

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Corporate Governance Committee held on
Wednesday, 3 September 2014 at 8.30 a.m.

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| PRESENT: | Councillor Francis Burkitt – Chairman | |
| Councillors: | Richard Barrett Andrew Fraser Bridget Smith | Nigel Cathcart Charles Nightingale John Williams |
| Officers: | Patrick Adams Alex Colyer Jean Hunter Fiona McMillan Graham Watts | Senior Democratic Services Officer Executive Director, Corporate Services Chief Executive Legal & Democratic Services Manager and Monitoring Officer Democratic Services Team Leader |
| External: | Simon Pugh | Head of Legal, Cambridge City Council |

Councillors Simon Edwards, Lynda Harford, James Hockney, Ray Manning and Tim Wotherspoon were in attendance, by invitation.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Douglas de Lacey and David McCraith. Councillors Nigel Cathcart and Charlie Nightingale were the respective substitutes.

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 27 June 2014 were agreed as a correct record.

4. CITY DEAL: GOVERNANCE ARRANGEMENTS

The Chairman introduced this item which considered the emerging proposals to establish an integrated governance framework for the Greater Cambridge City Deal.

He stressed that the purpose of the meeting was not to take any decisions or make any formal recommendations, but just to review and comment on the emerging thoughts, in the hope that the Committee's feedback would aid those who were drawing-up the proposed governance framework.

He mentioned that City and County Councillors, and representatives of Cambridge University and the Local Enterprise Partnership, has been invited to join the meeting, but were unable to attend. He said that they will be sent the minutes.

Councillor Ray Manning explained that there was considerable flexibility in the proposed governance arrangements. He added that all five authorities had enthusiastically agreed the City Deal and as all decisions would be intended to be by consensus, goodwill from all five participating organisations would be required to make it work. It was noted that the

Government were supportive of the City Deal as it was expected to deliver more homes, jobs and economic development.

Setting up the Executive Board

It was noted that the full Councils of the three local authorities were due to meet (individually) in November or December to formulate an interim Executive Board as a joint committee under Section 102(1)(b) of the Local Government Act 1972. This was already currently operational in shadow form. The alternative of setting up a Section 29 Committee had been rejected as it would require Government permission to create and disestablish. Legislation would be required to create a Combined Authority which could take a number of years but this was considered the most appropriate model of governance to enable three Councils, in partnership with Cambridge University and the Local Enterprise Partnership, to deliver the City Deal:

- The Committee stressed that references to a “Combined Authority”, should make it clear that that phrase was very different from a Unitary Authority to avoid any unnecessary confusion. It was noted that certain “authorities” of the three councils were being pooled; it was not the case that the entirety of the three councils were being merged into one.
- The new joint arrangements would be similar to the joint committees that have been set up to consider development control.
- The Committee expected that these new arrangements would lead to the abolition of joint committees such as the Joint Strategic Transport and Strategic Planning Group, to avoid duplication.

Governance arrangements of the Executive Board

It was noted that the three respective councils would appoint a single representative to the Executive Board and this was expected to be the Leader of each, as being the individual with the greatest experience. Each Leader would also appoint a Deputy. The University and the Local Enterprise Partnership would appoint a representative to the Board, but unlike the council’s members, these representatives would not have voting rights, as legislation does not permit that. The Committee made the following points:

- Appointments to the Board should be made by full Council at any time throughout the year and not be restricted to meetings of the AGM, to allow for mid-year appointments should vacancies arise.
- Whilst it was expected that the Chairman of the Board would rotate round the three council representatives, ultimately this would be the Board’s decision.
- The Board should probably expect to meet more frequently than quarterly.

The Assembly

It was noted an Assembly of 15 representatives would be made up of three representatives of the five organisations and would be responsible for both scrutinising the work of the Board and proposing policies for the Board to consider. To this end it was expected that the Assembly would meet about 14 days before the meeting of the Board. The Committee made the following points:

- It debated whether appointments to the Assembly could or should be made on the basis of political proportionality. The Committee agreed that it would not be possible to set rules governing the political proportionality of the whole 15-person Assembly, as:
 - a) Five independent appointers were involved; and
 - b) Two were non-political.
- The Committee recognised that, in due course, each Council would have to decide whether its own 3 appointments could or should be made on the basis of political proportionality.
- Assembly meetings would be held in public.

- The Board could refer matters to the Assembly.
- The Assembly should be able to initiate matters onto the Board's agenda.
- The Assembly should have the power to set up sub-groups that would report to the main body.
- The Assembly should act as the scrutiny body that scrutinises the Board and the other aspects of the City Deal. It would then be up to each individual Council to make its own individual arrangements to scrutinise the Assembly (and to undertake its own review of the Board or any other aspects of the City Deal as it wishes).
- The Chairman of the Assembly should be able to attend the Board meeting in person to present its recommendations, to ensure they are given due prominence.
- The Assembly should actively consult with representatives from the five member authorities, as well as with the public and other stakeholders.
- Parish councils should not be neglected in the process.
- It was not necessary to appoint substitutes for the Assembly members.

Clerking arrangements

The Committee noted that it had been agreed that the minutes and agendas for both the Assembly and the Board/Joint Committee would be prepared by the District Council's Democratic Services.

One Local Plan

It was expected that instead of two Local Plans (City and District) and a Transport Plan (County) in 2019, there would be a single Local Plan agreed by the Board. The Executive Director and Chairman presented slides showing their informal view on one way by which the three councils, university and Local Enterprise Partnership (the "super-consultees") would be consulted by the Board and Assembly in the framing of the Local Plan, and the level of officer support expected. The Committee made the following points:

- This area (i.e. how consultation would be done) needed to be developed, clarified and agreed soon.
- The financial side of things needs much more clarity. The Committee did not at this stage understand the proposals for pooling some or all of Section 106 Agreements or the Community Infrastructure Levy.
- The District and City Councils would be getting more influence over transport and highways than they had previously.
- The District and City Councils would no longer have the power to agree or reject the Local Plan; they would move from their current position as decision-makers to being consultees.

Boundaries and dividing-lines

The Committee thought that much more clarity was needed on what the City Deal structure would do and what each Council would do. For example, it was unclear:

- Whether the Board's 2019 Local Plan would be a short vision-type document, with the City and District Councils producing more detailed sub-plans.
- Whether the Board's plan would be all-encompassing.
- Whether the two planning departments could be merged.
- How the Section 106 agreements would be negotiated.
- Whether the two Council's Community Infrastructure Levies would be identical.

Risk assessment and audit arrangements

The Committee noted two separate aspects of governance and risk:

- a) It was up to each of the five partners to assess the risk that these governance arrangements posed to their respective organisations.
- b) The Executive Board was expected to have its own Risk Register.

The audit function would be carried out by the County Council as the accountable body for both transport and highways. The Combined Authority, should it be introduced, would be a separate legal entity and would have its own balance sheet and income statement.

Workshops

Workshops to explain these City Deal proposals to councillors of all three councils would be held on 3 and 10 October [note: this was later changed to 2 and 10 October]. The Committee asked for these to be published as soon as possible and for the University and Local Enterprise Partnership to be invited.

Meeting the Local Enterprise Partnership

The Committee agreed that it would invite a representative from the Local Enterprise Partnership to explain how the organisation worked, as this would be educational to members and also provide a degree of public scrutiny.

The Chairman thanked councillors and officers for their attendance and stated that the draft minutes of this meeting would be circulated to our City Deal partners.

5. MATTERS OF TOPICAL INTEREST

None.

6. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee will be held on:

- Friday 26 September at 9am

The Meeting ended at 10.00 a.m.
