant expenditure relates to tunnelling, the extent of which will require greater development.
- 2.21 Whilst these capital costs are very significant there are a number of potential funding solutions which will be explored during the subsequent development of the scheme. What is clear is that central Government is increasingly looking for means through which major infrastructure can be (part or fully) funded from private sector and/or local contributions. It is too early to speculate on what the preferred funding model might be but it could include, amongst others, Land Value Capture, Community Infrastructure Levy and Business Rate Supplement. The Combined Authority believes that it is well placed to draw upon a blend of funding streams to ensure the delivery of this major transport proposal.

Deliverability of the Cambridgeshire Autonomous Metro

- 2.22 Based on the findings from the initial study it is recommended that the CAM proposal be carried forward for further development. This proposal should:

- (a) Provide significant transport benefits to Greater Cambridge and the surrounding areas
- (b) Offer the best value for money case despite its high capital costs
- (c) Be deliverable in the practical sense, both in terms of technical and technological feasibility
- (d) Run at a commercial surplus during operation which should ensure its long term viability

Next steps in the delivery of a mass rapid transport solution

2.23 Whilst the existing study has concluded that CAM represents the best overall mass transport solution for the area, significant further work is required to develop the proposal and make a robust case for investment. Therefore, the next stages of the project will be to develop:

- (a) A Strategic Outline Business Case (which will be the main output for the study), and
- (b) An Options Appraisal Report

2.24 The Combined Authority as the strategic transport planning authority for the area will be responsible for leading the next and future phases of the project. In doing so, the Combined Authority will call upon a number of other bodies, including the Greater Cambridge Partnership, to support it in achieving the best possible outcomes for the project. Furthermore, it will ensure that other relevant projects are consistent with the mass transit proposal.

2.25 The Strategic Outline Business Case will confirm the strategic context of the CAM proposal and reinforce the need for change and investment. It will provide further evaluation of the proposal, based on the further development of the CAM route alignment and station location options. The Strategic Outline Business Case will identify the preferred option to take forward towards Outline Business Case and detailed scheme development. Completion of the Strategic Outline Business Case will also represent a key decision point for the project.

2.26 The Options Appraisal Report supports the Strategic Outline Business Case. The work will provide a much more detailed consideration of the Cambridgeshire Autonomous Metro proposal, and its performance against other options including a low cost alternative. This is to ensure a clear audit trail of scheme development for the Department for Transport. It will explore route alignments, enabling a more robust consideration of benefits, constraints and impacts; risks and opportunities, costs and programme. This will provide a vital evidence base for determining the preferred route alignments.

2.27 It is proposed that the Strategic Outline Business Case and Options Appraisal Report will be followed by a Public Consultation. A further paper will be brought to the Board on the timing and nature of the Public Consultation in the Autumn. Together these will provide Members with the information to agree preferred route alignments that will form the basis of the Outline Business Case.

2.28 An outline delivery programme for this proposal is provided below. However, it must be recognised that the project is at a very preliminary stage in its development and any delivery timetable must be considered indicative only.

Activity	Completion
Strategic Outline Business Case Options Appraisal report	Late 2018
Outline Business Case Public Consultation	2019
Full Business Case	2020
Statutory Consents	2021
Implementation of early services	2021
Construction commencement of segregated infrastructure and tunnel	From 2021
City Centre tunnel operational	2026

2.29 The physical implementation of the new CAM proposal is likely to comprise a number of key components:

- (a) Running the new CAM vehicle by adapting existing infrastructure
- (b) Running services of newly constructed segregated facilities
- (c) Running services through a City Centre tunnel to unlock the transformational benefits of the proposed metro

2.30 It is anticipated that the network will be developed in phases, focusing on the City core and those corridors with the greatest need. This phasing will be aligned with the growth ambitions of the Combined Authority.

3 FINANCIAL IMPLICATIONS

3.1 This paper requests approval for the committed investment of £600,000 to develop a Strategic Outline Business Case and Options Appraisal Report for the preferred mass transit proposal. It is proposed that this be funded from the Combined Authority's £74m allocation from the Transforming Cities Fund.

3.2 Subject to a satisfactory business case, significant additional funding requests can be expected during the subsequent phases of the scheme development. However, as outlined earlier in this paper, there are a number of funding options which will be fully explored and have the potential to greatly reduce the Combined Authority's future financial commitments.

3.3 The initial study work has also indicated that the CAM proposal could operate at commercial surplus which would mitigate the need for future operational subsidy.

4 LEGAL IMPLICATIONS

- 4.1 The Combined Authority assumed specific responsibility for strategic transport decisions under Article 8 of the Cambridgeshire and Peterborough Combined Authority Order 2017. This provision designated the Combined Authority as the local transport planning authority for its area.
- 4.2 The Combined Authority will fulfil its procurement requirements by sourcing appropriate consultants under an appropriate framework agreement. This is in accordance with the Authority's financial regulations and statutory requirements.
- 4.3 There are no specific equality or other statutory implications arising from these decisions.

5 SIGNIFICANT IMPLICATIONS

- 5.1 Further work is required to determine the most effective statutory framework for obtaining future consents for this project. Officers will be seeking legal advice on planning consent (Town and Country Planning Act 1990), Development Consent Orders (Planning Act 2008), and Transport and Works Act Order (Transport and Works Act 1992). This will be dealt with more fully in the Strategic Outline Business Case and Options Appraisal.

6 APPENDICES

- 6.1 Appendix 1 – Cambridge Mass Transit Options Assessment Report [Document being finalised and will be released shortly]
- 6.2 Appendix 2 – Consultant's Brief for the Strategic Outline Business Case and Options Appraisal Report [Document being finalised and will be released shortly]



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 3.1
31 JANUARY 2018	PUBLIC REPORT <i>Appendices 1 & 2 are confidential by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and it would not be in the public interest for this information to be disclosed</i>

HOUSING: OFF SITE MANUFACTURE

1.0 PURPOSE

- 1.1 Cambridgeshire and Peterborough has a strategic objective to accelerate the delivery of 100,000 new homes, including 40,000 affordable homes over the next twenty years. This objective is unlikely to be achieved by reliance on existing approaches alone and in particular the capacity of major house builders. It is therefore incumbent upon the Combined Authority to explore new interventions in the housing market. In this light, the Combined Authority Board agreed to commission in June 2017, the development of an Outline Business Case for the establishment of its own facility for the Off-Site Manufacture (OSM) of new homes. This report summarises the Outline Business Case findings from sector experts DLS Strategic Ltd.
- 1.2 The report identifies a strong commercial opportunity that could arise over the medium to long term. It is also clear that the market for such a venture is still immature. There are many potential partners, but few with either a strong track record of delivery or whose business is on a firm financial footing. The Combined Authority plans to bring forward its Housing Strategy in May 2018, and this proposition needs to be considered alongside other potential interventions.
- 1.3 This report therefore concludes that the Board should defer further development of this initiative until late 2018 to allow for the development of a holistic delivery plan to be prepared and further exploratory discussions to take place with Housing Providers and Government.

<u>DECISION REQUIRED</u>	
Lead Member:	Cllr Peter Topping, Homes and Communities Portfolio Holder
Lead Officer:	David Keeling ,Interim Housing Director
Forward Plan Ref: Not applicable Key Decision: No	
<p>The Combined Authority Board is recommended to note:</p> <p>(a) the contents of the Outline Business Case and the potential medium to long term commercial opportunity; and</p> <p>(b) that a further report on the possible development of a full business case will be brought forward in late 2018.</p>	<p>Voting arrangements</p> <p>Simple majority of members present</p>

2.0 BACKGROUND

- 2.1 The Board decided at its June 2017 meeting to commission a feasibility study to consider the commercial opportunities that might exist for the combined authority in direct off-site housing manufacture.
- 2.2 A budget of £25,000 was accordingly approved, and sector experts DLS Strategic Ltd were appointed following a procurement process.

3.0 REVIEW OF THE OUTLINE BUSINESS CASE

Introduction

- 3.1 The strategic Outline Business Case and supporting documents produced by DLS Strategic Ltd provide a sound analysis of the modular housing manufacturing sector and the opportunities available to the combined authority to become a supplier in the marketplace. The documents contain appropriate, relevant research, based on evident experience and a thorough knowledge and understanding of the offsite housing manufacturing sector.
- 3.2 In accordance with the requirements of the project brief the Strategic Outline Business Case sets out an operational approach and preferred delivery model including the option of developing, owning and manufacturing modular homes using a factory situated in Cambridgeshire. The outline business case also includes commercial and technical considerations, potential partnering options

and the financial benefits, costs and risks to the Cambridgeshire and Peterborough Combined Authority.

Key Issues

- 3.3 The main factors in support of the development of an offsite manufacturing facility, recognised in DLS Strategic Ltd.'s report, include:
- (a) A perceived decline in traditional house building skills which may limit the combined authority's ability to deliver its volume housing objectives through traditional sources in the medium and long term;
 - (b) The potential to create up to 200 new jobs (120 in the factory) largely from a local workforce;
 - (c) The opportunity for the combined authority to create a new high-quality housing brand with a distinctive design, in a growing, albeit highly competitive, market;
 - (d) Potential to increase the supply of accommodation for temporary housing using offsite solutions;
 - (e) The ability of the combined authority to control the supply of a proportion of new homes and the predictability of costs through the ownership of a manufacturing facility;
 - (f) The potential to obtain a profit if the factory manufactures and sells in excess of a minimum threshold of 300 houses each year. DLS Strategic Ltd considered that in the context of Cambridgeshire and Peterborough's housing target of 100,000 homes to be delivered over the next 20 years that the minimum threshold of 300 CA modular build properties is realistic, with the scope to achieve significantly more than that amount.
- 3.4 DLS Strategic Ltd report also sets out the risks associated with this project including:
- (a) There are significant costs associated with the development and establishment of a factory;
 - (b) The outline business case indicates that the development of 300 homes from the outset of the factory requires a level of guarantee and/or underwriting of production for a period of around 10 years. Failure to secure guarantees may result in the need for a greater level of CA investment funding than anticipated to cover this period until supply routes are established. This would affect the viability of the project potentially putting the business and the combined authority's investment at risk and the possibility of an infringement of State Aid rules;
 - (c) The outline business case outlines a proportionate increase in the use of modular offsite homes in the UK together with indications that this will

continue into the future. Examples quoted in the document are largely for private sector schemes. It is clear from the research that the combined authority would be in the vanguard of public sector organisations if it entered the market as an owner manufacturer at this time;

- (d) Given the increasing numbers of private sector suppliers the outline business case considers the effect that market 'overheating' might have on the proposed business. Emphasis is placed on the need for collaborations and engagement in wider market areas. This may take some time to achieve and may not be successful with clear risks to the trading position and the combined authority's investment.

Next steps needed to develop a Full Business Case

3.5 The Outline Business Case identifies the essential steps of work that would be required to proceed to Full Business Case. This includes:

- (a) Creation of a business maturity model
- (b) Preparation of detailed feasibility studies and cost analysis
- (c) Engagement with suppliers and manufacturers, negotiate partnerships
- (d) Obtaining funding support, loans and investment commitments
- (e) Holding in-house and external stakeholder workshops
- (f) Securing provider commitments to procure combined authority OSM products
- (g) Preparation of procurement strategy and potentially an OJEU notice
- (h) Identification of location for factory and prepare site-specific full business case
- (i) Appointment of critical friend to independently advise during the process

3.6 Based on similar current experience DLS Strategic Ltd has given an all-in cost estimate of between £80,000 and £90,000, over 3-6 months, to produce a Full Business Case for approval.

3.7 An important element of preparing a Full Business Case would be securing provider commitments to purchase a sufficient volume of the combined authority OSM production to secure the commercial viability of the business.

3.8 Fundamental to this is to understand how competitive OSM products are in relation to traditional construction procurement in the Cambridgeshire/Peterborough market. A leading firm of Cambridge-based costs consultants has advised that the volume of non-traditional build in the CA area is too low, to make meaningful comparisons, with the overwhelming majority of construction currently being undertaken through traditional build. Detailed work in this area will be required in the preparation of a Final Business Case.

3.9 The Homes for Cambridgeshire and Peterborough Housing Association group representing most locally active Housing Associations has estimated production of around 400 new homes a year, where the Associations control construction procurement. This figure is indicative of volume from this group of housing

associations at this stage, rather than a firm commitment to procure a combined authority OSM product at this stage.

- 3.10 The best prospects for securing the critical mass of business for the facility may lie with the combined authority's ability to acquire land interests and/or make major interventions on strategic sites to enable them to proceed. The combined authority is actively seeking such opportunities and some prospects are under early stage discussion. This will form a key element of the combined authority Housing Strategy, which will be presented to the Board in May 2018.
- 3.11 Furthermore, it is proposed that this project should link closely with South Cambridgeshire District Council's OSM initiative under which a number of OSM exemplar products will shortly be constructed and evaluated.

4.0 FINANCIAL IMPLICATIONS

- 4.1 A key issue at this stage is to decide whether there is sufficient information and evidence in the outline business case and supporting documents to justify the commitment of significant internal and external resources in the preparation of a full business case. The steps outlined in the outline business case recommendations indicate some of the tasks are complex and time consuming. For example, detailed financial information is required on the capital costs of the project, including working capital, to determine the amount of capital investment needed to establish either a partnership, Joint Venture or a stand-alone manufacturing operation wholly-owned by the combined authority.
- 4.2 Based on an outline decision tree investment analysis the outline business case recommendation represents a medium to high risk investment proposition. This is, in part, due to a lack of information on some important matters. Further investigation of the following key issues is needed to enable the full business case to be based on a realistically low risk project. The issues requiring further investigation and analysis include:
- (a) Detailed analysis of capital costs in relation to a short list of delivery options including working capital;
 - (b) Soft market testing of the delivery options with the objective of reaching a definitive view of the potential to secure guarantees, collaborations and partnerships/Joint Venture structures. Organisations to be consulted to include housing associations, other local authorities in the wider area, private sector developers, builders and DCLG housing contacts;
 - (c) The factory development, ownership and operational option to be explored in more detail taking account of market testing findings, and the views of logistic consultants, experienced manufacturing experts/consultants and investment advisors
 - (d) More detailed option appraisal of alternative delivery options, in particular private sector modular housing and other building contractors. Note that combined authority may be interested in other modular construction schemes in due course e.g. Peterborough University temporary academic buildings; and

- (e) Contact with BIES/DCLG Housing advisers to ascertain interest in approaches to other combined authorities/local authorities to ascertain interest on this matter.
- 4.3 Further discussion and investigation of the above matters will need to take place. The objective is to subject the hypothetical approaches outlined in the outline business case to tests and critical evaluation before seeking Board approval to the preparation of a full business case. The preparation of a full business case is a resource intensive project as the document will be examined by investment advisors and due diligence accountants to enable the combined authority to consider the nature and extent of investment requirements. It is also necessary to ensure compliance with State Aid requirements before the combined authority commits to significant investment in the project.

5.0 SUMMARY AND CONCLUSION

- 5.1 The DLS Strategic Ltd report demonstrates the case for a combined authority-owned OSM facility, with many benefits set out above, including scope to make a financial return.
- 5.2 The combined authority's top housing delivery priority however, is to deploy £170m of devolved capital funding to facilitate the starting on site at least 500 affordable homes in Cambridge City and at least 2,000 in the remainder of Cambridgeshire and Peterborough, by the end of March 2021. This forms the major housing delivery commitment under the Devolution Deal, upon which the combined authority's performance in the first Mayoral term will be judged.
- 5.3 It is important that this target is achieved, to secure on-going government support for devolution in the combined authority area, and retain public confidence. The primary immediate focus is consequently working with public, private and voluntary sector partner organisations to generate the required pipeline of new affordable housing business, to achieve this key target. Item 2.1 on this agenda summarises progress with current activity in this respect.
- 5.4 Whilst the creation of a combined authority OSM production facility offers many potential benefits, including the longer-term acceleration housing delivery, it would not contribute to the achievement of the housing output targets by the end of March 2021.
- 5.5 There are two further important considerations:
- (a) The combined authority Housing Strategy will be brought forward in late Spring and the associated delivery plan will provide greater understanding of the importance of Off Site Manufacturing in the wider delivery context.
 - (b) South Cambridgeshire District Council will report on the pilots of Off Site Manufacturing in the summer. This will provide valuable analysis from both supplier and housing market ends of the spectrum.

- 5.6 Taking all these factors into consideration it is therefore recommended that the combined authority Board should defer determining whether it should proceed to move to the next stage of a Full Business Case until the end of 2018.

6.0 LEGAL IMPLICATIONS

- 6.1 As this report is to note only, there are no legal implications arising from the recommendations.
- 6.2 Should the Board members wish to consider and debate the appendices, they must resolve whether they should debate the appendices in private and exclude the press and public. The appendices are considered to be commercially sensitive as they relate to the formation of a commercially competitive business.

7.0 APPENDICES

- 7.1 Exempt Appendices 1 and 2 –DLS Strategic Outline Business Case

<u>Source Documents</u>	<u>Location</u>
Board Report 28 June 2017 – Agenda item 3.2	http://cambridgeshirepeterborough-ca.gov.uk/meetings/cambridgeshire-and-peterborough-combined-authority-28th-june-2017/?date=2017-06-28



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 3.2
31 JANUARY 2018	PUBLIC REPORT

ESTABLISHING A NEW STRONGER PUBLIC AND PRIVATE SECTOR PARTNERSHIP IN CAMBRIDGESHIRE AND PETERBOROUGH - BUSINESS BOARD

1.0 PURPOSE

- 1.1. In December, the Combined Authority was advised that the current Local Enterprise Partnership Board had considered alternative proposals for delivery and how the Combined Authority could work in partnership to deliver a new model of strategic leadership.
- 1.2. The Combined Authority noted that a new Local Enterprise Partnership would be established in the form of a Business Board and agreed that the Combined Authority shall become the Accountable Body for the Business Board from 1 April 2018.
- 1.3. This report updates the Board progress towards establishing a combined staffing structure.

<u>DECISION REQUIRED</u>	
Lead Member:	James Palmer, Mayor
Lead Officer:	Martin Whiteley, Chief Executive
Forward Plan Ref: Not applicable	Key Decision: No
<p>The Combined Authority Board is recommended to agree:</p> <p>(a) in principle to the establishment of a single shared Chief Executive role across the Combined Authority and the new Local Enterprise Partnership;</p>	<p>Voting arrangements</p> <p>Simple majority of all Members</p>

<p>(b) that the single staffing structure be reported to the February Board meeting;</p> <p>(c) that, in principle, the Combined Authority should explore new terms and conditions of employment for its new staffing structure;</p> <p>(d) that the salaries for the new staffing structure are to be met equally by the Combined Authority and the new Local Enterprise Partnership Business Board.</p> <p>(e) That Councillor Charles Roberts be appointed as the Chair of the Shadow Business Board</p>	
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2.0 BACKGROUND

Shared Chief Executive role

- 2.1. In December the GCGP LEP agreed that, subject to certain conditions, it would be dissolved and a new Local Enterprise Partnership would be created. This new Business Board would be more closely aligned to the Combined Authority through a unified strategic framework and a single staffing structure. The Local Enterprise Partnership and the Combined Authority do otherwise have separate functions and continue to retain their distinct legal identities as separate organisations.
- 2.2. Bringing together the two officer teams into a single staffing structure offers an opportunity to create a permanent shared Chief Executive role across the two organisations. This would confirm the current interim arrangements which have operated successfully from November to date.
- 2.3. The shared role offers the opportunity for savings to both organisations, greater coordination in delivery of the shared strategic objectives and the opportunity for further savings by joining the two officer teams into a single staffing organisation.
- 2.4. If the Board agrees in principle to a shared Chief Executive role, the Employment Committee must review the job description and be asked to make recommendations on an appropriate salary level to the Combined Authority Board in February.

Staffing structure

- 2.5. The Combined Authority committed to becoming the employer for the single staffing team. In agreeing to move forward with a shared Chief Executive role this allows for the following timetable:

- (a) By end January 2018: shared Chief Executive role confirmed
 - (b) By end February 2018: shared Chief Executive brings new staffing structure for approval by the Board
 - (c) By end March 2018: effect the TUPE transfer of staff into the single organisation.
 - (d) On 1 April 2018: new Local Enterprise Partnership effective
- 2.6. It is proposed that the new staffing structure is reported to the Combined Authority Board by the Chief Executive in February to provide a suitable level of transparency. The Department of Housing, Communities and Local Government is also being advised of progress in establishing the new structures.

Terms and conditions of employment

- 2.7. When staff TUPE into a new organisation, they transfer with their existing terms and conditions. This will create a marked disparity between the Combined Authority terms and conditions, whose contracts operate according to the local authority Green Book, and the Local Enterprise Partnership staff who have statutory minimum terms and conditions.
- 2.8. Bringing together the two staffing teams would enable the Combined Authority to consider creating a new set of terms of conditions for all staff. This is the most opportune time to consider this proposal for two reasons as there are currently only 5 permanent members of staff employed by the Combined Authority.
- 2.9. The move to more commercial terms and conditions means that the Combined Authority has the opportunity to design terms and conditions based upon performance and reward at potentially overall lower cost to the Combined Authority. If the members are agreeable to this proposal, a full report would be taken to the Employment Committee to consider the advantages and disadvantages of such a proposal before any final decision is made at a future meeting of the Combined Authority. It is envisaged that all staff would retain access to the LGPS and that continuous service would be maintained.

Shadow Board

- 2.10. A Shadow Board is being formed to oversee the development of the governance framework for the new Local Enterprise Partnership. Whilst the Combined Authority will have a role to play in overseeing the governance framework as the Accountable Body, it is for the Local Enterprise Partnership to design its framework as a separate and independent company.
- 2.11. It is important in the early stages of development that the Shadow Board should be chaired by a public sector member who has both a good understanding of the governance framework and of the commercial focus of a private company. Councillor Charles Roberts is therefore proposed as the Chair of the Shadow Board. Councillor Roberts will be assisted by the Chief Executive and a small team of officers. The Shadow Board will exist for a period of up to 6 months to

ensure a smooth transition to the new Local Enterprise Partnership and during that period the main focus will be on developing the governance framework and recruiting to the new Local Enterprise Partnership Business Board.

2.12. It should be noted that recent Local Enterprise Partnership guidance requires a governance framework similar to that of the Combined Authority. It is therefore proposed that the existing policies and processes which make up the Combined Authority governance framework are used to create a single governance framework for the Combined Authority and the Local Enterprise Partnership, e.g. a single Code of Conduct and register of interests, whistleblowing policy etc where Government guidance permits.

2.13. All such combined policies will come to the Combined Authority's Audit Committee for approval and, where necessary, to the Combined Authority Board as well as to the Local Enterprise Partnership Shadow Board.

3.0 FINANCIAL IMPLICATIONS

3.1. These are dealt with in the report.

4.0 LEGAL IMPLICATIONS

4.1. These are dealt with in the report.

5.0 SIGNIFICANT IMPLICATIONS

5.1. These are dealt with in the report.

6.0 APPENDICES

None

<u>Source Documents</u>	<u>Location</u>
List background papers:	List location of background papers
Combined Authority Board meeting 28 June 2017 (Agenda item 1.6) – Appointment of Chief Executive	http://cambridgeshirepeterborough-ca.gov.uk/meetings/cambridgeshire-and-peterborough-combined-authority-28th-june-2017/?date=2017-06-28
Combined Authority Board meeting 20 December 2017 (Agenda item 2.4)	http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-20-december-2017/