



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Agenda Item No: 4.5

University of Peterborough - finalisation and completion of legal documentation for the Peterborough R&D Property Company (PropCo2)

To: Cambridgeshire and Peterborough Combined Authority Board

Meeting Date: 25th January 2023

Lead Member: Councillor Anna Smith, Statutory Deputy Mayor

From: Rachael Holliday, SRO Higher Education

Key decision: No

Forward Plan ref: Not applicable

Recommendations: The Combined Authority Board is recommended to:

Delegate authority to the Director of Housing and Development, in consultation with the Monitoring Officer and Chief Finance Officer, to sign a Development Management Agreement between the CPCA and PropCo2 (Peterborough R&D Property Company Limited).

Voting arrangements: A simple majority of Members present and voting.

To be carried, the vote must include the vote of the Mayor, or the Deputy Mayor when acting in place of the Mayor.

1. Purpose

- 1.1 The Combined Authority Board's approval is sought to delegate to the Director of Housing and Development (in consultation with the Monitoring Officer and Chief Finance Officer) to sign a Development Management Agreement (DMA) between CPCA and the Peterborough R&D Property Company Limited (PropCo2). The DMA relates to programme, development management, finance and company secretarial services provided by the combined authority to PropCo2.

2. Background

- 2.1 The Combined Authority is working to deliver a new University of Peterborough and on behalf of the project, secured Local Growth Funding (LGF) of £14.6m to deliver the project through the Getting Building Funding from the Ministry of Housing, Communities and Local Government (MHCLG).
- 2.2 On 5th November 2020 the Mayor, using his general power of competence having consulted with the Combined Authority Board Members at the Leaders' Strategy Meeting on 28th October 2020, approved £14.6 million Getting Building Funding into the University of Peterborough Manufacturing & Materials Research & Development Centre project (now known as the Peterborough Innovation & Research Centre). This was ratified at the Combined Authority Board on 25th November 2020 and the incorporation of PropCo2 to the Peterborough HE Property Company Limited, trading as Peterborough R&D Property Co Limited, followed shortly after.
- 2.3 At the Combined Authority Board meeting on 27th January 2021, the Board provided delegated authority to the Director of Business and Skills, in consultation with the Lead Member for Economic Growth, the Section 73 Officer and the Monitoring Officer, to develop the necessary legal documentation for the Peterborough R&D Property Company. The Shareholders Agreement including the Articles of Association were agreed shortly afterwards, however the Development Management Agreement between the parties was excluded because the work to identify the services and their value could not be calculated.
- 2.4 With the Peterborough Innovation & Research Centre near to practical completion, the agreed services provided for by the combined authority and paid for by PropCo2 up to December 2023 amount to £304,167.00. A copy of the DMA is included in Appendix 1. To complete the necessary governance requirements set out in the original approval and to formalise the DMA between the parties it is necessary to obtain Combined Authority Board approval for the DMA to be agreed and signed.

Significant Implications

3. Financial Implications

- 3.1 Staff costs associated with the services being provided by the combined authority have been charged and paid for by PropCo2 since its incorporation. Remaining costs up to December 2023 are budgeted for in the company's business plan.
- 3.2 Any further services relating to the further development of PropCo2 Business Plan will be subject to [a](#) further agreements.

4. Legal Implications

- 4.1 The DMA sits within PropCo2 Shareholder Agreement and Articles of Association, which are already agreed by the combined authority and company shareholders. The DMA has been drafted by Pinsent Masons, reviewed by CPCA Legal Team and approved by PropCo2 Directors.

5. Public Health Implications

- 5.1 The Peterborough Innovation & Research Centre, through local employment, training and education opportunities will encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices.

6. Environmental and Climate Change Implications

- 6.1 The Peterborough Innovation & Research Centre, through local employment, training and education opportunities will support local and environmentally sustainable choices regarding travel and transport. The design of the building will meet BREEAM Excellent standards. As the University Campus develops over time there are further strategies in place to work with the University Partners and the tenants of the Research & Development Centre, for the site and buildings to have net carbon zero impact by 2030.
- 6.2 The Centre will focus on Net Carbon Zero Manufacturing, with the aim of attracting further investment into the local area in this developing sector.

7. Other Significant Implications

- 7.1 There are no other significant implications.

8. Appendices

- 8.1 Appendix 1 – Development Management Agreement (DMA) between the CPCA and PropCo2

9. Background Papers

- 9.1 [CA Board 9 July 202 - Funding and Local Growth Fund](#)
- 9.2 [CA Board 25 November 2020 - Allocation of Getting Building Fund](#)
- 9.3 [CA Board 27 January 2021 - Approval of Legal Documentation](#)