

Appendix 5 - Business Board

Part 1 – Functions and Membership

1. Governance

- 1.1. Local Enterprise Partnerships (LEPs) are private sector led voluntary partnerships between local authorities and businesses set up in 2010 by the Department of Business Innovation and Skills to help determine local economic priorities and lead economic growth and job creation within the local area.
- 1.2. The Business Board is a non-statutory body which is the Local Enterprise Partnership for its area. It is independent of the Combined Authority operating as a private-public sector partnership, focusing on the key business sectors to provide strategic leadership and drive growth in the Cambridgeshire and Peterborough and wider Local Enterprise area.

2. Current Geographical area (under review)

- 2.1. The current geographical area is under review. The Department for Business Enterprise and Industry are considering proposals for a coterminous boundary with the Combined Authority.
- 2.2. The geographical area of the **Business Board** is set out in the table below:

District	Areas	Council
Cambridgeshire		Cambridgeshire County Council
Cambridge		Cambridge City Council
East Cambridgeshire	Ely, Littleport and Soham	East Cambs DC
Fenland	Wisbech, March Whittlesey & Chatteris	Fenland DC
Huntingdonshire	Huntingdon, St Ives, St Neots and Ramsey	Huntingdonshire DC
South Cambridgeshire	Cambourne	South Cambs DC
Peterborough		Peterborough City Council
North Hertfordshire	Royston	North Hertfordshire DC

South Kesteven (Lincs)	Grantham, Stamford, Bourne and Market Deeping.	South Kesteven DC
Rutland	Oakham	Rutland County Council
West Suffolk	Bury St Edmunds, Haverhill, Newmarket and Mildenhall	West Suffolk Council
Uttlesford (Essex)	Saffron Walden, Great Dunmow, Stansted Mountfitchet and Thaxted	Uttlesford DC
West Norfolk & King's Lynn	King's Lynn, Downham Market and Hunstanton	BC of King's Lynn and West Norfolk
South Holland (Lincs)	Spalding, Crowland, Donington, Holbeach, Long Sutton and Sutton Bridge	South Holland DC

3. Functions

- 3.1. In Mayoral combined authorities, there is a requirement to have a single local industrial strategy. The strategy provides the basis for investment decisions for the Cambridgeshire and Peterborough Combined Authority as the accountable decision-making authority.¹ The Business Board has a vital leadership role to play in its development and is the custodian of the strategy. The Mayor will work in partnership with the Business Board to jointly develop and agree the strategy², and the Combined Authority will be responsible for its delivery.
- 3.2. The Business Board will allocate local growth funds to improve economic opportunity in the area and will monitor the delivery of funded projects.
- 3.3. Working in conjunction with the Combined Authority the Business Board will develop initiatives to address the local skills challenges and will play a key role in developing the University of Peterborough as an employer focused provider of higher education.
- 3.4. The Business Board will act as an enabler for delivery of sector deals at local level.

² See Industrial Strategy: Building a Britain fit for the future, DBE&IS 27 November, 2017

- 3.5. The Business Board will support applications for the Industrial Strategy Challenge Fund programme and will work collaboratively with the Combined Authorities universities, businesses and research organisations to produce programmes which impact productivity.
- 3.6. In accordance with the Single Pot Assurance Framework National Guidance, the Business Board and the Combined Authority Board, as the accountable ~~decision-making~~ decision-making body, have agreed a single local assurance framework ~~which was approved by, and have submitted it to the~~ the Ministry of Housing, Communities and Local Government ~~for approval~~. The Assurance Framework will be reviewed annually. All decisions must comply with the framework.

4. Terms of Reference

- 4.1. The purpose of the Business Board is set out below³:

Strategy:

- (a) In collaboration with the Cambridgeshire and Peterborough Combined Authority, develop and deliver an evidence-based Local Industrial Strategy that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across their area.
- (b) Set strategy and commission interventions to drive growth, jobs and private sector investment to deliver the strategy.

Allocation of funds

- (c) Identify and develop investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy.
- (d) ensure that bids for public funding made available by government support economic growth.
- (e) ensure any decisions which are made in contravention of the process will be invalid.

Co-ordination

- (f) Use its Business convening power, for example to co-ordinate responses to economic shocks; and bringing together partners

³ These four roles are set out in Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

from the private, public and third sectors.

- (g) Ensure Business Board and Combined Authority policy and decisions receive the input and views of key business leaders and take account of the views of the wider business community.
- (h) Engage with local businesses to understand the needs of different sectors and markets.

Advocacy

- (i) Collaborate with a wide-range of local partners to act as an informed and independent voice for business across their area.
- (j) Engage businesses, opinion formers and policy makers at a national and international level in promoting economic growth in the region.

4.2. In pursuit of this role the Business Board will:

- (a) In collaboration with the Cambridgeshire and Peterborough Combined Authority develop local agreements which clearly set out their respective roles, responsibilities and accountability
- (b) Produce an annual delivery plan and end of year report in accordance with Government guidance;
- (c) Develop, agree and review a joint Combined Authority and Business Board Assurance Framework
- (d) Support the supply of skills to an area as they respond to the Skills Advisory Panels programme
- (e) capture and communicate business requirements for changes to, and development of, economic policy and commission associated appropriate interventions
- (f) work collaboratively with all partners, including the Combined Authority and Local Authorities, to address barriers to growth and drive efficiency
- (g) bring together intelligence and expertise to identify priorities and develop solutions to maximise private sector investment in the local enterprise and combined authority area, and secure sustainable growth
- (h) work to create an environment for business growth ensuring appropriate mechanisms exist through which, as a co-ordinated

voice, the private sector can inform and influence the shape and future direction of local and national government policy.

- (i) have strategic oversight for the delivery of the Enterprise Zone Programme

4.3. To ensure the Business Board is effective in this role it has the authority to:

- (a) engage in dialogue with Government and respond to policy, proposals and opportunities to bid for funding in support of economic growth
- (b) engage with investors, businesses and advisors to secure growth opportunities
- (c) develop and consult on regional economic policy, programmes and interventions designed to maximise growth in the region
- (d) provide leadership in key themes and priorities to promote growth
- (e) raise the profile, image, reputation and influence of the Business Board and Combined Authority area at a regional, national and international level.

5. Legal Status

5.1. The Business Board is an informal partnership. It does not have legal status to enter into contracts and will act through the Cambridgeshire and Peterborough Combined Authority as the Accountable Body.

6. The Business Board's accountable body

6.1. Cambridgeshire and Peterborough Combined Authority ('the Combined Authority') is the accountable body for funding allocated to the Business Board; that is the Combined Authority is responsible to Government for complying with any conditions or requirements attached to any such funding.

7. Role of Members and Accountability

7.1. Irrespective of his or her background or geography, it is the duty of a Business Board member to act in the best interests of the Local Enterprise area and in accordance with the policies of the Business Board.

7.2. All private sector members of the Business Board act in their individual capacity and not as representatives of their respective organisations.

- 7.3. All Business Board members are expected to discharge their duties in line with the Nolan Principles for Standards of Public Life⁴ and the Code of Practice for Board Members of Public Bodies⁵. Members must comply with the Business Board Code of Conduct. Political Leaders who are Members of the Combined Authority must also comply with the Business Board Code of Conduct in addition to that of the Combined Authority.
- 7.4. All Business Board and sub-committee or sub-group members will make decisions on merit having taken into account all the relevant information available at the time.

8. Membership

- 8.1. The Business Board membership will comprise of up to 14 members; two public sector members and up to 12 business representatives as follows:

Public Sector Representatives

- 8.2. The Mayor and the Lead Member for Economic Growth of the Combined Authority shall be members of the Business Board by virtue of their office. The Combined Authority may appoint at least one Substitute Member to act in their absence. These shall be non-voting members of the Board.

Private Sector Representatives

- 8.3. Up to 12 business representatives— one member will be appointed specifically to represent the interests of the Small and Medium Sized Enterprises (SME) sector, one member will represent the education sector and one member will be appointed as an international business representative.
- 8.4. The Business Board membership meets the requirements for two thirds of the Business Board members to be private sector representatives and does not exceed the maximum of 20 members⁶.
- 8.5. Whilst all appointments to the Business Board will be on merit, in accordance with Government requirements, the Business Board will aim to improve the gender balance and representation of those with protected characteristics on its board with the following aims:
- (a) that women make up at least one third of Business Board by 2020
 - (b) with an expectation for equal representation by 2023, and

⁴ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409604/code-of-conduct_tcm6-38901.pdf

⁶ Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

- (c) ensure its Board is representative of the businesses and communities they serve⁷.

9. Recruitment, Appointment and Termination of Private Sector Members

9.1. The private sector representatives, the Chair and the Vice Chair of the Business Board shall be appointed following an open, transparent and non-discriminatory recruitment process which assesses each candidate on merit carried out in accordance with the Business Board's diversity statement, Government Guidance and the Nolan Principles. This will include a public advertisement and an interview process conducted by a Business Board's appointments panel.

9.2. Formal appointment panels will be constituted as follows

Position	Panel
Appointment of a Chair	Mayor of Cambridgeshire and Peterborough Combined Authority, the <u>or the</u> Combined Authority's Lead Member for Economic Growth plus three <u>two</u> private sector Business Board members supported by the Director of Business and Skills or his/her nominee.
Appointment of private sector board Members	Chair and or <u>or</u> Vice-Chair of the Business Board Mayor of Cambridgeshire and Peterborough Combined Authority or the Combined Authority's Lead Member for Economic Growth.
Vice-Chair (where there is more than one candidate)	<u>Mayor of Cambridgeshire and Peterborough Combined Authority or the Combined Authority's Lead Member for Economic Growth plus two private sector Business Board members supported by the Director of Business and Skills or his/her nominee.</u> Chair of the Business Board and Mayor of Cambridgeshire and Peterborough Combined Authority or the Combined Authority's Lead Member for Economic Growth.

Interview panels will be advised by the Director of Business and Skills.

Requirements for Private Sector Representatives

⁷ Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

- 9.3. The Private Sector Board members must not:
- (a) be a member, officer of the Combined Authority, or a County Council, Unitary Council, District tier Council within the area served by the Business Board, or otherwise employed under the direction of a local authority;
 - (b) be a non-executive director or officer of an NHS Trust;
 - (c) be subject to a bankruptcy restriction order or interim order;
 - (d) be subject to a sexual risk order or be on the sexual offender's register;
 - (e) be subject to a civil injunction or criminal behaviour order;
 - (f) be disqualified from acting as a director, a charter trustee or charity trustee
 - (g) within five years before the date of submission of application, have been a director or person of significant control of a company subject to a creditor's compulsory liquidation
 - (h) within five years before the date of submission of application, have been convicted of any offence and have had passed on them a sentence of imprisonment, whether suspended or not, for a period of not less than three months without the option of a fine.
 - (h)(i) be an active member of parliament, serve as an officer in any recognised political party or make substantial personal contributions to any recognised political party

~~9.4. Private Sector Members should not have made substantial personal contributions to any recognised political party and must not serve as an officer in any recognised political party.~~

~~9.5:9.4.~~ Members should be employed by, or have a substantial interest (by virtue of ownership / control) in businesses in the area served by the Business Board

~~9.6:9.5.~~ The Appointments Panel shall appoint the **private sector representatives** to the Business Board following an interview process and completion of the induction programme.

9.6. Each private sector representative on the Business Board is appointed in their individual capacity, and not as a representative of their employer or any other organisation. No substitute members will be appointed for private sector representatives.

9.7. Following a recruitment process, where there are more appointable candidates than vacancies, a reserve list of suitable candidates for the positions of Chair, Vice Chair and private sector representative will be maintained for 12 months.

Appointment

9.8. A formal offer will be made to successful candidates. On appointment Board members are required to sign a declaration affirming their understanding and commitment to the Code of Conduct.

9.9. Within the period of 28 days of the appointment being made to the Business Board, the Business Board shall publish a notice on its website which:

- (a) states that it has made an appointment;
- (b) identifies each Business Board member who has been appointed and any substitute members; and
- (c) specifies the term of office of those appointed
- (d) Publishing the members' and substitute members' register of interest form.

Term of Appointment

9.10. The term of office for **private sector representatives** will normally be a maximum of three years, and subject to a maximum of one consecutive term, unless

- (a) they cease to qualify to be a member of the Business Board;
- (b) they resign from their membership and communicate this in writing to the Monitoring Officer; ~~or~~
- (c) the Business Board terminates the membership of any private sector representative which it may do at any time or;
- (d) upon receipt of a vote of no confidence by the Combined Authority Board, the Board must consider whether to terminate the terms of office of the Chair at the next meeting of the Board.

9.11. The term of office of **public sector** members and substitute members appointed by the Combined Authority is at their discretion; the Combined Authority Board may terminate their appointment or appoint a representative at any time, to be of effect on receipt of a notice by the Combined Authority's Monitoring Officer.

9.12. The Business Board may appoint co-opted members as necessary to complement the skills and expertise on the Board. Membership may not exceed 20 members.

10. Chair and Vice-Chair of Business Board

10.1. The Business Board will appoint a private sector representative as Chair and Vice Chair.

- 10.2. The ~~Chair~~ Chair and Vice Chair shall be appointed following an open, transparent and non-discriminatory recruitment process which assesses each candidate on merit carried out in accordance with the Business Board's diversity statement, Government Guidance and the Nolan Principles. This will include a public advertisement and an interview process conducted by a Business Board's appointments panel. The Business Board will consult widely and transparently with the business community before appointing a new Chair and Vice Chair~~Chair~~.
- 10.3. The terms of the appointment will be set out in an appointment letter from the Combined Authority to the Chair and Vice Chair~~Chair~~. A person ceases to be Chair or ~~Deputy Vice~~ Chair if they cease to be a Business Board member.
- 10.4. The terms of office of the Chair and Vice Chair will be for two (2) years with one consecutive term permitted upon unanimous vote of the Board members present and voting.
- 10.5. The Chair and Vice Chair ~~are~~ will be a voting members of the Combined Authority Board.
- 10.6. ~~The Business Board shall appoint a vice chair from amongst its membership. A member may only be appointed as vice chair if they have secured membership through an open recruitment process.~~ The Vice-Chair will be the Chair's substitute on the Combined Authority Board.

Resignation of the Chairmanship Mid-Term Private Sector Representatives

- 10.7. Where there is a resignation of the ~~chairmanship~~ Chair, the Vice Chair will assume all responsibilities of the Chair until the appointment of a permanent Chair, from the reserve list or following an open, transparent and non-discriminatory recruitment process.

Resignation of the Vice Chair

- 10.8. Where there is a resignation of the Vice Chair, the Chair may appoint any private sector representative into position of Vice Chair, on an interim basis until a permanent appointment is made from the reserve list or following an open, transparent and non-discriminatory recruitment process.

Resignation of private sector representative

- 10.9. Where there is a resignation of any private sector representative, an appointment will be made from the reserve list or following an open, transparent and non-discriminatory recruitment process.
~~_mid-term following a full recruitment process, existing members of the Business Board shall be invited to apply for the position. Applicants will be~~

~~interviewed and appointed by the Business Board's recruitment panel. The appointment will take effect immediately on an interim basis. The business community then will be consulted widely and transparently before formally appointing the new chair. The appointments panel shall consider any representations from the business community before formally confirming the appointment. The appointment shall continue until the end of the (retired) chair's term.~~

~~10.7.—~~

11. Code of Conduct and Register of Interests

- 11.1. Every Business Board member must sign and comply with the Business Board member code of conduct.

12. Co-opted Members

- 12.1. Where specific skills or abilities are required which are not available among existing members co-optees may be appointed to the Business Board. The appointment will be made by the Chair, in consultation with the Board, for 12 months. Co-opted members will not have voting rights and will not count towards the quorum. In accordance with Government Guidance, the maximum number of co-opted members should not exceed five.

13. Committees

- 13.1. The Business Board may establish committees or sub-committees as it thinks fit to discharge its functions. The Business Board has established the following committee:
- (a) Eastern Agri-Tech Programme Board (a sub board of the Business Board);
- 13.2. The terms of reference and membership are appended at Appendix 1 and their delegation of powers are set out in Part 3.

14. Working Groups

- 14.1. The Business Board may appoint informal non-decision making working groups. Any such subordinate body set up by the Business Board shall include one or more Business Board Members, as nominated by the Board. With the consent of the Chair, any such group may also co-opt onto it any independent person with the relevant expertise - judged against pre-determined criteria - on the issues within the remit of these groups.
- 14.2. The remit and terms of reference for any such subordinate body shall be approved by the Business Board.

- 14.3. The Business Board has established the following working group:
 - (a) Local Growth Fund Entrepreneur Assessment Panel.
- 14.4. The terms of reference and membership are appended at Appendix 2.
- 14.5. The Business Board has established the following working groups to oversee Enterprise Zone delivery and management
 - (a) Enterprise Zone Programme Board (Alconbury Weald) and
 - (b) Enterprise Zone Project Boards (Cambridge Compass).
- 14.6. The terms of reference and membership are appended at Appendix 3.

15. Scrutiny Arrangements

- 15.1. The Combined Authority's Overview and Scrutiny Committee may review or scrutinise any Combined Authority decision in its role as accountable body for the Business Board. The Combined Authority's Scrutiny Officer shall ensure that this includes appropriate scrutiny of Business Board decision-making and achievements.
- 15.2. Any Business Board member may be asked to attend, or otherwise contribute to, a meeting of the Combined Authority's Overview and Scrutiny Committee.
- 15.3. The Combined Authority's Audit and Governance Committees will also review the local assurance framework and how the local assurance frameworks are operating in practice.

16. Complaints and Whistleblowing

- 16.1. Any complaint received about the Business Board will be dealt with under either the Combined Authority and Business Board's Complaints or Confidential Complaints Policy.
- 16.2. Any complaint about an individual Business Board member alleging a breach of the Code of Conduct will be dealt with in accordance with paragraph [16.17](#) above.
- 16.3. Any whistleblowing concerns raised about the Business Board will be dealt with under the Combined Authority and Business Board's Whistleblowing Policy.

16.4. Each of these procedures or policies shall be published on the Combined Authority web-site and accessible from the Business Board's web-site.

17. Remuneration

17.1. Allowances or expenses shall be payable to ~~any~~ Business Board members, in accordance with a scheme approved from time to time by the Combined Authority.

18. Secretariat Arrangements

18.1. In accordance with Government requirements to have a secretariat independent of local government to support the Chair and Board, a S73 Chief Finance Officer and Monitoring Officer has been appointed to advise the Board who ~~is~~ are independent of the Cambridgeshire and Peterborough Combined Authority.

19. Local Area Agreement

19.1. In accordance with Government requirements for mayoral areas there is a requirement for a Local Agreement between the Business Board and the Combined Authority and the Accountable Body setting out the responsibilities of the Chair, Board and Accountable Body. (To be developed).

20. Amendments to the Constitution

20.1. These terms of reference will be reviewed annually. The Business Board will recommend any proposed changes to the Constitution to the Combined Authority.

20.2. The Combined Authority's Monitoring Officer is authorised to make any changes to any constitutional or governance documents which are required:

- (a) as a result of any government guidance, legislative change or decisions of the Business Board, or
- (b) to enable the documents to be kept up to date, or
- (c) for the purposes of clarification only.

21. Publication of constitution and other governance documents

21.1. This constitution and other governance documents shall be published on the Combined Authority website and accessible from the Business Board website.

Part 2 – Procedure Rules

1. Meetings

- 1.1. The Business Board shall have at least one public meeting a year which will be its Annual General Meeting.
- 1.2. The Business Board will hold annual general meetings open to the public to attend to ensure the communities that they represent can understand and influence the economic plans for the area⁸.
- 1.3. With the exception of 1.1 above, meetings of the Business Board shall not be open to the public unless determined otherwise by the Chair.
- 1.4. An extraordinary meeting of the Business Board may be called by the:
 - (a) Chair of the Business Board; or
 - (b) any two Members of the ~~Committee~~Business Board;
 - (c) Chief Executive of the Combined Authority.

2. Agendas and Minutes

- 2.1. Agendas and reports for the Business Board will be available on the Cambridgeshire and Peterborough Combined Authority website at least five clear working days before the meeting to which they relate in accordance with the Transparency rules in chapter 6 of the Combined Authority constitution. Any funding decisions shall be ratified by the Combined Authority as accountable body for the Business Board.
- 2.2. The public ~~may~~ will have access to agenda, reports and minutes of public and private meetings except where they are exempt from disclosure under the Freedom of Information Act 2000 (FOIA).

Freedom of Information

- 2.3. Reports will be released with the agenda, except in those cases where the information contained in the reports is exempt from disclosure under the Freedom of Information Act 2000 (FOIA). These papers will be classed as reserved papers.
- 2.4. Likely exemptions that are likely to make information reserved include but are not limited to:
 - Commercial sensitivity
 - Information provided in confidence
 - Personal data
 - Legal professional privilege

⁸ Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

- Information intended for publication at a future date

3. Attendance

- 3.1. Business Board members may participate in meetings remotely e.g. through video conferencing or Skype. They must be able to see and hear the meeting proceedings, and be heard, and as far as possible seen, by the other Board members attending the meeting at the venue. Board members who participate in this way may vote and count towards quorum. These arrangements would not apply to the annual meeting of the Business Board or any other Business Board meetings which are held in public.
- 3.2. The membership of pPrivate sector Business Board members who fail to attend a third or more of the total number of annual scheduled Business Board meetings, the scheduled Board meetings in a 12-month period shall be reviewed ed byby the Chair, who may recommend termination of -and their membership to the Business Board may be terminated.

4. Quorum

- 4.1. No business is to be transacted at a meeting of the Business Board unless a majority of the total number of Members of the Board are present (either at the venue or remotely) which should include the majority of private sector members and at least one public sector member.
- 4.2. During any meeting if the Chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

5. Decision Making and Voting

- 5.1. Wherever possible, decisions of the Board will be by consensus, without the need for a vote. Where this is not possible a vote may be taken where the Chair considers it to be necessary to establish whether a consensus exists.
- 5.2. Each private sector Member of the Business Board is to have one vote and no Member (including the Chair) is to have a casting vote. The public sector members of the Board shall be non-voting members.
- 5.3. The vote will be by way of a show of hands and recorded in the minutes.
- 5.4. Any questions that are to be decided by the Business Board are to be decided by a simple majority of the Members present and voting. If a vote is tied on any matter it is deemed not to have been carried.

6. Conflicts of Interest

Register of Interests

- 6.1. It is the responsibility of Board members to ensure an up to date Register of Interests is maintained. Each Business Board member must complete and keep up to date a register of interest form required under the code of conduct. The register of interest form will be published on the Combined Authority's website within 28 days from the date of the appointment and is a condition of appointment. A member must within 28 days of becoming aware of any change in their interests provide written notification of this.
- 6.2. It is the responsibility of Board members to declare any interest on any item of business being conducted at a Business Board or working group meeting. Any declarations of interest made by a Business Board member at a meeting and any action taken, (such as leaving the room, or not taking part), will be recorded in the minutes for that meeting. The member should update their register of interest form within 7 days of the meeting if a new interest has been declared.
- 6.3. Any alleged breach of the Business Board member code of conduct will be dealt with under the Combined Authority's Member Complaints Procedure.

Declaration of Interests at a meeting

- 6.4. It is the responsibility of Board members to declare any interest on any item of business being conducted at a Business Board. Where a 'pecuniary interest is declared Members will leave the meeting, where a 'non- pecuniary interest is declared, Members may remain at the meeting but not participate in business in accordance with the Board members' code of conduct.

7. Decisions of the Business Board

- 7.1. The draft minutes of each meeting of the Business Board will be posted on the Combined Authority and Business Board website within 10 clear working days of the meeting taking place. The agreed minutes of each meeting will be published within two clear working days after approval at the subsequent meeting.
- 7.2. All decisions of the Business Board will be ratified at the next meeting of the Combined Authority Board. Where the Combined Authority does not agree with the recommendations, they will refer the matter back to the Business Board with the reasons and ask the Business Board to reconsider.

8. Urgency procedure

- 8.1. In order to ensure that the Business Board is able to progress its business in an efficient manner, comments on urgent matters may be sought by the Chief Executive or other Statutory Officer outside the meeting cycle.

Process for urgent decision making

- 8.2. Members will receive email notification which identifies:
- (a) Details of the matter requiring comment and/or endorsement and the reason for urgency (including an explanation as to why an emergency meeting is not proposed ~~to be held~~ to conduct the business);
 - (b) The date responses are required by;
 - (c) The name of the person or persons making or putting forward the proposal/decision
- 8.3. Two working days after the close of responses, the following will be circulated to all Business Board Members:
- (a) The outcome of the decision taken by Statutory Officers (including responses received in agreement and responses received in disagreement); and the date when any decision comes into effect; and
 - (b) Any mitigating action taken to address Members' stated views or concerns.

Decisions and actions taken will be retrospectively reported to the next meeting of the Business Board.

9. Forward Plan

- 9.1. The Business Board will set its own work programme and its forward plan will be published in accordance with the Transparency rules in [Error! Reference source not found.](#) **Chapter 6 – Transparency Rules, Forward Plan and Key Decisions** of the Combined Authority constitution.

Part 3 – Sub Committees - Delegations

1. Delegations to Committees and Boards

- 1.1. Delegated authority has been granted to the Eastern Agri-Tech Programme Board (a sub board of the Business Board) to make decisions about applications for grant funding on behalf of both the CA/BB and NALEP (New Anglia Local Enterprise Partnership). The terms of reference and membership are appended at Appendix 1.
- 1.2. Delegated authority has been granted to the Greater South East Energy Hub to assume the Rural Community Energy Fund management role.

Part 4 – Delegations

1. Officer Scheme of Delegation and Proper Officers

- 1.1. In addition to the delegations set out in the Cambridgeshire and Peterborough Combined Authority, the following delegations have been granted to the following by the Business Board:
- 1.2. Delegated authority to the Director of Business & Skills, in consultation with the Chair of Business Board to approve small grants to SMEs ~~between £2,000 and £20,000~~ 150,000 subject to Section 73 Officer approval and reporting all approvals to the next scheduled meeting of the Business Board.
- 1.3. Delegate the appointment of the Energy Hub Board member (representative of the Business Board) to the Director of Business, Skills & Energy.
- 1.4. Delegated authority to **the Head of Transport**, in consultation with the Chair of the Transport Committee, at key gateway stages to deliver the agreed Wisbech Access Strategy Package works on behalf of the Business Board.

Version Control

Version 1	24 September 2018	Constitution approved by Business Board and CA Board
Version 2	28 May 201 9 ⁸	Constitution approved by Business Board and CA Board (July 2019)
Version 3	2 August 2019	Amended to take account of decision of Business Board and Combined Authority Board and to include terms of reference of Enterprise Zone Programme and Project Boards.
<u>Version 4</u>		

Eastern Agri-Tech Programme Board

Terms of Reference

Background

1. The Eastern Agri-Tech Growth Initiative brings together leading agriculture, research, science and technology assets in the East of England to strengthen a nationally significant, vibrant cluster that brings a truly global reach and impetus to the emerging UK Agri-tech sector. The (grant) funding provides a significant boost to the food, drink and horticulture sector by supporting businesses looking to invest in specialist equipment, new market and supply chain development, ways to improve productivity and efficiency, and the application and commercialisation of Research and Development.
2. The Eastern Agri-Tech Growth Initiative operates across both the Cambridgeshire and Peterborough Combined Authority (CPCA)/Business Board (BB) and New Anglia Local Enterprise Partnership (NALEP) areas and is run by the CPCA. It is promoted both directly to businesses across the food, drink & horticulture sector as well as working through key intermediaries including banks; accountants and sector specific consultants.
3. The Eastern Agri-Tech Growth Initiative has two main funds:
 - (a) An **Agri-Tech Growth Fund** which provides grants of between £10,000 and £150,000 to enhance business and jobs growth, and support product development. The Fund is aimed at supporting improvements in agricultural productivity through the introduction of new products or processes and encourage improvements to existing product/ processes and energy efficiency. The Growth funds supports the creation of new jobs and the protecting existing jobs.
 - (b) An **R&D and Prototyping Fund** which provides financial assistance to attract innovative and novel technologies. Planned research critical to the development of new products or processes within the Agri-Tech sector can be supported with grants of between £10,000 and £60,000 to cover the costs of research and development.
4. The Programme Board has been given the delegated authority to undertake this role, on behalf of the CPCA and NALEP Boards. Both the CPCA/BB and NALEP are represented on the Programme Board and will receive regular updates on the operation of the programme. A representative of the Business Board will Chair the Programme Board.

5. The CPCA is responsible for delivering the Agri-Tech scheme across the two geographical areas. A CPCA representative chairs the Programme Board. Agri-Tech Programme Manager CPCA, manages the scheme across the two geographical areas and acts as the Secretariat to the Programme Board. The CPCA is the Accountable Body for the programme.
6. The Programme Board's main task is to consider and take decisions on applications for grant support. The Programme Board should only see and consider an application once an application is deemed eligible and has been assessed by one of the independent team of assessors. Agri-Tech Programme Manager is responsible for ensuring that the assessors deliver quality assessments, undertake the necessary due diligence and in a timely way.
7. The Programme Board will have access to the agenda and supporting documents about each project proposal at least five days before meetings. This includes a report on each application which contains a suggested recommendation to approve or decline the application and, if approved, whether there should be any conditions to be placed on the project and/or applicant. For each meeting, the Programme Manager will record the decisions taken by the Programme Board on each application.
8. All applicants are invited to the meeting where their particular project will be considered. Each applicant will have the opportunity to give a short presentation and take questions from/provide clarification to the Programme Board. The Programme Board will judge each application fairly and on its own merits. The final decision about each application rests with Programme Board, unless the application is deemed ineligible during the assessment process in which case the Programme Manager will notify the applicant. The Programme Manager will notify all applicants of the decisions taken by the Programme Board.
9. The assessors will, if possible, attend the relevant meeting to introduce the projects for which they have assessed.
10. The Programme Board will receive regular updates from the Programme Manager on the progress of the Agri-tech programme, which will include the overall take up of the funding and the numbers of jobs created and protected.

Membership

11. The membership of the Programme Board shall be appointed by the Business Board. Membership of the Programme Board will include eight members, to include:
 - (a) A representative of the CPCA Business Board representatives to be appointed by the Business Board (Chair)
 - (b) A Councillor representative and substitute representative from Cambridgeshire County Council to be decided by the County Council

- (c) A Councillor representative and substitute representative from Norfolk County Council to be decided by the County Council
- (d) A representative from Agri-Tech East
- (e) A representative from New Anglia LEP
- (f) Three experts with experience and knowledge of agriculture and the food, drink and horticulture industry, including research, farming and food processing to include
 - i. A representative from Syngenta UK
 - ii. A representative from National Institute for Agricultural Botany
 - iii. A representative from John Innes Centre

Board Members were recruited based on their expertise and knowledge of the sector and in particular from the research and scientific community. Membership of the Programme Board will be kept under review.

12. In attendance will be:

- (a) CPCA Agri-Tech Programme Manager
- (b) Officer from Norfolk County Council
- (c) Officer New Anglia LEP

13. Whilst all appointments to the Board will be on merit, the Board will aim to maintain the gender balance and representation of those with protected characteristics on its board with the following minimum requirements:

- (a) that women make up at least one third of Board by 2020
- (b) with an expectation for equal representation by 2023, and
- (c) ensure its Board is representative of the businesses and communities they serve.

Appointments to the Programme Board

14. The Agri-tech Programme Board Members shall be appointed following an open, transparent and non-discriminatory recruitment process which assesses each candidate on merit carried out in accordance with the Business Board's diversity statement, Government Guidance and the Nolan Principles.

15. Given the specific nature of the sector, a number of activities shall be undertaken to attract the right people with the specialism required in an open and transparent way. This will include

- (a) a public advertisement
- (b) writing to all organisations with specialism in Agri-Tech knowledge in the Combined Authority area.

16. A selection panel will be constituted to include:

- (a) two representatives from the Agri-Tech Programme Board and

- (b) a Business Board member.
17. The selection panel shall make recommendations to the Business Board which would make the final decision.
 18. A quorum shall be four Programme Board members. The Programme Board shall meet at appropriate intervals, ideally monthly, provided a quorum is available and there are enough applications ready for the Programme Board to consider.
 19. If a Programme Board member cannot attend a meeting, they can send written comments using the assessment sheets on an application(s) to the Programme Manager who will ensure they form part of the discussion and decision taken.
 20. If the Chair is unable to attend a meeting, providing that the meeting is quorate, those Board Members attending the meeting can agree a substitute chair at the beginning of the meeting.
 21. When a quorum is unavailable and project decisions cannot be held over until the next available meeting, a "Virtual Meeting" can be called. In these circumstances, the Programme Manger will provide Programme Board Members with access to the project papers and invite and co-ordinate comments. The Programme Manager will provide the Chair, with a summary of the comments received and a recommendation based on these comments. The Programme Manager will then provide Programme Board Members with written confirmation of the Board's decision whether to support or decline the application(s) in question.

Conflicts of Interest

22. Every Board member must sign and comply with the Business Board member code of conduct.
23. Once an application passes the assessment and is deemed ready for the Programme Board's consideration, the Programme Manager provides the applicant(s) with the names of all Programme Board Members, in writing, and asks each applicant to confirm if any Programme Board Member is conflicted. If so, those Programme Board Members do not have access to the relevant project papers.
24. Similarly, and in the event that the applicants have not recognised that a Board Member(s) is conflicted, a Programme Board Member must declare at each meeting if a conflict of interest arises, especially where an application is received from a competitor business or from a Programme Board Member's own organisation. In either of these circumstances, the Programme Board Member(s) will not be asked for their views about the application in question and must abstain from commenting on that particular application. It must be left to the other Programme Board Members to take the appropriate decision.

Confidentiality

25. All the information provided by the applicants will be treated in confidence and protected accordingly.

Equal Opportunities

26. The Board should comply with the Business Board's diversity statement. The members of the Programme Board shall at all times take into consideration the principles of equal opportunity irrespective of age, gender, race, nationality, ethnic origin, sexual orientation or disability

Procedure rules

27. The procedure rules for the Business Board should apply to the Programme Board where applicable

Local Growth Fund – Entrepreneur Assessment Panel

Terms of Reference

1. Purpose

- 1.1. The Local Growth Fun – Entrepreneur Assessment Panel (EAP) is a formally formed sub-committee of the Business Board with delegated authority to make recommendations for funding to the Combined Authority board, which makes the final decision as the Managing Authority of the Business Board (which has no legal status or standing).
- 1.2. The Entrepreneur Assessment Panel has responsibility to provide a business focused appraised assessment and a recommendation for funding (or not) to the Combined Authority Board via a presentation made by the applicants. Applicants will be invited to make presentations to the Entrepreneur Assessment Panel, only in the event that their written application has been recommended for funding by an independent evaluator as part of the formal appraisal process.
- 1.3. The Panel aims to ensure the projects have clearly defined rationale, strategic fit, and clearly defined, measurable outputs. A report based on the Panel evaluation will be included in the final recommendation reports presented to the Combined Authority Board, by the Chair of the Business Board for ratification.

2. Roles & Responsibilities

- 2.1. Members of the Entrepreneur Assessment Panel will be nominated and elected by the Business Board. Their responsibilities are to:
 - (a) Attend bid presentation meetings – these will be presentations from projects totalling over £500k
 - (b) Produce feedback based on a pre-agreed evaluation matrix – the matrix will be provided for each project and members will be required to complete the scoring inserting comments against each score.
 - (c) Contribute to a formal report produced by the Business Board for the Combined Authority Board for ratification.

3. Meeting Arrangements

- 3.1. Agenda and relevant papers will be produced and circulated five working days before the EAP meet.
- 3.2. A report will be produced based on the scoring matrix. This report will remain in draft form until agreed by the EAP chair.

- 3.3. The final report will be included in the Business Board papers for note and circulated to Business Board members on a bi-monthly basis.

4. Frequency of Meetings

- 4.1. The Entrepreneur Assessment Panel will meet as a minimum bi-monthly, the frequency may increase depending on the number of bids submitted in the current funding cycle.

5. Membership

- 5.1. The members of the Entrepreneur Assessment Panel are:
 - (a) Mayor (Chair)
 - (b) Up to three other members of the Business Board
 - (c) Up to three further representatives of the business community
 - (d) Combined Authority officer advisor (none scoring rights)

6. Declaration of Interest

- 6.1. Declaration of Interest will be made in accordance with the Business Board's Conflict of Interest Policy.

7. Confidentiality

- 7.1. All the information provided by the applicants will be treated in confidence and protected accordingly.

8. Code of Conduct

- 8.1. Every Entrepreneur Assessment Panel member must sign and comply with the Business Board member code of conduct.

9. Decisions of the Entrepreneur Assessment Panel

- 9.1. Applications will have been independently appraised prior to being invited to present to the Entrepreneur Assessment Panel.
- 9.2. Only applications over £500k will be required to present to the Entrepreneur Assessment Panel.
- 9.3. Each member of the Entrepreneur Assessment Panel will be required to evaluate and score the bid.

10. Appeals

- 10.1. The decision made by the Entrepreneur Assessment Panel is final. There is no appeals process. If a complaint is raised it is dealt with through the CPCA complaints procedure.

Enterprise Zone Programme

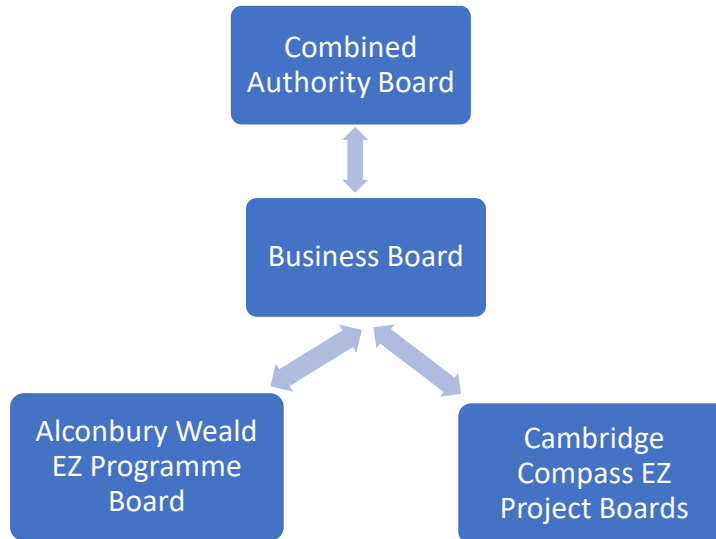
Terms of Reference

1. Executive Summary

- 1.1. Set out below is the governance arrangements between the Cambridgeshire & Peterborough Combined Authority and key stakeholders in relation to Enterprise Zone programme, for which the Business Board is responsible and the Cambridgeshire & Peterborough Combined Authority Board has overall accountability.

2. Governance Structure

- 2.1. The Business Board retains strategic oversight for the delivery of the Enterprise Zone Programme and will report to the Combined Authority Board as accountable body.
- 2.2. Overseeing Enterprise Zone delivery and management is delegated to Enterprise Zone Programme Board (Alconbury Weald) and Enterprise Zone Project Boards (Cambridge Compass).
- 2.3. The following diagram sets out how the Enterprise Zone Programme Boards align within the CPCA governance structure:



3. Alconbury Weald Enterprise Zone Programme Board

Purpose

- 3.1. To co-ordinate the delivery of development, regeneration and management of the Enterprise Zone, focusing largely on operational matters and is responsible for co-ordinating proposed project activity from the agreed Enterprise Zone Investment & Delivery Plan for Alconbury Weald Enterprise Zone.
- 3.2. Decisions on the use of the 'Enterprise Zone and Infrastructure Fund' monies as set out at 6.1.3 of the Cambridgeshire and Peterborough Combined Authority (CPCA)/Huntingdon District Council (HDC) Alconbury Weald Enterprise Zone Memorandum of Understanding (MOU) will be decided solely by the CPCA and HDC and can only be approved by joint agreement.

Constitution and Membership

- 3.3. The Board will be made up of an elected member of both HDC and CPCA and an appropriate senior officer of each. The Chair should be elected by Board member and alternate on a 3-year cycle between the parties. The group may include, by invitation, representatives from local Government (BEIS), Cambridgeshire County Council the developer/land owner. Membership of the Alconbury Weald Enterprise Zone Programme Board will be published on the Business Board website.

Accountability

- 3.4. The Alconbury Weald Enterprise Zone Programme Board is responsible for reporting to both the Business Board and CPCA Board as accountable body.

Terms of Reference

- 3.5. The Alconbury Weald Enterprise Zone Programme Board will:
- (a) Develop and maintain the Alconbury Weald Enterprise Zone Investment & Delivery Plan on behalf of the Business Board;
 - (b) Update financial reports to set-out Enterprise Zone-related business rate retention, income streams and cost commitments;
 - (c) Provide quarterly output figures to inform monitoring obligations back to Government;
 - (d) Agree on managing the identity and communication of activity taking place on the Enterprise Zone in supporting the overarching programme branding;
 - (e) Maximise the benefits of the Enterprise Zone and to identify potential sources of funding to support site delivery and occupancy; and
 - (f) Prepare site updates and briefing documents for the Business Board; and
 - (g) Escalate and report on any high-level risks and conflicts to the Business Board that cannot be resolved at the Enterprise Zone Programme Board level.

Meetings

- 3.6. The Alconbury Weald Enterprise Zone Programme Board will meet on a quarterly cycle or at such other intervals as the Board may agree. The Chair of the Alconbury Weald Enterprise Zone Programme Board may decide to cancel meetings or call additional meetings as required.

4. Cambridge Compass Enterprise Zone Project Board

Purpose

- 4.1. Project Boards are individual officer-level working groups representing each site and responsible for overseeing delivering the Enterprise Zone and to co-ordinate the delivery of developments, regeneration and management of the Enterprise Zone. The Boards will focus largely on operational matters and report to the Business Board.

Constitution and Membership

- 4.2. The Cambridge Compass Enterprise Zone Project Boards will comprise of CPCA and Local Authority officers and, in an advisory capacity, representatives from the developer or landowner/agent. The group may include, by invitation, representatives from local Government (BEIS), Cambridgeshire County Council the developer/land owner. Membership of each Cambridge Compass Enterprise Zone Project Boards will be published on the Business Board website.

Terms of Reference

- 4.3. The Cambridge Compass Enterprise Zone Project Boards will:
- (a) Develop and maintain Enterprise Zone Investment & Delivery Plan on behalf of the Business Board;
 - (b) Update financial reports to set-out Enterprise Zone -related business rate retention, income streams and cost commitments;
 - (c) Provide quarterly output figures to inform monitoring obligations back to Government;
 - (d) Agree on managing the identity and communication of activity taking place on the Enterprise Zone in supporting the overarching programme branding;
 - (e) Maximise the benefits of the Enterprise Zone and to identify potential sources of funding to support site delivery and occupancy;
 - (f) Prepare site updates and briefing documents for the Business Board; and
 - (g) Escalate and report on any high-level risks and conflicts to the Business Board that cannot be resolved at the Enterprise Zone Project Board level.

Meetings

- 4.4. The Cambridge Compass Enterprise Zone Project Boards will meet at least on a quarterly basis ahead of the Business Board to allow enough time for the submission of reports and Board papers.