



Combined Authority Board

Wednesday 29 November 2023

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| Venue: | Council Chamber, Town Hall, Peterborough, PE1 1HF | |
| Time: | 10.00 to 15.15 (break from 12.50 to 13.45) | |
| Present: | Mayor Dr Nik Johnson Councillor A Smith Councillor L Nethsingha Councillor A Bailey Councillor C Boden Councillor M Farooq Councillor S Conboy Councillor B Smith A Kingsley | Cambridge City Council (Statutory Deputy Mayor) Cambridgeshire County Council East Cambridgeshire District Council Fenland District Council Peterborough City Council Huntingdonshire District Council South Cambridgeshire District Council Chair of the Business Board |
| Co-Opted Members: | J. Peach J O'Brien | Police and Crime Commissioner (substitute) Cambridgeshire and Peterborough Integrated Care Board |
| Apologies | Councillor E Murphy D Preston | Cambridgeshire and Peterborough Fire Authority Police and Crime Commissioner |

Minutes:

1 Announcements, Apologies for Absence and Declarations of Interest

Apologies for absence were reported as set out above.
There were no declarations of interest.

2 Combined Authority Membership Update September 2023

The Board received a report outlining changes to the membership of board and committees of the Combined Authority.

It was resolved to:

- A Note the appointment by Cambridgeshire County Council of Councillor Bradnam as the Member and Councillor Atkins as the substitute on the Overview and Scrutiny Committee for the remainder of the municipal year 2023-24.
- B Note the change in membership and substitutes at the Combined Authority Board and its thematic committees following the change in leadership at Peterborough City Council on 1 November 2023.
- C Note the change in membership and substitutes from the Conservative Group at Peterborough City Council on the Combined Authority's regulatory committees and.
- D Note the temporary change in substitute by Fenland District Council for the Audit and Governance Committee meeting on 17 November 2023.
- E Note the temporary change in substitute representative of the Labour Party on the Human Resources Committee on 16 November 2023.
- F Note the appointment of a Peterborough 1st representative to the Overview and Scrutiny Committee from Peterborough City Council.

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| 3 | Minutes |
| | The minutes of the meeting on 20 September 2023 were approved as an accurate record and signed by the Mayor. The minutes action log was noted. |
| 4 | Petitions |
| | No petitions were received. |
| 5 | Public Questions |
| | Three public questions were received in advance of the meeting in accordance with the procedure rules in the Constitution. A copy of the questions and responses can be viewed here when available. |
| 6 | Forward Plan |
| | It was resolved unanimously to: A Approve the Forward Plan for November 2023 |
| 7 | Breach of Members' Code of Conduct by Mayor Nik Johnson |
| | <p>Deputy Mayor, Councillor Anna Smith, took the Chair for this item.</p> <p>The Monitoring Officer introduced the report, presenting the Board with the findings of the Audit and Governance Sub-Committee. The sub-committee, established by the parent committee A&G, operates under delegations and is responsible for addressing member code of conduct complaints. The sub-committee performs a quasi-judicial function, and its decisions have no right of appeal. The Board's scope was to note the findings and ask questions regarding the process the panel followed.</p> <p>Councillor Anna Smith emphasised the need for respectful discussions and urged the Board members to maintain courtesy and professionalism.</p> <p>Expressing concerns about the sanctions and the impact on public accountability, Councillor Anna Bailey proposed making the investigator's report public, highlighting the need for transparency and public interest. She also called for a review of the Mayor's apology and suggested a broader review of policies including the whistleblowing and safeguarding policies. She asked for the Audit and Governance Committee to consider this in their future discussions.</p> <p>The Monitoring Officer clarified the Mayor's apology process, the legal constraints on sanctions, and the reasons for not publishing the full investigator's report. She explained the need to balance transparency with protecting individuals' privacy. The public decision notice sets out exactly what the allegations were and exactly what the findings were. The full investigators report contains information about third parties; if published it would put those other individuals in a difficult position and also potentially discourage others from making formal complaints in the future. The constitution specifically states that the Monitoring Officer will publish a decision notice at the end of the process, there is no justification for publishing the full report.</p> <p>Councillor Sarah Conboy raised concerns about safeguarding and sought assurance from the Monitoring Officer on any ongoing issues. This assurance was provided including outlining measures taken to address and prevent future issues.</p> <p>Querying the names of the law firm and barrister that had advised regarding the non-publication of the investigator's report, John Peach queried whether it would be in the best interest of the public to release it as some of the rumours circulating are quite serious. The monitoring officer confirmed that she would share the details of those who gave the legal advice with Board members.</p> <p>Councillor Anna Smith asked the Monitoring Officer to clarify whether there was anything within the investigator's report that suggested sexual impropriety by the Mayor. The Monitoring Officer confirmed that there were no allegation or findings of such behaviour on his part.</p> <p>Responding to comments that the staff turnover at the CPCA was due to the Mayor's behaviour, Councillor Lucy Nethsingha highlighted that a number of staff in senior positions at the time were either interim or not suitable for the roles they were in. The lack of support from Central Government was also not a direct result of these issues, it was regarding the governance of the authority. Much has changed over the last two years.</p> <p>Emphasising that she felt a robust process has been undertaken, Councillor Bridget Smith reminded the Board that the hearing panel (represented by all the board's political parties) reached a unanimous</p> |

decision. Residents now expect the Combined Authority to get on with the important job they are elected to do for the people of Cambridgeshire and Peterborough.

Despite political differences, Councillor Chris Boden acknowledged the Mayor's personal affability and considered the situation a tragedy, attributing it to a lack of proper induction and training. He urged an open discussion, highlighting the challenges arising from the secrecy over the past 2.5 years and the resulting speculations. He emphasised the importance of transparency in refuting gossip, calling for a return to the Nolan principles of integrity, openness, accountability, and leadership. Despite recent improvements in governance, Councillor Boden criticised the inconsistency in handling the report, suggesting it reflected a continuing story of poor governance.

Cllr Mohammed Farooq noted that though he had not followed the process throughout he wanted to comment that he does not condone any behaviour like this and felt that apology was right thing to be done. The report was independent, lessons have been learned and training has been put in place. We now need to concentrate on delivering for constituent authorities.

As the representative from the Business Board, Al Kingsley iterated that they have no view on the process or appropriateness of the sanctions. He did want to stress that an identified limit to the Authority's expansion and access to economic growth is the perception of processes. It would be laughable for a decision of a committee responsible for governance oversight to be overturned. If we do not think about expediency, we are becoming complicit in the process: the timeline of this is counterproductive to us moving forward in a positive way.

A motion was proposed by Councillor Anna Bailey, seconded by Councillor Chris Boden, to make the investigator's report public with appropriate redactions. The advice from the Monitoring Officer was that this motion was improper as the hearing panel tasked with the responsibility of deciding member code of conduct complaints has made a final decision. It is not proper governance for board to seek to overturn the decision of a committee that was set up by statute for that purpose.

The Mayor expressed regret, apologised for causing upset, and welcomed the publication of the decision notice. He acknowledged the mistakes made, accepted the findings, and urged the Board to come together for the authority's best interests. He also addressed personal comments made against him by Councillor Anna Bailey, asking her to apologise publicly; stating that if not he would take formal action against her. Councillor Bailey stood by her statements.

Councillor Anna Smith thanked everyone involved in the improvement process and expressed faith in the thoroughness of the undertaken process.

It was resolved to:

- A Note the findings of the Hearing Panel, subcommittee of the Audit & Governance Committee

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*Meeting adjourned from 11:55 to 12:10
Councillor Anna Bailey left during the break*

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14 Draft 2024/25 Corporate Strategy and Budget and Medium-Term Financial Plan 2024/2028

The Executive Director, Resources and Performance, introduced the report and highlighted key points to members. He drew attention to the reserve levels which are set at 2% and confirmed that this is considered sufficient as the Combined Authority's expenditure is more predictable than that of other Local Authority's whose services are demand-led. There is also an additional £1.45m in response funds which is effectively a separate contingency and approximately 4% of expenditure.

It was emphasised that efficiency had been a key focus in producing the draft MTFP, something that has been inherent since the inception of the Combined Authority in 2017.

During discussion, the following points were raised by Board members:

- The suggestion of increasing the Mayoral precept was raised as a huge burden on individuals already stretched due to the cost-of-living crisis. However it was noted that those on the lowest incomes get council tax relief and there is scope for individual councils to support their residents in this way. It was agreed that the increase in precept would be a challenge for residents. Communication will be a key factor ensuring it is clear how each local area will benefit.
- It was requested (and confirmed by officers) for a physical address and email to be included as an option for consultation responses for those who wish to respond in that way. It was also suggested that copies of the pack could be made available in customer points across the region.

- The bus improvements outlined in the plan are welcomed, emphasising how vital public transport is for the region and how important it is in terms of access to health facilities too. The proposed subsidy for under 25s was also highlighted as very positive.
- It was also noted that the MTFP and Corporate Strategy have positive and wide-ranging public health implications as well as climate change implications which were not highlighted in the report.

Officers were thanked for all the hard work pulling the draft plan together. The clarity of the documents as well as the level of engagement was appreciated.

On being proposed by the Mayor, seconded by Councillor Anna Smith, it was resolved to:

- A Note the developing draft Corporate Strategy following refresh
- B Approve the Draft Budget for 2024-25 and the Medium-Term Financial Plan 2024-25 to 2027-28 for consultation *[7 in favour, 1 abstention]*
- C Approve the timetable for consultation and those to be consulted *[unanimous]*

18 Recommendations from the Transport and Infrastructure Committee

The Board was advised that all recommendations had been supported by the Transport and Infrastructure Committee at its meetings on 13 September and 15 November 2023.

Local Transport and Connectivity Plan

The Acting Assistant Director Transport introduced the report and highlighted key changes that had been made to the plan since it last came to the Board for discussion.

Councillor Chris Boden expressed gratitude for increased mention of strategic opportunities in the medium to longer term. He urged consideration of technological changes like driverless vehicles and drones, also emphasising the need to plan intelligent roads now. Expressed concerns about a perceived war on motorists, especially in rural communities.

Emphasising the need for a flexible plan that adapts to evolving needs, Al Kingsley stressed the importance of considering connectivity as well as transport.

Councillor Mohammed Farooq commended the plan's focus on people but raised concerns about the lack of connectivity to Northamptonshire and highlighted key things in the plan that would benefit Peterborough including smaller stations in the area and the possibility of a park and ride scheme.

Agreeing with the need for future-proofing, Councillor Bridget Smith lamented the delay in approval of the plan. She acknowledged the inevitability of road charging and stressed the plan's role in combating climate change.

Councillor Sarah Conboy acknowledged the rural challenges and suggested cross-district collaboration: categorising areas by rural, market towns, and urban for more tailored solutions.

Criticising the unhelpful rhetoric of the war on motorists, Councillor Lucy Nethsingha stressed there be consideration of its inappropriate use in a global context. She mentioned the rising cost of car insurance and the impact this will have; potentially pricing people out of being able to get around if we do not improve public transport.

Councillor Anna Smith reiterated her thanks to all the officers for the hard work that has gone into this.

On being proposed by Councillor A Smith, seconded by Councillor Nethsingha, it was resolved to: *[7 in favour, 1 against]*

- A Approve the Local Transport and Infrastructure Plan

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Meeting adjourned from 13:00 to 13:30
Councillor Conboy left the meeting during the break.
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Bus Strategy Update

The Transport Consultant introduced the report and highlighted key points to members.

Whilst the scope of the ambition of the strategy was deemed disappointing by some members, noting that there were other opportunities out there that had not been looked into, the Board were supportive of the report and thanked officers for the work that had been done. The work being done has indicated

how significant small changes can be to the use of buses. It was also highlighted that having the right degree of focus on social value is incredibly important as this shows the difference a local authority controlled bus network can make compared to a commercial one.

On being proposed by Councillor A Smith, seconded by the Mayor, it was resolved to:
[6 in favour, 1 abstention]

- A approve the proposals for the 19 tendered bus services which were placed under review.
- B approve the preferred way forward for the allocation of the BSIP+ funding

BP Roundabout Non-Motorised User (NMU) Crossing Study

The Acting Assistant Director Transport presented the report, summarising the key points and recommendations.

On being proposed by Councillor A Smith, seconded by the Cllr Bridget Smith, it was resolved to:
[6 in favour, 1 abstention]

- A to approve the funding of £550,000 for the next stage of this project, from within the MTFP. The funding will be from £1.8m subject to approval unallocated active travel capital funding for 2024/25 to fund further appraisal work (Stage 2 in para 3.5).

DEFRA's Air Quality Bid

The Acting Assistant Director Transport presented the report, summarising the key points and recommendations.

On being proposed by Councillor A Smith, seconded by the Cllr Bridget Smith, it was resolved to:
[6 in favour, 1 abstention]

- A approve the drawdown of Air Quality Grant funding
- B approve the delegation of authority to the Assistant Director - Transport to enter into a contract with sub-contractors named in the bid, subject to procurement, and in consultation with the Chief Financial Officer and Monitoring Officer.

Depot for Electric Buses, Peterborough

The Development Manager presented the report, summarising the key points and recommendations.

The Board Members were delighted that this project can come forward, noting the significant frustration caused by the delay.

On being proposed by Councillor A Smith, seconded by Cllr Farooq, it was resolved unanimously to:

- A approve the drawdown of £200,000 from the 'subject to approval' budget to the 'approved budget' to meet expenses yet to be incurred by Peterborough City Council (PCC) to commission further feasibility work, investigate governance and funding models, establish site infrastructure requirements, and formulate a site specification.
- B delegate authority to the Executive Director of Place and Connectivity in consultation with the Chief Finance Officer and Monitoring Officer, to enter into a grant funding agreement with PCC for the feasibility study.

8 Combined Authority Chief Executive Highlights Report

The Chief Executive introduced the report and highlighted key points to Board members including the Harvard University report regarding devolution; emphasising the opportunities within the new framework and the process and ongoing work involved in that. He also reminded the Board that the CPCA is looking to take on a pavilion at UKREIIF in May 2024 to showcase the region.

Members asked for assurance that wider schemes in the area (including ones from the Oxford Cambridge Pan Regional Partnership) be included in the prospectus for the event.

It was resolved to:

- A Note the content of the report.

9 Improvement Plan Update

The Interim Director, Transformation Programme, introduced the report explaining that the content had already been considered by both the Audit and Governance and Overview and Scrutiny Committees, as well as the Independent Improvement Board.

The following points were raised and discussed:

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| | <ul style="list-style-type: none"> Partnership working is still green/amber. In order for this to move to green, there needs to be further embedding evidenced. It has moved on very significantly but further development is needed. The latest note from the Chair of the Independent Improvement Board, Richard Carr, had been circulated. Comments made in that note were really helpful and need to be taken seriously by Board members. <p>It was resolved:</p> <p>A To note the progress on the key areas of concern identified by the External Auditor in June 2022 and in the Best Value Notice received in January 2023</p> <p>B To note the observations on progress following the meeting of the Independent Improvement Board meeting on 21 November 2023.</p> |
| 10 | Single Assurance Framework: Confirmation and Implementation |
| | <p>The Governance Improvement Lead introduced the report and explained that following approval of the Single Assurance Framework at Board in September, it has been cleared by government. Several amendments have been suggested (not required) and have been added.</p> <p>Board Members expressed thanks to the officer for all the hard work, noting that this is being used as a blueprint for other authorities.</p> <p>On being proposed by the Mayor, seconded by Councillor Nethsingha, it was resolved: [6 in favour, 1 abstention]</p> <p>A To note the clearance of the Single Assurance Framework by Government</p> <p>B To approve the amendments made to the Single Assurance Framework as set out in 3.5</p> <p>C To approve the terms of reference for the Investment Committee at Appendix B</p> <p>D To approve that the Investment Committee replace the Shareholder Board in the governance arrangements of the Combined Authority from the 2024 AGM onwards</p> <p>E To note the constitutional amendments set out in 4.11 to 4.19 as a result of SAF</p> <p>F To support the implementation of SAF as detailed in 5.14 as follows:</p> <ul style="list-style-type: none"> Between January - May 2024: Roll out of SAF Phase 1 From 2024 AGM: Appointments to Investment Committee & roll out of SAF Phase 2 and Phase 3 <p>G To note that the implementation of the SAF will have implications in the PMO service and team design including additional resourcing needs.</p> |
| | <p style="text-align: center;">---o0o---</p> <p style="text-align: center;"><i>Meeting adjourned from 13:00 to 13:30</i></p> <p style="text-align: center;"><i>Councillor Conboy left the meeting during the break.</i></p> <p style="text-align: center;">---o0o---</p> <p style="text-align: center;"><i>14:14 – John Peach and John O’Brien left</i></p> |
| 11 | Revisions to the Cambridgeshire and Peterborough Combined Authority Constitution – Scheme of Delegation |
| | <p>The Executive Director, Resources and Performance, introduced the report and explained that the new scheme of delegation strikes a balance between delegation to officers and maintaining board oversight and transparency. The report has been through the Audit and Governance Committee for comments which have been included.</p> <p>It was confirmed that a benchmarking exercise had been carried out against other Combined Authorities to ensure the right balance was met.</p> <p>On being proposed by the Mayor, seconded by Councillor Nethsingha, it was resolved to: [6 in favour, 1 abstention]</p> <p>A Approve the proposed update to the Scheme of Delegation of the Combined Authority.</p> |
| 12 | Corporate Performance Report Q2 2023/24 |
| | <p>The Acting Policy Manager introduced the report and highlighted key points to Board members.</p> <p>During discussion, the following points were discussed:</p> |

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| | <ul style="list-style-type: none"> • Measurement of inequality is important, and it should be endeavoured to be reduced even if that means that GDA cannot subsequently be increased easily. Councillor Chirs Boden requested further discussions with officers to look for an index that can best be used for this measurement. Councillor Anna Smith emphasised the need to distinguish between inequality and deprivation and offered to put officers in touch with the team at Cambridge City Council who are looking at these areas. • Some of the data is short term, others are slow moving. It might be sensible to not bring the whole set to every meeting. • It is also important to actually call for action on data that is highlighting issues, the examples cited were metrics 10 and 11: total annual CO₂ emissions and the total CO₂ from public transport. <p>It was resolved to:</p> <ul style="list-style-type: none"> A Scrutinise performance information relating to the Combined Authority's Corporate Key Performance Indicators. B Scrutinise performance information relating to the Combined Authority's Most Complex Programmes and Projects. C Scrutinise performance information relating to the Combined Authority's Headline Priority Activities. D Note progress to evaluate the impact of the Devolution Deal Investment Fund in a Gateway Review. |
| 13 | <p>Budget Update Report November 2023</p> |
| | <p>The Assistant Director, Finance, introduced the report and highlighted key points to members. During discussion, the following points were raised by Board members:</p> <ul style="list-style-type: none"> • Members noted that the report showed a positive change in the forecast outturn of £6.35m [NOTE: this figure was actually £6.033m], but also that removing the effect of the change on the HUG2 A Rev 23/24 results in this becoming a negative position of £1.8m. Clarification was requested as to how the HUG2 A Revenue 23/24 budget could have an overall negative forecast variance of £2.25m despite having a £8.133m reduction in forecast expenditure compared to the previous month's forecast. Officers committed to providing a summary briefing note. • The highways maintenance capital funding was confirmed as additional money released as part of the Network North policy. <p>It was noted by Members that government funding has been decreasing for decades to the point where it is becoming unmanageable.</p> <p>On being proposed by the Mayor, seconded by Councillor Anna Smith, it was resolved to: [6 in favour, 1 abstention]</p> <ul style="list-style-type: none"> A Note the financial position of the Combined Authority B Approve the proposed use of unbudgeted Treasury Management loan interest to fund the proposals set out in section 6. C The Combined Authority Board on the Mayor's intention to allocate additional in-year highways maintenance funding to the two local highways authorities, and the amended anticipated figures for 2024-25, as set out in section 7. |
| 15 | <p>Appointment of a Director to CPCA Subsidiary Company - Peterborough Higher Education Property Company Ltd (PropCo1)</p> |
| | <p>The Interim Assistant Director, Delivery, introduced the report and highlighted key points to Board members.</p> <p>Members welcomed the appointment, noting the officer has the right skills but also the ability to separate their CPCA duties from the company duties.</p> <p>On being proposed by the Mayor, seconded by Al Kingsley, it was resolved to: [unanimous]</p> <ul style="list-style-type: none"> A Appoint Claire Paul, Assistant Director of Skills, CPCA as a director of Peterborough Higher Education Property Company Ltd (PROPCo1) |
| 16 | <p>Statutory and Senior Appointments</p> |
| | <p>The Chief Executive introduced the report, noting an error in the recommendations as shown below.</p> |

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| | <p>On being proposed by the Mayor, seconded by Councillor Anna Smith, it was resolved to: [6 in favour, 1 abstention]</p> <ul style="list-style-type: none"> A Note the contents of this report. B To note the recommendation made by the Members of the HR Committee at the meeting on 16 March November 2023 that the preferred candidate be appointed to the position of Executive Director (Place and Connectivity). C Delegate to the Chief Executive the function of agreeing with the successful candidates the terms and conditions of appointment, including associated start date and any other requirements and actions necessary to finalise arrangements. D To note that the recruitment for the position of Director of Legal and Governance led to no appointment being made. |
| 17 | Recognising Care Experience as an Equally Protected Characteristic |
| | <p>The HR Business Partner introduced the report and highlighted key points to Board members. During discussion members made the following points:</p> <ul style="list-style-type: none"> • An amendment to the wording was requested in paragraph 1.2 as not all care leavers are always seen as resilient. • The Care Leavers Bursary was flagged as a great programme • There is a definite need for additional assistance to be provided but it was raised that there is a danger that the more individuals we have with protected characteristics, the less we do for each. <p>Members were delighted that the CPCA is moving forwards with this. A short statement was read out from Councillor Bryony Goodliffe expressing her delight that this was being considered: this is an important moment for those who have experienced care systems in their childhood.</p> <p>On being proposed by the Mayor, seconded by Councillor Anna Smith, it was resolved unanimously to:</p> <ul style="list-style-type: none"> A Agree that 'care experience' will be treated as if it were a Protected Characteristic by the Combined Authority under the Equalities Act 2010. B Agree that oversight of support to Care Leavers falls within the remit of the Employment and Skills Committee. C Encourage all organisations on the CA Board to explore what more they can do to support care leavers and to share best practice. |
| 19 | Exclusion of the Press and Public |
| | <p>On being proposed by the Mayor, seconded by Councillor Bridget Smith, it was resolved [6 in favour, 1 abstention] that the press and public be excluded from the meeting on the grounds that the next report contains exempt information under Part 1 of Schedule 12A the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed. The public interest in maintaining the exemption must be deemed to outweigh the public interest in its publication.</p> |
| 20 | Greater South East Net Zero Hub: Local Net Zero Accelerator Programme MoU |
| | <p>The Regional Director GSENZH introduced the report and highlighted key points to Board members. During discussion members commented that it was a shame it had to be a closed session as this demonstrates the confidence the government has in the CPCA as an organisation.</p> <p>On being proposed by the Mayor, seconded by Councillor Bridget Smith, it was resolved to: [6 in favour, 1 abstention]</p> <ul style="list-style-type: none"> A Agree the acceptance of the Department for Energy Security & Net Zero, Local Net Zero Accelerator Programme MoU 2023 to 2026. B Delegate authority to the Director of Resources & Performance in consultation with the Monitoring Officer to finalise the details of the Net Zero Places MoU and to enter into the MoU C Delegate authority to the Director of Resources & Performance to approve budgets, undertake procurement or other activities as required to meet the requisites of the MoU, entering into agreements and awarding grants for programme delivery. Such approvals or decisions to be reported to the next meeting of the Combined Authority Board on the exercise of that delegation. D Delegate authority to the Director of Resources & Performance to award grants to the three places, Manchester Combined Authority (up to £7million), West Midlands Combined Authority |

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| | (up to £7 million) and York (up to £2 million) and procure a financial support service as specified in the MOU (up to £3m). |
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Mayor