

APPENDIX A



CAMBRIDGESHIRE & PETERBOROUGH
COMBINED AUTHORITY

COMBINED AUTHORITY BOARD FUNCTIONS AND RESPONSIBILITIES (TERMS OF REFERENCE)

The Board has collective responsibility for decision-making, acting in the best interests of Cambridgeshire and Peterborough

Key Functions of the Combined Authority

The following key functions sit within the responsibility of the Combined Authority Board:

- (a) To set long term vision of the Combined Authority
- (b) To agree strategic objectives for the Combined Authority
- (c) To agree key strategy and policy for the Combined Authority
- (d) To adopt, amend or withdraw any major strategy or policy
- (e) To drive future devolution and lobbying of Government
- (f) To agree prioritisation and re-purposing of funds
- (g) To agree approval of projects and programmes in line with the Scheme of Delegations
- (h) Approve the Combined Authority Budget and the Mayoral Budget (and related strategy, policy, programmes, borrowing and virements over £500k)
- (i) To agree Transport Levy/ LTCP/ Consultation on the allocation of Local Highways Maintenance Capital Grant
- (j) To appoint the Head of Paid Service (Chief Executive), Monitoring Officer and Chief Finance Officer ("the statutory officers")
- (k) To consider employment matters referred by the Employment Committee
- (l) Approve business cases and loans to third party businesses including wholly owned subsidiaries
- (m) Approve applications to bid for external funding where there are wider budgetary implications, or the bid relates to a matter outside the strategic framework
- (n) To exercise General power of competence
- (o) Agree delegations to supporting committees
- (p) Auditing decisions for funding approved by the Business Board for Local Growth Funds, Growth Hub funding, Energy Hub funds and Enterprise Zones funds.
- (q) Responding to Gateway Reviews

The Combined Authority Board will have responsibility for driving performance of key deliverables/ performance measures for achieving good growth, ensuring that Thematic Committees and the Business Board are driving delivery of good growth key deliverables as they relate to each Thematic Committee remit.

The Combined Authority Board retains a number of functions which are reserved for the Board, it can delegated authority to approve, amend or withdraw any major strategy or policy to Thematic Committees in support of delivering its functions

Functions reserved to the Combined Authority Board

The following functions are reserved to the Combined Authority Board:

Strategy & Policy

- ☐ The adoption of, and any amendment to or withdrawal of any major strategy or policy including the Mayor's growth ambition statement, Corporate Plan, Local Industrial Strategy, Local Transport Connectivity Plan, Skills Strategy and others.

Frameworks

- ☐ The adoption of, and any amendment to or withdrawal of the following framework documents:
 - (a) Assurance Framework
 - (b) Monitoring & Evaluation Framework
 - (c) Performance Management Framework
 - (d) Risk Management Framework

Financial Matters

- ☐ The adoption of, and any amendment to or withdrawal of the following financial documents:
 - (a) The non-mayoral Combined Authority budgets;
 - (b) Approval of carry forward of any underspent balances between financial years;
 - (c) Annual spending plans for the allocation of transport-related funding;
 - (d) Treasury Management Strategy including approval of borrowing limits;
 - (e) Medium Term Financial Plan and Capital Programme
 - (f) Fiscal Strategy to reflect any taxation proposals, such as Business Rates, Local Taxation, and to approve any requests to Government for additional powers.
- ☐ Consultation on the allocation of Local Highways Maintenance Capital Grant
- ☐ Approve budget allocations for feasibility work from the non-transport feasibility fund
- ☐ Approve business cases and loans to third party businesses including wholly owned subsidiaries;
- ☐ Approve applications to bid for external funding where there are wider budgetary implications, or the bid relates to a matter outside the strategic framework.
- ☐ Approval of virements of £500,000 and over;
- ☐ In relation to the Mayor's General Budget, and in accordance with the Budget Framework Procedure Rules (see Chapter – Financial Regulations):
 - (a) The approval of the draft budget (or revised draft budget) or
 - (b) The decision to veto the draft budget (or revised draft budget) and approval of the Mayor's draft budget incorporating the Combined Authority Board's recommendation as the relevant amounts and calculations.

Accountable Body

- ☐ Auditing decisions for funding approved by the Business Board for Local Growth Funds, Growth Hub funding, Energy Hub funds and Enterprise Zones funds.

Governance

Decisions related to:

- (a) Adoption and amendment of the Constitution;
- (b) Establishment and membership of Committees and Sub-Committees;
- (c) Establishment and membership of Joint Committees and Commissions;
- (d) Approve the nomination of lead member responsibilities and membership and chairs of executive committees and sub-committees upon recommendation from the Mayor;

- (e) Approval of Mayoral Allowance and any other allowance schemes;
- (f) Appointment of an Independent Person of the Audit and Governance Committee;
- (g) Appointment of Statutory Officers;
- (h) Delegation of functions to third parties;
- (i) Establishment of Trading Companies;
- (j) Any other matters reserved to the Board.

The Combined Authority shall exercise the general power of competence in relation to any of its functions after having due regard to the advice of the Monitoring Officer and Chief Finance Officer.

The Combined Authority Board exercises the right to call for consideration any decision taken by a Thematic Committee in line with the process and grounds set out in the constitution and subject to the statutory powers of the Overview & Scrutiny Committee, if they believe that decision has not taken into account (a) the level of expenditure (b) potential for reputational risk and/or (c) politically contentious nature of a decision when:

- ☐ Taking a decision as part of implementing a strategy approved by Board
- ☐ taking operational decisions within Policy & Budget Framework
- ☐ approval of items included within an approved Medium Term Financial Plan
- ☐ approval of applications to bid for external funding opportunities where they are within the Combined Authority strategic framework.

Combined Authority Board Member(s) should notify the Monitoring Officer within two working days of the decision being taken if they wish to undertake such consideration.

Membership of the Combined Authority Board

The Combined Authority Board consists of the Members as set out below:

- (a) The Mayor, or Deputy Mayor acting in the Mayor's absence
- (b) An elected Member appointed by each of the Constituent Councils or Substitute Members acting in their place;
- (c) A Representative of the Business Board or Substitute Members acting in their place;
- (d) Co-opted Members (non-voting) invited to attend who shall be present to contribute on issues related to the organisation they represent.

If a Member fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, unless the failure was due to some reason approved by the authority before the expiry of that period, they cease to be a Member of the Board.

Lead Member Functions

The following functions of the Combined Authority are grouped into lead member responsibilities, allocated to Constituent Council Members of the Combined Authority and include the following responsibilities:

- (a) To lead and champion their allocated lead member functions;
- (b) To act as key spokesperson for the Combined Authority within their respective Constituent Councils
- (c) To chair and lead a committee where established;

- (d) To provide leadership for officers on the development of key strategic documents or investment proposals for approval by relevant committees or the Combined Authority Board;
- (e) To provide leadership for their geographical area within the collective Combined Authority into future devolution proposals and public sector reform;
- (f) To liaise with Members holding similar lead member responsibilities within the Constituent Councils.
- (g) To lead on the development of key strategic documents for approval by the Combined Authority;
- (h) To communicate with the public on matters within their portfolios and to be accountable for their portfolio areas;
- (i) To input into any future devolution proposals and public sector reform.
- (j) To delegate (a) –(i) to a designated member, including members of their constituent authorities when unable to act for any reason

Executive Bodies

The Combined Authority Board has the power to delegate its functions, which are not reserved to it, to Committees, Sub-Committees, Officers, Joint Committees or other Local Authorities. The Board cannot delegate its functions to individual members of the Board.

Working Groups

The Combined Authority may establish informal working groups. These groups will be non-decision making groups of Officers and Members.

Membership

The Combined Authority shall appoint the membership of all executive committees, sub-committees, joint committees and working groups, including the appointment of the Chair, Substitute Members and any Co-opted Members. In accordance with Chapter 3, the Mayor shall nominate the membership and chairs of any executive committees to the Board for approval.

The political balance rules apply to all committees, sub-committees and joint committees where political groups are formed. Where political groups are not formed the Combined Authority has agreed that at least one member of a party not of the same political affiliation as the Mayor shall be appointed to all committees.

The Monitoring Officer has delegated authority to accept changes to membership of committees notified by Board members during the municipal year to ensure there is a full complement of members or substitute members at committee meetings. The new appointment shall take effect after the nomination has been approved by the Monitoring Officer.

Voting arrangements for the Board are set out in section [insert section] of the constitution.

Quorum

The quorum for Combined Authority Board is at least at least five members. These five members must include the Mayor or Deputy Mayor acting in the place of the Mayor and four members or substitute members, appointed by the constituent councils.

The quorum for committees, sub-committees and working groups may be no fewer than four Members (excluding Human Resources Committee where it is two thirds).

Access to Meetings

The Transparency Rules, Forward Plan and Key Decisions apply to all committees, sub-committees and joint committees (see Chapters 6: Decisions; and 10: Access to Information, Information Governance, Data Protection and Complaints). These rules do not apply to working groups and commissions.