

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: The Cambridgeshire and Peterborough Devolution Proposal, Governance Review and Scheme

Meeting/Date: Cabinet – 29 June 2016

Executive Portfolio: Executive Leader (RH)

Report by: Managing Director (JL) and Monitoring Officer (JS)

Ward(s) affected: All Wards

Executive Summary:

To present to the Cabinet relevant documents relating to the establishment of a Combined Authority across Cambridgeshire and Peterborough including the results of a Governance Review, a Devolution Deal proposal and draft Governance Scheme.

To seek the endorsement and approval of the Cabinet to the content of the above documents and authority to submit them to Government to undertake an appropriate consultation process.

Recommendations:

That the Cabinet:

- i) Considers and endorses the conclusions and the outcome of the Governance Review, (attached at Appendix A), that the establishment of a Combined Authority with a Mayor for the Cambridgeshire and Peterborough area would be likely to improve the exercise of statutory functions in that area.
- ii) Approves the content of the Devolution Deal proposal, (attached at Appendix C), and to formally confirm that this replaces in its entirety the East Anglia Devolution Agreement signed in March 2016.
- iii) Approves the draft Governance Scheme, (attached at Appendix B), and authorise the Managing Director to make any necessary or consequential amendments in order to issue the Scheme for appropriate consultation to be undertaken on its content.
- iv) Approves the arrangements for public consultation on the Governance Scheme and authorise the Managing Director in consultation with the Leader of Council to provide the Secretary of State with a summary of the consultation responses in due course.
- v) Resolves to convene a further meeting of the Cabinet to take place in October 2016 to consider whether to give consent for the Secretary of State to bring forward such an Order establishing a Combined Authority with a Mayor covering

that area of Cambridgeshire and Peterborough.

1. PURPOSE OF THE REPORT

- 1.1 This report is submitted to the Cabinet following a meeting of the Council held directly before this meeting on 29 June 2016.
- 1.2 The purpose of this report is for the Cabinet to consider the outcomes of discussions held at the meeting of the Council, prior to determining a number of recommendations as detailed above relating to a combined authority for the Cambridgeshire and Peterborough area, with a directly elected Mayor.
- 1.3 Subject to the recommendations of Council, the Cabinet are requested to endorse the Review; approve the content of the Devolution Deal and the draft Governance Scheme; approve the arrangements for public consultation on the Governance Scheme; and to authorise the Managing Director, in consultation with the Leader of the Council, to provide the Secretary of State with a summary of consultation responses in due course and to progress any further matters as required in connection with the proposed Deal.
- 1.4 It is a legal requirement that the Cabinet meet to approve the consultation process and this meeting is to take place immediately following the Council meeting which allows Cabinet members to have regard to the discussions of and the will of Council when considering whether to approve the recommendations in this report.

2. BACKGROUND

- 2.1 This report is to be read in conjunction with the report contained within the Special Council agenda pack for the meeting held on 29 June 2016, which can be viewed at the following link:
<http://applications.huntingdonshire.gov.uk/moderngov/ieListDocuments.aspx?Clid=322&Mid=6033>
- 2.2 The report contained within the Council agenda pack at Agenda Item 3, summarises the review of the functions and governance arrangements for the proposed Cambridgeshire and Peterborough Combined Authority (C&PCA), including how additional functions and arrangements would be likely to improve the exercise of statutory functions in Cambridgeshire and Peterborough.
- 2.3 Relevant appendices to the report also detail the outcome of the governance review and the draft proposed scheme.

3. CONSULTATION

- 3.1 The proposals for consultation are outlined within the report to Council.
- 3.2 Upon completion of the consultation, a summary of responses will be provided to the Secretary of State.

4. LEGAL IMPLICATIONS

- 4.1 The legislation on combined authorities is found in sections 103-113 of the Local Democracy, Economic Development and Construction Act 2009, (the 2009 Act), which has been substantially amended by the Cities and Local Government Devolution Act 2016. The recent legislation has greatly extended the range of powers and functions which may be delegated to a Combined Authority.

- 4.2 Council Leaders have been briefed previously in relation to the decision-making process and the status of decisions in the process for devolution. It is important that all elected members are aware of the status and implications of the recommendations contained in this report if formalised in to decisions.
- 4.3 Under the current timetable for the devolution deal, consent to a draft Order from the Secretary of State will be sought from each authority in October 2016. This is because the latest date for laying the Order which will create a Mayoral Combined Authority (in order to comply with Electoral Commission deadlines for notification of a mayoral election) is 4th November 2016. At that point in October 2016 each authority will have to meet to decide whether to consent to the Order. The draft Order will be considered by both Houses of Parliament before being made.
- 4.4 Before this, however, all participating authorities are being asked to take a decision on devolution arrangements in June (i.e. in this report). The principle purpose of this decision is to approve the Scheme of Governance for publication and public consultation.
- 4.5 In this report the Cabinet is also being asked to endorse the terms of the C&PCA proposal and the Governance Review as well as agree the Scheme of Governance.
- 4.6 Although the June decision is not the final decision in the process of establishing the Combined Authority (CA) and does not legally commit an authority to consenting to a subsequent order to establish and be a part of a new CA. However, any significant change in the economic area as set out in the proposal after the public consultation has been undertaken during the summer may give rise to the requirement that a new Scheme be prepared for consultation and this would impact upon the timetable for the creation of the CA.
- 4.7 There may of course be legitimate reasons for an authority not to subsequently consent to the Order. Those legitimate reasons to withdraw after the consultation could include the Secretary of State's draft Order not reflecting the C&PCA proposal or the weight of local consultation responses opposing the CA.

5. OTHER IMPLICATIONS

- 5.1 **Finance Implications:** There are no direct financial implications arising from these recommendations as this is to consult upon a scheme proposing a combined authority.
- 5.2 The financial benefits of the combined authority are fully set out in the appendices, particularly the Cambridgeshire and Peterborough East Anglian Devolution Proposal.
- 5.3 **Equalities Implications:** An outline equalities impact assessment has been undertaken.

6. APPENDICES

As appended to the Council report, 29 June 2016

- 5.1 Appendix A – Cambridgeshire and Peterborough Authorities' Statutory Governance Review

<http://applications.huntingdonshire.gov.uk/moderngov/documents/s80902/Devolution%20Report%20-%20Appendix%20A.pdf>

- 5.2 Appendix B - Cambridgeshire and Peterborough East Anglia Devolution Scheme

<http://applications.huntingdonshire.gov.uk/moderngov/documents/s80903/Devolution%20Report%20-%20Appendix%20B.pdf>

- 5.3 Appendix C - Cambridgeshire and Peterborough East Anglia Devolution Proposal

<http://applications.huntingdonshire.gov.uk/moderngov/documents/s80904/Devolution%20Report%20-%20Appendix%20C.pdf>

BACKGROUND PAPERS

Sections 103-113 of the Local Democracy, Economic Development and Construction Act 2009

<http://www.legislation.gov.uk/ukpga/2009/20/contents>

The Cities and Local Government Devolution Act 2016

<http://www.legislation.gov.uk/ukpga/2016/1/contents/enacted>

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