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Agenda

Cumbria Combined Authority Board
Wednesday 18 March 2026 at 10.30 am
Redhills, Penrith, CA11 0DQ

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Enquiries and requests for supporting papers to:
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Membership

Councillor J Brook, Westmorland and Furness Council
Councillor M Fryer, Cumberland Council
Councillor L Hinton, Cumberland Council
Councillor A Jarvis, Westmorland and Furness Council

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The agenda and Part A reports are also available on the Cumbria Combined Authority

PART A - ITEMS CONSIDERED IN PUBLIC

1. Appointment of Members

To confirm the appointment of the following members nominated by their Constituent Authority:

Cumberland Council:
Councillor Mark Fryer (substitute Councillor Emma Williamson)
Councillor Lisa Hinton (substitute Councillor Denise Rollo)

Westmorland and Furness Council:
Councillor Jonathan Brook (substitute to be confirmed)
Councillor Andrew Jarvis (substitute to be confirmed)

2. Election of Chair

To elect a Chair of the Cumbria Combined Authority Board for the ensuing year.

3. Election of Vice-Chair

To elect a Vice-Chair of the Cumbria Combined Authority Board for the ensuing year.

4. Apologies for Absence

To receive any apologies for absence.

5. Declarations of Interest

To receive declarations by members of any disclosable pecuniary interests, personal interests, other registrable interests or any other interests in respect of items on the agenda.

6. Exclusion of Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any item on the agenda.

7. Appointment of Interim Statutory Officers (Pages 5 - 12)

To consider a report by the HR and People Lead (copy enclosed).

8. Cumbria Combined Authority Governance Arrangements (Pages 13 - 328)

To consider a report by the Interim Monitoring Officer (copy enclosed).

9. Budget 2026-27 for Cumbria Combined Authority (Pages 329 - 340)

To consider a report by the Interim Chief Finance Officer (copy enclosed).

10. Cumbria Combined Authority Pay and Grading Framework (Pages 341 - 352)

To consider a report by the HR and People Lead (copy enclosed).

11. Transport Delivery Plan for Cumbria (Pages 353 - 360)

To consider a report by the Deputy Programme Director – Devolution/Interim Chief Executive (copy enclosed).

12. Cumbria Combined Authority Devolution Prospectus (Pages 361 - 380)

To consider a report by the Deputy Programme Director – Devolution/Interim Chief Executive (copy enclosed).

13. Cumbria Combined Authority Calendar of Meetings and Forward Plan (Pages 381 - 388)

To consider a report by the Interim Monitoring Officer (copy enclosed).

PART B - TO BE CONSIDERED IN PRIVATE

Nil

Cumbria Combined Authority

Board Meeting

Date	18 March 2026		
Report Title	Appointment of Interim Statutory Officers		
Accountable CCA Board Member	No Member identified		
Accountable Chief Officer	Amanda Mays, Interim HR&OD Lead		
Report Author	Amanda Mays, Interim HR & OD Lead		
Report Considered by	Member Steering Group (informal)		
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

The establishment of the Cumbria Combined Authority (CCA) requires the formal appointment of statutory officers to ensure lawful decision-making, financial stewardship, transparency, and effective corporate governance in accordance with the Local Government and Housing Act 1989 and associated legislation.

This report seeks support for the appointment of the statutory officers required to enable the CCA to operate effectively from its inaugural meeting and through its initial "start-up" phase. These interim arrangements are designed to provide stability, ensure compliance, and create the foundation for permanent senior leadership appointments following further recruitment.

2. Recommendations

2.1. Approve the appointment of John Barradell (currently Interim Chief Executive, Cumbria Devolution Programme) to the post of Interim Chief Executive and Head of Paid Service;

2.2. Approve the appointment of Nick Bell (locum) to the Interim Section 73 Officer;

2.3. Approve the appointment of Catherine Parkinson (locum) to the Interim Monitoring Officer, and to the Interim Senior Information Risk Owner;

2.4. Approve the appointment of Catherine Parkinson to the Interim Data Protection Officer;

2.5. Establish an Appointments Panel for the Chief Officer roles of Director Legal and Governance (MO) and Director of Finance (S.73 Officer) and agree nominations to the Appointments Panel;

2.6. Approve the appointment of Andrew Seekings (Chief Executive Officer, Cumberland Council) as the Combined Authority Returning Officer (CARO) in respect of the Cumbria Combined Authority Mayoral election, due to take place on Thursday 6 May 2027;

2.7. To note that recruitment will commence, once the CCA is established, to appoint a permanent Statutory Scrutiny Officer. In the intervening period it is recommended that this role be undertaken by the Interim Monitoring Officer, Catherine Parkinson.

3. Background

3.1 A key requirement for the establishment of the Cumbria Combined Authority (CCA) is the appointment of appropriate statutory officers, so that it is legally compliant with the Local Government and Housing Act 1989 and other legislation. The statutory roles that the Combined Authority is expected to appoint to are:

- Head of Paid Service (HoPS)
- Chief Finance Officer (S.73)
- Monitoring Officer (MO)
- Scrutiny Officer (SO)
- Data Protection Officer (DPO)
- Senior Information Risk Officer (SIRO)
- Combined Authority Returning Officer (CARO)

These roles are critical to safeguarding public resources, ensuring lawful decision-making, and maintaining transparency and public confidence.

3.2 This report proposes the appointment of those roles necessary to support the CCA through the inaugural meeting, specifically the Head of Paid Service, Chief Finance Officer and Monitoring Officer. Without these appointments, the Authority would be unable to discharge its statutory responsibilities.

4. Proposal

4.1. The Member Steering Group agreed on 19 December 2025 to commence interim recruitment (fixed term to summer 2027) for:

- Chief Executive (Head of Paid Service)
- Director of Finance (S.73)
- Director of Legal and Governance (Monitoring Officer)

Following a decision from both constituent councils Full Council meetings, a Joint Appointments Panel was constituted to oversee this process. The recruitment campaign resulted in a successful appointment to the Interim Chief Executive and Head of Paid Service role, subject to approval by the CCA Board. However, the Director of Finance and Director of Legal and Governance roles were not successfully filled on a fixed-term basis. Accordingly, interim locum arrangements are proposed to ensure statutory cover and governance continuity. The officers referenced in this report are to transfer to the CCA from Westmorland and Furness Council to provide continuity and immediate statutory capacity. They have taken up their roles in advance of the inaugural Board meeting to ensure that the Authority is operationally compliant from the point at which it became a legal entity. However, the formal designation and conferral of statutory powers will take effect only upon endorsement by the Board, thereby ensuring proper governance and constitutional authority.

4.2 However, it is recommended that the CCA Board constitute an Appointments Panel to:

- Review feedback from the initial recruitment process
- Assess barriers to appointment (including pay, permanency, and market conditions)
- Consider whether role design adjustments are required
- Re-advertise the posts accordingly.

4.3 This approach balances the immediate need for statutory compliance with the longer-term objective of sustainable, high-quality fixed term / permanent appointments. In addition, this Panel will consider the appointment of the remaining Chief Officer posts recommended in the CCA structure, namely Director of Policy & Strategy and Director of Growth.

4.4 Nominations for the membership of the Appointments Panel will be tabled at the meeting.

4.5 The Combined Authorities (Mayoral Elections) Order 2017 provides that each Combined Authority must appoint one of its officers or one of the officers of a constituent council to be the Combined Authority Returning Officer (CARO). If the latter this will normally be a Local Returning Officer. The CARO will have

overall responsibility for the election of the Mayor. In addition, the CARO will be responsible for accepting nominations and coordinating the regional result. As this is a legal requirement, there are no other options other than to formally appoint a CARO to ensure the Combined Authority undertake their statutory duty and to ensure that the election is fair, transparent and that everyone has confidence in the result.

4.6 Following local discussions, it is proposed that the Chief Executive of Cumberland Council, Andrew Seekings, be appointed to this position. This recommendation reflects a recognition of the extremely complex arrangements involved in the running of any election with the need for an experienced CARO to lead the process alongside a similarly experienced elections team. This appointment would instil confidence in the elections process and the integrity of the election itself.

4.7 Recruitment will commence to appoint a permanent Statutory Scrutiny Officer directly by the CCA as soon as it is practicable. In the intervening period it is recommended that this role be undertaken by the Interim Monitoring Officer

5. Financial Implications

5.1 The costs of the interim arrangements are reflected within the CCA's proposed budget model and will be financed from the Mayoral Capacity Fund. Locum arrangements may carry higher short-term day-rate costs; however, these are justified by the need to ensure statutory compliance and governance continuity during the establishment phase. These locum appointments have also been made on a part time basis, recognising the additional associated costs.

5.2 Permanent and the fixed term contract appointments, once made, will be evaluated and remunerated in accordance with the CCA's Pay and Grading Framework.

6. Governance and Legal Implications

6.1 The CCA is required to designate one of its officers as Head of Paid Service, under Section 4 of the Local Government and Housing Act 1989. The Head of Paid Service is a statutory post with the duties set out in Section 4 (3) of the 1989 Act which include reporting (where they think it is appropriate) on the coordination of the discharge of the Combined Authority's functions, the number and grades of staff required, the organisation of staff and their appointment and proper management.

6.2 Regulation 6 of the Combined Authorities (Mayoral Elections) Order 2017 states that "*The combined authority must appoint one of its officers, or one of the officers of a constituent council, to be the combined authority returning officer in relation to the election.*" The Returning Officer must work with the

Constituent Council Returning Officers where there are elections in those areas at the same time as a Mayoral election.

6.3 The Monitoring Officer is appointed under Section 5 Local Government and Housing Act 1989; and that Officer has personal responsibility:

• to report on actual, and anticipated, illegality within the Authority

• to report cases where the Ombudsman has found maladministration on the part of the Authority

• to maintain the Register of Members' Interests; and

• to administer, assess and investigate complaints of Members' misconduct.

6.4 The Chief Finance Officer required to be appointed under Section 73 Local Government Act 1985 has responsibility for the proper administration of the Combined Authority's affairs.

6.5 The Head of Paid Service cannot be the same person as the Monitoring Officer.

6.6 The CCA is also required to appoint a Statutory Scrutiny Officer (who may not be an officer of a Constituent Council under Reg 9(3) of The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017), a Senior Information Risk Owner and a Data Protection Officer (under The Data Protection Act 2018 and the UK General Data Protection Regulation), as identified in this report.

6.7 Failure to appoint appropriately would render the CCA non-compliant and it may not be able to discharge statutory functions effectively.

7. Human Resource Implications

The proposals relate to interim recruitment and associated employment arrangements. All future recruitment activity will comply with:

- The CCA Constitution
- Employment law
- Public Sector Equality Duty
- CCA HR policies and procedures

8. Reasons for Recommendation

The proposed appointments enable the inaugural meeting to progress with the key appointments made for the good governance of the new CCA.

9. Alternative Options Considered

In considering appointments to the above roles there are several options available to the Combined Authority, including:

9.1 Option 1 – Do Nothing

As the CCA is required under various statutory duties to appoint to its statutory officers this is not a viable option.

9.2 Option 2 –Dual-hatting statutory officers, via a section 113 agreement

This option would involve one or both of the constituent councils' existing statutory officers temporarily performing the same statutory functions for the CCA (other than the Scrutiny Officer, as noted above). This approach has been used in some areas during early stages of Combined Authority setup to provide continuity and minimise additional recruitment. However, while feasible in principle, dual hatting presents several challenges, including:

- Existing statutory officers already carry significant responsibilities within their own authorities. Adding CCA duties risks overstretching capacity, creating resilience issues, and impacting service delivery.
- A dual-hatted officer may face situations where the interests of the constituent council and the CCA diverge, making it harder to provide independent statutory advice.
- Best practice for new Combined Authorities typically emphasises dedicated statutory leadership to ensure clear accountability, transparent decision-making, and robust oversight.
- The Combined Authority establishment phase requires intensive input, particularly for finance and governance, which may not be manageable alongside existing council duties.

For these reasons, dual hatting was considered but discounted as a viable option.

10. Risk Implications

10.1 Failure to appoint suitably qualified statutory officers in a timely manner could result in non-compliance with statutory requirements, expose the CCA to legal challenge, and undermine public and partner confidence during a critical establishment phase.

10.2 Reliance on interim locum arrangements may increase short-term costs and create continuity risks if appointments change during key decision-making periods (including budget setting and pre-Mayoral transition activity). Mitigation includes early re-advertisement, clear handover arrangements, and member oversight through an Appointments Panel.

Background Papers - None

Report Author	Amanda Mays, Interim HR & OD Lead
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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

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Cumbria Combined Authority

Board Meeting

Date	18th March 2026		
Report Title	Cumbria Combined Authority Governance Arrangements		
Accountable CCA Board Member	No Member identified		
Accountable Chief Officer	Interim Head of Paid Service designate John Barradell		
Report Author	Interim Monitoring Officer designate Catherine A. Parkinson		
Report Considered by			
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

1.1 The report sets out a number of important and procedural governance matters that are required at the first meeting of the Combined Authority.

1.2 This report sets out the initial governance framework of the Combined Authority and recommends the approval of its first constitution. The draft Constitution sets out the roles and responsibilities within the governance framework, as well as the procedural rules, membership and voting arrangements for bodies within the governance framework.

1.3 The Constitution sets out the process nominating and confirming non-constituent members of the Combined Authority Board.

1.4 The report also recommends that the Interim Monitoring Officer be provided with initial delegations to enable the convening and review of allowances by an Independent Remuneration Panel and to advertise for Independent Persons for standards matters and the Independent Person to sit on the Audit & Governance Committee.

1.5 The report, by way of the Constitution, sets out that an ‘appropriate person’ rather than an ‘independent person’ will be Chair of the Overview and Scrutiny Committee.

2. Recommendations

2.1. In accordance with section 107H of the Local Democracy, Economic Development and Construction Act 2009, confirm that the elected mayor for the Combined Authority area is to be known by the title of the ‘Mayor’ once elected and following the Mayor taking office.

2.2. Approve the draft Constitution at Appendix A for adoption.

2.3. Delegate authority to make any urgent and necessary amendments to the Constitution to the Interim Monitoring Officer in consultation with the Constituent Council Members as set out in paragraph 6.8, pending the Mayor taking office at which point consultation would extend to the Mayor as well, ensuring that any amendments are consistent with the provisions of the Cumbria Combined Authority Order 2026 and are reported to the subsequent meeting of this Board.

2.4. Delegate to the Interim Monitoring Officer in consultation with the Chair and Vice Chair to agree the Terms of Reference for a Joint Renumeration Panel formed by Westmorland and Furness Council and Cumberland Council (the Constituent Councils), so that the Independent Remuneration Panel can, at the earliest opportunity, undertake a review and make recommendations regarding a scheme of allowances for members of the Combined Authority for the Combined Authority to consider at a future meeting of this Board.

2.5. Delegate authority to the Interim Monitoring Officer to advertise the vacancy for the Independent Person on the Audit & Governance Committee, noting that they will act as Chair of the Committee, and make recommendations for appointment at a future meeting of this Board;

2.6. Delegate authority to the Interim Monitoring Officer to advertise the vacancies for Independent Persons under Section 28 of the Localism Act 2011 for standards and make recommendations for appointment at a future meeting of this Board.

2.7. Delegate authority to the Interim Monitoring Officer to confirm the appointment of;

a) A total of twelve members nominated by the Constituent Councils (six from each) to serve on the Overview and Scrutiny Committee; and

b) A total of eight members nominated by the Constituent Councils (four from each) and one independent person to serve on the Audit and Governance Committee.

2.8 Approve the draft Local Assurance Framework at Appendix B for adoption and delegate authority to the Interim Monitoring Officer to make any consequential amendments to the Local Assurance Framework provided any material changes are reserved to the Board before obtaining consent from the Ministry of Housing, Communities and Local Government.

2.9 Approve the provision of the Advisory Panels, Boards and Policy Sub Groups as set out in paragraph 4 and delegate to the Interim Monitoring Officer following consultation with the Interim Head of Paid Service and the Chair and Vice Chair of

the Board the responsibility for determining the membership and the Terms of Reference of the above with an update to be brought to the next meeting of the Combined Authority Board.

2.10 Agree Transport for the North as outside body and appoint to the various committees of the Transport for the North outlined in paragraph 1313 of this report and Appendix C. Agree to appoint the Chair of the Combined Authority to The Great North board as outlined in paragraph 14 of the report.

2.11 Agree to the transfer of the functions of Enterprising Cumbria to the Cumbria Combined Authority including (but not limited to) contracts, assets, and liabilities, memorandums of understanding, employees, allocated funding, reserves and LEP legacy funding that is held by Cumberland Council as the accountable body, on a date to be agreed and at the earliest opportunity, and delegate authority to the Interim Head of Paid Service to enter into such agreements as required with the Constituent Councils to facilitate a smooth transfer of functions to the Cumbria Combined Authority.

2.12 Delegate to the Interim Monitoring Officer in consultation with the Interim Head of Paid Service Interim Section 73 Officer and Chair of the Board to take such steps including entering into any agreements with the Constituent Councils as may be required to ensure that the Combined Authority can operate economically efficiently effectively safely and legally.

3. Background

3.1. On 14th October 2025 both Cumberland Council and Westmorland and Furness Council (Constituent Councils) agreed to consent to the creation of the Cumbria Combined Authority for Cumbria with the aim to deliver major opportunities for Cumbria. The benefits of increased investment, improved co-ordination and integration of services and stronger regional, national and international influence were recognised as considerable for the region.

3.2. The Cumbria Combined Authority Order 2026 ("the 2026 Order") came into force on 24th February 2026 with the majority of its provisions applying immediately in the transition period prior to the election of a Mayor for the Cumbria Combined Authority area in May 2027.

3.3. The principles for the governance and operation of the CCA are as follows:

- **Form follows function –** governance arrangements should flow from the vision, purpose and functions of the CCA.
- **Accountability –** decision-makers must clearly take responsibility and engage with those seeking to hold them to account. Decision-makers also need to have the confidence that systems are in place that allow them to benefit from the insight that those holding them to account can provide.
- **Transparency –** it must be clear who is making decisions, on what, when, why and how.
- **Effective decision making –** governance structures should enable effective and efficient decision making with appropriate scrutiny. Overly complicated and bureaucratic governance arrangements may prevent or slow decision making.

- **Engagement –** effective public engagement and involvement and decision-making being informed by the views of the public and stakeholders should be seen as central to good governance

- **Equality -** the constitution and governance arrangements ensure that the councils commit to being equal partners, ensuring this equality through the governance arrangements – there is a political "unity of purpose" built in

- **Evolution** – a constitution and governance is created that has flexibility for evolution, initially keeping decision-making at Board level to provide oversight of evolution with clear intention for appropriate delegations to follow with the implementation of strategy. The constitution and governance frameworks are "living" documents with proper oversight of change.

3.5 Engagement with Constituent Council Senior Officers and Constituent Council Leaders and Executive Members of each Constituent Council have agreed several key considerations that were to be reflected in the final proposals for the governance framework and constitutional content, these were as follows:

- initially limit the number of governance bodies and ensure structure is easy to understand through a consistency of approach (.i.e., all advisory committees to advise);
- keep key decision-making at Board level, delegations are anticipated to come later with transition of powers and development of strategy; and
- create a constitution that reflects what the CCA's functions are at any onetime but has the ability to be flexible as the Combined Authority evolves.

3.6 The governance arrangements set out in this report, and the draft Constitution at Appendix A, are put forward as version 1.0 that are specifically tailored to fit the creation of the new organisation.

3.7 The simple majority voting arrangements for most decisions of the Board mean the principles of collaboration are embedded with a view to seeking consensus on matters of strategic importance for the benefit of Cumbria.

3.8 The Combined Authority is required to have its own Overview and Scrutiny Committee and Audit Committee. These are distinct from the Constituent Council's O&S and Audit Committees, i.e. there is a clear division of responsibility from the Constituent Councils; this is undertaken by the Combined Authority's own statutory Committees and not those of the Constituent Authorities. The Overview and Scrutiny Committee and the Audit and Governance Committee of the Combined Authority will hold the Combined Authority and Mayor to account for all the decisions taken, including devolved powers and funding.

4. Governance Structure

4.1. The proposed governance structure reflected in the draft constitution aligns the decision making around the non-mayoral functions and those functions exercisable by the Board, ahead of the Mayor being elected, within the following structure:

Sets Strategic Objectives	Board
Approves strategy, key policy and frameworks	Board
Sets medium term financial plan	Board
Decision Making	Board

Develops strategy, framework and policy proposals	Policy Sub Groups
Provides investment guidance and advice	Investment Panel
Undertakes strategic level scrutiny	Overview and Scrutiny
Holds Mayor and Board to account	Overview and Scrutiny
Provides oversight and assurance of Standards and the Constitution	Audit and Governance
Provides oversight and assurance of sound financial management, governance and supporting frameworks	Audit and Governance
Coordinating local partners to address employment, unemployment, economic inactivity, and health-related barriers to work, in line with national policy commitments	Work and Health Board
Independent and diverse business representation across Cumbria	Business Advisory Board

4.2. The Mayor and Combined Authority Board are the primary decision makers. The 2026 Order creating the Combined Authority specifies that certain decisions must be taken by the Mayor and that the majority of decisions rest with the Board. The draft Constitution reflects these legal requirements. The functions reserved for the Combined Authority Board are also detailed in Part 3 of the draft Constitution. In addition, Schedule 1 to the 2026 Order sets out specific voting and consent requirements which are also reflected in the Constitution.

4.3. The Mayor can exercise some of their functions autonomously as these have been devolved directly from Central Government to that office, these powers are detailed within Part 3 of the Constitution.

4.4. The Combined Authority will initially have four policy sub groups supporting areas of significant devolution and change. These groups will be led by a Member of the CCA, who will be nominated as a sponsor.

4.5. An Investment Panel will be established to provide a technical test and challenge of investment proposals and make recommendations to the relevant CCA decision-maker. A key purpose of the Investment Panel is for members to: interrogate key lines of enquiry relevant to producing a quality business case; to ensure that agreed priorities of the CCA have been adequately addressed; and, to consider value for money.

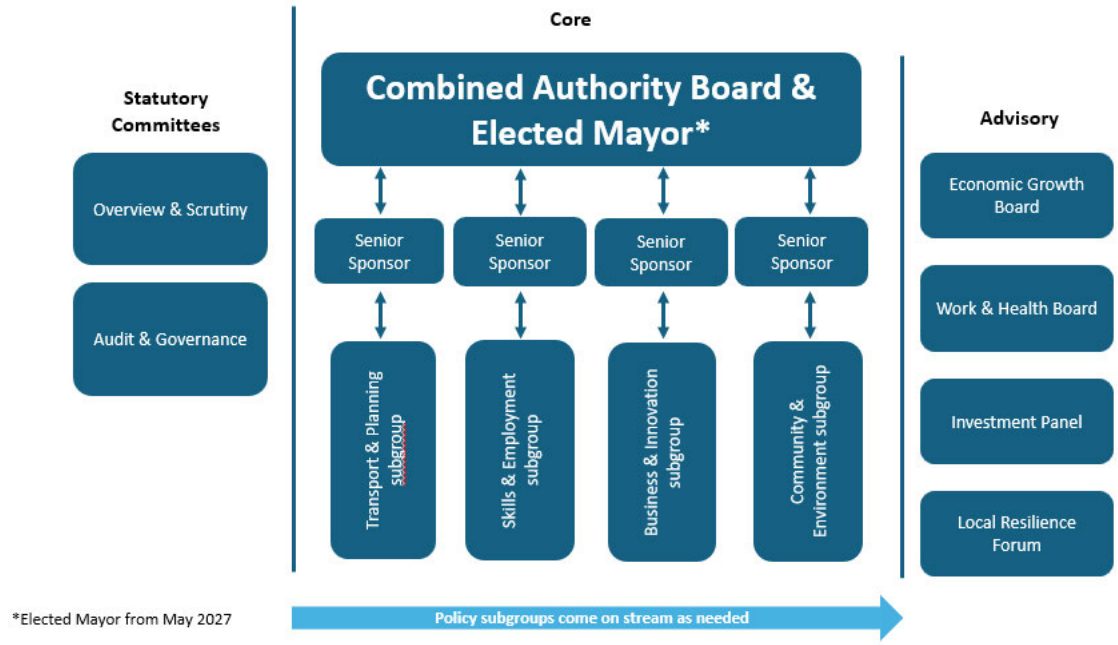
4.6. The Economic Growth Board will provide a business voice for the region that can provide that voice to the Mayor, the CCA Board and wider committees across the governance framework that create an opportunity for business to influence a wide range of strategic thematic policy.

4.7. The initial focus of the CCA Board and its supporting committees and the Economic Growth Board will be supporting the detailed development of the

Combined Authority strategic framework. This will involve undertaking evidence gathering, research and engagement in order to develop thematic strategy proposals for the Board to consider for approval. Consideration should be given to changing the name of the Board and the terms of reference for the Board will need to be updated to reflect its position within the Combined Authority.

4.8. There will be two statutory committees: Audit & Governance Committee; and Overview & Scrutiny Committee. The proposed Terms of Reference for each of these bodies is set out in Part 3 of the proposed constitution and will be adopted on approval of those committees once they have met.

4.9. The following structure would be created:



5. Local Assurance Framework

5.1. The Local Assurance Framework (LAF) is a requirement of devolution, and approval of the document is a key deliverable within Cumbria's devolution programme.

5.2. The LAF sets out the mechanisms in place to ensure that public money is being managed effectively, covering governance, accountability and transparency arrangements as well as how the Combined Authority will deliver value for money in meeting local objectives. It is a key document in demonstrating how the Combined Authority will use the funding available to meet their strategic priorities. It works to complement the arrangements within the constitution and has also been developed with the principles set out in paragraph 3.5 above.

5.3. A LAF is intended to:

- Provide assurance to UK government;
- Be transparent, accessible and easy to understand by the public, clearly explaining the Combined Authority's structures and processes;
- Demonstrate compliance with the English Devolution Accountability Framework

5.4. A LAF is designed to give government funding departments assurance that the Combined Authority will manage any devolved funding effectively, based on a robust system of governance, transparent evidence-based decision making and appropriate levels of independent scrutiny and oversight. If government is not satisfied that the LAF is robust, it can withhold payment of devolved funding from the Combined Authority.

5.5. Whilst the primary audience for the LAF is central government, it is also a key document in ensuring the Combined Authority will use the funding available to meet their strategic priorities, setting out processes that ensures relevant engagement, prioritisation and alignment takes place.

5.6. In addition, the LAF will provide assurance to the public and other stakeholders by clearly explaining the Combined Authority's structures and processes. In this way, the public should be able to understand how and why decisions have been made and to provide sufficient transparency so the Combined Authority can be held accountable for its decisions.

5.7. Material changes to the LAF are to be made with the consent of government, the LAF makes clear that the local governance structures, which are the responsibility of the Combined Authority for their design, can be updated and amended without the need for government consent each time.

5.8. In December 2025, the Member Steering Group approved this document in principle for submission to MHCLG for consideration. Following feedback received in late January 2026, the LAF was updated further and submitted to MHCLG for final consideration to enable their approval ahead of presentation to the Combined Authority Board as version 1.0 for adoption.

5.9. The draft Constitution attached at Appendix A has been updated to reflect the progress of the preparation for devolution in Cumbria. The next part of this report draws attention to key areas of the constitution for consideration.

6. Constitutional Drafting

6.1 Amendments

The Constituent Councils procured an original draft of a Constitution for the CCA in 2025. This has been developed to reflect the progress of the Devolution Programme and the key areas are highlighted below.

6.2 Location

The CCA is required to have one address for the purpose of serving any formal documents. Eden Rural Enterprise Centre at Redhills Penrith has been identified as this address and location for the CCA.

6.3 Committees and Advisory Boards

As this report outlines the CCA will be support by a series of Policy Sub Groups, Boards and Panels. The Constitution provides that these will be advisory in their role and not decision making. It will be for the CCA to develop the detail of the purpose, terms of reference and membership of these boards and panels. Once the detail of this is agreed there is a place for these to be reflected in the constitution as to how they would operate which will require the approval of the CCA Board.

6.4 Officer Scheme of Delegation

The delegation to statutory officers of the authority is set out in Part 3 Section 7 of the Constitution. This allows statutory officers to take decisions below the Key Decision Threshold in terms of value, in relation to operational and granting funding decisions, provided they are in accordance with the Budget and Policy Rules.

6.5 Functions

The functions the CCA will be exercising ahead of the Mayor's election are set out in Section 1 of Part 3 of the Constitution. The CCA Board will take the majority of decisions and decisions in relation to policy and budget for the CCA as set out in Section 2 of Part 3.

6.6 Board Procedure Rules

These are drafted in accordance with the 2026 Order and reflect a proportionate set of rules for the size and structure of the CCA.

6.7 Budget and Policy Rules

The CCA Board will be responsible for setting the strategies, polices and budget for the CCA. Once the Mayor has been elected, a separate budget for the provision of Mayoral functions is to be agreed by the CCA Board and the rules set out how the constituent councils have the opportunity to veto the proposed budget and provide an alternative budget for consideration, which reflects the current legal framework.

6.8 Future Review of the Constitution

It is important that in these early days of the Combined Authority the Interim Monitoring Officer can keep the Constitution under review as there will be a requirement to make amendments as required, in the light of experience, operational requirements and policy development. It is proposed that the Members of the Combined Authority delegate: a. their ability to propose a review to the Constitution under section 104D of the Local Democracy, Economic Development and Construction Act 2009 to the Monitoring Officer; and b. the acceptance of any proposed changes to the Monitoring Officer in consultation with the Leaders of the two Constituent Councils, pending the Mayor taking office at which point consultation would extend to the Mayor as well.

7. Membership

7.1. The 2026 Order provides;

a) Membership of the Cumbria Combined Authority is as follows:

- The Mayor (Chair of the CCA)
- Two Members from each Constituent Council
- Each Constituent Council will nominate two substitute members

b) In period before the Mayor is elected, the CCA will appoint one of the Members to be Chair and one to be Vice Chair.

c) Additional membership: stating that the Combined Authority must have no more than four non-constituent and associate members. This allows the Combined Authority to appoint up to a maximum total number of 4 Non-Constituent Members and Associate Members

7.2. **Membership of Committees and Groups**

a) Overview and Scrutiny Committee and Audit and Governance Committee

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (as amended) requires each constituent council to appoint a number of their members to these statutory committees. The combined authority must ensure that the members of the committees, taken as a whole, reflect, so far as reasonably practicable, the balance of political parties for the time being prevailing among members of the constituent councils when taken together. The Constituent Councils have agreed a delegation to their relevant Monitoring Officer to nominate members to these committees. This report seeks delegation to the Interim Monitoring Officer of the Combined Authority to confirm the appointments to the committees in accordance with Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017. The Further details of these committees are set out below.

b) Groups and Boards

Based on the proposals within this report, the draft Constitution and the Local Assurance Framework, the proposal for adoption will be to agree in principle to the creation of the policy sub groups. The proposal for initial membership is limited in the first instance to allow for consideration of the work programme of each group and what membership arrangements would align with that programme; decisions on adoption of membership, purpose and terms of reference for each group is reserved to the CCA Board:

Group	Proposed Chair	Initial Membership
Transport & Planning	Board Member	Relevant Portfolio Holders from both constituent councils and relevant senior/chief officer from constituent councils
Skills & Employment		
Business & Innovation		
Community & Environmental Subgroup		
Business Advisory Board	Existing Chair of Economic Growth Board	Take over the membership of the Economic Growth Board

8. Voting and Functions

8.1. The Mayor and Combined Authority Board are the primary decision makers. The 2026 Order creating the Combined Authority specifies that certain decisions must be taken by the Elected Mayor and that other decisions rest with the Board. The Constitution reflects these legal requirements.

8.2. The Elected Mayor will provide overall leadership as the Chair of the Combined Authority once elected. They can propose to delegate certain mayoral functions to members of the Combined Authority, subject to any proposal being approved by the Combined Authority.

8.3. In alignment with the key principles and considerations set out in this report, the Constitution would initially only provide votes to Constituent Council Members and the Mayor. The majority of matters that are to be determined by the Combined Authority are to be determined by a simple majority and that majority must include the vote of the Mayor (once in office) pursuant to Schedule 1 of the 2026 Order. In the interim this means that as there is not casting vote, therefore for a matter to be carried there must be a simple majority.

8.4. Subject to the passing of the English Devolution and Community Empowerment Bill, the functions the Mayor can exercise autonomously are set out in the table of functions appended to this report at Appendix D. They are not yet reflected in the draft constitution on the basis that (1) the powers have not been confirmed as the Bill is not yet law and (2) the Mayor is not yet elected. However, it is important to understand how these functions will operate within the CCA once they are available and the table demonstrates what is to follow.

8.6 Subject to the above, the Combined Authority will be responsible for any function of the Combined Authority which is not the responsibility of the Mayor. Proposed decisions can be put forward by the Mayor and any Combined Authority Constituent member. Generally, the Mayor will have one vote as will other voting members.

9. Overview and Scrutiny Committee

9.1. The Overview and Scrutiny Committee holds the Combined Authority and Mayor to account for all the decisions taken, including devolved powers and funding. The Committee can, at their discretion, produce reports and make recommendations for change or improvement.

9.2. The Membership of the Committee will be:

(a) 6 Members nominated from each constituent Council reflecting the political balance of the two constituent authorities when membership is added together (12 in total),

(b) The Chair and Vice-Chair will be appointed by the Combined Authority, following a proposal by the Overview and Scrutiny Committee,

(c) The Chair and Vice-Chair shall not be a member of a registered political party of which the mayor is also a member.

9.3. The draft Constitution includes a single Overview and Scrutiny Committee. The scrutiny of the Mayoral budget (and any Mayoral precept) will fall within the remit of the Combined Authority Overview and Scrutiny Committee.

10. Audit and Governance Committee

10.1. The Audit & Governance Committee will focus on the audit, assurance and reporting framework underpinning the financial management and governance arrangements and it will also undertake the functions of the Standards Committee

dealing with member conduct and ethical standards. The Audit & Governance Committee shall be appointed by the Combined Authority.

10.2. The Membership of the Committee will be:

(a) 4 Members nominated from each constituent Council reflecting the political balance of the two constituent authorities when membership is added together (9 in total (including the Chair – see below),

(b) The Chair and Vice-Chair will be appointed by the Combined Authority, following a proposal by the Audit and Governance Committee,

(c) The Chair will be independent.

10.3. The role of this Committee will be:

- Reviewing and scrutinising the Combined Authority's financial affairs;
- Reviewing and assessing the Combined Authority's risk management, internal controls and corporate governance arrangements including reviewing the constitution;
- Reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions; and
- Standards and constitutional review
- Making reports and recommendations to the Combined Authority in relation to reviews the Committee has conducted.

10.4. The Audit and Governance Committee can include co-opted members but they would be non-voting members of the Audit & Governance Committee. Paragraph 14 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (as amended) states that the Combined Authority must appoint its Audit & Governance Committee at least one independent person and that such person can only be appointed after the vacancy has been advertised in such manner as the CCA considers is likely to bring to the attention of the public and that person's appointment has been approved by a majority of the members of the CCA.

11. Independent Person (Standards)

11.1. The Localism Act 2011 provides that an Authority must also have at least one Independent Person who has a statutory duty to be consulted when complaints against councillors are made (best practice is to have two or more Independent Persons to ensure enough capacity to deal with potential conflicts or absences, etc). Independent Persons must be appointed after the vacancy has been advertised in such manner as the Authority considers is likely to bring it to the attention of the public. Therefore, it is recommended that delegation is given to the Interim Monitoring Officer to publicise the two vacancies and to make a recommendation for appointment at a future Combined Authority meeting. Consideration should be given in appointing potentially two Independent Persons to provide appropriate cover for the Authority.

12. Remuneration

12.1. Pursuant to Paragraph 7, Schedule 1 of the 2026 Order, the CCA may not pay any remuneration or allowances to its members unless it has will need to establish an Independent Remuneration Panel (IRP) to recommend allowances payable to the Mayor and others as appropriate.

12.2. The Combined Authority may establish an independent remuneration panel, use a constituent council's IRP or use a joint panel formed by the constituent councils to recommend a scheme to the Combined Authority regarding the allowances payable to:

(a) the Mayor;

(b) the deputy mayor provided that the deputy mayor is not a leader or elected mayor of a Constituent Council and is not in receipt of an allowance from a constituent council for any other role; and

(c) members of the overview and scrutiny committee and any sub-committee of that committee and members of the audit and governance committee.

12.3. An independent remuneration panel must consist of at least three members none of whom:

(a) is also a member of the Combined Authority or is a member of a committee or sub-committee of the Combined Authority or a member of a constituent council of the Combined Authority or

(b) is disqualified from being or becoming a member of the Combined Authority.

12.4. The Combined Authority may pay the expenses incurred by the independent remuneration panel in carrying out its functions and may pay the members of the panel such allowances or expenses as the Combined Authority may determine.

12.5. The Combined Authority may only pay an allowance to the people listed in paragraph 12.2 above if the Combined Authority has —

(a) established an independent remuneration panel in accordance with the Combined Authorities (Overview and Scrutiny, Access to Information and Audit Committees) Order 2017 (as amended) and

(b) considered a report published by the independent remuneration panel which contains recommendations for such an allowance; and

(c) approved a scheme for the payment of the allowance providing that scheme does not provide for the payment of allowances of an amount in excess of the amount recommended by the independent remuneration panel.

12.6. The Combined Authority must consider a report from the independent remuneration panel before approving a scheme. Subject to the above, as set out in the 2026 Order, no remuneration is to be payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined Authority.

12.7. The intention will be to initially focus on the remuneration for the Overview and Scrutiny Members and Audit and Governance Members in order to ensure a report is brough back to the Combined Authority at the earliest possible opportunity. The Independent Remuneration Panel would then continue its review into wider

allowances, including the Mayor's allowance, in alignment with legislation and report back to the Combined Authority again at the earliest opportunity.

12.8. The Combined County Authority is asked to delegate to the Interim Monitoring Officer the power to agree the membership and terms of reference for a Joint Renumeration Panel formed by the constituent councils for the purposes of a review as set out above. This delegation would include taking a decision on the approach to membership of the Panel and payment of reasonable allowances/expenses for the panel to perform its role.

13. Transport for the North (TfN)

13.1. The 2026 Order removes the constituent authorities as the relevant authority for the purposes of membership on the Transport for the North Board. The CCA Board will need to agree who to appoint to the various boards and committees for the year commencing 2026/2027 which will need to be confirmed at the first meeting of the CCA.

13.2. The CCA Board will need to decide who will be appointed to the following:

a) **Transport for the North Board** - One of the two Members needs to be the Mayor (or whoever will lead the CA until the Mayor is elected) or an elected Member with the responsibility for Transport. The other Member, who will act as a substitute can, be any other elected Member of the Combined Authority or any Members within the Constituent Councils.

b) **Rail North Committee**

c) **General Purposes Committee** of TfN (Also the same Members who sit on Board)

d) **Scrutiny Committee** – This can be any elected Member of the Combined authority or any of its constituent authorities. The only Members excluded from the Scrutiny will are Members of the TfN Board.

13.3 The CCA Board is asked to make nominations to this outside body TfN.

14. The Great North Board

14.1 Prior to the Mayor coming into office, the Chair of the CCA will be invited to attend 'The Great North Board'. The Great North is a mayor-led partnership bringing together northern Combined Authorities, local councils, businesses, universities, and government to strengthen the economy of the North of England. It is designed to help northern mayoral authorities speak with one voice, drive investment, boost clean energy, manufacturing, defence, and support creative industries, while coordinating large-scale cross-regional plans such as transport and growth corridors. There is no need to name a substitute for this Board.

15. Enterprising Cumbria

15.1 On 26 January 2026, the Joint Executive Committee of Cumberland Council and Westmorland and Furness Council agreed to transfer the functions undertaken by Enterprising Cumbria team to the Cumbria Combined Authority. The CA is working closely with the constituent councils to progress this transfer and a delegation is requested to be able to regularise the transfer once the authorities have put in place the necessary legal provisions to ensure a smooth transfer of functions from one organisation to another.

16. Mayoral Title

16.1. Section 107H of the Local Democracy, Economic Development and Construction Act 2009 requires the Combined Authority, by resolution, to agree to:

(a) provide that the mayor for the area of the Combined Authority is to be known by the title of mayor, or

(b) change the title by which the mayor for the area of the Combined Authority is to be known to an alternative title mentioned in subsection of the 3 of the Act.

16.2. The alternative titles are—

(a) county commissioner;

(b) county governor;

(c) elected leader;

(d) governor;

(e) a title that the Combined Authority considers more appropriate than the alternative titles mentioned in paragraphs (a) to (d), having regard to the title of other public office holders in the area of the Combined Authority.

16.3. The Combined Authority is required to detail the resolution in the notice of the meeting, with that resolution required to be passed by a simple majority of the Combined Authority members who are present and voting at a meeting of the Combined Authority.

16.4. It is proposed that the Combined Authority confirm that the mayor for the area be known by the title of the Mayor following the election of the mayor.

17. Financial Implications

17.1 There are no financial comments arising from this report.

18. Governance and Legal Implications

17.1 The legal requirements and implications are set out in the body of the report, drawn from the legislative framework being the 2026 Order, Local Democracy, Economic Development and Construction Act 2009 and Combined Authority (Overview and Scrutiny Committees, Access to information and Audit Committees) Order 2017 (as amended) together with a variety of underpinning Local Government legislation applicable to Combined Authorities. The approach to the development of the constitution has been to develop an initial constitution to enable the Combined Authority to function from day one of its operation but with the scope to develop and evolve those arrangements, within the legislative framework, once a Mayor has been elected into office, further functions are conferred on the Combined Authority under the English Devolution and Community Empowerment Bill and the operations of the Combined Authority are scaled up.

17.2 The 2026 Order includes a legal power for the CA to use the s.1 Localism Act 2011 General Power of Competence in relation to the delivery of economic development and regeneration functions. This would allow the CA to exercise the specific functions undertaken by the Enterprising Cumbria team.

17.3 Pursuant to Paragraph 8, Schedule 1 of the 2026 Order, the Combined Authority may make provisions about its Constitution provided that the provisions made in the

Constitution are consistent with the provisions set out in Schedule 1 of the 2026 Order as referred to in this report.

17.4 When developing and considering the approval of the draft Constitution, the Combined Authority must be satisfied that the draft Constitution complies with the provisions set out in Schedule 1 as well as other legislative framework and legislation applicable to the Combined Authority as set out in paragraph 17.1 of this report.

19. Reason for Recommendation

The Combined Authority is required to have a constitution and local assurance framework in place to ensure the functions and decisions exercised by the Combined Authority are done so in a legal, open and transparent way.

20. Alternative Options Considered

This report sets out the governance arrangements and contains the proposals for the Combined County Authority constitution, which is legal requirement. There are a number of ways of creating committees that sit under the Combined Authority to assist the discharge of the Combined Authority functions. It is proposed to adopt a pragmatic approach in creating a governance structure for day 1 of the Combined Authority and then to review the initial structure on a periodic basis.

Appendix A – draft Constitution

Appendix B – draft Local Assurance Framework

Appendix C – Appointment to outside bodies

Appendix D – Table of Functions

Background Papers

1. The Cumbria Combined Authority Order 2026; The Cumbria Combined Authority Order 2026

Report Author	Elizabeth Hore (Deputy Monitoring Officer – Cumberland Council) Legal and Governance Office – Devolution Programme
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

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Cumbria Combined Authority Constitution

Version Control

Revision Number	Revision Date	Comments
1	18 March 2026	

Contents

To follow

PART 1

Introduction to the Constitution

Part 1

Introduction to the Constitution

Background

1.1 The Cumbria Combined Authority (the **Combined Authority**) was established a body corporate by the Cumbria Combined Authority Order 2026 (the **Order**) on 24 February 2026 to promote economic growth and to allow the Combined Authority to act the **local transport authority** for Cumbria.

1.2 The Combined Authority was established for the **Combined Area**, which is the area consisting of the areas of the Constituent Councils.

1.3 The **Constituent Councils** of the Combined Authority are:

- Cumberland Council
- Westmorland and Furness Council.

1.4 The Non-Constituent Members of the Combined Authority are:

1.5 Associate Members of the Combined Authority are:

1.6 The functions of the Combined Authority are those functions conferred or imposed on it by the Order or another enactment (whenever passed or made) or as may be delegated to it. The Combined Authority will exercise all its powers and duties in accordance with the law and this Constitution.

1.7 Functions of the Combined Authority are:

- **Non-Mayoral Functions** (functions which are not the responsibility of the Mayor) which are exercisable by the Combined Authority). Further details relating to the responsibilities and functions of the Combined Authority is set out in **Article 2, Part 2 and Part 3 of the Constitution**, or

- **Mayoral Functions** (functions which are the responsibility of the Mayor). Further details relating to the Mayoral Functions are set out in **Article 4, Part 2 of this Constitution.**

2.1 The Constitution

2.1 This Constitution sets out the governance arrangements for the Cumbria Combined Authority, including for Non-Mayoral and Mayoral Functions.

2.2 It sets out how the Combined Authority will work, make decisions and the procedures to be followed to ensure that the Combined Authority operates efficiently, effectively and is transparent and accountable to residents, businesses and wider stakeholders.

2.3 The Schedule to the Order makes provisions about certain parts of the constitution of the Combined Authority and prescribes what is to be included. The Combined Authority has chosen to adopt other procedures and provisions set out in this Constitution.

2.4 The Constitution comprises of six parts:

Part 1: Introduction to the Combined Authority and the Combined Authority's Constitution, including how the Constitution is arranged and an index of definitions used in the Constitution.

Part 2: Articles of the Constitution which set out the underpinning legal framework of the Combined Authority:

Article 1 - The Constitution

Article 2 – The Combined Authority

Article 3 – Meeting of the Combined Authority

Article 4 – The Mayor

Article 5 – Citizens and the Combined Authority

Article 6 – Audit and Ethical Arrangements

Article 7 - Joint arrangements and Partnership working

Article 8 – Officers

Article 9 – Decision Making

Article 10 – Finance, Contracts and Legal Matters

Part 3: Responsibility for Functions setting out who is responsible for exercising each function of the Combined Authority.

Part 4: Procedure Rules which govern how the Combined Authority, and its decision-makers operate, the Combined Authority has the following Procedure Rules:

- **Budget and Policy Rules** which set out the steps required in relation to approving the Combined Authority budget and policies and strategies. Policies and strategies provide a framework for decision-making.
- **Mayoral Procedure Rules** which sets out the rules to be complied by the Mayor (or other decision makers exercising Mayoral Functions) and the provisions around Statutory Consent.
- **Access to Information Procedure Rules** which sets out the provisions around the public's right to information, right to attend meetings and to inspect and find out about key decisions made by the Combined Authority.

Part 4 of the Constitution also sets out the **Procedure Rules** of the Combined Authority which includes:

- **Contract Procedure Rules** which sets out how the Combined Authority enters into contracts.
- **Overview and Scrutiny Procedure Rules** which sets out how the members of the Overview and Scrutiny Committee are to be appointed and voting arrangements for the Committee.
- **Procedure Rules** which sets out how the Combined Authority shall hold and conduct meetings, voting arrangements and method of voting at meetings.

Part 4 of the Constitution also sets out the **Financial Procedure Rules** of the Combined Authority.

Part 5: Ethical Standards including codes of conduct for Members and Officers of the Combined Authority. The Combined Authority has the following Codes of Conducts:

- **Members' Code of Conduct**
- **Officers' Code of Conduct**
- Procedure for dealing with Code of Conduct Complaints for Members

Part 6: Members' Allowances Scheme which sets out the entitlement of any Member, including the Mayor, to claim expenses in carrying out their role and sets out the levels of remuneration applicable to the Mayor and other roles determined by the Combined Authority.

Definitions:

2.5 Throughout the Constitution, unless otherwise expressly stated, the following definitions shall apply:

Definition	Meaning
"2009 Act"	The Local Democracy, Economic Development and Construction Act 2009.
"Associate Member"	An associate Member of the Combined Authority appointed by the Combined Authority under Section 104B of the 2009 Act.
"Audit and Governance Committee"	The Audit and Governance Committee set up pursuant to Article 6 of this Constitution.
"Appropriate Person"	Has the meaning given in Section 104(D) of the 2009 Act.
"the Bill"	The English Devolution and Community Empowerment Bill .
"the Combined Area"	The area consisting of the areas of the Constituent Councils.
"Combined Authority"	The Cumbria Combined Authority.
"Combined Authority's Budget"	The budget of the Combined Authority in respect of Non-Mayoral Functions as approved pursuant to the Budget and Policy Rules
"Committees"	Committees and sub-committees set up by the Combined Authority pursuant to Part 3 of the Constitution.
"Constituent Councils"	Cumberland Council and Westmorland and Furness Council.
"Constituent Council Member"	A member of the Combined Authority as elected and appointed by the Constituent Councils pursuant to Paragraph 1, the Schedule of the Order.
"Concurrent Functions"	Any function of the Combined Authority (including a function exercisable by the Mayor) conferred by the Order which is specified to be

	exercisable concurrently with the Constituent Council by the Combined Authority. That is, both the Combined Authority and Constituent Councils may exercise the function independently of one another.
“Deputy Mayor”	The person appointed by the Mayor as the Mayor’s deputy, under Section 107C of 2009 Act.
“Function”	A power or duty; any reference to a Function is to be taken as including a reference to doing anything which is calculated to facilitate or is conducive or incidental to the discharge of the function, except where the context requires otherwise.
“Head of Paid Service”	The officer designated by the Combined Authority as the Head of Paid Service under Section 4 of the Local Government and Housing Act 1989.
“Key Decision”	A decision defined as a Key Decision within the meaning of Rule 12.1 Part 4, Section 4.2 of the Access to Information Rules
“Local Auditor”	Local Auditor appointed under Section 7 of the Local Audit and Accountability Act 2014 or provision made under the 2014 Act.
“Local Transport Plan”	The Local Transport Plan as required pursuant to Section 108 Transport Act 2000
“Local Transport Delivery Plan”	Any Local Transport Delivery Plans forming part of the Local Transport Plan and setting out how the consolidated transport funding will be prioritized with details of schemes and interventions or programmes and packages of spend required to be submitted to the Department for Transport in connection any consolidated transport funding
“Mayor”	Person elected as the Cumbria Mayor under Part 3 of the Order.
“Mayoral Function”	Function of the Combined Authority exercisable only by the Mayor as set out in **Article 4 of this Constitution.**
“Mayoral General Function”	Mayoral Function set out in Part 5 of the Order and referred to in **Article 4 of the Constitution.**

“Monitoring Officer”	Officer designated by the Combined Authority under Section 5 of the Local Government and Housing Act 1989.
“Member” or “Members”	Means a member of the Combined Authority including any Constituent Council Member(s), Non Constituent Member(s), Associate Member(s), Substitute Constituent Council Member(s), Substitute Non-Constituent Member(s) and Substitute Associate Member(s).
“Non-Constituent Member “	A Member of the Combined Authority appointed by a Non-Constituent Body under section 104A(3) of the 2009 Act.
“Non-Constituent Body”	A body designated by the Combined Authority under section 104A(1) of the 2009 Act.
“the Order” or the “2026 Order”	The Cumbria Combined Authority Order 2026 made on 24th February 2026
“Officer”	Officers and employees appointed by the Combined Authority.
“Overview and Scrutiny Committee”	The Overview and Scrutiny Committee set up pursuant to the Overview and Scrutiny Committee Procedure Rules.
“Political Advisor”	A person appointed by the Mayor to be his/her political advisor pursuant to Paragraph 7 of the Order who shall be an employee of the Combined Authority.
“Non-Mayoral Function”	Function of the Combined Authority which is not a Mayoral Function.
“the Offices of the Combined Authority”	Eden Rural Enterprise Centre, Redhills, Penrith, CA11 0DT
“Relevant Period”	The relevant time period in which the allocations are made available as set out in the Department for Transport’s settlement letter being 2026/2027, 2027/2028, 2028/2029 and 2029/2030
“Section 73 Chief Finance Officer”	Officer responsible for the administration of the Combined Authority’s financial affairs under Section 73 of the Local Government Act 1985
“Statutory Consents”	Combined Authority Functions or Mayoral Functions that can only be exercised with the consent of the Constituent Council of the area to which the function is to be exercised
“Substitute Members”	Includes Substitute Constituent Council Member(s)

“Substitute Constituent Council Members”	Members of the Combined Authority appointed by the Constituent Council to act as a member of the Combined Authority in the absence of the Constituent Council Member
“Statutory Officer”	Head of Paid Service, Section 73 Chief Finance Officer, and Monitoring Officer
“Transition Period”	The period beginning with 24th February 2026 and ending with 31st March 2027
“Voting Members”	Constituent Council Member(s) or their substitute when afforded voting rights pursuant to Board Procedure Rules

PART 2

The Articles

Part 2

Articles

The Constitution of the Combined Authority comprises of 12 Articles which underpins the legal framework of the Combined Authority.

Article 1 - The Constitution

1.1 The Combined Authority will exercise all its functions, powers and duties, in accordance with the law and this Constitution. If the Constitution conflicts with the law, the law shall prevail.

1.2 The Mayor and the Combined Authority will work together in collaboration supported by its governance framework, in the interests of the people of the Combined Area. This Constitution sets out arrangements to ensure the effective conduct of the Mayor and the Combined Authority's business, in the spirit of collaboration, mutual respect and transparency.

1.3 All Members will strive to work on the basis of consensus, taking decisions through agreement wherever possible. These principles shall apply irrespective of the statutory basis for the exercise of those powers, whether through the powers and responsibilities of the Mayor or the Combined Authority.

1.4 The powers of the Mayor are to be exercised through collaboration within the Combined Authority, its Members, Committees, and in partnership with all relevant stakeholders wherever possible.

1.5 Where the Constitution permits the Combined Authority and the Mayor to choose between different courses of action, the Combined Authority and the Mayor will choose the option which it considers closest to the purpose set out above.

1.6 The purpose of the Constitution is to:

a) enable the Combined Authority to improve the economic, social and environmental well-being of some or all of the people who live and work in the Combined Area.

b) enable the Combined Authority to have regard for the need to secure effective and convenient local government and to reflect the identities and interests of local communities.

c) enable the Combined Authority to provide leadership to the community in partnership with councils, citizens, businesses, and other organisations.

d) support the involvement of citizens in the process of local decision-making.

e) enable decisions to be taken efficiently and effectively.

f) provide ways to hold decision-makers to public account.

g) ensure that no one reviews or scrutinises a decision in which they have been directly involved.

h) clarify who takes decisions and ensure that decision-makers explain the reasons for decision.

i) on coming into force of the relevant provisions of the Bill which amends Section 197K of the 2009 Act, help achieve the Combined Authority's ambitions and outcomes for the Constituent Area through its local growth plan.

j) help deliver the Combined Authority's vision of a more prosperous Cumbria Combined Authority area

Interpretation

1.7 The Monitoring Officer shall make any final decision regarding the application of the Constitution. In making any such decision, the Monitoring Officer shall consult with the Head of Paid Service and/or the s73 Chief Finance Officer as appropriate.

Reviewing and Approving the Constitution

1.8 The Monitoring Officer will regularly monitor and review the operation of the Constitution and this will include an annual review of the Constitution to ensure that it is fit for purpose.

1.9 Notwithstanding Paragraph 1.8 of this Article 1, pursuant to 104D of 2009 Act an Appropriate Person may carry out a review of the Constitution if:

a) An Appropriate Person proposes a review; and
b) The Combined Authority consents to the review.

1.10 Whether the Combined Authority will need to consent to the review of the Constitution pursuant to Paragraph 1.8(b) above shall be decided at a meeting of the Combined Authority by a simple majority of the voting members (or a substitute member acting in its place) of the Combined Authority present at a meeting but the majority does not need to include the Mayor. Non-Constituent Members cannot be a voting member pursuant to Paragraph 1.8(b).

1.11 If an Appropriate Person carries out a review of the Constitution pursuant to Paragraph 1.9 of this Article 1, they may propose changes to the Constitution as a result of the review for agreement by the Combined Authority.

1.12 The question as to whether the Combined Authority agrees to the changes proposed by an Appropriate Person pursuant to Paragraph 1.10 shall be decided at a meeting of the Combined Authority by a simple majority of the voting members (or a substitute member acting in its place) present at the meeting. A majority in favor of the changes must include the Mayor. Non- Constituent Members cannot be a voting member for the purposes of this Paragraph 1.12.

1.13 Any document in the Constitution will be approved as follows:

a) by the **Combined Authority** (where arrangements are the Combined Authority's responsibility),
b) by the **Mayor** (where arrangements are the Mayor's responsibility),

c) by both **the Combined Authority and the Mayor** (where arrangements are the responsibility of both),

1.14 The s 73 Chief Finance Officer has delegated authority under the Officer Delegation Scheme in Part 3 of the Constitution to amend the Combined Authority's Financial Regulations on behalf of the Combined Authority and the Mayor.

Changes and minor amendments to the Constitution

1.15 Notwithstanding Paragraphs 1.8 and 1.9 of this Part 1, the Monitoring Officer is authorised to make the following changes to the Constitution:

(a) a minor variation

(b) legal or technical amendments that do not materially affect the Constitution

(c) which are required to be made to remove any inconsistency, ambiguity, or typographical error

(d) which are required to be made so as to put into effect any decision of the Mayor or Committee, sub-committee or Officer exercising delegated powers; or

(e) which are required to reflect any changes to job or role titles.

Any such amendments must be reported retrospectively to the Combined Authority for noting.

1.16 The Monitoring Officer also has delegated authority under the Officer Delegation Scheme in Part 3 of the Constitution to amend the Combined Authority's **Contracts Procedure Rules** on behalf of the Combined Authority.

1.17 Any amendment to the Constitution must be recorded and published.

Access to the Constitution

1.18 The Monitoring Officer will make the Constitution available for inspection by the public.

- at the Offices of the Combined Authority at any reasonable hour, and
- on the Combined Authority's website.

Article 2 - The Combined Authority

Membership

2.1 The Combined Authority comprises of four Constituent Council Members in addition to the Mayor who is a Member of the Combined Authority by virtue of their office.

2.2 Each Constituent Council must appoint **two** of its elected members to be Constituent Council Members.

2.3 In addition, each Constituent Council will appoint **two named elected Members** for each Constituent Council Member appointed at Article 2.2 who will act as a Constituent Council Member in the absence of the Member appointed under Article 2.2 (**Substitute Constituent Council Member**).

2.4 A **Constituent Council Member** or **Substitute Constituent Council Member** ceases to be a Combined Authority Member or Substitute Member if:

a) they **cease to be an elected member** of the Constituent Council that appointed them; or
b) the **Constituent Council terminates the appointment**.

2.5 A person may resign as a **Constituent Council Member** or a **Substitute Constitute Council Member** by written notice served on the proper officer of the Constituent Council that appointed them and the resignation takes effect on receipt of that notice.

2.6 Where a **Constituent Council Member** or **Substitute Constituent Council Member** ceases to be an elected member or resigns, the Constituent Council shall notify the Combined Authority in writing as soon as practicable and appoint a replacement. A Constituent Council must give written notice to the Monitoring Officer of the Combined Authority of any termination and new appointment.

2.7 The new appointment of the **Constituent Council Member** or **Substitute Constituent Council Member** takes effect and the previous appointment terminates at the end of one week from the date which the notice is given or such longer period not exceeding one month as is specified in the notice.

Non- Constituent Member and Associate Members

2.8 The Combined Authority may appoint no more than four Non-Constituent Members and Associate Members.

2.9 Each Non-Constituent Body must nominate a person to act as a Non-Constituent Member

2.10 Each Non-Constituent Member must nominate one other person to act as a **Substitute Non-Constitute Member** whom can act in the absence of the relevant Non-Constituent Member.

2.11 Each Associate Member must nominate one other person to act as a **Substitute Associate Member** whom can act in the absence of the relevant Associate Member.

2.12 The **Non-Constituent Member** or **Substitute Non- Constituent Member** ceases to be

a **Member** or **Substitute Member** if:

a) they cease to act in any way for, or represent, the Non-Constituent Body
b) they resign by written notice,
c) the Non-Constituent Body terminates the appointment,
d) the Combined Authority terminates the appointment, or
e) the Non-Constituent Body is no longer a Non-Constituent Body of the Combined Authority

2.13 Where the Non-Constituent Member or Substitute Member ceases to act in any way for, or represent, the relevant Non-Constituent Body or resigns, the Non-Constituent Body must give written notice to the Combined Authority as soon as practicable and appoint a replacement.

2.14 The Non-Constituent Body must give written notice to the Combined Authority of any termination and new appointment.

2.15 Any Associate Member or Substitute Associate Member ceases to be appointed if:

a) they **resign** by written notice, or

b) the Combined Authority **terminates the appointment**

Chair and Vice Chair

2.16 Before the Mayor's first term begins, the Combined Authority must appoint a chair and a vice chair from amongst its Constituent Council Members. Such appointments are to be the first business transacted following appointment of the Members of the Combined Authority, at the first meeting of the Combined Authority.

2.17 The process for appointing a chair and vice-chair should follow the Procedure Rules set out in **Part 4** of this Constitution.

2.18 A person ceases to be chair or vice chair to the Combined Authority if they cease to be a Constituent Council Member.

2.19 If a vacancy arises in the office of the chair or a vice chair, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Combined Authority, or if the meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting. ***See further the Procedure Rules in Part 4 of the Constitution.***

2.20 The vice-chair must act in place of the chair for an reason where:

a) The chair is unable to act, or
b) The office of chair is vacant.

2.21 If for any reason:
a) the chair is unable to act, or the office of the chair is vacant, and
b) the vice-chair is unable to act or the office of vice-char is vacant;

no meetings of the Combined Authority may take place.

2.22 The chair of the Combined Authority ceases to hold office and the office of the vice chair is abolished, at the end of the day before the first Mayor's term of office begins.

Chair and Vice Chair (Following the commencement of the Mayor's Term)

2.23 The Mayor is to be the chair of the Combined Authority.

Deputy Mayors

2.24 The Mayor must appoint one of the Constituent Council Members to be the Mayor's deputy (the **Deputy Mayor**). Article 4, Part 2 of this Constitution (The Mayor) sets out the appointment process and terms of office for the Deputy Mayor.

2.25 The Deputy Mayor must act in place of the Mayor if for any reason

a) the Mayor is unable to act, or
b) the office of Mayor is vacant.

2.26 Where the deputy mayor is acting in the place of the mayor they cannot also act in their capacity as a member of the Combined Authority.

Meetings and Procedure

2.27 The Combined Authority will usually meet bi-monthly (once every 2 months), but additional meetings may take place within the monthly period should the need arise.

2.28 There are three types of Combined Authority meeting: (a) the annual meeting; (b) ordinary meetings; and (c) extraordinary meetings and they will be conducted in accordance with the Combined Authority Procedure Rules set out in Part 4 of this Constitution.

Responsibility for functions

2.29 The functions of the Combined Authority are:

- conferred or imposed upon the Combined Authority by the Order;
- delegated to the Combined Authority by the Order; or
- any enactment (whether passed or made) or a may be delegated to it.

2.30 The functions of the Combined Authority comprise:

- **Mayoral Functions** (exercisable only by the Mayor), and
- **Non-Mayoral Functions** (exercisable by the Combined Authority).

2.31 Mayoral and Non-Mayoral functions are set out in more detail in **Part 3 of the Constitution.**

Delegations

2.32 Mayoral Functions are exercised by the Mayor acting individually, or in accordance with arrangements made by the Mayor – see further **Article 4, Part 2 of the Constitution** (the Mayor).

2.33 Non-Mayoral Functions are exercised by the Combined Authority at a meeting of the Combined Authority or under arrangements agreed by the Combined Authority, as follows:

- by a **committee or sub-committee** of the Combined Authority,
- by an **Officer** with delegated authority,
- by **another local authority**, or
- under **joint arrangements** with one or more other local authorities.

2.34 **Part 3 of the Constitution** sets out the arrangements agreed by the Combined Authority.

Functions Reserved to the Combined Authority

2.35 Non-Mayoral Functions which are reserved to the Combined Authority, (that is, are not delegated), are set out in **Section 2 Part 3 of the Constitution**.

Procedure Rules of the Combined Authority

2.36 The Combined Authority may make standing orders to regulate its proceedings and business and may vary or revoke any such orders.

2.37 The procedure rules of the Combined Authority are set out in Part 4 of the Constitution, and include:

- **Combined Authority Procedure Rules** which set out the procedure for meetings of the Combined Authority
- **Mayoral Procedure Rules**
- **Budget and Policy Rules**
- **Access to Information Rules**
- **Contract Procedure Rules** which set out how the Combined Authority enters into contracts.
- **Overview and Scrutiny Procedure Rules** which sets out the procedure for overview and scrutiny.
- **[Officer Employment Procedure Rules]**

Article 3 – Proceedings of the Combined Authority

Quorum

2.1 Prior to the appointment of the Mayor and before the first Mayor's term of office begin no business is to be transacted at a meeting of the Combined Authority unless the chair or vice chair acting in place of the chair, **and two of the Constituent Council Members appointed by the Constituent Council** are present; ***See further*** (as appointed in ***Article 2 of Part 2*** of this Constitution). ***Article 3, Part 2 of this Constitution.***

2.2 After the Mayor's term of office begins, no business is to be transacted at a meeting of the Combined Authority unless the Mayor, or the Deputy Mayor acting in place of the Mayor, and at least three Constituent Councils Members are present.

Voting

2.3 Any decision of the Combined Authority is to be decided by a simple majority of the Voting Members present and voting on that decision of a meeting of the Combined Authority and, following the beginning of the first Mayor's term of office, such majority is to include the Mayor or the Deputy Mayor (acting in place of the Mayor).

2.4 Each Constituent Council Member (or Substitute Constituent Council Member) has one vote.

2.5 Each Non-Constituent Member (or Substitute Non-Constituent Member) shall be a non-voting member of the Combined Authority unless the Combined Authority passes a resolution that they may be given voting rights.

2.6 Each Associate Member and Substitute Associate Member are to be non-voting members of the Combined Authority.

2.7 No Voting Member is to have a casting vote.

2.8 If a vote is tied on any matter, it is deemed not to have been carried.

2.9 Any decision to veto the Mayor's draft budget (or draft revised budget) for the Combined Authority and approve the Mayor's draft budget incorporating the Combined Authority's recommendations contained in the report to the Mayor under Article 6 of The Combined Authorities (Finance) Order 2017 must be decided by a two thirds majority of the Constituent Council Members , or substitute members acting in their place, of the Combined Authority present and voting on the question at a meeting of the Combined Authority.

2.10 Any question will be decided in accordance with the **voting arrangements** set out in the **Procedure Rules** - ***See further Part 4 of the Constitution***.

General

2.11 The Monitoring Officer will report any change to the membership of the Combined Authority to the next meeting of the Combined Authority.

2.12 The proceedings of the Combined Authority shall not be invalidated by any vacancy among the Combined Authority Members or by any defect in the appointment or qualifications of any Member.

2.13 Each Member and Substitute Member must comply with any applicable Code or Protocol

set out in **Part 5 of the Constitution** including the **Members' Code of Conduct.**

2.14 Subject to Article 3.15 – 3.16 below, no remuneration or allowances are to be payable by the Combined Authority to any Member, other than allowances for travel and subsistence paid in accordance with a scheme approved by the Combined Authority.

2.15 Subject to 3.16 below, the Combined Authority may pay an allowance to:

a) the Mayor, and
b) the Deputy Mayor (provided that the Deputy Mayor is not a leader or elected mayor of a Constituent Council and is not in receipt of an allowance from a Constituent Council for any other role;
c) members appointed to the Overview and Scrutiny Committee and any sub-committee of that committee;
d) members appointed to the Audit and Governance Committee.

2.16 The Combined Authority may only pay an allowance under 3.15 if:

a) the Combined Authority has established an independent remuneration panel pursuant to Article 16 of the Combined Authorities (Overview and Scrutiny Committee, Access to Information and Audit and Governance Committees) Order 2017; and
b) considered a report published by the independent remuneration panel established pursuant to 3.16(a) which contains recommendations for such an allowance; and
c) the allowance paid by the Combined Authority does not exceed the amount specified in any recommendation made by the independent remuneration panel.

2.17 The Combined Authority's Members' Allowances Scheme is set out in Part 6 of the Constitution.

Article 4 - The Mayor

Election of the Mayor

2.1 The Mayor is to be elected by the local government electors for the Combined Area The first election of the Mayor for Cumbria will take place on 6th May 2027.

2.2 Subsequent elections for the return of the Mayor must take place every **fourth year** thereafter on the same day as the ordinary day of election**.**

2.3 Any Mayoral Elections shall be undertaken in accordance with The Combined Authorities (Mayoral Elections) Order 2017.

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Mayor – Term of Office

2.4 The term of office of the Mayor return at an election in year 2027 for the return of the Mayor begins with 10th May 2027 and ends with the third day of the poll at the next election for the return of the Mayor.

2.5 The term of office of the Mayor returned in each subsequent fourth year begins with the **fourth day** after the day of the poll at the election for the return of the Mayor and ends with the **third day** after the day of the poll at the next election for the return of the Mayor .

2.6 Where the purposes of 4.6, the fourth day would otherwise be a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales or a day appointed as a day of public thanksgiving or mourning, the fourth day is instead deemed to be the first day thereafter which is not one of those specified days.

2.7 In the event there is a vacancy in the office of the Mayor before the expiry due to the Mayor's term of office, the provisions set out in The Combined Authorities (Mayors) (Filling of Vacancies) Order 2017 shall apply as appropriate.

General

2.8 The Mayor is the Chair of the Combined Authority.

Deputy Mayor - Appointment and Term of Office

2.9 The Mayor must appoint one of the Combined Authority Members to be the Mayor's deputy (the Deputy Mayor).

2.10 The Mayor must notify the Monitoring Officer of any such appointment in writing. The Monitoring Officer shall report the appointment to the next meeting of the Combined Authority.

2.11 A person appointed as Deputy Mayor holds the office until the end of the Mayor's term of office, unless:

a) the Mayor removes the person from office,
b) the person resigns as Deputy Mayor, or

c) the person ceases to be a Combined Authority Member.

2.12 The Mayor may remove a person from the office of Deputy Mayor at any time, subject to 4.13 below.

2.13 If a vacancy occurs in the office of Deputy Mayor, the Mayor must appoint another Combined Authority Member to be Deputy Mayor.

2.14 The Mayor must give written notice to the Monitoring Officer of any removal.

Incapacity or Vacancy in the Office of the Mayor

2.15 The Deputy Mayor must act in place of the Mayor if for any reason:

a) the Mayor is unable to act, or
b) the office of Mayor is vacant.

2.16 If for any reason:

a) the Mayor is unable to act, or the office of Mayor is vacant, and
b) the Deputy Mayor is unable to act or the office of Deputy Mayor is vacant,

the other Combined Authority Members must act together in place of the Mayor, taking decisions by a simple majority.

Mayoral Functions

2.17 The **Mayoral Functions** of the Combined Authority are functions of the Combined Authority exercisable only by the Mayor.

2.18 The Mayoral Functions set out in 4.19 below are exercisable by the Combined Authority until 10h May 2027_following which the Mayoral Functions shall be exercisable only by the Mayor.

2.19 The Mayoral Functions are:

i. **Section 108** of the Transport Act 2000 (in respect of local transport plans)

ii. **Section 109** of the Transport Act 2000 (further provision about plans: England), and

iii. **Section 112** of the Transport Act 2000(plans and strategies: supplementary);

iv. **Section 31** of the Local Government Act 2003 (Payment of Grant)**.**

2.20 In relation to the local transport functions, being the functions referred to in 4.19 i – iii above, these functions are exercisable by the Combined Authority concurrently with the Constituent Councils during the Transition Period. Following the end of the Transition Period these functions are exercisable by the Combined Authority instead of Constituent Councils and following the election the Mayor are exercisable only by the Mayor.

2.21 For the purpose of exercising general functions referred to in 4.19 the Members and Officers of the Combined Authority may assist the Mayor in the exercise of its functions.

2.22 For the purposes of the exercise of the functions mentioned in 4.19, the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (general power of combined authority)

2.23 Mayoral Functions comprise the **Mayoral Functions**, see further Part 3 of the Constitution (responsibility for functions).

Mayoral Functions - Mayor's Arrangements and Political Advisor

2.24 **Mayoral Functions** of the Combined Authority are exercised by the Mayor acting individually, or in accordance with arrangements made by the Mayor.

2.25 The Mayor may appoint one person as their Political Advisor, such person shall be an employee of the Combined Authority.

2.26 No appointment under 4.25 may extend beyond:

i. the term of Office for which the Mayor who made the appointment was elected;

ii. where the Mayor who made the appointment ceases to be the Mayor before the end of the term of office for which the mayor was elected, the date on which the Mayor ceases to hold that office.

2.27 A person appointed under 2.25 shall be regarded as holding a politically restricted post under a local authority pursuant to Part 1 of the Local Government and Housing Act 1989 act.

2.28 Section 9(1), (8), (9) and (11) of the Local Government and Housing Act 1989 Act applies in relation to an appointment of the Political Advisor as if:

i. any appointment to that post were the appointment of a person in pursuance of that section;

ii. the Combined Authority were a relevant authority for the purposes of that section; and

iii. Subsection (3) of section 9 of the 1989 Act applies in relation to an appointment under paragraph (1) as if the words from "and that the appointment terminates" to the end of that subsection were omitted.

Mayoral Functions Delegations

2.29 With the exception of any function reserved by law to the Mayor, the Mayor may arrange for any of the following to exercise any Mayoral Function:

- the Deputy Mayor,
- another Constituent Council Member, or
- an Officer.

2.30 The Mayor may enter arrangements jointly with the Combined Authority, the Constituent Councils and other councils for the discharge of the Mayoral Functions.

2.31 Part 3 of the Constitution sets out the arrangements made by the Mayor in relation to Mayoral Functions.

2.32 The Mayor may make or amend the Mayor's arrangements for Mayoral Functions at any time in consultation with the Monitoring Officer. The Mayor must notify the Monitoring Officer of any arrangements or amendment in writing. The Monitoring Officer shall report any amendment to the next meeting of the Combined Authority.

2.33 The Mayor is **not** authorised by law to delegate a **Mayoral Function** to a committee. Nor can the Combined Authority arrange for a committee or subcommittee to exercise a Mayoral Function

Mayoral Decision-Making

2.34 The Mayor must comply with the **Mayoral Procedure Rules** in Part 4 of this Constitution and make decisions in accordance with the principles of decision-making set out in **Article 10 (Decision-making).**

Working Groups

2.35 The Mayor may appoint a working group to inform the development of strategic and policy matters which relate to any Mayoral Function. The Mayor cannot delegate authority to any working group to act on behalf of the Mayor nor on behalf of the Combined Authority.

2.36 The Mayor must provide details of the membership, purpose and terms of reference of any working group set up by the Mayor to the Monitoring Officer.

Conduct

2.37 The Mayor must comply with any applicable Code or Protocol set out in Part 5 of the Constitution, including the **Members' Code of Conduct**.

Remuneration

2.38 Any allowance payable to the Mayor shall not exceed a sum determined by the independent remuneration panel. The Mayor's allowance s set out in the Members Allowance Scheme in Part 6 of the Constitution.

Budget and Finance

2.39 The Mayor must comply with Part 4 of this Constitution including **Budget and Policy Rules, Contracts Procedure Rules and Financial Regulations** - See further also **Article 10 (Finance, Contracts and Legal matters)**.

Article 5 - Citizens and the Combined Authority

Voting

4.1 Local government electors for the Combined Area have the right to vote directly for the Mayor.

Information

4.2 The **Access to Information Rules** in Part 4 of the Constitution set out the public's rights;

4.2.1 to information held by the Combined Authority, including in relation to meetings of the Combined Authority and its committees and sub-committees, (subject to exceptions including in relation to confidential or information information), rights:

- to attend meetings,
- to inspect agendas of and reports to meetings and background documents,
- to access documents after a meeting including minutes, and
- to report on and record a meeting.

4.2.2 to inspect and to find out about:

- any key decision to be made by the Combined Authority, the Mayor, or an officer of the Combined Authority, and
- any request to be made a Constituent Council for a Statutory Consent to exercise a concurrent function or in respect of a decision of the Mayor which gives rise to a financial liability,

4.2.3 to inspect written records of decisions made by the Mayor and others authorised to make decisions under arrangements agreed by the Mayor,

4.2.4 to inspect written records of decisions made by officers,

4.2.5 to access information generally held by the Combined Authority, and

4.2.6 to inspect a list of Combined Authority Members.

4.3 Citizens also have the right to inspect and make copies of the Combined Authority's accounting records and related records, and local government electors for the Combined Authority's Area may question or make objections to the Local Auditor – see further Article 6 (Audit and Ethical Arrangements).

Consultation

4.4 The Combined Authority must consult with citizens in accordance with any statutory requirement to do so.

Complaints

4.5 Citizens have the right to complain to the Combined Authority under its complaints scheme, or the Local Government and Social Care Ombudsman (after using the Combined Authority's complaints scheme).

4.6 Citizens may submit any complaint about the conduct of a Combined Authority Member to the Combined Authority's Monitoring Officer in writing, in accordance with the Procedure for considering complaints alleging a failure to comply with the Members' Code of Conduct in Part 5 of this Constitution. This includes complaints about the conduct of the Mayor.

Citizen's Responsibilities

4.7 Citizens must not be violent, abusive or threatening to Members or Officers, and must not willfully harm the property of the Combined Authority, any Member or Officer.

Article 6 - Audit and Ethical Arrangements

Audit and Governance Committee Arrangements

5.1 The Combined Authority must appoint an audit committee.

5.2 The functions of an audit committee include:

5.2.1 reviewing and scrutinising the Combined Authority's financial affairs,
5.2.2 reviewing and assessing the Combined Authority's risk management, internal control and corporate governance arrangements,
5.2.3 reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions,
5.2.4 reviewing and approving the Combined Authority's statutory annual financial statements, and
5.2.5 making reports and recommendations to the Combined Authority in relation to any reviews it conducts.

5.3 The functions of the Combined Authority's Audit and Governance committee are set out in the committee's terms of reference in **Part 3 of the Constitution**.

5.4 The Combined Authority must ensure that the members of the Audit and Governance committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the Constituent Councils when taken together.

5.5 The Audit and Governance committee may not include any officer of the Combined Authority or of a Constituent Council.

5.6 The Combined Authority must appoint at least one independent person to the Audit and Governance committee.

5.7 The quorum for an audit and governance committee must be no fewer than two thirds of the members of the committee.

Internal Audit

5.8 The Combined Authority has a duty to undertake an effective internal audit to evaluate the effectiveness of its risk management, control, and governance processes, taking into account public sector internal auditing standards or guidance.

External Audit

5.9 The Combined Authority must appoint an external Auditor to audit its accounts for a financial year not later than 31 December in the preceding financial year.

5.10 The Local Auditor may issue an advisory notice to the Combined Authority if they consider that the Combined Authority or an officer has undertaken or is about to undertake unlawful action that has financial implications.

Audit of Accounts

5.11 The Combined Authority must prepare a **statement of accounts** in respect of each financial year – ***See further Article 10 (Finance, Contracts and Legal matters).*** The Combined Authority's accounts for a financial year must be audited by a Local Auditor.

5.12 The statement of accounts for the Combined Authority's account for financial year beginning on 1st April 2025 is not required.

5.13 The statement of accounts for the Combined Authority's account for financial year beginning on 1st April 2026 is required and the Combined Authority shall prepare a statement of accounts for that year in respect of the period beginning with the day on which the date of the Order comes into force (being 24th February 2026) and ending with 31st March 2027. ***See further Article 10 (Finance, Contracts and Legal matters).***

5.14 A Local Auditor carrying out an audit of accounts may apply to the Court for a declaration that the item of account is unlawful.

5.15 At each audit of accounts, any person interested may inspect and make copies of the Combined Authority's accounting records and related records, subject to exceptions in relation to commercial confidentiality and personal information.

5.16 Any local government elector or their representative has an opportunity to question the Local Auditor, may make an objection to the Local Auditor or appeal to the Court against any decision by the Local Auditor not to consider the objection or apply to Court for a declaration that an item is of account is unlawful.

Ethical Arrangements - Member Standards and Conduct

5.17 The Combined Authority must promote and maintain high standards of conduct by Member.

5.18 The Combined Authority must adopt a Code which sets out the conduct expected of Members. The Combined Authority may also adopt other Codes of Practice or Protocols to promote and maintain high standards of conduct.

5.19 The Code must when viewed as a whole, be consistent with the following principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The Code must include provision in respect of registering and disclosing interests - **See further the Members' Code of Conduct in Part 5.**

Ethical Arrangements - Officer Standards and Conduct

5.20 An Officer must comply with the applicable **Officer Code of Conduct**, and any applicable protocol or policy relating to ethical standards – **See further Part 5 of the Constitution for the Officer Code of Conduct.**

Ethical Arrangements - Role of the Monitoring Officer

5.21 The Monitoring Officer maintains a register of interests of Combined Authority Members and of the Combined Authority and secures that the register is:

- published on the Combined Authority's website; and
- available for inspection in the Combined Authority Area at reasonable hours

5.22 The Monitoring Officer also has a role in relation to allegations submitted relating to the breach of the Code of Conduct by a Member.

5.23 The Monitoring Officer shall keep a record of interests disclosed to them by an officer in accordance with any Officer Code of Conduct in Part 5 of the Constitution and make the record available for inspection by a Combined Authority Member at reasonable hours.

Article 7 - Joint arrangements and Partnership working

Joint arrangements - Mayoral Functions

6.1 The Mayor may enter into arrangements jointly with the Combined Authority, the Constituent Councils and other local authorities in accordance with Section 101(5) of the Local Government Act 1972 for the discharge of the general functions of the Combined Authority which are exercisable only by the Mayor being the Mayoral Functions.

Joint arrangements - Non-Mayoral Functions

6.2 Subject to Article 7.3, the Combined Authority has power pursuant to Section 101(5) of the Local Government Act 1972 to make arrangements with other local authorities to discharge their non-mayoral functions jointly.

6.3 A Combined Authority may not arrange for the discharge of any functions if, or to the extent that, the function is a Mayoral Function of the Mayor.

6.4 Such arrangements may involve the discharge of those functions by a joint committee of such authorities or by an officer of one of them.

6.5 Arrangements made by the Combined Authority for exercising Non-Mayoral Functions may include joint arrangements with one or more other local authorities - **See Article 2 of this Constitution**.

Article 8 - Officers

Statutory Officers

7.1 The Combined Authority is required to appoint or designate the following statutory officers:

- Head of Paid Service,
- Monitoring Office, and
- Section 73 Chief Finance Officer,

7.2 By law, some functions of the Monitoring Officer and Section 73 Chief Finance Officer (apart from the administration of the financial affairs of the Combined Authority) must be carried out personally or carried out by a deputy nominated by them in cases of absence or illness.

[TABLE TO FOLLOW]

Head of Paid Service - Statutory Functions

7.3 The Head of Paid Service must prepare a report, as appropriate to the Combined Authority setting out their proposals in relation to:

7.3.1 the manner in which the discharge by the Combined Authority of its different functions is co-ordinated, the number and grades of staff required by the Combined Authority for discharging its functions,

7.3.2 the organisation of the Combined Authority's staff, and

7.3.3 the appointment and proper management of the Combined Authority's staff.

The Combined Authority must consider any such report at a meeting within three months of the report first being sent to the Combined Authority Members.

7.4 The Head of Paid Service must consider any application for exemption from political restriction in respect of any post in the Combined Authority by the holder for the time being of that post and may give directions to the Combined Authority to include a post in the list of politically restricted posts.

Monitoring Officer - Statutory Functions

7.5 If it appears to the Monitoring Officer that any proposal, decision or omission by the Combined Authority would give rise to unlawfulness or to maladministration, the Monitoring Officer must send a report to each Combined Authority Member (after consulting so far as practicable with the Head of Paid Service and Section 73 Chief Finance Officer). The Combined Authority must consider any such report at a meeting not more than 21 days after copies of the report are first sent to the Members. The Combined Authority must ensure that the implementation of the proposal or decision must be suspended until the report has been considered.

Section 73 Chief Finance Officer - Statutory Functions

7.6 The Section 73 Chief Finance Officer is responsible for the administration of the financial affairs of the Combined Authority, in accordance with Section 73 of the Local Government Act 1985.

7.7 After consulting so far as practicable with the Head of Paid Service and the Monitoring Officer, the Section 73 Chief Finance Officer must prepare a report if it appears to the Section 73 Chief Finance Officer that the Combined Authority:

7.7.1 has made or is about to make a decision which involves or will involve incurring unlawful expenditure, or

7.7.2 has taken or is about to take a course of action which would be unlawful or is likely to cause a loss or deficiency, or

7.7.3 is about to enter an item of account unlawfully.

7.8 The Section 73 Chief Finance Officer must also make such a report if it appears that the expenditure of the Combined Authority incurred in a financial year is likely to exceed the resources available to the Combined Authority.

7.9 The Section 73 Chief Finance Officer must send a copy of any such report to auditors and to each Member. The Combined Authority must consider the report at a meeting not later than 21 days after the report has been sent to Combined Authority Members and decide whether to agree or disagree with the views contained in it, and what action it proposes to take. The auditors must be notified of the meeting and as soon as practicable, any decision taken at the meeting.

7.10 There are restrictions on the actions which may be taken during the period beginning when the report is sent and ending after the Combined Authority has considered the report.

Statutory Scrutiny Officer

7.11 The Combined Authority is required to designate an officer as its Statutory Scrutiny Officer whose responsibilities and functions are set out in the **Overview**

and Scrutiny Procedure Rules.

7.12 The Statutory Scrutiny Officer may not be an officer of a Constituent Council.

Data Protection Officer

7.13 The Combined Authority is required to designate an officer as its Data Protection Officer in accordance with the UK's General Data Protection Regulation (GDPR) who is responsible for:

7.13.1 informing and advising the Combined Authority and its employees about their obligations to comply with the General Data Protection Regulations (GDPR) and other data protection laws,

7.13.2 monitoring compliance with the GDPR and other data protection laws, including:

a) managing internal data protection activities,
b) advising on data protection impact assessments,
c) training staff, and
d) conducting internal audits in relation to data.

7.13.3 being the first point of contact for supervisory authorities and for individuals whose data is processed.

Proper Officers

7.14 The Combined Authority appoints Proper Officers to discharge specific functions.

7.15 The Proper Officers for the Combined Authority are set out in the Officer Delegation Scheme in Section 4 of Part 3 (Responsibility for Functions) of the Constitution.

Head of Internal Audit

7.16 The Combined Authority must appoint a Head of Internal Audit in order to comply with its internal audit obligations contained in the Accounts and Audit Regulations 2015.

Duty to Provide Sufficient Resources

7.17 The Combined Authority provides the Head of Paid Service, Monitoring Officer, Section 73 Chief Finance Officer and Data Protection Officer with such officers, accommodation and other resources as are in the opinion of the officer sufficient to allow their duties to be performed.

Political Restrictions

7.18 The following are regarded as holding politically restricted posts under the Combined Authority:

7.18.1 specified senior officers, and

7.18.2 the Mayor's Political Adviser.

7.19 The Combined Authority also maintains a list of other posts which are politically restricted.

7.20 Requirements for restricting political activities apply to these postholders. However, there are variations in the extent of restrictions applied pursuant to the Local Government and Housing Act 1989 and Local Government Officers (Political Restrictions) Regulations 1990.

Delegation to Officers

7.21 **Non-Mayoral Functions** may be exercised by an Officer with delegated authority - see further Article 2 (the Combined Authority) and the **Scheme of Delegation to Officers in Part 3 of the Constitution.**

7.22 **Mayoral Functions** may be exercised by an officer in accordance with arrangements made by the Mayor - see further Articles 3 (the Mayor) and the **Officer Scheme of Delegation in Part 3 of the Constitution.**

7.23 Officers must comply with Article 9 (Decision-making) and the and the **Officer Scheme of Delegation in Part 3 of the Constitution** when exercising authority delegated to them.

Conduct

7.24 An officer must comply with any applicable **Officer Code of Conduct** and protocol or policy relating to ethical standards - see further Part 5 of the Constitution.

Employment

7.25 A Member is disqualified from being appointed as an Officer.

Appointment: Canvassing of and Recommendations by Members

7.26 Any candidate who canvasses any Member (directly or indirectly) for any appointment under the control of the Combined Authority will be disqualified from appointment.

7.27 A Member shall not solicit any person for any appointment under the control of the Combined Authority, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience or character for the candidate to submit to the Combined Authority with an application for employment.

Appointment: Relatives of Members or Officers

7.28 A candidate for any appointment under the control of the Combined Authority who is related to any Officer or Member shall, when making application, disclose that

relationship to the Head of Paid Service. A candidate who fails to disclose such relationship will be:

7.28.1 disqualified from appointment, or
7.28.2 if appointed, liable to dismissal without notice.

7.29 A Combined Authority Member or officer shall disclose to the Head of Paid Service any relationship known to exist between the Combined Authority Member or officer and any person who is a candidate for appointment with the Combined Authority. The Head of Paid Service shall report any such disclosure to the Combined Authority.

7.30 No candidate so related to a Combined Authority Member or officer will be appointed without the approval of the relevant officer with delegated authority identified for those purposes in the **Scheme of Delegation to Officers in Part 3 of the Constitution.**

Article 9 - Decision Making

Principles of Decision Making

8.1 All decisions of the Combined Authority, including those made by or on behalf of the Mayor, or by a Committee or an Officer, should be made in accordance with the following principles:

- proportionality (that is the action must be proportionate to the desired outcome),
- due consultation and the taking of professional advice from officers,
- having regard to relevant and material considerations and disregarding irrelevant considerations,
- guarding against any form of predetermination in any decision-making process,
- consideration of any alternative options,
- respect for human rights,
- a presumption in favour of openness and transparency,
- clarity of aims and desired outcomes,
- the giving of reasons for the decision and the proper recording of those reasons.

8.2 All decision-makers are expected to make decisions in accordance with this Article and subject to:

8.2.1 statute or other legal requirements, including the principles of public law, statutory guidance and statutory codes of practice,
8.2.2 the Human Rights Act 1998 and the Equality Act 2010, including the Public Sector Equality Duty,
8.2.3 this Constitution, including the procedure rules in Part 4 of the Constitution,
8.2.4 the revenue and capital budgets of the Combined Authority, subject to any variation permitted by the Combined Authority's Financial Regulations in Part 4 of the Constitution, and
8.2.5 any policy or direction of the Combined Authority, or any Committee sub-committee or joint committee acting in exercise of functions delegated to it by the Combined Authority.

Decision Making for "key decisions"

Where a decision is a "key decision" pursuant to Rule 12.1 of the Constitution then the provisions of Part 4, Section 4.2 shall apply.

Responsibility for Decision Making

8.3 Decisions reserved to the Combined Authority

Decisions relating to the functions listed in Part 3 of this Constitution will be made by the Combined Authority and not delegated. The Combined Authority meeting will follow the Procedure Rules set out in **Part 4** of this Constitution when considering any matter.

8.4 Decisions reserved to the Mayor

Decisions relating to the Mayor's general functions listed in **Part 3** of this Constitution specified as being reserved to the Mayor will be made by the Mayor and not delegated, apart from those functions that can be delegated to a Deputy Mayor or Officer at the decision of the Mayor.

8.5 Decision making by Committees and Joint Committees established by the Combined Authority

Committees and Joint Committees established by the Combined Authority will follow those parts of the Procedure Rules set out in **Part 4** of this Constitution as apply to them.

8.6 Decision making by Officers

Officers will exercise their delegated authority in accordance with the Scheme of Delegation to Officers set out in **Part 3** of this Constitution and other provisions of this Constitution.

Recording Decisions

8.7 Any decision taken at a meeting of the Combined Authority or one of its committees or sub-committees will be recorded in the minutes of the meeting. Any other decision will be recorded in accordance with Access to Information Rules set out in **Part 4 Section 4.2 of** this Constitution.

Article 10 - Finance, Contracts and Legal Matters

Grants

9.1 A minister of the Crown may pay a grant to a local authority in England towards expenditures incurred and to be incurred by it. Such power to pay grant are the functions of the Combined Authority that are exercisable in relation the Combined Area.

9.2 The functions set out in 9.1 above are exercisable by the Combined Authority concurrently with a minster of the Crown.

9.3 The Combined Authority determines an amount of grant to be paid towards expenditure or to be incurred by a Constituent Council in relation to the exercise of that Constituent Council's functions.

9.4 In determining the amounts referred to in 10.3 above, the Combined Authority must have regard to the desirability of ensuring that the Constituent Council has sufficient funds to facilitate the effective discharge its functions in 10.1.

9.5 The Combined authority must take into account any other source of funding available to the Constituent Council for expenditure incurred or to be incurred in relation to the exercise of its highway functions. Highway functions shall mean functions exercisable by the Constituent Council (in whatever capacity) in relation to the highways for which it is the highways authority.

9.6 Following the first election of the Mayor (in accordance with the provisions of Article 3 and Part 2 of this Constitution) the functions of the Combined Authority to pay grant as set out in 10.1 shall be deemed as Mayoral Functions (as set out in Article 4, Part 2 of this Constitution) exercisable only by the Mayor.

Requirement to Meet Costs

9.7 The Constituent Councils must ensure that the costs of the Combined Authority reasonably attributable to the exercise of its functions are met.

9.8 The Constituent Councils must meet the costs of the expenditure reasonably incurred by the Mayor in or in connection with the Mayoral Functions, to the extent that the Mayor has decided to not to meet these costs from other resources, subject to the agreement of the Combined Authority in advance.

9.9 Any amount payable by each of the Constituent Councils to ensure that the costs of the Combined Authority referred to in 10.7 and 10.8 are met is to be determined by apportioning such costs between the Constituent Councils in such proportion as they may agree, or, in default of such agreement, in accordance with the proportion of the total resident population of the Combined Authority which resides in the area of each Constituent Council at the relevant date as estimated by the Statistic Board.

Approval of the Combined Authority's Budget

9.10 The Combined Authority's Budget shall be considered and approved in accordance with the **Budget and Policy Rules** in Part 4 of the Constitution.

Financial Administration

9.11 The Combined Authority must make arrangements for the proper administration of its financial affairs and shall secure that one of its officers has responsibility for the administration of those affairs (See also Article 8 (Officers).)

9.12 Financial administration must be carried out in accordance with the **Financial Regulations** in Part 4 of the Constitution.

9.13 The Combined Authority must keep adequate **accounting records**, follow any regulations about accounting practices and have regard to any guidance about accounting practices to be followed, in particular in relation to keeping a revenue account.

9.14 The Combined Authority must prepare a **statement of accounts** in respect of each financial year.

9.15 **Funds** must be maintained for certain transactions, to facilitate audit and the control of expenditure, as follows:

9.15.1 The Combined Authority must keep a **Combined Authority general fund**, in relation to receipts arising and liabilities incurred.

9.15.2 The Mayor must maintain the **Mayor's general fund** in relation to receipts arising and liabilities incurred in the exercise of Mayoral Functions, and keep account of payments made in and out of the Mayor's general fund.

Investments

9.16 The Combined Authority has the power to invest for any purpose relevant to its functions, or for the prudent management of its financial affairs - see further the **Financial Regulations in Part 4 of the Constitution**.

Contracts

9.17 Contracts must be entered into in accordance with the **Contract Procedure Rules** in Part 4 of the Constitution.

9.18 Any contracts entered into by the Mayor in the exercise of Mayoral Functions are entered into by the Mayor on behalf of the Combined Authority, and any property rights and liabilities in relation to those contracts vest in the Combined Authority.

Legal Proceedings

9.19 The Monitoring Officer is authorised to institute, settle, defend, or participate

in any legal proceedings in any case where such action is necessary to give effect to decisions of the Combined Authority or in any case where the Monitoring Officer considers that such action is necessary to protect the Combined Authority interests.

Authentication of Documents

9.20 Where any document is necessary to any legal procedure or proceedings on behalf of the Combined Authority, it will be signed by the Monitoring Officer or some other person duly authorised by the Combined Authority or the Monitoring Officer, unless any enactment otherwise authorises or requires.

9.21 Any contract with a value exceeding £50,000 entered into by the Combined Authority shall be made in writing. Such contracts must be signed by a duly authorised officer of the Combined Authority or made under the Common Seal of the Combined Authority attested by an authorised officer. Any contract which in the opinion of the Monitoring Officer should be sealed must be made under the Common Seal of the Combined Authority attested by an authorised officer.

Common Seal of the Combined Authority

9.22 The Common Seal of the Combined Authority will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Combined Authority, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer, or some other person authorised by the Monitoring Officer.

9.23 The Common Seal will be the authorised method used for the purpose s of entering the Combined Authority into any agreement which is to be executed by Deed.

PART 3

Responsibilities for Functions

Part 3

Introduction to Part 3 – Responsibilities for Functions

Part 3 sets out the responsibility for the functions of the Combined Authority and functions of the Mayor.

Section 1.1

1. Combined Authority Functions

1.1 Non-Mayoral Functions are functions of the Combined Authority which are not exercisable by the Mayor. **Part 3 - Section 1.2** sets out an overview of the Non-Mayoral Functions, including those conferred by the Order.

1.2 Non-Mayoral Functions are exercised by the Combined Authority at a meeting of the Combined Authority or in accordance with arrangements agreed by the Combined Authority.

1.3 The Combined Authority may make arrangements for any Non-Mayoral Function, except those reserved to the Combined Authority to be exercised:

- by a committee or sub-committee of the Combined Authority,
- by an officer of the Combined Authority,
- by another local authority, or
- under joint arrangements with one or more other local authorities.

1.4 **Part 3 – Section 2** sets out the Non-Mayoral Functions which have been reserved to the Combined Authority and must be taken at a meeting of the Combined Authority.

1.5 **Part 3 - Section 3** sets out the Terms of Reference for the Overview and Scrutiny Committee and the Audit and Governance Committee.

1.6 **Part 3 - Section 5** sets out the Non-Mayoral Functions which are to be exercised by another local authority or under joint arrangements with one or more other local authorities.

1.7 **Part 3 - Section 6** sets out the Non-Mayoral Functions which have been delegated to Officers .

1.8 Where a Non-Mayoral Function has been delegated under the above arrangements, this does not prevent the Combined Authority exercising the function.

2. Mayoral Functions

2.1 Mayoral Functions are functions of the Combined Authority exercisable only by the Mayor. **Part 3 - Section 1.3** sets out an overview of the Mayoral Functions, including those conferred by the Order.

2.2 Mayoral Functions are exercised by the Mayor acting individually, or in accordance with arrangements made by the Mayor.

2.3 The Mayor may arrange for any of the following to exercise any Mayoral Function, except those reserved by law to the Mayor:

- the Deputy Mayor,
- another Combined Authority Member who is from Constituent Council, or
- an Officer.

2.4 The Mayor may enter into arrangements jointly with the Combined Authority, the Constituent Councils and other Councils in accordance with section 101(5) of the Local Government Act 1972 for the discharge of the Mayoral Functions.

2.5 The Mayoral Functions which have been delegated to the Deputy Mayor or another Member of the Combined Authority will be set out in the Constitution once they have been made.

2.6 **Part 3 - Section 6** sets out the Mayoral Functions which have been delegated to Officers.

2.7 Where a Mayoral Function has been delegated under arrangements, this does not prevent the Mayor exercising the function.

2.8 The Mayor may amend their arrangements at any time.

Section 1.2 - Combined Authority Functions

Combined Authority Functions conferred by the 2026 Order.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant Member(s) to Consent	Voting
Functions of the Constituent Council as local transport authorities as specified in the following sections of the Transport Act 2000: • Section 108 (local transport plans) • Section 109 (further provisions about plans: England) • Section 112 (plans and strategies: supplemental)	Sections 108, 109 and 112 of the Transport Act 2000	Article 8	Yes but only during the Transition Period.	• Before the term of office of the first Mayor - of the Term Chair (or Vice-Chair) and two Constituent Council Members. • Following commencement of the first Mayor's term, the Mayor and at least three Constituent Council Members.	Simple Majority
The functions specified in Section 31 (power to pay grant).	Section 31 the Local Government Act 2003	Article 9	Exercisable concurrently with the Minster of the Crown	As above.	Simple Majority
The functions of the Constituent Councils as are exercisable for the purpose of economic development and regeneration in reliance of the general power of competence.	Section 1 of the Localism Act 2011	Article 14(4)	Yes	As above.	Simple Majority
The functions relating to the power to arrange for publication of information etc relating to the functions of the Combined Authority	Section 142(2) of the Local Government Act 1972.	Article 15 (a)		As above.	Simple Majority
The functions relating to power to prosecute and defend legal proceedings	Section 222 of the Local Government Act 1972.	Article 15 (b)		As above.	Simple Majority

Section 1.3 Mayoral Functions

Mayoral Functions conferred by the 2026 Order.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant Member(s) to Consent	Voting
Functions of the Constituent Council as local transport authorities as specified in the following sections of the Transport Act 2000: • Section 108 (local transport plans) • Section 109 (further provisions about plans: England) • Section 112 (plans and strategies: supplemental)	Sections 108, 109 and 112 of the Transport Act 2000	Article 8	Mayoral Function from 10 May 2027. Members may offer assistance to the Mayor in respect of the exercise the Mayoral Functions (Article 11 of the 2026 Order)	Following commencement of the first Mayor's term, the Mayor and at least three Constituent Council Members.	Simple Majority
The functions specified in Section 31 (power to pay grant).	Section 31 the Local Government Act 2003	Article 9	Exercisable concurrently with the Minster of the Crown	As above.	Simple Majority
The power for the Mayor to enter into arrangements jointly with the Combined Authority, the Constituent Councils and other local authorities for the discharge of general functions of the Combined Authority which are exercisable by only the Mayor.	Section 101(5) of the Local Government Act 1972	Article 12	Yes – Exercisable concurrently with the Constituent Councils	As above.	Simple Majority
The power of the Mayor to appoint a political advisor.		Article 7	No- Mayor to appoint	Mayor to appoint	Mayor to appoint
The Mayor may do anything hat the Combined Authority may do under Section 113A of the 2009 Act in exercising the Mayoral Functions	Section 113A of the 2009 Act	Article 15(5)			

Section 2

Combined Authority Non-Mayoral Functions reserved functions (Terms of Reference)

1.1 Key Functions of the Combined Authority

1.1.1 The Combined Authority has collective responsibility for decision- making, acting in the best interests of the Combined Area.

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

(a) To set, review, keep up to date and revise the long-term vision of the Combined Authority
(b) To agree, review, keep up to date and revise the strategic objectives for the Combined Authority
(c) To agree key strategy and policy for the Combined Authority
(d) To adopt, amend or withdraw any major strategy or policy
(e) To ensure the Combined Authority undertakes statutory and appropriate communication and consultation in the setting of the budget and policy framework
(f) To drive future devolution and lobbying of Government
(g) To agree prioritisation and re-purposing of funds
(h) To approve projects and programmes
(i) To consider and agree employment and human resources policy
(j) To exercise General powers of the Combined Authority subject to the Scheme of Delegation
(k) Consenting to the making of Regulations under the Local Democracy, Economic Regeneration and Construction Act 2009
(l) Agreeing to change the name of the Combined Authority
(m) Agreeing that the Mayor for the area of the Combined Authority is to be known by the title of mayor or approving an alternative title
(n) Consenting to proposals for changing existing arrangements relating to the Combined Authority
(o) All other matters which, by law, must be reserved to Combined Authority

1.1.3 Functions reserved to the Combined Authority

The following functions are reserved to the Combined Authority:

Strategy and Policy

1.1.4 The adoption of, and any amendment to or withdrawal of any major strategy or policy of the Combined Authority.

Frameworks

1.1.5 The adoption of, and any amendment to or withdrawal of the following framework documents:

(a) Assurance Framework;
(b) Monitoring & Evaluation Framework;
(c) Performance Management Framework;

(d) Risk Management Framework

Financial Matters

1.1.6 Approving the Combined Authority Budget in respect of Non-Mayoral Functions.

1.1.7 In relation to the Mayor's General Budget:

- approving the draft budget (or revised draft budget), or
- the decision to veto the draft budget (or revised draft budget) and approve the Mayor's draft budget incorporating the Combined Authority 's recommendations as to the relevant amounts and calculations

1.1.8 The issuing of the Mayoral Combined Authority precept pursuant to section 40 of the Local Government Finance Act 1992.

1.1.9 Approving the capital programme of the Combined Authority and approving new transport schemes

1.1.10 The preparation of a local economic assessment under section 69 of the Local Democracy, Economic Development and Construction Act 2009

People

1.1.11 Approving the appointment of the Head of Paid Service, Monitoring Officer, Section 73 Chief Finance Officer.

1.1.12 Approving the appointment of the Returning Officer and making any decisions relating to the mayoral election

1.1.13 Making decisions in relation to the establishment and remuneration of posts whose remuneration is, or is proposed to be, £100,000 and above (or pro rata thereto)

1.1.14 Making decisions in relation to settlements and severance packages on termination of appointment in excess of £100,000

1.1.15 The determination of collective terms and conditions of staff.

Governance

1.1.16 Decisions related to:

(a) Adoption and amendment of the Constitution (other than changes delegated to the Monitoring Officer) in line with the provisions of section 14 of the 2023 Act;
(b) Establishment and membership of Committees and Sub-Committees;
(c) Establishment and membership of Joint Committees ;
(d) Approve the nomination of lead member responsibilities and membership and chairs of committees and sub-committees upon recommendation from the Mayor (Chair and Vice Chair prior to the election of the Mayor);
(e) Approval of Mayoral allowance and any other allowance schemes;
(f) Appointment of an Independent Person of the Audit and Governance Committee;
(g) Appointment of Statutory Officers;
(h) Delegation of functions to third parties;
(i) Establishment of trading companies;

(j) Any other matters reserved to the Combined Authority.

1.1.17 The Combined Authority shall exercise the general power of competence in relation to any of its functions after having due regard to the advice of the Monitoring Officer and S73 Officer.

1.2 Voting

1.2.1 Voting arrangements are set out in the Procedure Rules in **Part 4** of the constitution.

1.3 Membership

1.3.1 The Combined Authority membership consists of the following:

(a) The Mayor
(b) Two elected member appointments by each Constituent Authority
(c) Up to a maximum of four Non-Constituent and Associate Members

1.3.2 Further details regarding membership are set out in **Article 1** of the Constitution.

1.4 Designation of a Nominating Body

1.4.1 The Combined Authority can:

- Agree the designation of a nominating body or the removal of such a designation
- Agree the number of nominating bodies that may be designated by the Combined Authority
- Agree the number of non-constituent members that may be appointed by a nominating body of the Combined Authority
- Agree the process for the appointment, disqualification, resignation or removal of a non-constituent member or substitute member
- Approve the appointment or removal of non-constituent members and substitute members
- Agree the process for the appointment, disqualification, resignation or removal of an associate member or substitute member
- Approve the appointment or removal of associate members or substitute members.

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

1.5 Executive Bodies and Joint Committees

1.5.1 The Mayor may enter into arrangements jointly with the Combined Authority, the Constituent Councils and other local authorities in accordance with Section 101(5) of the Local Government Act 1972 for the discharge of general functions of the Combined Authority which are exercisable only by the Mayor (the Mayoral Functions).

1.5.2 The Combined Authority has the power to delegate its functions, which are not reserved to it, to Committees, sub-committees, Officers, Joint Committees or other local authorities. The Combined Authority cannot delegate its functions to individual Members.

1.6 Commissions and Working Groups

1.6.1 The Combined Authority may establish Commissions. These bodies will be non-decision making and will be convened to develop proposals for a thematic approach and/or strategy as defined by the Combined Authority .

1.6.2 The Combined Authority will determine the purpose, terms of reference, membership and budget for Commissions.

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

1.7 Quorum

1.7.1 The Quorum details are set out in the Combined Authority Procedure Rules set out in **Part 4** of the Constitution.

Section 3

Terms of Reference of other Committees

The Terms of Reference for the following bodies and Committees are set out in this section:

Statutory Committees

Section 3.1 Audit and Governance Committee

Section 3.2 Overview and Scrutiny Committee

Section 3.1

Terms of Reference of the Overview and Scrutiny Committee

1. Purpose of the Overview and Scrutiny Committee

1.1. The Combined Authority must appoint one or more Overview and Scrutiny Committees.

1.2. An Overview and Scrutiny committee may appoint one or more sub- committees to carry out any of its functions.

1.3. The functions of the Overview and Scrutiny Committee are:

- To review or scrutinise any decision made or other action taken by the Combined Authority in connection with exercising any Non-Mayoral Function,
- To make reports or recommendations to the Combined Authority with respect to exercising any Non-Mayoral Function,
- To review or scrutinise decisions made or other action taken by the Mayor in connection with exercising any Mayoral General Function,
- To make reports or recommendations to the Mayor with respect to exercising any Mayoral General Function, and
- To make reports or recommendation to the Combined Authority or the Mayor on matters that affect the Combined Authority's Area or its inhabitants.

2. Composition

2.1. The Combined Authority shall appoint six (6) elected Members of each Constituent Council to each overview and scrutiny committee.

2.2. The majority of members of any Overview and Scrutiny Committee or sub- committee must be elected members of the Constituent Councils.

2.3. The number of members of each of the Constituent Councils appointed to any overview and scrutiny committee must be such that the members of the committee taken as a whole reflect, so far as reasonably practicable, the balance of political parties for the time being prevailing among members of the Constituent Councils when taken together.

2.4. The following persons may not be a member of an overview and scrutiny committee or sub-committee of the Combined Authority:

2.4.1. The Mayor,
2.4.2. A Combined Authority Member, and
2.4.3. Any member of the Executive of either of the Constituent Councils.

2.5. Within 28 days of any appointment to any overview and scrutiny committee, the Monitoring Officer will publish a notice about the appointment on the Combined Authority's website

3. Quorum

3.1. Pursuant to the provisions of Article 3 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, the quorum for each Overview and Scrutiny Committee shall be at least two-thirds of the total number of

the members of the relevant Overview and Scrutiny Committee.

4. Proceedings

An overview and scrutiny committee and any sub-committee will follow the **Overview and Scrutiny Procedure Rules** in Part 4 of the Constitution.

5. Terms of Reference of the Overview and Scrutiny Committees

5.1. The Overview and Scrutiny Committee:

5.2. will discharge the Combined Authority's functions under section 9F Local Government Act 2000 and the relevant provisions pursuant to the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 and in particular shall have the following powers and responsibilities to be exercised in accordance with the Overview and Scrutiny Procedure Rules:

a. to review or scrutinise decisions made (including but not limited any Key Decisions), or other action taken, in connection with the discharge of any functions which are the responsibility of the Combined Authority;

b. to make reports or recommendations to the Combined Authority with respect to any Key Decisions and the discharge of any functions that are the responsibility of the Combined Authority;

c. to review or scrutinise decisions made, or other action taken, in connection with the discharge by the Mayoral (but not Police and Crime Commissioner nor fire and rescue) or general functions exercisable by the Mayor;

d. to make reports or recommendations to the Mayor with respect to the discharge of any Mayoral Functions (but not Police and Crime Commissioner nor fire and rescue) or general functions exercisable by the Mayor;

e. to make reports or recommendations to the Mayor on matters that affect the Combined Area or the inhabitants of the area;

f. when exercising the power under (a) or (c) above, to have the power to:

i. direct that a decision is not to be implemented while it is under review or scrutiny by the overview and scrutiny committee; and
ii. recommend that the decision be reconsidered;

g. to publish details of how it proposes to exercise its powers under (f) above and its arrangements in connection with the exercise of those powers, having obtained the consent of the Combined Authority to the proposals and arrangements;

h. to consider matters referred to the Overview and Scrutiny Committee by one of its members of the committee, Member or a member of a Constituent Council, in accordance with the Overview and Scrutiny Standing Order;

i. to consider matters referred to the committee by the Combined Authority or the Mayor;

j. to require the Members (including the Mayor and the deputy Mayor) or Officers to attend before the Overview and Scrutiny Committee to answer questions;

k. to invite other persons to attend meetings of the overview and scrutiny committee; and

l. to appoint one or more overview and scrutiny sub-committees and arrange for the discharge of any of the overview and scrutiny committee's functions by any such sub-committee.

1.6 will have overall responsibility for the Combined Authority's scrutiny function including the approval of an overall work programme for overview and scrutiny in accordance with the objectives of the Combined Authority's plans and arrangements for the scrutiny of other public bodies particularly where required to do so by law and will provide overview and scrutiny of management of the Combined Authority's resources and authority-wide programmes and activity;

1.7 may establish such sub-committees or task and finish groups, appointing the Chair of the Overview and Scrutiny Committee(s) and with such membership as it sees fit, to undertake scrutiny on a task and finish basis and in accordance with the Overview and Scrutiny Standing Orders;

1.8 will, as part of the overall role, ensure the Head of Paid Service and the Monitoring Officer discharge their responsibilities effectively and efficiently in relation to the overview and scrutiny functions;

1.9 will scrutinise decisions of or actions taken by Members, and offer advice or make recommendations on the matter under scrutiny once the relevant Overview and Scrutiny Committee has considered the issues;

1.10 may scrutinise matters coming before Members for decision and respond appropriately to the Members or Combined Authority on the matter once the Overview and Scrutiny Committee(s) has considered the issues fully;

1.11 will review or scrutinise decisions or actions taken in respect of any functions which are not the responsibility of Members and within the remit of the relevant Overview and Scrutiny Committee, and make reports or recommendations to the Members, Officers and/or the Combined Authority;

1.12 may refer to the Monitoring Officer, Head of Paid Service, Section 73 Officer or appropriate committee/sub-committee any matter which, following scrutiny, the Overview and Scrutiny Committee determines should be brought to the attention of the Combined Authority, the Audit and Governance Committee or the committee or sub-committee and may, if requested, offer any views or advice to the Members in relation to any matter referred to the committee for consideration;

1.13 may undertake reviews with a cross-service approach and make reports and recommendations to the Combined Authority or Members to assist in the review of policies and strategies;

1.14 may offer advice and make recommendations to the appropriate body of the Combined Authority on the review of policy, services and aspects of services where there is an identifiable need, by itself or through setting up a Task and Finish Group in performing its role, the Overview and Scrutiny Committee may consult and involve the local community and other local public, private and voluntary bodies or organisations;

1.15 may recommend that a decision made but not yet implemented, and taken in respect of a function which is the responsibility of the Members to be reconsidered by the Combined Authority and/or its Members;

1.16 may scrutinise decisions after implementation to examine their effect and outcomes;

1.17 may review and make recommendations in relation to matters which are not the direct

responsibility of the Combined Authority which affect the social, economic or environmental well-being of an area or the Combined Area as a whole or under any statutory requirement or Council contract, procedure or practice;

1.18 may give partner authorities notice in writing requiring them to have regard to the report or recommendations of the Overview and Scrutiny Committee in exercising their functions;

1.19 may invite expert witnesses, Members, Officers and partners to answer questions.

Section 3.2

Terms of Reference of the Audit and Governance Committee

1 Purpose of the Audit and Governance Committee

1.1 The purpose of an Audit and Governance Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

1.2 The success of the Audit and Governance Committee depends upon its ability to remain apolitical. It must adopt a non-political approach to its meetings and discussions at all times. Remaining apolitical also places a duty on appointees not to make inappropriate use of information provided to the Audit and Governance Committee for other purposes.

1.3 The Audit and Governance Committee has the right to access to all the information necessary to undertake the work of the Audit and Governance Committee and may receive reports and refer matters to internal and external auditors of the Combined Authority.

2 Composition

2.1 Article 15 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 provides that in appointing members to the Audit and Governance Committee, the Combined Authority must ensure that the members of the Audit and Governance Committee, taken as a whole, reflects so far as reasonably practicable the balance of political parties.

2.2 The Audit and Governance Committee will comprise nine (9) appointees, or as may be determined each year by the Annual Meeting of Combined Authority, and is subject to the overall political balance requirements.

2.3 Appointees to the Audit and Governance Committee may not include any Officer or any officer of a Constituent Council.

2.4 At least one appointee to the Committee must be an independent person meeting the requirements set out in Article 14 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

2.5 The Chair of the Audit and Governance Committee will be a suitably qualified independent person to be appointed by Combined Authority for a fixed term and upon recommendation of the Audit and Governance Committee following an open recruitment process. The Chair of the Audit and Governance Committee may be in receipt of an allowance paid in accordance with the Members Allowance Scheme (see Part 6 of the Constitution) and the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

2.6 Where a suitable independent person is not appointable or recommended by the Audit and Governance Committee the Combined Authority will appoint a Chair.

2.7 Chair shall be responsible in arranging the agenda for all meetings of the Audit and Governance Committee.

2.8 The Vice-Chair of the Audit and Governance Committee shall be appointed by the Combined

Authority and will undertake the responsibilities of the Chair of the Audit and Governance Committee in the absence of, or until such time as the appointment of, an independent person as Chair of the Audit and Governance Committee or a Chair of the Audit and Governance Committee has been nominated by Combined Authority.

3 Quorum

3.1.1 The Audit and Governance Committee quorum will be two-third of the Audit and Governance Committee membership.

4 Competency

4.1.1 All appointees of the Audit and Governance Committee and Members attending as reserves must:

(a) have undertaken appropriate training in the relevant law and procedures which relate to the Audit and Governance Committee's work; and

(b) undertake further appropriate training, on an ad hoc basis, when there are changes to procedure or relevant legislation that are deemed significant by the Monitoring Officer and/or the Section 73 Officer.

5 Meetings

5.1.1 The Audit and Governance Committee will meet at least 4 times in the Financial Year.

5.1.2 Any matters to be decided by the Audit and Governance Committee must be by consensus.

5.1.3 Each appointee is to have one vote only.

5.1.4 When a vote is required (such as for approvals) only voting members of the Audit and Governance Committee are entitled to vote and the Chair of the Audit and Governance Committee does not have the right to exercise a casting vote.

Terms of Reference of the Audit and Governance Committee

6 Governance, Risk and Controls

6.1.1 To review the Combined Authority's corporate governance arrangements against the good governance framework (including the ethical framework) and consider annual governance reports and assurances.

6.1.2 To review and approve the Combined Authority's Annual Governance Statement and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Combined Authority's framework of governance, risk management and control.

6.1.3 To consider the Combined Authority's arrangements to secure value for money and to review and scrutinise assurances and assessments on the effectiveness of these arrangements.

6.1.4 To consider the Combined Authority's framework of assurance and ensure that it adequately addresses the risks and priorities of the Combined Authority.

6.1.5 To monitor the effective development and operation of risk management in the Combined Authority.

6.1.6 To monitor progress in addressing risk related issues reported to the Audit and Governance Committee.

6.1.7 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions, including calling managers to explain lack of progress.

6.1.8 To review the assessment of fraud risks and potential harm to the Combined Authority from fraud and corruption.

6.1.9 To monitor the counter-fraud strategy, actions and resources.

6.1.10 To review and provide recommendations on the Anti-Fraud, Bribery and Corruption Policy (see Part 5 of the Constitution).

6.1.11 To review the governance and assurance arrangements for significant partnerships or collaborations.

6.1.12 To review and monitor the Combined Authority's compliance with public sector financial and audit standards and guidance, in accordance with the CIPFA Codes and Accounts and Audit Regulations.

6.1.13 To review and monitor the Combined Authority's financial management arrangements in accordance with the CIPFA Financial Management Code of Practice.

6.1.14 To review and monitor the Combined Authority's treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice.

7 Internal Audit

7.1.1 To ensure that the Combined Authority has a sound system of internal control which:-

(a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;

(b) ensures that the financial and operational management of the Combined Authority is effective;

(c) includes effective arrangements for the management of risk;

(d) ensures compliance with policies, procedures and statutory requirements;

(e) safeguards the Combined Authority's assets and interests;

(f) review and advise on ethics and standards; and

(g) counter fraud and corruption risks.

7.1.2 To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.

7.1.3 To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

7.1.4 To approve significant interim changes to the risk-based internal audit plan and resource requirements.

7.1.5 To make appropriate enquiries of both management and internal audit to determine if there are any inappropriate scope or resource limitations.

7.1.6 To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal audit. To approve and periodically review safeguards to limit such impairments.

7.1.7 To consider reports from the internal auditor on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:

(a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work;

(b) Regular reports on the results of any of the Combined Authority quality assurance and improvement programme;

(c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Combined Authority's annual governance statement and/or the Combined Authority's Assurance Framework.

7.1.8 To consider the internal auditor's annual report:

(a) The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit

(b) The opinion on the overall adequacy and effectiveness of the Combined Authority's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the Audit and Governance Committee in reviewing the Annual Governance Statement

7.1.9 To consider summaries of specific internal audit reports as requested.

7.1.10 To receive reports outlining the action taken where internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

7.1.11 To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.

7.1.12 To consider a report on the effectiveness of internal audit to support the Combined Authority's annual governance statement or the Combined Authority's Framework, where required to do so by the Accounts and Audit Regulations

7.1.13 To provide free and unfettered access to the Chair of the Audit and Governance Committee for the internal auditor, including the opportunity for a private meeting with the Audit and Governance Committee.

8 External Audit

8.1.1 To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.

8.1.2 To consider the external auditor's annual audit letter, relevant reports, and the report to those charged with governance.

8.1.3 To consider specific reports as agreed with the external auditor.

8.1.4 To comment on the scope and depth of external audit work and to ensure it gives value for money.

8.1.5 To commission work from internal and external audit.

8.1.6 To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

8.1.7 To provide free and unfettered access to the Chair of the Audit and Governance Committee for the auditors, including the opportunity for a private meeting with the committee

9 Financial Reporting

9.1.1 To review and approve the annual statement of accounts for the Combined Authority in accordance with the Financial Regulations (see Part 4 of the Constitution). Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Combined Authority.

9.1.2 To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

9.1.3 To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.

10 Accountability Arrangements

10.1.1 To report to those charged with governance on the Audit and Governance Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks; financial reporting arrangements, and internal and external audit functions.

10.1.2 To report to Combined Authority on a regular basis on the Audit and Governance Committee's performance in relation to the terms of reference and the effectiveness of the Audit and Governance Committee in meeting its purpose.

10.1.3 These terms of reference are to be reviewed on an annual basis by the Audit and Governance Committee.

10.1.4 The arrangements and roles of the Audit and Governance Committee is to be reviewed as well on an annual basis by the Combined Authority.

10.1.5 To publish an annual report on the work of the Audit and Governance Committee.

11 Related Functions

11.1.1 To approve and monitor Combined Authority policies relating to confidential reporting (whistleblowing) and anti-fraud and corruption.

11.1.2 Subject to the requirements set out below, to consider all findings of the Local Government and Social Care Ombudsman, including reports resulting in a finding of maladministration against the Combined Authority, and to make recommendations as to actions that may be necessary in connection with the Ombudsman's findings.

(a) There are statutory obligations which will, in some circumstances, require reports to be taken to Members or Combined Authority.

(b) The Ombudsman operates protocols in relation to the timing of the publication of findings. The Combined Authority would have to give consideration to those protocols when determining how to manage the Audit and Governance Committee's agenda.

11.1.3 To review any issue referred to it by the Head of Paid Service, Section 73 Officer and Monitoring Officer.

12 Governance Reporting

12.1.1 To review the Combined Authority's annual governance statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.

12.1.2 To consider whether the annual evaluation for the Combined Authority's annual governance statement fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.

13 Standards

13.1 To assist the Combined Authority in fulfilling its duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members.

13.2 To advise the Combined Authority on the adoption or revision of its Code of Conduct for Members.

13.3 To monitor and advise the Combined Authority about the operation of its Code of Conduct for Members in the light of best practice and any changes in the law.

13.4 To approve the arrangements for dealing with allegations that a Member has failed to comply with the Members' Code of Conduct.

13.5 Either itself or by setting up a sub-committee, to determine whether a Member has failed to comply with the relevant Code of Conduct.

13.6 Where the Committee finds that a failure to comply with the Code of Conduct has occurred, to determine what action, if any, to take and to apply the sanction or recommend to Combined Authority to apply an appropriate sanction.

13.7 To assist the Combined Authority with the appointment of Independent Persons as required by the Localism Act 2011 and independent persons under other secondary legislation.

13.8 To determine any request for a dispensation under Section 33 of the Localism Act 2011, where not determined by the Monitoring Officer, or to hear an appeal against a dispensation determination by the Monitoring Officer.

13.9 To approve the granting, to any Combined Authority employee, of a dispensation in relation to disqualification from political activities Local Government and Housing Act 1989.

13.10 Subject to the requirements set out below, to consider all findings of the Local Government and Social Care Ombudsman, including reports resulting in a finding of maladministration against the Combined Authority, and to make recommendations as to actions that may be necessary in connection with the Ombudsman's findings.

(a) There are statutory obligations which will, in some circumstances, require reports to be taken to the Combined Authority.

(b) The Ombudsman operates protocols in relation to the timing of the publication of findings. The Combined Authority would have to give consideration to those protocols when determining how to manage the Standards and Governance Committee's agenda.

13.11 To consider reports arising from other external inspections, legal challenges and other sources which cast doubt on the honesty or integrity of the Combined Authority or its Members.

13.12 To advise the Combined Authority on, and review as necessary, the arrangements for dealing with complaints or any local protocols regulating the conduct of Members and to deal with allegations of breach of any such protocol.

13.13 To respond on behalf of the Combined Authority to national reviews and consultations on standards related issues.

13.14 Either itself or by setting up a sub-committee, to receive reports from the Monitoring Officer on standards related issues.

13.15 To consider and make recommendations to Combined Authority on any other matter that may be referred to the Standards Committee relating to the conduct and training of members.

13.16 Either by itself or by setting up a working group, to consider amendments and improvements to the Constitution and recommend proposals to Combined Authority for approval subject to Article 1 of the Constitution and except where specifically delegated to the Monitoring Officer.

Sub-Committees, Panels and Working Groups

13.17 Where the Committee resolves to establish a sub-committee group of Members under paragraph 13.5 above, that sub-committee shall be referred to as the Standards Panel and shall comprise between three (3) and five (5) members of the Audit and Governance Committee.

13.18 The Standards Panel may regulate its own procedures to deal with any matter arising in connection with its duties, provided that the procedures remain in accordance with the principles of decision making set out this Constitution. This includes that, subject to any statutory rules or procedures detailed elsewhere, a Panel acting as a tribunal

is permitted, when all evidence has been submitted and speakers (if any) have finished, will hold discussion in the presence of the speakers and, as appropriate and in compliance with the Access to information Procedure Rules, the public and press, and the decision making may thereafter be taken in private adjournment.

13.19 It is expected that decisions will then normally be announced to those present and remaining post-adjournment, at least in summary form, before a decision is issued in writing.

13.20 Where the Committee has established a working group of Members under paragraph 13.16 above, that group shall be referred to as the Constitution Working Group and membership of that working group shall be of such cross-party Members as the Committee considers appropriate, whether or not such Members are members of the Audit and Governance Committee.

Section 4

Advisory Panels and Boards

1. Overview

1.1 The Authority shall establish Sub-Policy Groups and Advisory Boards, including:

1.1.1 the Business Advisory Board; and

1.1.2 such other Sub-Policy Groups and Advisory Boards as the Combined Authority considers appropriate.

1.2 The purpose of each Sub-Policy Groups and Advisory Boards is to provide advice to the Mayor and Combined Authority on the exercise of their functions.

1.3 Each Sub-Policy Groups and Advisory Boards is an informal working group and not a, committee or subcommittee of the Authority. As such, it does not have decision-making powers, political balance rules do not apply to its membership and it is not subject to the access to information rules which apply to local authority meetings.

1.4 The Combined Authority is responsible for:

1.4.1 developing and approving the terms of reference of each Sub-Policy Groups and Advisory Boards;
1.4.2 determining the composition of each Sub-Policy Groups and Advisory Boards and making appointments thereto; and
1.4.3 approving the procedural arrangements which shall apply to each Sub-Policy Groups and Advisory Boards.

1.5 Each Sub-Policy Groups and Advisory Boards will be directly accountable to the Combined Authority and will operate in an advisory capacity, monitoring and reporting progress and making recommendations as appropriate.

1.6 Each Sub-Policy Groups and Advisory Boards may investigate any activity within its Terms of Reference. It may seek any information it requires from any Board member, or the organisation(s) represented by the Board member.

1.7 The role and operation of each Sub-Policy Groups and Advisory Boards will be reviewed by Combined Authority on an annual basis.

Section 4.1 Business Advisory Panel

Section 4.2 Investment Panel

Section 4.3 Infrastructure and Planning

Section 4.4 Skills and Employment Sub Policy Group

Section 4.5 Business and Innovation Sub Policy Group

Section 4.6 Community and Environment Sub Policy Group

Section 4.7 Work and Health Board Sub Policy Group

Section 5

Joint Committees

The Terms of Reference of reference for any joint committees created by the Combined Authority will subsequently be detailed in this section of the Constitution.

Section 6

Scheme of Delegation to Officers (Non-Mayoral and Mayoral General Functions)

1. Introduction

1.1. General Roles and Responsibilities of Officers;

1.1.1 The Combined Authority and the Mayor approve strategies and policies which determine the framework in which operational decisions are made - see further the Budget and Policy Procedure Rules in Part 4 of the Constitution.

1.1.2 Officers implement decisions made by the Combined Authority (or any decision-making committee of the Combined Authority) and the Mayor. Officers also take measures to carry out these policies and decide day-to-day operational matters, within the framework of these decisions. Officers have a set of general accountabilities, expressed through their objectives to deliver against the policies set out by the Combined Authority as relates to their functional areas. This delegation therefore covers specific delegations or requirements for compliance where officers are fulfilling these accountabilities.

1.1.3 Officers must comply with Article 9 (Decision-making) in Part 2 of the Constitution when exercising authority delegated to them.

1.2. Decision-making by officers is subject to other control measures. These include:

1.2.1 The Combined Authority's standing orders and procedures rules, including the Board Procedure, Rules, Contract Procedure Rules, the Financial Regulations and Finance Procedure Rules in Part 4 of the Constitution;

1.2.2 Officers' Codes of Conduct, and Members' Code of Conduct in Part 5 of the Constitution;

1.2.3 Policies of the Combined Authority;

1.2.4 The Combined Authority's organisational values;

1.2.5 The Anti-Fraud, Bribery and Corruption Policy (see Part 5 of the Constitution), and

1.2.6 internal audit and risk management arrangements.

1.3. When exercising their delegated authority, an Officer must:

1.1.4 ensure that the decision conforms with and furthers strategies and policies approved or endorsed by the Combined Authority and the Mayor, and

1.1.5 within the Budget approved by the Combined Authority; and

1.1.6 follow approved practices and procedures of the Combined Authority including the Combined Authority's Assurance Framework, relevant Government guidance and industry/professional best practice.

Delegations to Officers

1.4. This Officer Delegation Scheme sets out:

- Non-Mayoral Functions delegated to Officers by the Combined Authority, and
- Mayoral General Functions and Mayoral Functions delegated to Officers by the Mayor.

1.5. The Combined Authority or the Mayor may also delegate decisions outside of this Scheme to an Officer in relation to any specific matter, subject to statutory restrictions.

1.6. The Procedure Standing Orders set out in Part 4 of the Constitution and other standing orders and procedures including the Contract Procedure Rules and Financial Regulations and Finance Procedure Rules in Part 4 of the Constitution also delegate to specified Officers or post-holders.

1.7. Where the Combined Authority have appointed a Committee to discharge functions, that Committee may also delegate any of those functions or a decision in relation to a specific matter within the committee's terms of reference, to an Officer – see Part 3 of the Constitution.

1.8. The Combined Authority (or a Committee) or the Mayor may continue to exercise any function which it has delegated to an Officer.

Sub-Delegations

1.9. Unless required by law or expressly indicated in this Scheme, an Officer is not required to discharge their delegated authority personally, (although they will remain accountable for any decision taken on their behalf). Such an Officer may arrange, by way of a designation in writing, for another Officer, with suitable qualifications, experience and seniority to exercise the delegated authority on their behalf.

Referral of Matters to the Combined Authority or Relevant Committee – Non- Mayoral Functions

1.10. An Officer may decide not to exercise their delegated authority in relation to any matter. If so, the Officer shall refer the matter to the Combined Authority or a relevant Committee.

Referral of Matters to the Mayor – Mayoral General Functions

1.11. An Officer may decide not to exercise their delegated authority in relation to any matter relating to the exercise of Mayoral General Functions or Mayoral Functions. If so, the Officer shall refer the matter to the Mayor.

Key decisions

1.12. The Access to Information Procedure Rules and the Financial Regulations and Finance Procedure Rules in Part 4 of the Constitution apply where an Officer exercises their delegated authority to take a Key Decision.

Call-in of Officers' Decisions

1.13. Any Key Decision taken by an Officer under delegated authority is open to call-in, in accordance with the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

Recording Officer Decisions

1.14. An officer is required to complete a written record of their decision in accordance with the Access to Information Procedure Rules in Part 4 of the Constitution.

Concurrent Functions

1.15. An Officer proposing to exercise their delegated authority in respect of any functions exercised concurrently with the Constituent Councils must follow any protocols agreed by the Combined Authority with Constituent Councils relating to any such concurrent function, including in relation to consultation processes.

2. Officer Delegation Scheme: Delegations

Any reference to an Officer within this Officer Delegation Scheme is to be construed as a reference to any Officer (including any interim post holder) to whom functions are delegated by the Combined Authority under the General Delegations section of this Scheme, except where the context requires otherwise.

Any reference to a function delegated under this Officer Delegation Scheme should be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate, or is conducive or incidental to, the specified function.

Any reference to the Mayor within this Officer Delegation Scheme is to be construed as reference to the Chair or Vice-Chair of the Combined Authority where appropriate up until the commencement of the term of the first Mayor.

Expenditure

2.1 The Head of Paid Service, the Section 73 Officer and the Monitoring Officer are authorised to incur expenditure and enter into contracts within the agreed revenue budget in accordance with the Budget and Policy Framework Policy, Financial Procedure Rules and Contract Procedure Rules within the following approval limits:

2.1.1 Up to £499,999 - The Head of Paid Service or the Section 73 Officer in consultation with the Mayor (or prior to the Mayor's first term commencing the Chair and Vice Chair);

2.1.2 Between £0m and £250,000 - The Head of Paid Service or Section 73 Officer;

2.1.3 Up to £50,000.- Officers in consultation with the Section 73 Officer;

2.1.4 To incur expenditure on capital schemes within agreed scheme budgets, in accordance with the Financial Regulations, provided that expenditure has been authorised in accordance with the Combined Authority Assurance Framework.

Awarding Grant Funding

2.2 The Head of Paid Service, the Section 73 Officer and the Monitoring Officer are authorised to enter into grant funding arrangements within the agreed relevant budget in accordance with the Local Assurance Framework, Financial Regulations and Contract Procedure Rules in Part 4 of the Constitution within the following approval limits:

2.2.1 Up to £499k in consultation with the Mayor (or prior to the Mayor's first term commencing) the Chair and Vice Chair.

Proper Officer Functions

2.3 For the purpose of this Scheme, each Officer is appointed the Proper Officer for any function within their remit. The Monitoring Officer is also to be considered a Proper Officer.

2.4 Each Proper Officer has authority to implement and ensure compliance with requirements relating to:

a) health and safety

b) data protection, freedom of information and transparency,

c) surveillance activities,

d) human rights,

e) risk management,

f) equity and diversity, and

g) safeguarding

3. Head of Paid Service

3.1 To discharge the functions of the Head of Paid Service in relation to the authority as set out in Section 4 of the Local Government and Housing Act 1989. The duties of the Head of Paid Service are to report to the authority where necessary, setting out proposals with respect to the co-ordination of the authority's functions, the number and grades of staff required and the organisation, appointment and proper management of the authority's staff and approval of the annual governance statement.

3.2 With the exception of any matter which the Mayor has directed should be referred to the Combined Authority for determination, the Head of Paid Service is authorised to exercise any **Non-Mayoral Function** which is not:

- expressly reserved to the Combined Authority,
- a function of any other officer in their capacity as a statutory officer.

3.3 The Head of Paid Service is further authorised to take decisions which would have been taken by a Committee and where, for exceptional circumstances, that Committee has been unable to meet, and the decisions are of an urgent nature and cannot wait until the next scheduled meeting of the Combined Authority.

3.4 The Head of Paid Service is also authorised with the exception of any matter:

3.4.1 expressly reserved to the Combined Authority or

3.4.2 expressly within the terms of reference of a Committee to carry out any function in relation to:

i. human resources. Including granting voluntary redundancy requests and releasing preserved pension benefits on ill health grounds (in consultation with the Section 73 Officer Resources) and payments up to [£250] to Officers for loss or damage to property arising out of their

employment with the Combined Authority but excepting those statutory functions which fall to the Head of Paid Service, and those functions delegated to any Officer under the General Delegations above:

ii. knowledge and information management,

iii. strategic risk management, insurance, and business continuity, and

iv. health and safety policy and strategy development, monitoring and reporting.

v. to appoint officers within the approved funded staffing structure in accordance with the authority's Recruitment Policy

vi. to appoint officers on a temporary basis to provide cover for absences within approved budgets

3.5 The Head of Paid Service, in consultation with the Section 73 Officer and Monitoring Officer, may take decisions related to the approval of a detailed business case and the acceptance of a tender or quotation for the supply of goods, materials or services provided that the spend is within the approved Combined Authority's Budget. Prior to exercising this delegation, the Head of Paid Service must consult the Mayor and Constituent Council Members and following the decision, must publish a Decision Notice.

3.6 To commit expenditure from earmarked funds and reserves in accordance with the purpose for which those earmarked funds and reserves have been approved by the Combined Authority, save for those earmarked funds and reserves which the Combined Authority specifically reserves the right to itself or another Committee to approve, and subject to reporting the use of those earmarked funds and reserves through the budget monitoring report at the next meeting of the Combined Authority after the commitment is made.

4. Section 73 Chief Officer

4.1 The Section 73 Officer will exercises any statutory function of the Chief Finance Officer of the Combined Authority, including making arrangements for the proper administration of the Combined Authority's financial affairs - see further Article 8 (Officers).

4.2 The Section 73 Officer is authorised to exercise the following Non- Mayoral functions:

i making arrangements for the proper administration of the Combined Authority's financial affairs; this includes authority to approve Financial Regulations and Finance Procedure Rules and Contract Procedure Rules;

ii procurement and purchasing, and

iii establishing internal audit arrangements.

4.3 With the exception of any matter expressly reserved to the Combined Authority, or which the Head of Paid Service has directed the Section 73 Officer to refer to the Combined Authority or any Committee for determination.

4.4 For all grant administration the Section 73 Officer has the following delegation:

4.4.1 Accept grant offers on behalf of the Mayor and / or the Combined Authority, subject to all the terms and conditions set out by the grant awarding body.

4.4.2 The submission of all claims for grant to the UK Government or other organisations that grant the Authority money.

4.5 To secure all necessary and sufficient insurances and indemnities (including officers' and public and employer's liability).

4.6 In respect of consolidated transport funding, the Section 73 Officer has the following delegation:

4.6.1 reporting to the Combined Authority and the Mayor in connection with the Local Transport Plan for all Relevant Periods; and

4.6.2 agreeing, approving and submitting the Local Transport Delivery Plan for all Relevant Period for submission to the Department for Transport PROVIDED THAT;

a) in respect of the Local Transport Delivery Plan required for the year 2026/27 only, the Section 73 Officer shall consult with the Section 151 Officers of the respective Constituent Councils prior to agreeing, approving and submitting the Local Transport Delivery Plan for the year 2026/2027 to the Department for Transport.

5. Monitoring Officer

5.1 The Monitoring Officer for the Combined Authority exercises any statutory function of the Monitoring Officer - see further Article 8 (Officers) in Part 2 of the Constitution.

5.2 With the exception of any matter:

- expressly reserved to the Combined Authority or
- which the Head of Paid Service has directed the Monitoring Officer to refer to the Combined Authority or any Committee for determination to carry out the following functions:

A. Legal Proceedings and Settlements

5.3 To take any legal action to implement a decision of the Combined Authority.

5.4 To institute, defend or participate in any proceedings or disputes where such action is necessary to give effect to a decision of the Combined Authority or to protect the interests of the Combined Authority, and to take all necessary steps in relation to such proceedings or disputes.

5.5 To enforce byelaws.

5.6 To make payments or provide other benefits in cases of maladministration.

5.7 To negotiate and to settle claims for or against the Combined Authority whether or not legal proceedings have begun subject to:

- the value of the settlement not exceeding [£150,000] and
- professional advice being obtained, where appropriate, that the settlement represents good value for money, and
- consultation with the Mayor and Section 73 Officer about any settlement value over [£150,000.]

5.8 To certify documents on behalf of the Combined Authority.

5.9 To authenticate the seal of the Combined Authority and keep custody of it;

5.10 To authorise officers to authenticate the seal of the Combined Authority

5.11 To sign certificates for contracts in accordance with Local Government (Contracts) Act 1997.

5.12 To sign any contract on behalf of the Combined Authority provided that the relevant standing orders, including but limited to the Contract Procedure Rules and Financial Regulation and Financial Procedure Rules of the Combined Authority have been complied with.

B. Governance

5.13 To discharge secretarial and other functions in relation to meetings of the Combined Authority and its Committees.

5.14 To make any changes to any governance document of the Combined Authority which are required:

- as a result of legislative change or decisions of the Combined Authority or the Mayor,
- to enable them to be kept up to date, or
- for the purposes of clarification only.

5.15 To make any changes to the Combined Authority Assurance Framework which are required:

- as a result of legislative change or decisions of the Combined Authority or the Mayor,
- to enable it to be kept up to date, or
- for the purposes of clarification only.

5.16 In relation to appointments of any Committee (and only in accordance with any nomination by the relevant Constituent Council Members and the Non-Constituent Members) to make any change to the membership of any Committees, provided that the appointment has no impact on the political balance for the Committee.

5.17 Where in-year vacancies for independent members arise, the Monitoring Officer is authorised to progress recruitment, including the convening of an interview panel as necessary, to make recommendations to a subsequent meeting of the Combined Authority.

C. Members' Allowances

5.18 To administer the Members' Allowances Scheme in Part 6 of the Constitution.

D. Interests in Land

5.19 To obtain particulars of persons interested in land in alignment with Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

E. Senior Information Risk Officer

5.20 To act as Senior Information Risk Officer (S.I.R.O).

5.21 With the exception of any matter:

- expressly reserved to the Combined Authority, or
- which the Head of Paid Service has directed the Section 73 Officer or the Monitoring Officer to refer to the Combined Authority or the Audit and Governance Committee for determination.

PART 4

Procedure Rules and Standing Orders

Part 4

Section 4.1 – Board Procedure Rules

1 INTERPRETATION

Prior to the commencement of the first Mayor's term and for the purposes of these rules where they refer to Mayor or deputy Mayor read Chair or Vice Chair respectively.

2 ANNUAL MEETING OF THE COMBINED AUTHORITY

Timing and Business

2.1 In a year when there is an ordinary mayoral election, the Annual Meeting of the Combined Authority shall take place within 21 days from the retirement of the outgoing Mayor or from the end of the current term of the Mayor in the event of a re-election. In any other year the Combined Authority will hold an Annual Meeting every year, between 1 March and 30 June.

2.2 The Annual Meeting will:

a) note the Mayor and other Constituent Council Members and appoint any Non-Constituent Members, Associate Members and Substitute Non-Constituent Members and Substitute Associate Members.

b) receive any declarations of interest from Members;

c) approve the minutes of the last meeting;

d) receive any announcements from the Mayor or the Head of Paid Service;

e) receive details of the Mayor's appointment of the deputy Mayor and arrangements in respect of Mayoral Functions;

f) approve the committee arrangements and appointments to such committees as the Combined Authority considers appropriate to deal with matters which are not reserved to the Combined Authority including appointing at least one Overview and Scrutiny Committee and an Audit and Governance Committee and such other committees or advisory boards as required;

g) receive nomination and appoint Members to serve on outside bodies;

h) agree amendments (if any) to the Scheme of Delegation (as set out in Part 3 of this Constitution) in respect of Combined Authority functions;

i) approve any constitutional documents not considered under any other item;

j) approve the Combined Authority's Members' Allowances Scheme;

k) approve a programme of ordinary meetings of the Combined Authority for the year;

l) consider any business set out in the notice convening the meeting; and

m) Subject to 3.3 below, consider any business that Mayor believes having consulted and agreed with the Head of Paid Service and Monitoring Officer, to be urgent in that matter to be determined has arisen since the publication of the agenda and failure to determine it at this meeting would cause significant adverse impact on the Combined Authority.

2.3 The Monitoring Officer is authorised as proper officer to appoint replacement members to serve on Committees or outside bodies or to serve as substitute members on Committees in accordance with the Constituent Council Members within their approved allocation as agreed by Combined Authority from time to time.

3 ORDINARY MEETINGS

3.1 Except as otherwise provided by 3.2 below, the order of business at every Ordinary Meeting of the Combined Authority shall be to:

a. receive apologies;

b. approve as a correct record and sign the minutes of the last meeting

c. receive any declarations of interest from Members;

d. consider whether the press and public should be excluded from the meeting during consideration on any item on the agenda;

e. receive any announcements from the Mayor deputy Mayor or the Head of Paid Service;

f. deal with any business required by statute to be done.

g. deal with any business adjourned from the last Combined Authority meeting;

h. receive statements and questions and provide answers to the public;

i. receive reports and recommendations from the any Committee or Advisory Board and pose questions and answers on any of those reports;

j. receive reports and recommendations from any Officer of the Combined Authority and pose questions and answers on any of those reports;

k. consider any motions on notice;

l. consider other business specified in the summons to the meeting (the Agenda), including consideration of proposals from the Members in relation to the Combined Authority's Budget and Policy Framework and reports of the Overview and Scrutiny committees for debate.

3.2 Business falling under items 2.1 above shall not be displaced, but the foregoing order of business may otherwise be varied by:

a) the Mayor at their discretion; or

b) a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

Urgent business

3.3 No business shall be transacted at a meeting of the Combined Authority other than that specified in the summons relating thereto unless the Mayor or deputy Mayor (as the

Chair of the Combined Authority) has agreed in consultation with the Head of Paid Service and Monitoring Officer that it is urgent and cannot wait until the next scheduled meeting. The Mayor must give the reasons for urgency, which must be recorded in the minutes of the meeting.

4 EXTRAORDINARY MEETINGS

Calling Extraordinary Meetings

4.1 The Monitoring Officer, Section 73 Officer and Head of Paid Service may call and those listed below may require the Monitoring Officer to call Extraordinary Meetings in accordance with the procedures set out in Rule 5.2 and 5.3 below in addition to Ordinary Meetings:

a) the Combined Authority by resolution;

b) the Mayor in their capacity as a Chair of the Combined Authority; or

c) any two (2) Constituent Council Members if they have signed a requisition presented to the Mayor (as the Chair of the Combined Authority) and the Mayor has refused to call a meeting or has failed to call a meeting, within five clear working days of the presentation of the requisition.

4.2 At least 48 hours before an Extraordinary Meeting, the Monitoring Officer will send a summons signed by them to every Member in accordance with the Access to Information Rules. The summons will normally be sent via electronic means.

4.3 The summons will give the date, time and place of an Extraordinary Meeting and specify the business to be transacted at the meeting (the Agenda) together with accompanying reports.

Business

4.4 The business to be conducted at an Extraordinary Meeting of the Combined Authority shall be restricted to the item of business contained in the request for the Extraordinary Meeting of the Combined Authority and there shall be no consideration of previous minutes or reports from Committees except that the Mayor or deputy Mayor (as the Chair of the Combined Authority) may at their absolute discretion permit other items of business to be conducted for the efficient discharge of the Combined Authority's business.

5 NOTICE OF SUMMONS TO MEETINGS

5.1 Members entitled to attend a meeting, will receive a summons giving 5 clear working days' notice to attend and specifying the business proposed to be transacted at the meeting.

5.2 Except in the case of business required by law to be transacted at the Annual Meeting of the Combined Authority, or other business brought before the meeting as a matter of urgency in accordance with the Constitution, no business shall be transacted at a meeting other than that specified in the summons.

6 TIME AND PLACE OF MEETINGS

6.1 Combined Authority meetings are held at any place within or outside of the Combined Authority Area as the Combined Authority directs during the daytime unless the Combined Authority or the Mayor decides otherwise.

6.2 Ordinary meetings of the Combined Authority will take place in accordance with a programme decided at the Combined Authority's Annual Meeting. The Mayor or deputy Mayor (as the Chair of the Combined Authority) may decide in consultation with the Head of Paid Service or the Monitoring Officer, to hold a meeting at a different time or place.

6.3 Notice of the time and place of the intended meeting shall be published and included in the summons to the meeting by the Monitoring Officer.

7 CHAIR OF MEETING – BEFORE THE FIRST MAYOR'S TERM

7.1 The Chair of the Combined Authority shall preside at each meeting of the Combined Authority prior to the commencement of the first Mayor's term.

7.2 If the Chair is absent from a meeting of the Combined Authority, the Vice Chair, if present, and acting in their role as Vice Chair, shall preside.

8 CHAIR OF MEETING – FOLLOWING COMMENCEMENT OF THE MAYOR'S FIRST TERM

8.1 The Mayor in their capacity as Chair of the Combined Authority shall preside at each meeting of the Combined Authority.

8.2 If the Mayor is absent from a meeting of the Combined Authority, the deputy Mayor, if present, and acting in their role as deputy Chair, shall preside.

8.3 Where the deputy Mayor is acting in place of the Mayor they cannot also act in their capacity as a Combined Authority Member who is not the Mayor. The relevant substitute Member for the deputy Mayor may act in the place of the deputy Mayor.

8.4 In relation to any committee and sub-committee of the Combined Authority only, in the absence of the Mayor or deputy Mayor (in their capacity as Chair), the meeting may elect a Chair to preside at that meeting from amongst the Voting Members.

9 QUORUM – BEFORE THE FIRST MAYOR'S TERM

9.1 Pursuant to the Cumbria Combined Authority Order 2026, the quorum of a Combined Authority Meeting prior to the first Mayor's term shall be 3 and must include the Chair or Vice Chair (acting in the place of the Chair) of the Combined Authority and two of the Constituent Council Members.

9.2 The Combined Authority must appoint the Chair and Vice Chair of the Combined Authority from amongst its Constituent Council Members and such appointments shall be the first business transacted after the appointment of the Members at the first Combined Authority meeting.

9.3 If during any meeting if the Chair or Vice Chair of the Combined Authority 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 or Vice Chair of the Combined Authority. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

10 QUORUM – FOLLOWING COMMENCEMENT OF THE FIRST MAYOR'S TERM

10.1 Pursuant to the Cumbria Combined Authority Order 2026, the quorum of a Combined Authority Meeting following commencement of the first Mayor's term shall be 4 and must include the Mayor (or the deputy Mayor acting in place of the Mayor) and at least three Constituent Council Members.

10.2 Where the deputy Mayor is acting in the place of the Mayor they cannot also act in their capacity as a Member.

10.3 The proceedings of the Combined Authority are not invalidated by any vacancy among its Members or substitute Members or by any defect in the appointment or qualifications of any substitute Members.

10.4 If during any meeting if the Mayor or deputy Mayor 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 Mayor or deputy Mayor. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

11 ATTENDANCE AT MEETINGS

11.1 A Substitute Member may only act for the Combined Authority Member for whom they are designated substitute.

11.2 With the exception of the Substitute Member for the deputy Mayor where the deputy Mayor is acting in the place of the Mayor, a substitute member may only act when the Combined Authority Member is absent from the meeting.

11.3 A Substitute Member may not exercise any special powers or duties exercisable by the Member for whom they are substituting.

11.4 The Mayor may invite the Chair of an advisory board, committee or sub committee of the Combined Authority to attend and speak at any meeting of the Combined Authority to;

a) Present any reports or recommendations of the board, committee or sub committee;

b) Answer questions about any matter in the minutes of that committee or sub committee, or

c) Contribute to the discussions about any matter which is relevant to the functions discharged by the board, committee, or sub-committee of which they are chair.

Provided always that such speakers total time allowed will be limited to 30 minutes in order not to impede proper attention to further business.

11.5 The Mayor may invite any person to attend and speak at meetings. In such circumstances the Mayor is required to notify the Monitoring Officer at the earliest opportunity and at least 5 working days ahead of the meeting commencement providing the details of the person(s) invited to speak and the agenda item they have been invited

12 DURATION OF MEETINGS

12.1 At any point during the meeting will last for more than three hours, the Mayor or deputy Mayor (in their capacity as Chair) shall interrupt proceedings at a time the Mayor or Deputy Mayor (in their capacity as chair) considered appropriate whereupon all Members shall stop speaking. The Mayor or deputy Mayor (in their capacity as Chair) shall, without discussion, take a vote on whether or not the Members wish the meeting to continue.

12.2 If the majority of Members present vote to continue the meeting, then a further vote on whether or not to continue the meeting will take place on an hourly basis thereafter.

12.3 If the majority of Members present vote not to continue the meeting any business under consideration at that time shall stand adjourned and shall (together with any remaining

business) be considered at a reconvened Meeting to take place at a time and date fixed by the Mayor or deputy Mayor (in their capacity as the Chair of the Combined Authority).

12.4 If the Mayor or deputy Mayor (as the Chair of the Combined Authority) does not fix a date for the reconvened Meeting to take place, any adjourned item and the remaining business will be dealt with at the next Ordinary Meeting of Combined Authority.

13 RECORD OF ATTENDANCE

13.1 The Monitoring Officer will ensure that the name of any Member present during the whole or part of a meeting is recorded.

14 COFNIRMATION OF MINUTES AND DECLARATIONS OF INTEREST

14.1 Minutes of the last Combined Authority meeting shall be confirmed at the next Ordinary meeting of the Combined Authority.

14.2 Only matters relating to the accuracy of the minutes can be raised, which must be done by way of a motion by a Member attending the meeting which is proposed, seconded, and voted upon. Where no issues are raised, or after the motion has been dealt with, the Mayor or deputy Mayor (in their capacity as Chair) shall initial each page and sign the minutes.

14.3 Any Member with a Disclosable Pecuniary Interest in a matter being discussed should declare the nature of the interest and withdraw from the meeting during the item when this is being discussed.

14.4 Any Member with an Other Registrable Interest or Non-Registrable Interest in a matter being discussed should declare the nature of the interest and should withdraw from the meeting during the item when this is being discussed, if required to do so under the Members' Code of Conduct.

15 PETITION

Petitions can be presented to the Combined Authority in accordance with the published Petition Scheme.

16 QUESTIONS BY MEMBERS OF THE PUBLIC

16.1 At Ordinary meetings of the Combined Authority, questions may be asked by members of the public of the Mayor or deputy Mayor (in its capacity as Chair), Combined Authority Members and/ or Committee Chairs.

16.2 The total time set aside for such questions and answers will be limited to 30 minutes with no extension of time, and questions not dealt with in this time will be dealt with by written responses.

16.3 No person may submit more than one question at any one meeting and no more than two questions may be asked on behalf of any one organization. One supplementary question is allowed..

16.4 Questions must be submitted in writing no later than noon on the ninth clear working day before the meeting and include the name and address of the questioner and the name of the Member to whom the questioner would like the question put. Questions so received will be referred to the Monitoring Officer for consideration and inclusion at a meeting.

16.5 The Monitoring Officer may reject a question if it:

(a) is not about a matter for which the Combined Authority has a responsibility, or which specifically affects the Combined Authority.

(b) is defamatory, vexatious, frivolous, or offensive.

(c) is substantially the same as a question which has been put at a meeting of the Combined Authority in the past six months.

(d) requires the disclosure of confidential or exempt information.

(e) refers to legal proceedings taken or anticipated by or against the Combined Authority.

(f) relates to a day-to-day Combined Authority function or the provision of a Combined Authority service and has not been asked first of the relevant service area.

(g) is not related to policy or budget issues.

(h) is a statement rather than a question.

(i) names or identifies individual service users, members of staff or members/staff of partner agencies.

(j) makes or relates to allegations against, or comprise comments about, the conduct of individual Members or officers and would be more appropriately responded to under the Code of Conduct for Members or Officers.

(k) relates to an individual or the questioner's own particular circumstances.

(l) would more appropriately be responded to under the Freedom of Information Act 2000 or the Data Protection Act 1998.

(m) is from, or on behalf of, a political party, or bears the name, insignia, or other device of a political party.

16.6 All approved questions will be listed in the summons for the meeting of the Combined Authority in the order that they were received (except the Mayor or deputy Mayor (in its capacity as Chair) may decide to group similar questions together).

16.7 Those persons who submitted questions and who are present at that meeting of the Combined Authority will be invited to read aloud the questions put. Questioners may by written notice nominate a substitute to ask a question in their place. One supplementary question is allowed.

16.8 If a member of the public or their nominated substitute who has submitted notice of a question is unable to be present at the meeting, the question falls. However, the Combined Authority will nevertheless provide a written response to the questions put.

17 MOTIONS ON NOTICE

Notice

17.1 Except for motions which can be moved without notice under Rule 16, written notice of every motion, signed by at least 2 Members, must be delivered to the Monitoring Officer not later than noon on the ninth working day before the date of the next meeting of the Combined Authority.

17.2 Motions for which notice has been given will be listed on the agenda in the order in which they were received, unless the Member giving notice states, in writing, they propose to move it to a later meeting or withdraw it.

17.3 No more than one motion may be proposed by an individual Member for each meeting.

Scope

17.4 Motions must clearly and succinctly identify the matter to be debated and be about matters for which the Combined Authority has a responsibility or which affect the Combined Area.

17.5 Where in the reasonable opinion of the Monitoring Officer a motion is likely to have:

17.5.1 an impact on the Combined Authority's Policy Framework or the Combined Authority's Assurance Framework; and/or

17.5.2 a significant impact on the Combined Authority's Budgets;

upon being formally moved and seconded, that motion shall be referred without discussion or amendment to the Head of Paid Service to investigate the feasibility of the proposals, the outcome of which shall be reported to a future meeting of Combined Authority.

17.6 The Monitoring Officer may in consultation the Mayor or deputy Mayor (as the Chair of the Combined Authority) reject any motion that:

a) is not about a matter for which the Combined Authority has a responsibility or which affects the Combined Area;

b) is irrelevant, defamatory, frivolous, offensive, vexatious, unlawful, or otherwise improper.

c) refers to legal proceedings taken or anticipated by or against the Combined Authority.

d) requires the disclosure of confidential or exempt information.

e) names or identifies specific service users, members of staff or members of staff of partner organisations without the mover demonstrating they have provided consent.

f) relates to the Member's own personal circumstances.

g) expresses support or objection to proposals where the Combined Authority is in the process of consulting with the public or responding to a formal consultation process.

Alteration

17.7 A proposer may alter a motion on which they have given notice with the consent of the meeting and the seconder when they come to move it, in which case the amendment becomes part of the substantive motion without debate. Only alterations that could be made as an amendment pursuant Rule 17.1 may be made in this way.

Withdrawal

17.8 Where a motion on notice is before the Combined Authority having been formally moved and seconded, the mover may subsequently withdraw it only with the consent of the seconder and the meeting. The meeting's consent will be signified without discussion. No member may speak on the Motion after the proposer has asked permission to withdraw it unless permission is refused.

Motions not moved

17.9 If a motion set out in the summons is not moved by the Member who gave notice of it, it shall, unless postponed by consent of the Combined Authority, be treated as withdrawn and shall not be moved without fresh notice.

Rescission of earlier resolutions and motions on similar terms

17.10 No motion or amendment may be proposed to rescind any resolution of the Combined Authority passed within the preceding six months, or which is on similar terms as one which has been rejected within that period, unless:

(a) It is proposed by a committee of the Combined Authority,

(b) It is required to comply with a statutory duty; or

(c) Notice of such motion has been given and signed by at least three Constituent Council Members.

18 AMENDMENTS

18.1 An amendment to a motion must;

a) be relevant to the motion:

b) not introduce a new topic;

c) not negate the motion;

d) add or leave out words; and

e) be worded so that, if it is agreed by the Combined Authority, it can be passed as a valid resolution.

18.2 The Mayor or deputy Mayor (in its capacity as Chair), following consultation with the Monitoring Officer, may reject an amendment on the grounds set out in Rule 16.6 or Rule 16.1. An amendment will not be accepted if it is substantially the same as the motion or amendment which has already been submitted to the same meeting of the Combined Authority Board.

18.3 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

18.4 When an amendment has been disposed of, other amendments to the original motion may be moved.

18.5 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

18.6 After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none and no other Member wishes to exercise the right to speak, put it to the vote.

18.7 Motions in relation to Budget and Policy Framework;

a) At the meeting(s) of the Combined Authority which set(s) the Combined Authority's Budget for the following financial year, including the setting of tax, levy, precepts and capital programme, at the Mayor or deputy Mayor (as the Chair of the Combined Authority)'s discretion, each Member may be invited to speak on the budget in relation to their area of responsibility. *Please see the Budget and Policy Rules for further information in relation to the approval of the Mayoral Budget.*

b) No amendments to a motion or recommendation that relates to the Budget or Policy Framework may be moved unless written notice which sets out the amendment or amendments proposed has been given by the Member(s) proposing the amendment(s) and has been delivered to the Monitoring Officer not later than noon on the second working day before the date of the meeting. Following receipt of such notice, a copy of the notice will be circulated to all Members as soon as reasonably practicable. If Mayor or deputy Mayor (as the Chair of the Combined Authority) is satisfied that for reasons of urgency or for other good reason that it is not practicable for notice to be given in accordance with this rule, they may waive the requirement.

c) Each amendment shall be moved, seconded and debated in turn in the order determined by the Chair or Vice Chair of the Combined Authority (prior to commencement of the first Mayor's term) or the Mayor or deputy Mayor (as the Chair of the Combined Authority). The relevant Member moving the substantive item relating to the Combined Authority Budget shall have a right of reply at the end of the debate on each amendment. At the conclusion of the debate on an amendment, the amendment shall be voted on. If any proposed amendment is carried, 16.7.2 will not apply to any further amendments. When all amendments have been disposed of, the vote will be taken on the substantive motion.

19 MOTIONS AND AMENDMENTS WITHOUT NOTICE

19.1 **Procedural Motions**

The following motions may be moved without notice:

a) to appoint a chair of the meeting at which the motion is moved;

b) in relation to the accuracy of the minutes of the Combined Authority, a committee or sub-committee;

c) to change the order of business in the agenda;

d) to refer something to an appropriate body or individual;

e) to appoint a Committee or Member arising from an item on the summons for the meeting;

f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;

g) amendment to reports of which notification has been included within the summons of the meeting but where reports were circulated at a later date than the summons;

h) that leave is given to withdraw a motion;

i) that leave is given to amend a motion by the mover of that motion;

j) to proceed to the next business;

k) that the question be now put;

l) to adjourn a debate;

m) to adjourn a meeting;

n) to suspend a particular Combined Authority procedure rule or standing order;

o) to exclude the public and press in accordance with the Access to Information Rules;

p) to not hear further a Member ~~should not be heard further~~ or should leave the meeting; and

q) to give the consent of the Combined Authority where its consent is required by this Constitution.

Closure Motions

16.1 Motions designed to close a debate may be moved provided no-one else is speaking at the time. Closure of motions cannot be moved by anyone who has moved, seconded, or already spoken in the debate. No person may intervene in discussion on a motion by moving more than one closure motion.

16.2 Where one of the following motions has been seconded, the Mayor or deputy Mayor (in its capacity as Chair) shall proceed as follows:

a) **On a motion to proceed to the next business**: in their opinion they think the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

b) **On a motion that the question be now put:** in their opinion they think the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed they will give the mover of the original motion a right of reply before putting their motion to the vote.

c) **On a motion to adjourn the debate or to adjourn the meeting**: in their opinion think any item has been insufficiently discussed on that occasion, they will put the adjournment motion to the vote without giving the mover of the original motion the right of reply.

d) **On a motion to exclude the public**; they shall ascertain the grounds for the motion and seek the advice of the Monitoring Officer. If members of the public may be lawfully excluded, the Mayor or deputy Mayor (in its capacity as Chair) will allow the mover of the original motion a right of reply on the proposal to

exclude the public and then put the motion to the vote. If it is passed, the Mayor or deputy Mayor (in its capacity as Chair) may, at their discretion either immediately require the public to leave the room or adjourn the debate until some convenient time later in the meeting when the public shall have been excluded.

e) **On a motion that a named Member be not further heard or leave the meeting**: they shall put the motion to the vote without discussion. If it is passed, the named Member shall not be permitted to speak again during the meeting on any motion or amendment relating to the same matter or shall be required to leave the room.

20 RULES OF DEBATE

Motions and Amendments

20.1 No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Mayor or deputy Mayor (in its capacity as Chair), motions or amendments shall be put in writing and handed to the Mayor or deputy Mayor (in its capacity as Chair) before they are further debated or put to the meeting.

No speeches until motion seconded

20.2 No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

Seconder's speech

20.3 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

Content and length of speeches

20.4 Speeches must be directed to the question under discussion or to a personal explanation or point of order. The mover of a motion may speak for no longer than five minutes. No speech may exceed five minutes without the consent of the Mayor or deputy Mayor (as the Chair of the Combined Authority).

When a Member may speak again

20.5 A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

a) to speak once on an amendment moved by another Member;

b) if the motion has been amended since they last spoke, to move a further amendment;

c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);

d) where the mover of a motion exercises their right to reply:

i. at the close of the debate on the motion, immediately before it is put to the vote;

ii. if an amendment is moved, at the close of the debate on the amendment (but they shall not otherwise speak on it). The mover

of an amendment shall have no right of reply to the debate on their amendment.

e) on a point of order referring to a specific Procedure Rule or statutory provision (which must be cited); and

f) by way of personal explanation.

Duties of Person Presiding

20.6 Where, in the Mayor or deputy Mayor (as the Chair of the Combined Authority)'s belief, any debate shall already have represented the views of Members, the Mayor or deputy Mayor, of the Combined Authority shall, notwithstanding that no closure motion has been moved , have discretion to intervene to limit any further debate in order not to impede proper attention to further business.

Point of Order and Personal Explanation

20.7 A Member may raise a point of order at any time. The Mayor or deputy Mayor (as the Chair of the Combined Authority) will hear them immediately. A point of order may only relate to an alleged breach of these Combined Authority Procedure Rules or the law. The Member must indicate the Rule or law and the way in which they consider it has been breached.

20.8 A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood or misquoted in the present debate.

20.9 The Mayor or deputy Mayor (in its capacity as Chair) will hear the Member and give a ruling on the point of order or the admissibility of the personal explanation before the debate continues. The Mayor or deputy Mayor (in its capacity as Chair) may consult on any question of interpretation with the Monitoring Officer or their nominee prior to the making of the ruling. The ruling of the Mayor or deputy Mayor (in its capacity as Chair) on the matter shall not be open to discussion and will be final.

Motions or amendments affecting persons employed by the Combined Authority

20.10 If any question arises at a meeting of the Combined Authority as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct, of any person employed by the Combined Authority, that question shall not be discussed until the Combined Authority, committee or sub-committee has decided whether or not the power of exclusion of the public under the Access to Information Rules should be exercised.

21 VOTING

21.1 Each Voting Member and the Mayor shall have one vote.

21.2 Subject to these Procedure Rules all matters and business of the Combined Authority will be decided by a simple majority of those Voting Members voting and present in the room at the time the question is put.

21.3 From commencement of the first Mayor's term, such majority shall include the Mayor or the deputy Mayor acting in place of the Mayor.

21.4 No Voting Member, including the Mayor or deputy Mayor, shall have a casting vote.

21.5 If a vote is tied, the decision is deemed not to have been carried.

21.6 The following matters concerning the Mayor's budget must be decided by a two thirds majority of the members, or substitute members acting in their place, of the Combined Authority present and voting on the question at a meeting of the Authority:

(a) Any decision to veto the Mayor's draft budget (or draft revised budget) and approve the Mayor's draft budget incorporating the Combined Authority's recommendations.

(b) Any decision to determine the relevant amounts and calculations that are to be used for the financial year where the Mayor has failed to notify the Combined Authority of the Mayor's draft budget before 1st February.

Voting at Combined Authority Meetings

21.7 The mode of voting at meetings of the Combined Authority shall be at the discretion of the Mayor or deputy Mayor (as the Chair of the Combined Authority) to include by way of example:

a) show of hands;

b) electronic equipment installed in the venue in which the meeting is taking place;

c) an electronic voting application or software on personal or mobile devices; or

d) such other means as the Chair considers appropriate.

Right to require individual vote to be recorded

21.8 Where any Voting Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting

Ballots

21.9 The vote will take place by ballot if a simple majority of the Voting Members present and eligible to vote at the meeting demand it. The Chair or Vice Chair of the Combined Authority (prior to commencement of the first Mayor's term) or the Mayor or deputy Mayor (as the Chair of the Combined Authority) will announce the numerical result of the ballot immediately after the result is known.

Recorded Vote

21.10 If by simple majority, the Voting Members present and eligible to vote at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

Voting for Substitute Constituent Council Members

21.11 Subject to Rule 10 (Attendance at Meetings) Substitute Constituent Council Members shall have one vote and may only act and vote in place of the Member for whom they are designated substitute.

Voting on appointments

21.12 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with

the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

Voting in relation to setting the budget

21.13 At a Combined Authority Budget decision meeting of the Combined Authority:-

a) Immediately after any vote is taken there must be recorded in the minutes of the proceedings of that meeting the names of the Voting Members who cast a vote for or against the decision or who abstained from voting.

b) Reference to a "Budget decision meeting" for the purposes of this Rule means a meeting of the Combined Authority at which it makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, or 52ZJ of the Local Government Finance Act 1992 and includes a meeting where making the calculation was included as an item of business on the agenda for that meeting.

c) Reference to a "vote" for the purposes of this Rule are references to a vote on any decision related to the setting of the budget or the calculation in accordance with any of sections 31A, 31B, 34 to 36A or 52ZJ of the Local Government Finance Act 1992 as the case may be including a vote on any amendment to a proposal.

22 MINUTES

Signing the minutes

22.1 The Mayor or deputy Mayor (as the Chair of the Combined Authority) will sign the minutes of the proceedings at the next suitable meeting. The Mayor, deputy Mayor, Chair or Vice Chair of the Combined Authority will move that the minutes of the previous meeting be signed as a correct record.

22.2 The only part of the minutes that can be discussed is their accuracy.

No requirement to sign minutes of the previous meeting at an extraordinary meeting

22.3 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next ordinary meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

Form of minutes

22.4 Minutes will contain all motions and amendments in the exact form and order the Chair put them.

22.5 Minutes will contain the names of all Members present at the meeting.

23 EXCLUSION OF PUBLIC

Members of the public and press may only be excluded, following consultation with the Monitoring Officer either in accordance with the Access to Information Rules in Part 4 of the Constitution or if there is a Disturbance by Public within the meaning on this constitution.

24 CONDUCT AT MEETINGS

Member not to be heard further

24.1 If a Member persistently disregards the ruling of the Mayor or deputy Mayor (as the Chair of the Combined Authority) by continued irrelevance or repetition behaving improperly or offensively or wilfully obstructs business, the Mayor or deputy Mayor ((as the Chair of the Combined Authority), of the Combined Authority may direct the Member to stop speaking. If, following a direction of the Mayor or deputy Mayor (as the Chair of the Combined Authority) to stop speaking, the Member continues to speak, the Mayor (or any other Member) may move that the Member be not heard further. If seconded, the motion will be voted on without discussion and if passed, the Member shall not be permitted to speak on the same matter again during the meeting.

Member to leave the meeting

24.2 If the Member continues to behave improperly after such a motion is carried, the Mayor or deputy Mayor (as the Chair of the Combined Authority) may move that either the Member leaves the meeting for the remainder of the meeting or for a lesser period. If seconded, the motion will be voted on without discussion.

General disturbance

24.3 If there is a general disturbance making orderly business impossible, the Mayor or deputy Mayor (as the Chair of the Combined Authority) may adjourn the meeting for as long as they think necessary.

25 DISTURBANCE BY PUBLIC

Removal of member of the public

25.1 If a member of the public interrupts proceedings, causes a disturbance or behaves improperly, offensively or wilfully obstructs the business of the Combined Authority the Mayor or deputy Mayor (as the Chair of the Combined Authority) will warn the person concerned. If they continue to interrupt, the Mayor or deputy Mayor (as the Chair of the Combined Authority), of the Combined Authority will order their removal from the meeting room and will adjourn the meeting while they are removed from the meeting room.

Clearance of part of meeting room

25.2 If there is a general disturbance in any part of the meeting room open to the public, the Mayor or deputy Mayor (as the Chair of the Combined Authority) may call for that part to be cleared.

26 RECORDING OF MEETINGS

26.1 While any meeting is open to the public, any person present is permitted to report the proceedings by:

a) openly filming, photographing or making an audio recording of the proceedings at the meeting provided the Mayor or deputy Mayor (as Chair of the Combined Authority) has been notified at the commencement of the meeting;

b) using any other means for enabling persons not present to see or hear proceedings at the meeting as it takes place or later;

c) reporting or providing commentary on proceedings at the meeting orally (but not whilst present in the meeting) or in writing, so that the report or commentary is available to other persons as the meeting takes place or later; or

d) using any communication method, including the internet, to publish, post or otherwise share the report.

26.2 The right to record and report is subject to the Mayor or deputy Mayor (as the Chair of the Combined Authority)'s power to deal with disturbance at the meeting. The meeting should not be disrupted by, for example, reporting activities, flash photography or intrusive equipment.

26.3 Any person recording a meeting is requested to focus on recording Members, Officers and the public who are directly involved in the conduct of the meeting. No recording should take place of children, vulnerable persons or other members of the public who request not to be filmed or recorded object to being filmed.

Section 4.2 - Access to Information Rules

1. Scope

1.1. These rules cover all meetings of the Combined Authority and its committees, sub-committees and (where specified) decisions made by the Mayor, Members and key decisions made by Officers.

1.2. These rules also cover Members' rights of access to information.

2. Additional Rights to Information

2.1. These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. Rights To Attend Meetings

3.1. The public may attend all meetings subject to the exceptions in these Rules.

4. Notices Of Meetings

4.1. The Combined Authority will give at least 5 clear working days' notice of any meeting by posting details of the meeting on its website and at its registered office.

4.2. Members entitled to attend a meeting, will receive a summons giving 5 clear working days' notice to attend and specifying the business proposed to be transacted at the meeting. Except in the case of business required by law to be transacted at the Annual Meeting of the Combined Authority, or other business brought before the meeting as a matter of urgency in accordance with the Constitution, no business shall be transacted at a meeting other than that specified in the summons.

5. Public Access To Agenda And Reports Before The Meeting

5.1. The Combined Authority will make copies of the agenda and reports open to the public available for inspection at the designated office and on its website at least 5 clear working days before the meeting, except that where a meeting is convened at shorter notice, the copies of the agenda and reports will be open to inspection from the time the meeting is convened. If an item is added to the agenda later, (as an urgent item), the revised agenda will be open to inspection and published on the Combined Authority's web site from the time the item was added to the agenda. Where reports are prepared after the summons has been sent out, the Monitoring Officer shall make each such report available to the public as soon as the report is completed and sent to Members.

5.2. An item may be added to an agenda after it has been published provided that the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency and the urgency reasons are recorded in the minutes.

5.3. Details of late items and associated report will be made available to the Mayor, and Members and the public as soon as this is made available for inspection and published on the Combined Authority's website.

5.4. This Rule does not require the publication of exempt or confidential information (as defined in Rule 10).

6. Supply Of Copies

6.1. The Combined Authority will supply copies to any person of:

(i) any agenda and reports which are open to public inspection;

(ii) any further statements or particulars, if any, as are necessary to indicate the nature of the items in the agenda; and

(iii) if the Monitoring Officer thinks fit, copies of any other documents supplied to Members in connection with an item

6.2. The Combined Authority will make available for the use of members of the public present at meetings, a reasonable number of copies of the agenda and of those reports which are open to the public.

6.3. This is to the exclusion of exempt and confidential information as further described in these Rules.

7. Reporting Of Meetings By The Press And Public

7.1. Any member of the press or public attending a public meeting of the Combined Authority may record the proceedings and report them to others in accordance with the Board Procedure Rules.

8. Public Access To Minutes Etc. After The Meeting

8.1. The Combined Authority will make available copies of the following for 6 years after a meeting:

(i) the minutes of the meeting excluding any part of the minutes of proceedings during which the meeting was not open to the public or which discloses exempt or confidential information.

(ii) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

(iii) the agenda for the meeting; and

(iv) reports relating to items when the meeting was open to the public.

9. Public Access To Background Papers

9.1. <u>List of background papers</u>

(i) The report author will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) which have been relied on to a material extent in preparing the report,

but does not include published works or those documents which disclose exempt or confidential information (as defined in this Rule 9) and in respect of the Mayor's reports, the advice of a political advisor.

9.2. Public inspection of background papers

(i) The Monitoring Officer Combined Authority will make available for public inspection for 4 years after the date of the meeting one copy of each of the documents on the list of background papers.

9.3. The Combined Authority or the Monitoring Officer will:

(i) publish a list of each of the background documents listed on the Combined Authority's website at the same time as the report is available for public inspection, and

(ii) make a copy of each available to the public at the offices of the Combined Authority, on payment of a reasonable fee.

10. Exclusion Of Access By The Press And Public To Meetings

10.1. Confidential information - requirement to exclude the press and public

(i) The press and public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

10.2. Exempt information - discretion to exclude press and public

(i) The press and public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information (further defined in paragraph 10.5) would be disclosed, provided:

(a) the meeting resolves so to exclude the press and public, and that resolution identifies the proceedings or part of the proceedings to which it applies;

(b) that resolution states, by reference to the descriptions in Schedule 12A to the Local Government Act 1972, the description of the exempt information giving rise to the exclusion of the public; and

(c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, that the public interest in maintaining the exemption outweighs the public interest in disclosing the information,

10.3. Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4. Meaning of confidential information

(i) Confidential information means:

(a) information given to the Combined Authority by a Government Department on terms which forbid its public disclosure; or

(b) information which cannot be publicly disclosed by reason of a Court Order or any enactment.

10.5. Meaning of exempt information

(i) Exempt information means information falling within the following descriptions (subject to any qualifications):

Paragraph No.	Description	Qualification
1.	Information relating to any individual	Information within paragraph 1 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2.	Information which is likely to reveal the identity of an individual.	Information within paragraph 2 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information within this description is not exempt information if it is required to be registered under- (a) the Companies Act 2006; (b) the Friendly Societies Act 1974; (i) (c)the Friendly Societies Act 1992; (d) the Co-operative and Community Benefit Societies Act 2014; (e) the Building Societies Act 1986;or (f) the Charities Act 2011. Subject to the above, information within paragraph 3 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	Information within paragraph 4 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information within paragraph 5 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
6.	Information which reveals that the authority proposes - a) to give under any enactment a notice under or by virtue of which	Information within paragraph 6 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

	requirements are imposed on a person; or b) to make an order or direction under any enactment	
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Information within paragraph 7 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

11. Exclusion Of Access By The Public To Reports

11.1. If the Monitoring Officer thinks fit, the Combined Authority may exclude access by the public to reports which in their opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

12. Key Decisions

12.1. A Key Decision means a decision of a decision maker, which in the view of an overview and scrutiny committee of the Combined Authority is likely:

(i) to result in the Combined Authority or the Mayor incurring significant expenditure, or the making of significant savings, having regard to the Combined Authority's budget for the service or function to which the decision relates; or

(ii) to be significant in terms of its effects on persons living or working in an area comprising two or more electoral divisions in the area of the Combined Authority.

12.2. For the purposes of (i) above, this includes any decision likely to result in the Combined Authority incurring expenditure or making savings (including the receipt or loss of income) of £500,000 or more in any financial year.

12.3. For the purposes of (i) and (ii) above, the following shall not be treated as a Key Decision:

(i) any decision which is a direct consequence of implementing a previous Key Decision,

(ii) any decision which is the result of varying a previous Key Decision in line with recommendations made by an overview and scrutiny committee following a call in of that decision;

(iii) a Treasury Management decision in relation to the making, payment or borrowing of a loan, or

(iv) the urgent settlement of proceedings to which the Combined Authority is a party; or

(v) any decision relating to the acceptance of funding

13. Procedure Before Taking Key Decisions

13.1. Subject to Rule 15 (general exception) and Rule 16 (special urgency), a Key Decision may not be taken unless:

(i) a notice (called here a Forward Plan) has been published in connection with the matter in question;

(ii) at least 28 clear working days have elapsed since the publication of the Forward Plan; and

(iii) where the decision is to be taken at a meeting of the Combined Authority or its committees, notice of the meeting has been given in accordance with Rule 4 (notice of meetings).

14. The Forward Plan Of Key Decisions (Non Mayoral And Mayoral Functions)

14.1. Content of Forward Plan

The Forward Plan will contain matters which are considered to be the subject of a key decision to be taken by the Combined Authority, the Mayor, a Member, a committee , officers or under joint arrangements in the course of the discharge of a function during the period covered by the plan. The Forward Plan must be published at least 28 clear working days before the start of the period covered and made available to the Overview & Scrutiny Committees. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

(a) the matter in respect of which a decision is to be made;

(b) where the decision taker is an individual, their name and title, if any and where the decision taker is a body, its name and details of membership;

(c) the date on which, or the period within which, the decision will be taken;

(d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;

(e) the means by which any such consultation is proposed to be undertaken;

(f) the steps any person might take who wishes to make representations to the Combined Authority or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken;

(g) a list of the documents submitted to the decision taker for consideration in relation to the matter; and

(h) where the decision is to be taken in private the reasons for this.

14.2. Exempt and confidential information and the advice of political advisers will not be included in a forward plan but the published Forward Plan should contain particulars of the matter.

15. General Exception

15.1. If a matter which is likely to be a Key Decision has not been included in the Forward Plan, then subject to Rule 16 (Special Urgency), the decision may still be taken if:

(i) the decision must be taken by such a date that it is impracticable to defer the decision;

(ii) the Monitoring Officer has informed the Chair (or Vice Chair in the Chair's absence) of the relevant Overview & Scrutiny Committee, in writing, by notice, of the matter to which the decision is to be made;

(iii) the Monitoring Officer has made copies of that notice available to the public at the registered office of the Combined Authority; and

(iv) at least 5 clear working days have elapsed since the Monitoring Officer complied with their obligations under paragraph (iii).

15.2. Subject to Rule 15.1 being complied with, the Combined Authority shall publish details of the reasons why it was impracticable to publish a notice of a decision in a Forward Plan in advance of the decision (in accordance with Rule 14).

16. Special Urgency

16.1. If, by virtue of the date by which a Key Decision must be taken, Rule 15 (General Exception) or Rule 17 (Procedure Prior To Private Meetings) cannot be followed, then the decision can only be taken if the decision taker or the Chair of the body making the decision, obtains the agreement from:

(i) the Chair of the relevant Overview & Scrutiny Committee; or

(ii) if there is no Chair of a relevant Overview & Scrutiny Committee, or if the Chair of the relevant Overview & Scrutiny Committee is unable to act, then the Vice Chair)

that the taking of the decision cannot be reasonably deferred and the decision is urgent.

16.2. As soon as reasonably practicable after agreement has been given the decision maker must make available a notice setting out the reasons for urgency and why the decision cannot be reasonably deferred and make available at the Combined Authority's office as well as publish that notice on the Combined Authority's website.

17. Procedure Prior To Private Meetings

17.1. A private meeting may not take place unless:

(i) At least 28 clear working days before the scheduled meeting a notice (the Forward Plan) has been made available for inspection by the public at the designated office and on the website indicating the Combined Authority's intention to hold the meeting in private and the reasons for this intention

(ii) At least 5 clear working days before the scheduled meeting a further notice has been made available for inspection by the public at the designated office and on the website which shall include:

(a) a statement of the reasons for the meeting to be held in private;

(b) details of any representations received about why the meeting should be open to the public; and

(c) a statement of the decision-making body's response to any representations received.

17.2. Where compliance with Rule 17.1 is impractical, Rules 15 and 16 may be followed.

18. Reports To The Combined Authority

18.1. Where a decision has been made and was not treated as a Key Decision and the relevant Overview & Scrutiny Committee thinks that it should have been treated as a key decision the relevant Overview & Scrutiny Committee may require a report to be submitted to the Combined Authority within such reasonable time as the Overview & Scrutiny Committee specifies. The power to require a report rests with the Overview & Scrutiny Committee but is also delegated to the Monitoring Officer who shall require such a report on behalf of the Overview & Scrutiny Committee when so requested by the Chair of the Overview & Scrutiny Committee or any [ ] Members. Alternatively, the requirement may be raised by resolution passed at a meeting of the relevant Overview & Scrutiny Committee.

19. Key Decision Reports

19.1. Where a Key Decision has been taken outside of a Combined Authority Meeting, a key decision may only be taken:

(i) at a time and place that will be agreed and the relevant report author (or nominee) is in attendance when the decision is taken; and

(ii) on consideration of a report which shall contain as a minimum:

(a) a recommended decision;

(b) a presentation of reasons for the recommendation being put forward details of any other options considered for recommendation and why those options were rejected;

(c) details of any consultation undertaken or proposed including, in respect of consultation undertaken,. the nature and extent of the consultation undertaken with stakeholders and the overview and scrutiny committees and the outcome of that consultation;

(d) a consideration of the financial and legal issues pertaining to the matter, and such other matters as governance chief officers (the Head of Paid Service,. Section 73 Officer or Monitoring Officer) may require, including risk, staffing or equalities implications; plus

(e) a list compiled of any Background Papers to the report in accordance with Rule 9 above.

19.2. As soon as reasonably practicable after a Key Decision has been taken the decision maker will prepare, or instruct the Proper Officer to prepare, a written statement to form a Decision Notice to contain:

(i) a record of the decision, including the date it was made;

(ii) a record of the reasons for the decision;

(iii) details of any alternative options considered and rejected when making the decision;

(iv) a record any conflict of interest declared who is consulted relating to the decision; and

(v) in respect of any declared conflict of interest, a note of dispensation granted.

19.3. This does not require the disclosure of exempt or confidential information, or advice from a political adviser or assistant.

20. Written Records of Decisions Made By The Mayor

20.1. Any decision taken at a meeting of the Combined Authority will be recorded in the minutes of the meeting.

20.2. Where a decision has been taken outside of a Combined Authority meeting:

(i) any Key Decision taken by the Mayor or a Combined Authority Member acting on the Mayor's behalf will be recorded and published in a decision notice on the Combined Authority's website, together with a copy of the written report considered in respect of the decision, and

(ii) any decision taken by an Officer acting on the Mayor's behalf will be recorded as a written record of their decision in accordance with the Access to Information Rules above.

21. Written Records of Decisions Made By An Officer

21.1. A decision making officer is required to produce a written record of their decision through an Officer Decision Notice if the decision has been delegated;:

(i) under a specific express authorisation; or

(ii) under the Scheme of Delegation to Officers where the effect of the decision is to-

(a) grant a permission or licence;

(b) affect the rights of an individual except where there are matters that require notice to be served urgently by officers on site in the interests of public safety; or

(c) award a contract or incur expenditure which, in either case, materially affects the Combined Authority's financial position, for which purposes is taken to be a financial saving or expenditure of £500,000 or more.

21.2. An Officer must also record and publish any Key Decision they make through an Officer Decision Notice, whether or not it is outside the criteria set out above.

21.3. An Officer must also record and publish any decision that incurs expenditure over £50,000 through an Officer Decision Notice.

21.4. An Officer may also,

(i) record, or

(ii) record and publish, any other decision outside of 21.1, if they consider this to be in the public interest.

21.5 As soon as reasonably practicable after an officer has made a written record in accordance with 21.1 or 21.4 (b), the Monitoring Officer shall make any written record and any background papers;

(i) available for inspection by the public:

(ii) at all reasonable hours, at the offices of the Combined Authority,

(iii) on the Combined Authority's website, and

(iv) by such other means that the Combined Authority considers appropriate.

21.5. A Decision Notice, or other appropriate form of record where relevant to the form of that decision, to be made by a decision-making officer shall contain a minimum of the following information:

(i) the date the decision was taken;

(ii) a record of the decision taken along with reasons for the decision;

(iii) details of alternative options, if any, considered and rejected; and

(iv) where made under an express delegation, the names of any Member of the relevant delegating body who has declared a conflict of interest in relation to the decision.

22. Record Of Decisions

22.1. As soon as reasonably practicable after any meeting of the Combined Authority or committee, the Proper Officer will produce a written statement of every decision taken and make it available for inspection by the public at the Combined Authority's offices and on the Combined Authority's website. The minutes of the meeting will be regarded as the written statement of these decisions. The statement must include:

(i) a record of the decision including the date it was made

(ii) a record of the reasons for the decision

(iii) details of any alternative options considered and rejected at the meeting; and

(iv) a record of any conflict of interest relating to the matter decided which is declared by an Member present at the meeting and, in respect of any declared conflict of interest, a note of any dispensation granted.

22.2. Any Key Decision taken by the Mayor or a Member acting on the Mayor's behalf will be recorded and published on the Combined Authority's website, together with a copy of the written report considered in respect of the decision.

23. Overview & Scrutiny Committee Access to Documents

23.1. Members of the Overview & Scrutiny Committee are entitled to receive documents or any part of a document that contains exempt or confidential information provided that information is relevant to an action or decision they are reviewing or scrutinising; or intend to scrutinise.

23.2. Members of the Overview & Scrutiny Committee are not entitled to receive documents or any part of a document that contains advice provided by a political adviser or assistant.

23.3. Subject to Rules 23.1 and 23.2, Members of the Overview & Scrutiny Committee are entitled to a copy of any document which is in the possession or under the control of the Combined Authority and contains material relating to any business that has been transacted at a meeting of the Combined Authority or at a decision-making committee of the Combined Authority. The Member must make any request for such a document in writing to the Monitoring Officer, who shall consider any such request on behalf of the Combined Authority.

23.4. The document must be provided as soon as reasonably practicable and, in any case, no later than 10 clear working days after the Monitoring Officer receives the request.

23.5. Where the Monitoring Officer determines that a Member is not entitled to a copy of a document or part of any such document, they must provide the overview and scrutiny committee or sub-committee with a written statement setting out the reasons for that decision.

24. Additional Rights of Access For Members

24.1. Members of a committee or decision-making body of the Combined Authority are automatically provided with, and entitled to receive, copies of confidential or exempt reports of that body.

25. Rights Of Members - “Need To Know”

25.1. In addition, Members will be entitled to access and inspect documents and to attend the confidential part of meetings of Committees and sub-committees (even though they are not a member of those bodies) where they can demonstrate a "need to know" in order to perform their duties as Members.

25.2. Subject to Rule 25.3 below, the circumstances where a "need to know" may be treated as arising will include:

(i) where the matter relates to a sub-committee of a committee of which the Member is a member;

(ii) where the matter relates to a committee where the Member is a member;

(iii) where the matter is within the remit of the Audit or Overview & Scrutiny Committee of which the Member is a member;

(iv) where the Combined Authority is required to approve the decisions or recommendations of committees or sub-committees;

(v) Where the matter has been delegated to a committee or sub- -committee, but significantly affects the reputation of the whole Combined Authority;

(vi) in relation to exempt material within a report on a decision that has been called in for consideration by Overview and Scrutiny Committee and a Member has signed a call-in notice and that Member has indicated that they wish to address the Overview and Scrutiny Committee as part of the call-in process.

25.3. There will not be a "need to know" if a Member is acting in bad faith or in pursuance of a personal pecuniary or non-pecuniary interest or merely out of curiosity.

25.4. A Member wishing to see confidential or exempt committee or sub- committee documents or to attend the confidential part of a meeting should make a written application to the Monitoring Officer giving 5 clear working days' notice, setting out the reasons and information in support of their claim to have a "need to know", and why the document and/or attendance at the meeting is necessary in order to enable the Member properly to perform their duties.

25.5. The determination as to whether or not "need to know" has been demonstrated will be made by the Monitoring Officer based on officer advice which may include legal advice.

25.6. Once a determination has been made, this will be communicated to the Member or individual who has made the claim.

25.7. Where a matter or document is confidential or exempt, Members exercising the above rights will be asked to sign an agreement to preserve the confidentiality of the information.

Section 4.3 - Mayoral Procedure Rules

1. INTRODUCTION

1.1. These Rules apply to the Mayor or any other decision-maker exercising any Mayoral Function under arrangements made by the Mayor.

1.2. The relevant Officer or decision-maker should make decisions in accordance with the principles set out in Article 9 (Decision-making) of Part 2 of the Constitution.

1.3. In relation to a Key Decision or any decision of significant public interest, the decision-maker may make a decision only after considering a written report setting out advice from the Section 73 Officer and the Monitoring Officer.

1.4. The relevant Officer or decision-maker must comply with any applicable codes, standing orders or protocol set out in the Constitution, including the relevant Code of Conduct.

2. MAYORAL GENERAL FUNCTIONS

2.1. The decision maker must give notice of any Key Decision on the Combined Authority's Forward Plan, in accordance with the Access to Information Rules in Part 4 of the Constitution, subject to the general exception and cases of special urgency provisions.

2.2. Where the decision-maker is the Mayor or any other Member the Key Decision must be taken at a meeting of the Combined Authority, unless the decision-maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the Key Decision is urgent and cannot be deferred.

3. OTHER DECISIONS

3.1. The decision-maker may take any decision which is not a Key Decision outside of a meeting of the Combined Authority, subject to the requirements below in relation to recording and publishing decisions.

3.2. A decision-maker must record and publish any decision in respect of a Mayoral Function in accordance with the Access to Information Rules in Part 4 of the Constitution.

Section 4.5 - Budget and Policy Rules

1 GENERAL

1.1 The Combined Authority will be responsible for the adoption of the budget and policy framework. Once a budget or a policy framework is in place, it will be the responsibility of the Combined Authority, Members and Officers to implement it.

1.2 These rules reflect specific statutory requirements relating to the approval of budgets and policies by the Combined Authority and the Mayor, or other decision-makers on their behalf.

1.3 Decision-makers should consider whether any consultation is required in respect of their proposals, in addition to the statutory requirements specified in these rules.

1.4 Officers, decision-makers should also engage with a Combined Authority Overview and Scrutiny Committee (and any other committee of the Combined Authority) as appropriate in the development and scrutiny of proposals.

1.5 When approving budgets or policies, Officers and decision-makers must comply with the provisions relating to Key Decisions in the Access to Information Rules and the Financial Regulations set out in Part 4 of the Constitution.

2 MAYOR'S BUDGET

2.1 The Mayor must prepare a draft Mayor's Budget for the Mayoral General Functions by 1 February. The draft budget must:

- set out the Mayor's spending plans and how the Mayor intends to meet the costs of the Mayoral General Functions, and
- include the relevant amounts and calculations.

2.2 If the Mayor fails to present a draft budget to the Combined Authority by 1 February, the Combined Authority must determine the relevant amounts and calculations for the financial year. The decision must be made by a minimum two third majority of the Combined Authority Constituent Council Members present and voting.

2.3 The Combined Authority must review any draft budget presented by the Mayor, and may make a report on the draft budget to the Mayor. The Mayor does not vote on this decision whether to make a report, which is decided by a simple majority of the other Constituent Council Members present and voting.

2.4 The draft Mayor's Budget shall be deemed to be approved by the Mayor, unless the Combined Authority makes such report by 8 February.

2.5 Any report made by the Combined Authority:

- must set out whether or not the Combined Authority would approve the draft budget in its current form, and

- may include recommendations, including recommendations as to the relevant amounts and calculations that should be used for the financial year.

2.6 Where the Combined Authority has made a report, it must specify a period of at least 5 clear working days (beginning on the day after the day on which the Mayor receives the report) within which the Mayor may:

- decide whether or not to make any revisions to the draft budget, and

- notify the Combined Authority of the reasons for that decision and, where revisions are made the revised Mayor's budget.

2.7 Where any specified period has expired, the Combined Authority must decide (taking into account the reasons given by the Mayor) whether to:

- approve the draft Mayor's budget, or the revised draft budget; the Mayor does not vote on this decision, which is decided by a simple majority of the Constituent Council Members present and voting, or

- veto the Mayor's draft budget (or revised draft budget) and approve the draft Mayor's budget incorporating the Combined Authority's recommendations contained in the report to the Mayor; the decision must be made by a two thirds majority of the Constituent Council Members present and voting.

2.8 The draft Mayor's budget (or the revised draft budget) shall be deemed to be approved unless vetoed within 5 clear working days beginning with the day after the date on which the period specified for the Mayor to consider the Combined Authority's report.

3 Approval of policies – Mayoral Functions

3.1 Preparing and reviewing a **Local Transport Plan** is a Mayoral General Function, (that is, exercisable by the Mayor). The Mayor must have regard to any relevant statutory guidance when discharging this function.

3.2 In preparing and keeping the Local Transport Plan under review, the Mayor must consult:

- each local traffic authority for the Combined Area,

- the Secretary of State in relation to functions which the Secretary of State has as highway authority and traffic authority, and

- the Constituent Councils.

3.3 In preparing and keeping the Local Transport Plan under review, the Mayor must also consult such of the following as the Mayor considers appropriate:

- operators of any network or station, or of any railways services in the Combined Area,

- operators or providers of other transport services in the Combined Area, or representative organisations,

- organisations appearing to the Mayor to represent the interests of users of transport services and facilities in the Combined Area, and

- other persons whom they consider appropriate.

3.4 As soon as practicable when a new Local Transport Plan has been prepared or altered, the Mayor must:

- publish the Local Transport Plan, and send a copy of it to the Secretary of State and such other persons as specified in statutory guidance,

- cause a copy of the Local Transport Plan to be made available for inspection, and give the public notice about this,

- supply a copy to any person on request.

3.5 The Mayor will approve any other policy in relation to Mayoral Functions, unless authority to do this has been delegated under the Mayor's arrangements.

4 APPROVAL OF POLICIES - NON-MAYORAL FUNCTIONS

4.1 The Combined Authority will approve any policy in relation to Non-Mayoral Functions. Where a Non-Mayoral Function has been conferred on the Combined Authority by the Cumbria Combined Authority Order 2026, approval of that policy requires the support of the Mayor following commencement of the first Mayor's term.

Section 4.6 – Overview and Scrutiny Procedure Rules

1. Functions

1.1. The Combined Authority must appoint one or more Overview and Scrutiny Committees.

1.2. An Overview and Scrutiny committee may appoint one or more sub- committees to carry out any of its functions.

1.3. The functions of the Overview and Scrutiny Committee is to:

a) review or scrutinise any decision made or other action taken by the Combined Authority in connection with exercising any Non-Mayoral Function,
b) make reports or recommendations to the Combined Authority with respect to exercising any Non-Mayoral Function,
c) review or scrutinise decisions made or other action taken by the Mayor in connection with exercising any Mayoral General Function,
d) make reports or recommendations to the Mayor with respect to exercising any Mayoral General Function, and
e) make reports or recommendation to the Combined Authority or the Mayor on matters that affect the Combined Authority's Area or its inhabitants.

2. Membership

2.1. Members of the Overview and Scrutiny Committee are appointed in accordance with these Rules.

2.2. The Combined Authority will appoint six (6) members of each of the Constituent Council to an Overview and Scrutiny Committee so twelve (12) members will make up the Overview and Scrutiny Committee.

2.3. In appointing members to the Overview and Scrutiny Committee, the Combined Authority will comply with the provisions of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 and have regard to any nominations made by the Constituent Councils and ensure that the members of the Overview and Scrutiny Committee nominated by the Constituent Councils reflect, as far as is reasonably practicable, the balance of political parties across the Combined Area.

2.4. The Combined Authority may appoint a substitute member of the Overview and Scrutiny Committee (to be known as a "deputy" or "deputy member") for each member of the Overview and Scrutiny Committee, from the same party and council as the member, to act in the absence of that member at a meeting of the Overview and Scrutiny Committee.

2.5. A deputy member of the Overview and Scrutiny Committee may only act in the absence of a member for whom they are the designated substitute or a member from the same political party and council, and where the member will be absent for the whole of the meeting.

2.6. A deputy member may not exercise any special powers or duties exercisable by the member for whom they are substituting but may be appointed to a working group or be assigned scrutiny duties by the Overview and Scrutiny Committee in their own right.

2.7. Neither the Mayor nor any other Constituent Council Member (or Substitute Constituent Council member), a member of any decision-making committee or any executive member of a Constituent Council may be a member of the Overview and Scrutiny Committee.

3. Voting

3.1. Each member of the Overview and Scrutiny Committee appointed from a Constituent Council has one vote.

3.2. All matters coming before the Overview and Scrutiny Committee meeting shall be decided by a simple majority of the members present and voting on the question at a meeting of the Overview and Scrutiny Committee.

3.3. No member of the Overview and Scrutiny Committee has a casting vote.

3.4. If a vote is tied on any matter, it is deemed not to be carried.

3.5. Members of the Overview and Scrutiny Committee who are appointed other than from the Constituent Councils shall be non-voting members of the Overview and Scrutiny Committee but may be given voting rights by resolution of the Combined Authority.

4. Appointment of Chair and Vice Chair(s)

4.1. The Combined Authority will appoint the Chair of any overview and scrutiny committee in accordance with Paragraph 5, Part 2 of the the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

4.2. **The Chair must be an independent person or an appropriate person who is a member of one of the Constituent Councils (that is, a person who is not a member of a registered political party of which the Mayor is a member).**

4.3. **A person is independent if the person:**

a) is not a Member or Officer ;
b) is not a Member or Officer or a parish council for which a Constituent Council is the principal authority;
c) is not a relative, or close friend, of a person within sub-paragraph (a) or (b) 7.18 ; and
d) was not at any time during the 5 years ending with an appointment as chair of the overview and scrutiny committee under arrangements made by the combined

authority in accordance with paragraph 3(4)(a) of Schedule 5A to the 2009 Act

e) a Member or Officer of the combined authority; or

f) a Member or Officer of a Constituent Council or a parish council for which a constituent council is the principal authority.

4.4. Where the Combined Authority does not appoint the Chair of the Overview and Scrutiny Committee, the Overview and Scrutiny Committee may appoint its own Chair.

4.5. The Overview and Scrutiny Committee may appoint up to two Vice Chairs.

4.6. The Chair(s) and Vice Chair(s) of any sub-committee will be appointed by the appointing Overview and Scrutiny Committee.

4.7. A Vice Chair may exercise any of the powers and duties of the Chair of the Overview and Scrutiny Committee in their absence, as directed by the Chair.

4.8. In the absence (or vacancy) of both the appointed Chair and Vice Chair(s) at a singular Overview and Scrutiny Committee meeting, the Overview and Scrutiny Committee may select any member present to chair that meeting.

4.9. Where the Chair of the Overview and Scrutiny Committee is to be an independent person in accordance with the provisions made under paragraph 3 of Schedule 5 of the 2009 Act, the relevant provisions set out in Article 5 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 and shall apply.

5. Conflicts of Interest

5.1. No member of the Overview and Scrutiny Committee may scrutinise a decision (whether or not implemented) in which they were directly involved as a member of the Overview and Scrutiny Committee or sub-committee which made the decision.

5.2. Such a member may only attend the Overview and Scrutiny Committee or sub-committee to:

a) make representations,

b) answer questions, or

c) give evidence about the decision.

5.3. This does not prevent any such member being counted in the quorum of the meeting.

6. Quorum

6.1. At least two-thirds of the total number of members of the Overview and Scrutiny Committee must be present at a meeting for business to be transacted.

6.2. The Overview and Scrutiny Committee may delay the start of a meeting for up to 15 minutes beyond the scheduled time to allow for quorum to be met. If the meeting is still not quorate after that time, the meeting must be cancelled,

rescheduled or held as an informal discussion session.

6.3. Business includes:

a) Approving minutes.
b) Approving reports and recommendations
c) Appointment of working groups, sub-committees, chairs and vice chairs.

7. Working Groups

7.1. The Overview and Scrutiny Committee may appoint a temporary or permanent working group to contribute to and inform the scrutiny process, including by making recommendations.

8. Work Programme and referral of matters to the Overview and Scrutiny Committee

8.1. The Overview and Scrutiny Committee will set its own work programme in accordance with the Overview and Scrutiny Committee Terms of Reference (see Section 3.1, Part 3 of the Constitution).

8.2. The Combined Authority, any of its committees or the Mayor may ask the Overview and Scrutiny Committee to review any matter or assist in developing budget and policy proposals, provided that the request is made in writing to the Chair or Scrutiny Officer, who will ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee.

8.3. The following matters may be referred to the Overview and Scrutiny Committee:

a) A member of the Overview and Scrutiny Committee may refer to the committee any matter which is relevant to the functions of the committee,

b) A Combined Authority Member or member of any Combined Authority committee may refer to the Overview and Scrutiny Committee any matter which is relevant to the function of the committee and is not an excluded matter;

c) any member of a Constituent Council may refer to the Overview and Scrutiny Committee any matter which is relevant to the functions of the committee and is not an excluded matter; and

d) any other matters provided for pursuant to the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

8.4. Where a matter is referred to the Overview and Scrutiny Committee by any member under Procedure Rule 7.3 (b) or (d) above, in considering whether to review or scrutinise a matter referred to the committee, the committee must have regard to any representations made by the member referring the matter as to why it would be appropriate for the committee to review or scrutinise the matter. If the committee decides not to review or scrutinise the matter, it must notify the member of its decision and the reasons for it.

8.5. The Overview and Scrutiny Committee must provide a member with any copy of any report or recommendations which it makes in connection with any matter referred to it by the member of the Overview and Scrutiny Committee under Procedure Rule 7.3 (b) or (d) above.

9. Meetings

9.1. The Overview and Scrutiny Committee will schedule regular committee meetings and meet as often as required to effectively discharge their functions.

9.2. An extraordinary meeting of the Overview and Scrutiny Committee may be called by:

- the Chair of the Overview and Scrutiny Committee, or
- one-third of the total number of members of the Overview and Scrutiny Committee from including at least one member from both Constituent Councils.

10. Attendees

10.1. The Overview and Scrutiny Committee may require the Mayor, any other Combined Authority Member or an officer of the Combined Authority to attend before it to answer questions or to provide information and submit reports about any matter within its terms of reference.

10.2. Where a committee requires the Mayor or any other Member or Officer to attend, the Monitoring Officer shall inform that person or their office in writing giving at least 5 clear working days' notice of the meeting. The notice will state:

- the date of the meeting they are required to attend,
- the nature of the item, and
- whether they must produce any papers or information for the committee,
- which officers may also attend.

10.3. The Mayor, any other Member, or Officer must comply with any reasonable notice they are given.

10.4. Where, in exceptional circumstances, the person is unable to attend on the required date, the Overview and Scrutiny Committee shall consult with the person to arrange an alternative date.

10.5. The Overview and Scrutiny Committee may invite any other person to attend any meeting to:

- address it,
- provide information and submit reports,
- discuss issues of local concern, and/or
- ask and answer questions.

10.6. Each member of the Overview and Scrutiny Committee will be given the opportunity to ask attendees questions, contribute and speak.

10.7. Attendees assisting the committee must be treated with respect and courtesy.

11. Reports and Recommendations

11.1. The Overview and Scrutiny Committee may make reports or recommendations to any decision- maker including the Combined Authority, the Mayor, any decision-making committee or decision-making officer.

11.2. If the Overview and Scrutiny Committee cannot agree a final report, a minority report may be prepared and submitted as an appendix to the majority report by the dissenting members present, if they number at least one-third of the total number of voting members appointed from the Constituent Councils.

11.3. The Overview and Scrutiny Committee may publish any report, statement or

recommendations, subject to Procedure Rule 12, according to its own processes.

11.4. Where in the opinion of the Overview and Scrutiny Committee, any report or recommendation is of particular significance to any Constituent Council over and above any other Council, the report or recommendation shall also be submitted to that Constituent Council for consideration. Any response of that Council shall be reported back to the Overview and Scrutiny Committee which made the report or recommendation.

12. Notice

12.1. Pursuant to the provisions of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, the Overview and Scrutiny Committee may, by notice, require the decision-maker (which may include the Mayor) in question within 2 months of receiving any report or recommendations or (if later) the notice, to:

- consider the report or recommendations,
- respond to the Overview and Scrutiny Committee indicating what (if any) action they propose to take,
- publish the response, if the Overview and Scrutiny Committee has published the report or recommendations, subject to Procedure Rule 12 below.

12.2. A decision-maker must respond to a report, or recommendations made by the Overview and Scrutiny Committee, within 2 months beginning with the date on which they received the notice, and subject to Procedure Rule 12 below.

13. Publishing a Document: Confidential and Exempt Information

13.1. Procedure Rule 12.2 applies to the publication of any document comprising a report or recommendations of the Overview and Scrutiny Committee, or a response of a decision-maker to any such report or recommendations.

13.2. In publishing the document, the Overview and Scrutiny Committee or decision-maker must exclude any confidential information and may exclude any relevant exempt information, see further the Access to Information Rules in Part 4 of the Constitution.

13.3. When providing a copy of a document, the Overview and Scrutiny Committee or decision-maker may exclude any confidential information or relevant exempt information.

13.4. Where information is excluded, the Overview and Scrutiny Committee or decision-maker:

- may replace so much of the document as discloses the information with a summary which does not disclose that information, and
- must do so if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible.

14.Call-In of Decisions

13.1 The following decisions may be called-in for scrutiny:

- any decision of the Combined Authority or of any decision-making committee of the Combined Authority, and
- any Key Decision taken by the Mayor, a Member, an Officer or the Combined Authority.

With the exception of:

- any decision which the decision-maker has resolved is urgent
- any decision relating to approving or amending governance arrangements.

13.2 One-third of the total voting members of the Overview and Scrutiny Committee to include at least one member from each of the two Constituent Councils may call-in a decision eligible for call-in by submitting a completed and signed "call-in pro forma" to the Monitoring Officer by midday 12.00 pm on the fifth clear working day following publication under Procedure Rule 13.3 or 13.4.

13.3 The Monitoring Officer shall publish details of any decision taken at a meeting of the Combined Authority or committee eligible for call-in within 2 clear working days of a meeting.

13.4 Any other Key Decision taken by the Mayor, a Combined Authority Member (on behalf of the Mayor) or taken by an officer will be published as a written record within 2 clear working days of the decision being made, see further Article 9 (Decision Making) in Part 2, and the Access to Information Rules in Part 4 of the Constitution.

15.Implementing and Scrutinising Decisions which are Eligible for Call-In

14.1 An urgent decision may be implemented immediately.

14.2 Any other decision of the Combined Authority or a committee, or Key Decision taken by the Mayor, any other Combined Authority Member (on behalf of the Mayor) or an officer may be implemented only after midday 12.00 pm of the sixth clear working day after the publication of the decision, unless it is called-in.

14.3. On receipt of a call-in request, the Scrutiny Officer shall notify the Chair of the Overview and Scrutiny Committee and the decision-maker of the call-in.

14.3 Where a decision is called-in, the Chair of the Overview and Scrutiny Committee, may direct that the decision is not to be implemented while it is under review or scrutiny by the Overview and Scrutiny Committee, for a period not exceeding 10 working days from the date on which the direction is issued. The Monitoring Officer may extend this period in exceptional circumstances in the interests of fairness in coordination with the Overview and Scrutiny Committee and decision-maker.

14.4 The Overview and Scrutiny Committee must scrutinise the decision within 10 working days of the Scrutiny Officer receiving the request for call-in, or before the expiry of any direction, if different. The Monitoring Officer may extend this period in exceptional circumstances in the interests of fairness in coordination with the Overview and Scrutiny Committee and

decision-maker.

14.4 Members who have submitted a call-in notice must attend, or nominate a representative to attend, the meeting scrutinising the decision which has been called-in.

14.5 Where the Overview and Scrutiny Committee has scrutinised a decision, it may recommend that the decision is re-considered by the decision-maker. Any decision which is recommended for re-consideration may not be implemented while any direction under this Procedure Rule is of effect, except in accordance with Procedure Rule 14.8 below.

14.6 The Scrutiny Officer will notify the decision-maker of the outcome of the scrutiny by the Overview and Scrutiny Committee within 2 clear working days of the meeting. Where the decision has not been recommended for re-consideration, it may be implemented on receipt of this notification.

14.7 The decision-maker must reconsider any decision not later than 10 working days after the date on which the recommendations of the Overview and Scrutiny Committee are received.

14.8 The Chair of the Overview and Scrutiny Committee or any other members nominated to do so and, where applicable, a representative of the dissenting members who have appended a "minority report" must attend any meeting which is reconsidering the decision, to present the report or recommendations

14.9 The decision-maker may confirm, amend or rescind the decision. Their response should be published in accordance with Procedure Rule 12.

14.10 A decision which has been confirmed or amended by the decision-maker may be implemented immediately.

16.Guidance of the Secretary of State

15.1 The Combined Authority and the Overview and Scrutiny Committee must have regard to the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, the Government's Overview and Scrutiny: statutory guidance for councils, combined authorities and combined county authorities and any other guidance issued by the Secretary of State.

17.Statutory Scrutiny Officer

16.1 Any references in these Procedure Rule s to the Scrutiny Officer are to the officer designated as such by the Combined Authority, see further Article 8 (Officers) at Part 2 of this Constitution.

16.2 The statutory functions of the Scrutiny Officer are:

- to promote the role of the Overview and Scrutiny Committee,
- to provide support and guidance to the Overview and Scrutiny Committee and its members, and
- to provide support and guidance to members and officers of the Combined Authority in relation to the functions of the Overview and Scrutiny Committee.

18.Additional Rights of Access to Documents

16.3 Additional rights of access to documents for members of any Overview and Scrutiny Committee or sub-committee are set out in the Access to Information Rules in Part 4 of the Constitution.

16.4 The Chair or in their absence, a Vice Chair of the Overview and Scrutiny Committee, shall have a standing invitation to attend meetings of the Combined Authority as a non- voting observer.

19.Public Notice of Proposed Key Decisions

18.1 Provisions relating to the public notice of proposed Key Decisions are set out in the Access to Information Rules in Part 4 of the Constitution and shall comply with relevant provisions of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

20.Interpretation

19.1 The Chair, or acting chair, of the Overview and Scrutiny Committee meeting shall make any final decision at that meeting about:

- how the Scrutiny Procedure Rule s should be interpreted with respect to the conduct of the meeting, or
- any question of procedure not explicitly provided for by the Scrutiny Procedure Rule s.

19.2 The Monitoring Officer shall make any final decision about how to interpret any Scrutiny Procedure Rule outside of a formal committee meeting or any question of procedure not explicitly provided for by the Scrutiny Procedure Rule s.

Section 4.7 - Contract Procedure Rules

1. INTRODUCTION

1.1 This part of the Constitution sets out the Combined Authority's Contract Procedure Rules for buying Supplies, Services and Works on behalf of the Combined Authority and disposing of some types of property. In this document the Contract Procedure Rules are referred to as the "CPRs".

1.2 These CPRs meet the requirement that a Combined Authority shall make standing orders with respect to the making by them or on their behalf of contracts (including Relevant Contracts as defined in these CPRs) for the supply of goods and materials or for the execution of works for the purposes of section 135 of the Local Government Act 1972.

1.3 The Combined Authority has a duty to secure continuous improvement in the way it delivers services, with a clear regard for the economy, efficiency, and effectiveness. The CPRs explain how the Combined Authority will deliver against these criteria and sets out the required approach for procurement and contracting with third parties on behalf of the Combined Authority, for the purchase of Supplies, Services and Works .

1.4 These CPRs are designed to assist the Combined Authority in complying with relevant legislation and to:

1.4.1 Ensure the public purse is managed in a proper and responsible fashion and in a way which will promote value for money; and

1.4.2 Act as a safeguard for the Combined Authority and its Officers against any allegations of dishonesty and corruption.

1.5 Officers must have regard to the Combined Authority's relevant procurement guidance Procurement Cycle, Procurement Strategy and Commissioning Strategy In these CPRs this is referred to as "the Guidance".

1.6 A glossary of key terms is at paragraph 43 of these CPRs.

2. Scope of the CPRs

1.1 The Combined Authority is a Contracting Authority for the purposes of Procurement Legislation and is therefore legally bound to comply with certain practices and procedures in the award of Relevant Contracts to which the Procurement Legislation applies when the Total Value of a contract meets the relevant Threshold.

1.2 The CPRs apply whenever the Combined Authority is commissioning or procuring Supplies, Services or Works, or disposing of Assets.

1.3 These CPRs form part of the Combined Authority's Constitution and compliance with them by all officers is mandatory. The risk of non-compliance with the Procurement Legislation is significant and can include the award of damages against the Combined Authority and Relevant Contracts being set aside.

3. Officer Responsibilities

1.1 Subject to any overriding legal obligation, officers and any third parties instructed by the Combined Authority, must comply with the CPRs when commissioning and/or procuring Supplies, Services or Works, disposing of Assets and making decisions about these matters.

1.2 Officers who instruct third parties to procure Relevant Contracts must provide the third party

with the Combined Authority's Officers' Code of Conduct (see Part 5 of this Constitution) a copy of these CPRs.

1.3 Officers and relevant third parties responsible for commissioning, procurement and disposal of Assets must in addition comply with other relevant parts of the Constitution, such as the Access to Information Rules (Section 4.2, Part 4 of the Constitution) and the Finance Procedure Regulations (Section 4.8, Part 4 of the Constitution), and with all applicable laws.

1.4 Officers must take all legal, procurement, financial, technical and other advice that they need to ensure they comply with the law and the Combined Authority's rules and policies and that the procurement method and contract are fit for purpose.

1.5 Officers must comply with measures put in place by the Combined Authority to prevent, identify and remedy conflicts of interest which arise during the conduct of procurement. In particular Officers must:

1.5.1 comply with the Officer's Code of Conduct when conducting a procurement exercise.

1.5.2 comply with section 117 of the Local Government Act 1972 by declaring in writing any personal interest in a Relevant Contract to the Section 73 Officer.

1.5.3 not accept any gift or hospitality from any Supplier for any Relevant Contract being procured by the Combined Authority and to do so is a disciplinary offence. Officers must inform the Section 73 Officer if offered a gift or hospitality during a Tender Process.

4. Application of these CPRs

1.1 Unless subject to an Exemption, Exception or Waiver, as set out below in paragraphs 3, 20 and 39, these CPRs apply to all Relevant Contracts.

1.2 Every Relevant Contract made by or on behalf of the Combined Authority shall comply with the provisions and principles of Procurement Legislation and all other applicable principles and provisions, domestic legal requirements, and the CPRs and Financial Rules. In the event of any inconsistency between the provisions of the CPRs and any legal requirement then the legal requirement shall prevail.

1.3 Corruption is a criminal offence. All Officers who procure, let, manage or supervise contracts must act in accordance with the highest standards of propriety and ensure adequate records are kept.

1.4 Failure to comply with any of these CPRs may be considered a breach of Officers' Code of Conduct and may result in disciplinary action and legal proceedings against the officers, Members or third parties concerned. No Officer shall take any steps or fail to take steps to knowingly or recklessly seek to avoid the CPRs.

1.5 Any Officer who fails to follow the CPRs may lose the protection of the indemnity given to employees of the Combined Authority and therefore may have personal liability for a Relevant Contract or any losses.

1.6 Where it becomes apparent that there is a potential failure to comply with the CPRs and, or, the Procurement Legislation, the requirements of paragraphs 16.1 to 16.11 are to be complied with. A Waiver may only be approved in exceptional circumstances as indicated in paragraph 16.

1.7 A Relevant Contract includes a contract for the appointment of Consultants.

1.8 A Relevant Contract procured on behalf of or by any organisation which is in receipt of funding for which the Combined Authority is the Accountable Body is also a Relevant Contract under these CPRs.

5. EXCEPTIONS TO THESE CPRs

1.1 The CPRs do not apply to Relevant Contracts or spend that are removed or exempted from the application of the Procurement Legislation. These contracts are exempted due to the nature of the relationship between the contracting parties. Examples of exempted contracts, to the extent that this complies with the law, are set out below:

1.1.1 Contracts of employment which make an individual a direct employee of the Combined Authority.

1.1.2 Agreements for the acquisition, disposal or transfer of land/buildings which do not form part of a wider transaction under which the Combined Authority also procures Supplies, Services or Works.

1.1.3 Grant Funding which the Council may receive or award, except as otherwise provided for in the Procurement Legislation.

1.1.4 Contracts for an educational or care placement for a specific individual where the relevant Officer considers such placement to be in the best interests of the individual.

1.1.5 Contracts for care services to be provided to a specific individual household where the relevant Officer considers such a contract to be in the best interests of an individual.

1.1.6 Contracts with a third party where sections 184 and 278 of the Highways Act 1980 apply.

1.1.7 Contracts for the provision of exempt legal services.

1.1.8 Any contracts between the Combined Authority and a company that is controlled by it ;

1.1.9 Any contracts between the Combined Authority and a company that is jointly controlled by the Combined Authority with another Contracting Authority.

1.1.10 Any arrangement entered into by two or more contracting authorities with the aim of achieving objectives the contracting authorities have in common in connection with the exercise of their public functions, which are solely in the public interest, in which no more than 20% of the activities contemplated by the arrangement intended to be carried out other than for the purposes of the contracting authorities' public functions.

1.1.11 contracts for loans, carrying our invest or credit services to the Combined Authority.

1.1.12 certain public passenger transport services that are awarded under separate legislation specified at section 136(11) of the Railways Act 1993 or concession contracts for the provision of public passenger transport services.

1.2 Advice must be sought from the Monitoring Officer where spend is considered to be exempted from the application of Procurement Legislation.

1.3 In addition to the above, the CPRs do not apply to:

1.3.1 contracts below the relevant Procurement Threshold which are required in circumstances of extreme emergency such as an immediate danger to life or property; and

1.3.2 Relevant Contracts above the relevant Procurement Threshold which are procured using the negotiated procedure without prior publication under Procurement Legislation except insofar as compliance is required.

In both these circumstances relevant Officer, following advice from the Monitoring Officer is authorised to take appropriate action and must report such action and the expenditure incurred to the next meeting of the Combined Authority .

6. PRINCIPLES OF PROCUREMENT

1.1 For all procurement exercises conducted by the Combined Authority, irrespective of value, the following objectives will be followed:

1.1.1 The objectives as set out in the Guidance;

1.1.2 the Combined Authority's contracts will deliver value for money.

1.1.3 the Combined Authority will procure to maximise the public benefit.

1.1.4 the Combined Authority will share information for the purpose of allowing suppliers and others to understand the Combined Authority's procurement policies and decisions.

1.1.5 the Combined Authority will act, and be seen to act, with integrity, transparency and proportionality.

1.1.6 the Combined Authority will treat suppliers the same, unless a difference between the suppliers justifies different treatment.

1.1.7 [the Combined Authority will have regard to the barriers to participation for SME and consider whether the Combined Authority can remove or reduce their barriers.]

1.2 Where one or more of the above objectives cannot be followed, the justifications for this and any mitigations to be taken will be recorded in the Officer Decision Record or report.

1.3 The optimum use of the Combined Authority's purchasing power must be made by aggregating purchases and through the use of different procurement routes to the market and Relevant Contracts. Where there is an existing approved contract or procurement option in place then this should be used in the first instance for purchasing Works, Services and Supplies.

7. Social Value

1.1 Social value considers the wider economic, community or environmental benefits than can be generated through how the Combined Authority delivers its activity and services, including when procuring goods, works or services from the Combined Authority's suppliers in accordance with Procurement Legislation. These benefits can be measured through financial and non-financial metrics and can encompass the entire supply chain.

1.2 All Officers undertaking procurement activity shall have regard to the requirements of the Combined Authority's Social Value Statement. By leveraging how the Combined Authority procures goods and services, the Combined Authority can create the maximum benefits for

administrative area of the Combined Authority. The Combined Authority's Suppliers will not just be expected to deliver additional benefits, but to measure and report against these too.

8. TRANSITIONAL ARRANGEMENTS

1.1 There are a series of transitional and saving arrangements which determine which legislation applies to the Combined Authority's procurement activities.

If in doubt, advice must be sought from the Monitoring Officer as to the application of the Procurement Legislation.

1.2

1.3 For the purposes of these CPRs, the following Procurement Legislation shall apply:

1.3.1 Public Contracts Regulations 2015 (PCR 2015)

- For Relevant Contracts awarded, framework agreements concluded, or dynamic purchasing systems established before 24 February 2025.
- Modification of Relevant Contracts awarded, framework agreements concluded, or dynamic purchasing systems established before 24 February 2025.
- Call-offs of framework agreements concluded, or dynamic purchasing systems established before 24 February 2025 (any contracts let under a dynamic purchasing system will automatically expire 23 February 2029).
- Where a contract notice required by Regulation 26(8), has been submitted for publication in accordance with Regulation 51 before 24 February 2025.
- Modification of a Relevant Contract where a contract notice required by Regulation 26(8) or 75(1)(a), in relation to that Relevant Contract had been submitted for publication in accordance with Regulation 51 before 24 February 2025.
- In respect of a below Procurement Threshold Contract, the publication of a contract opportunity on Contracts Finder in accordance with Regulation 110 before 24 February 2025.
- Modification of a below Procurement Threshold contract, where the publication of the contract opportunity on Contracts Finder was made in accordance with Regulation 110 before 24 February 2025.

1.3.2 The Procurement Act 2023 (as amended and/or any successor legislation) and the Procurement Regulations 2024 (as amended and/or any successor legislation)

- For Contracts awarded, framework agreements concluded, or dynamic markets established after 24 February 2025.
- Modification of Contracts awarded, framework agreements concluded, or dynamic markets established after 24 February 2025.
- Call-offs of framework agreements concluded, or dynamic markets established after 24 February 2025.
- Direct Awards made after 24 February 2025.

1.3.3 The Public Services (Social Value) Act 2012

9. RECORD KEEPING

1.1 The Responsible Officer must keep records pertaining to the procurement of any Relevant Contracts, including any Relevant Contract for which an Exemption has been approved and provide copies of the same to the Monitoring Officer. .

1.2 Where the Total Value of the Relevant Contract is less than £30,000 the following records **must** be kept:

1.2.1 A unique reference number for the Relevant Contract, the title of the Relevant Contract and the parties;

1.2.2 The method for obtaining quotes or tenders;

1.2.3 Criteria for the award of the Relevant Contract;

1.2.4 The contracting decision and the reasons for it;

1.2.5 Records of all communications with the Supplier; and

1.2.6 The written agreement between the parties.

1.3 Where the Total Value of the Relevant Contract is £30,000 or more the following records must be kept in addition to those specified above:

1.3.1 Business case (including details of pre-tender market research, options appraisal and risk assessments);

1.3.2 Tender documents sent to and received from the Supplier;

1.3.3 The records of the evaluation of the tender;

1.3.4 Records of all clarification and post tender discussion (including minutes of any meetings); and

1.3.5 Record of consideration of the public sector equality duty, the (Public Contracts) Social Value Act 2012 and consultation.

1.4 The above records required under these CPRs must be retained in compliance with the Combined Authority's corporate document retention policy and by the National Procurement Policy Statement.

1.5 In addition to the above requirements, within 30 days of award of the Relevant Contract, the Responsible Officer **must** arrange for details of the award of any contract with a Total Value over £30,000 to be included in the Contracts Register. The details that must be included are:

1.5.1 Start date and duration of the Relevant Contract;

1.5.2 Supplier;

1.5.3 Title;

1.5.4 Any contractual provision for extension; and

1.5.5 Internal contact name and email address

1.6 In any instance where the total contract value is over £30,000 the Responsible Officer must arrange for details of the award to be notified on Contracts Finder by completion of an Award Notification Form and sending to the Monitoring Officer.

1.7 All records for public contracts (Relevant Contracts) where a "material decision" was made, must be kept for a minimum of 3 years from when the contract was entered into by the Combined Authority and the supplier.

10. KEY DECISIONS

1.1 Rule 12 of the Access to Information Rules describes what constitutes a "Key Decision".

1.2 The decision to commence a procurement exercise is not deemed to be a Key Decision unless the decision forms part of and is taken at the same time as a decision that will result in a change to service provision which will have a significant effect on two or more wards of the Combined Authority.

1.3 The award of a Relevant Contract which is a Key Decision must adhere to the Access to Information Procedure Rules relating to Key Decisions set out in section 4.2, Part 4 of this Constitution.

1.4 Where contractual spend would not involve a Key Decision, the Responsible Officer must approve the commencement of a Tender Process in accordance with the paragraph 21 of these CPRs. It is the responsibility of the delegated officer to record the decision on the Combined Authority's Officer Decision Record or report system, where required by the Scheme of Delegation to Officers.

1.5 In accordance with paragraph 13 of these CPRs, the Responsible Officer must approve the award of a Relevant Contract on the satisfactory completion of the Tender Process prior to entering into a Relevant Contract or notifying any person or organisation of the Combined Authority's intention to award a Relevant Contract. The same delegated officer shall ensure the Monitoring Officer or Constituent Council Member is informed, where required in accordance with the Access to Information and Procedure Procedure Rule s (see Part 4 of this Constitution). The decision must be recorded in an Officer Decision Record or report.

1.6 In respect of Relevant Contract awards which are not Key Decisions, the Responsible Officer must comply with the requirements set out in the Access to Information Procedure Rules at Part 4, Section 4 of the Constitution.

1.7 *All* ICT procurements must be undertaken with the involvement of ICT Services.

11. STEPS PRIOR TO PROCUREMENT / TENDER PROCESS

12. Common Requirements

1.1 The Responsible Officer must check whether there is a suitable existing contract, internal Framework Agreement or Partnership Arrangement before seeking to procure another contract. Where a suitable arrangement exists, this must be used unless there is a compelling legal or financial reason not to.

1.2 Subject to 8.1 the Responsible Officer may use any appropriate procurement procedure which is permitted by these CPRs or by the Procurement Legislation. Where the Procurement Legislation applies, the Responsible Officer must use a procurement procedure which complies with the Procurement Legislation, seeking advice from the Monitoring Officer.

1.3 [Before commencing a procurement for an above-Procurement Threshold contract, a conflict assessment is to be prepared before a tender or Transparency Notice (as defined in the Procurement Legislation) is published. This assessment must include details of the conflict of

interest, steps taken or will be taken to mitigate conflicts of interest and address circumstances which the Contracting Authority considers are likely to cause a reasonable person to wrongly believe there to be a conflict or potential conflict of interest. Officers should discuss with the procurement and information governance team before publishing.]

1.4 The Responsible Officer must consider the implications of the public sector equality duty under the Equality Act 2010; and (in respect of Services) of the Public Contracts (Social Value) Act 2012; and whether the proposed Relevant Contract requires prior consultation under the "best value" requirements of the Local Government Act 1999 or for any other reason.

1.5 The Responsible Officer must consider whether, and if so how, social, economic or environmental issues could be addressed through the Relevant Contract. Social, economic and environmental issues may be addressed through procurement where what is sought to be achieved is relevant and proportionate to the subject matter of the Relevant Contract.

13. Contract Value

1.1 It is important to properly estimate the Total Value of a Relevant Contract on the basis that different rules apply depending on the nature and value of a Relevant Contract.

1.2 The estimated Total Value of a Relevant Contract shall be the Total Value of the Relevant Contract inclusive of VAT, unless VAT exempt or "zero rated". This is the total consideration and maximum estimated to be payable over the full term of the Relevant Contract by the Combined Authority to the supplier, including any extensions of the term, or where there are options to supply additional Works, Supplies or Services.

1.3 Where the Relevant Contract is one where the benefit to the supplier is made up entirely or in part from benefits other than simple monetary payment (such other benefits may include but are not limited to concessions, options, licences or more generally exposure to other opportunities or funding streams) from the Combined Authority, a best estimate of the total financial value should nonetheless be ascertained and this should be treated as the Relevant Contract value for the purposes of the application of the remainder of this paragraph 8 and paragraph 9 .

1.4 Where, in relation to Contracts for Services, the Contract period or Total Value of the Contract is indefinite or uncertain, it shall be assumed that the Contract will be above the Procurement Threshold.

1.5 Where the Relevant Contract has an option to extend, then the proposed extension period must be included in determining the Total Value and as recorded in the original decision record.

1.6 The estimated value of a Framework Agreement is the Total Value of all the Relevant Contracts which could be entered into by the Combined Authority (and other Contracting Authorities if appropriate) over the duration of the Framework Agreement. In the case of a Relevant Contract awarded under an Open Framework, the value of the Framework Agreement is to be treated as including the value of all of the Relevant Contracts awarded, or to be awarded under the Open Framework.

1.7 In the case of supply/goods Relevant Contracts which are regular in nature (i.e. a series of similar individual purchases throughout the year) which could reasonably be supplied under a single contract, there is a requirement to aggregate these and assess their value on the basis of spend over the preceding 12 months or, where such data is unavailable, the estimated value over the 12 months following the first delivery under the Contract to be procured; and this calculation is to be used as the Relevant Contract value for the purposes of the application of these CPRs. Where estimation is not possible then the value of the Relevant Contract is deemed to be above the Procurement Threshold.

1.8 Purchases of the same or similar nature must be aggregated wherever practicable and it is unlawful to deliberately disaggregate purchases so as to avoid the application of Procurement

Legislation.

1.9 For Relevant Contracts above the Procurement Threshold, purchase requirements should be lotted where appropriate so as to attract the interest of SME and VCFS organisations. Where this is not practicable the justification for the decision must be recorded on any associated report and/or procurement plan.

1.10 Where purchase requirements are lotted, the estimated value of Relevant Contracts should be the estimated value of all lots envisaged for the total term.

1.11 Whatever method is used for the calculation of the estimated Relevant Contract value, this must not be made with the deliberate intention of excluding that Relevant Contract from the scope of the application of Procurement Legislation.

1.12 For the avoidance of doubt, Relevant Contracts relating to the leasing, hire, rental or hire purchase and Relevant Contracts for concessions are subject to the provisions of these CPRs.

1.13 If the Relevant Contract is below the Procurement Threshold then certain notices are required to be published pursuant to the Procurement Act 2023.

1.14 All values in relation to procurement and thresholds referred to in these CPRs are inclusive of VAT.

14. Market Consultations

1.1 Before commencing a procurement exercise, in accordance with the Procurement Legislation, the Responsible Officer may consult with the market with a view to preparing the procurement exercise and informing Suppliers of Contractors of the Combined Authority's procurement plans and requirements.

1.2 In carrying out market consultations, the Responsible Officer may seek advice from independent experts, authorities or from market participants and use this in planning and conducting the procurement exercise provided that it does not have the effect of distorting competition, result in discrimination or breach the principle of transparency. The prior written approval of the Monitoring Officer must be sought before seeking advice from anyone who may have a commercial interest in the Relevant Contract to which the procurement exercise relates.

1.3 Officers should also note that a preliminary market engagement notice should be published before any market engagement takes place.

1.4 Please refer to Officer Responsibilities in paragraph 2 for further pre-procurement considerations.

15. ROUTES TO THE MARKET

~~**Approved Lists**~~

1.1 [The Combined Authority must undertake a competitive tendering process for all Relevant Contracts unless there is approval for an Exception or Waiver.

1.2 Officers must undertake either a single stage tendering procedure (an open procedure) or a competitive flexible procedure (a procedure designed according to what the Combined Authority deems appropriate). Officers may also undertake a procurement process via Frameworks, Dynamic Purchasing Systems or Dynamic Markets.

1.3 The choice of the competitive procedure must be proportionate in awarding the Relevant Contract having regard to the nature, complexity and cost.]

1.4 Approved Lists are lists of suppliers who meet the Council's minimum technical and financial standards for the types of Relevant Contract.

1.5 The Monitoring Officer, following consultation with Legal Services, may establish an Approved List of suppliers of Supplies, Services or Works, where the Council requires to make recurrent, low value, transactions of a similar type which must be priced individually and cannot be aggregated into a single procurement exercise.

1.6 Any request for approval must specify:

1.6.1 The business case for establishing an Approved List;

1.6.2 The proposed duration of the Approved List;

1.6.3 The maximum spend using the Approved List; and

1.6.4 The method of procurement of and from the Approved List.

1.7 All Approved Lists must be openly advertised to potential suppliers and must remain open for their duration to permit new suppliers to join.

1.8 An Approved List may not be used to procure Supplies, Works or Services with an aggregated value in excess of the Procurement Threshold.

16. Framework Agreements, Dynamic Purchasing Systems (DPS) and Dynamic Markets

1.1 Framework Agreements are agreements with one or more suppliers for the provision of Supplies, Services or Works on agreed terms for a specified period, for estimated quantities against which orders may be placed if and when required. Once established "Call Offs" from the Framework Agreement may be conducted by mini competition or by direct call off, according to the terms of the Framework Agreement.

1.2 Where a Framework is established with a Total Value exceeding the Procurement Threshold, the Procurement Legislation must be followed and advice must be sought from the Monitoring Officer.

1.3 An Open Framework pursuant to the Procurement Act 2023 is a scheme of frameworks that provides for the award of successive frameworks on substantially the same terms. The Open Framework must provide for the award of a framework at least once

1.3.1 during the first three-year period and

1.3.2 each period of five years

beginning with the day of award of that framework and the next in the scheme.

A Dynamic Market pursuant to the Procurement Act 2023 is a list of suppliers who have met the Combined Authority's conditions of membership and whom may be awarded an above Procurement Threshold contract via the competitive flexible procedure. New suppliers can join the Dynamic Market at any time during its operation.

1.4 A Dynamic Purchasing System which was procured pursuant to the Public Contracts Regulations 2015, is an electronic system of pre-qualified suppliers, for commonly used purchases from which Contracting Authorities can invite tenders. New Suppliers can join the Dynamic Purchasing System at any time during its operation.

1.5 It may be the case that the applicable procurement option itself is not a Relevant Contract, but the procurement to establish this option will still be subject to Procurement Legislation, save where the subject matter of the procurement is exempt from their application. All procurement options established by the Combined Authority are required to be in writing.

1.6 The Combined Authority may set up its own contracting arrangements or may use contracting arrangements set up by other Centralised Procurement Authorities.

1.7 All purchases made via a Centralised Procurement Authority must have the prior approval of the Monitoring Officers. This is to ensure that the proposal has been compliantly procured in accordance with these CPRs and the Procurement Legislation, and the rules of use of the proposed contracting arrangement are adhered to.

1.8 Without prejudice to the requirements set out in paragraph 1.7 of these CPRs, the use of Procurement options which have been approved in accordance with paragraph 1.7 are deemed to comply with these CPRs and no waiver will be required.

1.9 For the purposes of determining whether the value of a proposed Framework Agreement or Open Framework is such as to attract the application of Procurement Legislation, please refer to paragraphs 13.1.1 to 13.1.11 above.

1.10 For the avoidance of doubt, the use of select lists, preferred providers or approved providers shall, for the purposes of these CPRs, be treated as a Procurement route to the market and shall therefore require compliance with this these CPRs.

Duration

1.11 A Framework Agreement shall not exceed 4 years' duration without prior approval of the Monitoring Officer, which will only be given in exceptional circumstances where justified by the subject matter of the Framework Agreement.

1.12 Dynamic Markets do not have a maximum term but must be set for an appropriate duration taking into account the subject matter.

1.13 The maximum duration of an Open Framework is 8 years.

1.14 Save as set out below, there is no restriction on the duration of a call-off Relevant Contract, but the duration must not be determined in a manner that distorts or restricts competition.

1.15 The transitional and saving regulations set out that any Dynamic Purchasing System established under the previous legislation must come to an end as set out when they were established, or by 23rd February 2029 (four years after the new regime comes into effect), whichever is earlier. Any Relevant Contract awarded under such an arrangement will continue until it comes to an end and be managed by the previous legislation (even if the Dynamic Purchasing System).

1.16 The regulations restrict the ability to extend a Dynamic Purchasing System awarded under the previous legislation (see, for example, as might arise under PCR regulation 34(28)) by providing that any dynamic purchasing system extended after the Procurement Act 2023 comes into force can only be extended in the first 12 (twelve) months after the Procurement Act 2023 comes into force and cannot be extended beyond 23rd February 2029.

17. Collaborative Procurement Arrangements

1.1 The Combined Authority may enter into collaborative procurement arrangements with other local authorities, government departments, public bodies or public service purchasing consortia and may use framework agreements or lists of pre-qualified Suppliers established by such bodies.

1.2 Responsible Officers proposing to use such arrangements must ensure that they have been

established in a way which complies with the law. In particular where the Procurement Legislation applies the collaborative agreement must comply with them, the Combined Authority must be among the bodies named in the Find a Tender notice as having access to the arrangements and there must be scope in the arrangement to permit its lawful use for the purposes proposed.

18. Partnership Arrangements including Shared Services and Joint Commissioning

1.1 Where the Combined Authority enters into a Partnership Arrangement with another organisation or other organisations, agrees to act as Accountable Body, or enters into a shared service arrangement, the governance arrangements must include procurement and contract arrangements if any procurement will be undertaken.

1.2 Where the Combined Authority is the Lead Body or the Accountable Body for any arrangements, these CPRs should be included in the arrangements and followed as a minimum.

1.3 Before the Combined Authority agrees to enter into a Relevant Contract on behalf of another organisation, the Responsible Officer must obtain written agreement from that organisation that it will provide sufficient funding and take any other action necessary for the Combined Authority to meet its obligations under the contract on behalf of that organisation.

1.4 Where the Combined Authority is not the Lead Body or the Accountable Body, the other organisation's tendering rules should be followed provided that they comply with the law.

19. Rolling Contracts

1.1 Where it is proposed to procure a Relevant Contract on terms which will provide for renewal on a "rolling" basis, the Responsible Officer must make a reasonable estimate of the term of the Relevant Contract in order to estimate the Total Valueso as to ensure compliance with these CPRs and to obtain a decision to proceed to procure and enter into the written agreement.

1.2 If during the term of the Relevant Contract it appears that the estimated Total Value, or the value at which the decision to award was made, may be exceeded by anticipated further renewals, the Responsible Officer for managing the contract must refer the matter to the Monitoring Officer so as to ensure compliance with these CPRs.

20. EXEMPTIONS FROM THESE CPRS

1.1 The Monitoring Officer is authorised to approve Exemptions from the CPR.

1.2 The Monitoring Officer may not approve a request for an Exemption that would result in a breach of the Procurement Legislation in respect of a Relevant Contract to which these CPRs apply.

1.3 The Exemption must be approved before Officers undertake any alternative procedure not wholly in accordance with these CPRs.

1.4 The request for an Exemption must state from which of the requirements of the CPRs Exemption is requested and give reasons for the request. Examples of circumstances in which it may be appropriate to request an Exemption include but are not limited to:

1.4.1 Supplies of goods where the Combined Authority's best interests will be served by purchase through auction and the relevant Officer has agreed an upper limit for bids.

1.4.2 There is only one contractor in the market relevant to the Supplies, Services or Works who is suitable to provide the Supplies, Services or Works required as it is in possession of intellectual property or other exclusive rights such that there are

no reasonable alternatives.

1.4.3 The Combined Authority's need for the Supplies, Services or Works is so urgent that compliance with these Rules would in the judgement of the relevant Officer prejudice the Combined Authority's interests. For example, extreme emergency would include an immediate danger to life or property.

1.5 The Monitoring Officer will keep a record of all Exemptions approved.

21. AUTHORISATION TO START PROCUREMENT

1.1 The persons or bodies authorised to approve the start of a procurement exercise are set out in the table below:

Estimated Total Contract Value	**Decision Maker**
£0 - £500,000	
Call offs of a value £0 - £500,000 from an approved Framework Agreement, DPS or Dynamic Market	
£500,001 and above	
Call offs of a value £500,001 and above from an approved Framework Agreement, DPS or Dynamic Market	
Contracts the budget for which has been wholly included in the Capital Programme	
[Establishment of an Approved List]	
[Procurement from an Approved List]	

11.2 The Responsible Officer must ensure authorisation to procure is obtained and is responsible for ensuring that the CPRs have been complied with and that the proposed procurement documents (business case, advertisement, invitation to tender, terms and conditions, all required notices etc.) have been approved by the Officer with commissioning responsibility in respect of the Relevant Contract.

22. PROCUREMENT OF CONTRACTS

Common Requirements

1.1 In conducting any procurement exercise, the Combined Authority must treat all economic operators equally and without discrimination and must act in a transparent and proportionate manner.

1.2 Electronic procurement using the e-tendering portal (The Chest) must be used for all tenders and quotations unless authorisation to use an alternative method has been given by the Monitoring Officer

1.3 The Responsible Officer must consult the Monitoring Officer on the appropriate procurement procedure and route to the market. The Responsible Officer must have regard to the Guidance.

Identifying Potential Suppliers

1.4 Where a Relevant Contract is being procured the minimum procurement process and rules for inviting Suppliers are as follows.

Procurement type*	***De minimis*** **One verbal quotation to be confirmed in writing**	**Threshold 1 Seek a minimum of two written quotations**	**Threshold 2 Seek a minimum of three written quotations****	**Threshold 3 Conduct an open competition**
Supplies	Less than £10k	£2,001k - £50k	£50,001 to £100k	Greater than £100k
Services	Less than £10k	£2,001k - £50k	£50,001 to £100k	Greater than £100k
Works	Less than £10k	£2,001k - £50k	£50,001 to Services £100k	Greater than Services £100k***
Light Touch regime for services	Less than £10k	£2,001k - £50k	£50,001 to £100k	Greater than £100k

** Where it is proposed to procure using an already established(whether by the Combined Authority or a Centralised Procurement Authority) Framework, Open Framework, DPS or Dynamic Market) the requirement to obtain the necessary oral or written quotation may be excluded subject to the Responsible Officer having satisfied a value for money process and complied with the reporting requirements as set out in these CPRs.*

*** In the event that a minimum of three legitimate quotes have been demonstrably sought but not received within a reasonable timescale it is considered that the CPRs have been complied with.*

**** If seeking open competition is not feasible in the circumstances, where the Relevant Contract value is below the works Procurement Threshold in the Procurement Legislation, a three quote process may be undertaken, provided that the reasons for not undertaking an open competition are recorded by the relevant officer on the Combined Authority's central decision recording system.*

1.5 The table below outlines the Combined Authority's requirements in terms of whom shall be responsible for undertaking the required procurement activity.

Threshold	**Who Undertakes Procurement Activity**
De Minimis and Threshold 1	The relevant commissioning service area.
Threshold 2	a. The [ ]under instruction from the commissioning service area, or b. The commissioning service area with prior agreement from the Procurement and Contract Management Service.
Threshold 3	The Procurement and Contract Management Service under instruction from the commissioning service area.

1.6 Where a Relevant Contract with a value above £30,000 is advertised the Responsible Officer must also publish information on Contracts Finder in accordance with the procedure in the Procurement Legislation, before it is advertised anywhere else. The Responsible Officer should provide the relevant details to the Monitoring Officer prior to advert to ensure this is complied

with.

1.7 The Local Government Transparency Code 2015 requires the publication of details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000.

1.8 The Combined Authority's standard terms and conditions must be utilised for all contracting opportunities below £50,000, unless the Relevant Contract concerns an ICT requirement or relates to Works. Where the Relevant Contract concerns an ICT requirement on supplier terms and conditions, advice must be sought from Legal Services. Where the Relevant Contract is for Works or the value is £50,000 or more, advice must be sought from Legal Services as to the form of written agreement to be entered into.

1.9 The number of quotes indicated in the table above represent a minimum requirement. It is strongly recommended that more than the minimum number of quotes are obtained to enhance competition. Forward planning and engagement with the marketplace will help to ensure maximum value is achieved.

1.10 Unless the value of the procurement activity exceeds the relevant Procurement Threshold, the Combined Authority will endeavour to provide a minimum of 10 days for Suppliers to respond to a Tender Process.

1.11 In setting the procurement timeframes, whether or not the Procurement Legislation applies, the Combined Authority will consider, amongst other factors:

1.11.1 The nature and complexity of the Relevant Contract being awarded;

1.11.2 The need for site visits, physical inspections and other practical steps;

1.11.3 The need for sub-contracting;

1.11.4 The nature and complexity of any amendments made to the Combined Authority's requirements during the procurement activity; and

1.11.5 The importance of avoiding unnecessary delay.

23. Selection and Award Criteria for Tenders

1.1 In accordance with the applicable Procurement Legislation, the Officer must use appropriate criteria to select Suppliers (where a two- stage Tender Process is used) and also to award the Relevant Contract.

The Responsible Officer must ascertain the standards necessary to properly define the subject matter of the Relevant Contract, having regard to any relevant industry standards.

1.2 The Responsible Officer must define the award criteria that are appropriate to the procurement in order to secure value for money. The criteria must be one of the following:

1.2.1 Lowest Price;

1.2.2 Highest Price (where payment is to be received by the Combined Authority); or

1.2.3 MAT (Most Advantageous Tender) which must be applied in accordance with Procurement Act 2023 where considerations other than price also apply in accordance with the Procurement Legislation; or

1.2.4 MEAT (Most Economically Advantageous Tender) must be applied for contracts

subject to the Public Contracts Regulations 2015 (such as call-offs from Frameworks).

24. Invitations to Tender

1.1 An invitation to tender must state that the Combined Authority reserves the right to reject a tender that is not received by the date and time stipulated in the invitation to tender. A tender which contravenes the requirements as to date and time for submission must not be considered without the prior approval of the Monitoring Officer.

1.2 All invitations to tender must include the following:

1.2.1 A specification to describe the Combined Authority's requirements in clear sufficient detail to enable the submission of competitive offers.

1.2.2 The Relevant Contract terms and conditions unless emphatic market practice is that supplier's terms are used, in which case the requirement is that they are supplied as part of the tender and Legal Services must be instructed prior to any agreement to contract on supplier terms.

1.2.3 A requirement for tenderers to declare that the tender content, price or any other figure or particulars concerning the tender have not been disclosed by the Supplier to any other party (except where the disclosure is made in confidence for a necessary purpose).

1.2.4 A requirement for Suppliers to complete fully and sign all tender documents including a form or tender and certificates relating to canvassing and non-collusion.

1.2.5 Notification that tenders are submitted to the Combined Authority on the basis that they are compiled at the Supplier's expense.

1.2.6 A description of the Award Procedure and unless defined in a prior advertisement a definition of the Award Criteria. Where the criterion of MEAT or MAT is used, it must be further defined by reference to sub-criteria which may only refer to considerations relevant to the award of the Relevant Contract. Award criteria must be defined in objective terms and wherever possible in descending order of importance.

1.2.7 A statement that the Combined Authority is not bound to accept any tender.

1.2.8 A notice stating that the Combined Authority is not obliged to enter into a contract as a result of a tender.

25. Contract Documents

1.1 All Relevant Contracts must be in writing.

1.2 All Relevant Contracts must as a minimum specify in writing:

1.2.1 The Works, Supplies or Services to be supplied.

1.2.2 The price and when it will be paid, including any arrangements for additional expenditure, disbursements etc.

1.2.3 The time or times within which the Supply, Service or Works is to be performed or delivered.

1.2.4 The provisions for the Combined Authority to terminate the agreement.

1.2.5 A clause prohibiting the Supplier from transferring or assigning, directly or indirectly, any portion of his/her Contract without the written permission of the Combined Authority, or sub-letting any portion of the Supplier's Relevant Contract other than that which is customary in the trade or profession concerned.

1.2.6 A clause empowering the Combined Authority to terminate the Relevant Contract and requiring the Supplier to provide an indemnity to the Combined Authority to cover all losses suffered by the Combined Authority resulting from fraud or an offence under the Bribery Act 2010 (or any statutory modification or replacement of this Act) in relation to a Relevant Contract, committed by a Supplier or one of his/her employees or agents

1.2.7 A clause providing for payment of undisputed and valid invoices within 30 days by the Combined Authority, Suppliers and Sub-Contractors which complies with the Procurement Legislation. Such clause must be also included in all sub-contracts.

1.2.8 For Relevant Contracts procured in accordance with the Procurement Legislation any specific terms required to be included in the Relevant Contract under the Procurement Legislation.

1.2.9 Provide for rights to terminate the Relevant Contract where:

(i) the contract was awarded or modified in material breach of Procurement Legislation
(ii) a Supplier has become an excluded supplier or excludable supplier (including by reference to an associated person)
(iii) a Sub-Contractor to which the Supplier is sub-contracting is an excluded or excludable supplier
(iv) a Supplier is listed on the debarment list.

1.3 All transactions must use an appropriate form of written agreement approved the Monitoring Officer.

1.4 The Monitoring Oofficer must be instructed prior to the start of a procurement exercise to produce an appropriate form of written agreement where:

1.4.1 The Total Value exceeds £50,000; or

1.4.2 The Relevant Contract is for leasing arrangements; or

1.4.3 The Responsible Officer is proposing to use a Contractor's own terms; or

1.4.4 The Relevant Contract is unusual or complex in any other way.

1.5 The Monitoring Officer must also be consulted on the terms of any collaborative agreement or external framework agreement in which the Combined Authority is proposing to participate with a view to procuring Supplies, Works or Services.

26. General

1.1 In the event that a low value Relevant Contract carries a disproportionate risk by means of concerning high risk services or service users, or carrying significant reputational, operational or financial risk, advice should be sought from the Monitoring Officer prior to any award.

1.2 No arrangements for payment in advance shall be entered into unless prior approval from the Monitoring Officer is obtained.

1.3 No Relevant Contract shall include an indemnity on behalf of the Combined Authority unless prior approval has been sought and obtained in writing from the Monitoring Officer, in accordance with Part 4, Section 4.8 Finance Procedure Rules/ Financial Regulations, any indemnity required to be provided by the Combined Authority must be approved by the Chief Legal and Monitoring Officer and Section 73 Officer before the Relevant Contract is entered into.

1.4 In entering into any Relevant Contract, or issuing a purchase order, Officers must have regard to and ensure compliance with any relevant provisions of the Scheme of Delegation to Officers.

1.5 For Relevant Contracts awarded pursuant to the Procurement Act 2023, that have a value greater than £5,000,000, a redacted copy of the awarded written agreement must be published within the timescales identified in the Procurement Legislation. Further, it shall be a requirement for those Relevant Contracts to contain a minimum of 3 key performance indicators, unless it could be reasonably determined that the supplier's performance under the Relevant Contract could not be appropriately assessed by reference to key performance indicators.

1.6 At least once in every 12 month period during the lifetime of a Relevant Contracts (and on termination),the Combined Authority must assess the Supplier's performance against key performance indicators, and publish certain information in relation to that assessment in the contract performance notice. The Responsible Officer should refer to the Monitoring Officer for further advice and whether this is applicable to the Relevant Contract.

1.7 When determining the appropriate duration of a Relevant Contract to be procured, or whether to utilise a valid extension option, it is essential that Officers consider not only the immediate financial implications but also the longer-term internal and external costs associated with the potential switching of supplier(s) or solution(s) when the term of the contract concludes. For the avoidance of doubt, the cost of changing supplier must not be used as a criterion in determining the award of a Relevant Contract.

27. Bonds and Parent Company Guarantees

1.1 The Officer must in consultation with the Section 73 Officer determine whether any additional security such as a bond or parent company guarantee may be required from the contractor who is awarded the Relevant Contract. If additional security may be required, this must be highlighted in the tender documents, using an appropriate form of words approved by the Monitoring Officer.

28. Submission, Receipt, and Opening of Quotes or Tenders

1.1 Suppliers must be given an adequate period in which to prepare and submit a proper quotation or tender consistent with the complexity of the Relevant Contract requirement and the law. Officers should have regard to policy commitments made in relation to procurement including the Third Sector Compact. Where the Procurement Legislation lays down minimum timescales these must be complied with.

1.2 The Responsible Officer is responsible throughout the procurement process for safeguarding its security, confidentiality and integrity.

29. Evaluation

1.1 Apart from the debriefing required or permitted by these CPRs the confidentiality of tenders and quotations and the identity of Suppliers must be preserved at all times.

1.2 Tenders must be evaluated strictly in accordance with the Award Criteria. During this process the Responsible Officer must ensure that submitted tender prices are compared with any pre-tender estimates and that any discrepancies in tenders are examined and resolved satisfactorily.

30. Clarification of Tenders

1.1 The advice of the Monitoring Officer should be sought in respect of any clarifications during the procurement exercise which it is considered could impact on the integrity of the procurement process, the reputation of the Combined Authority or the outcome of the exercise, this includes at any stage of the procurement exercise.

31. Post Tender Discussions

1.1 Discussion with Suppliers after the submission of tenders with a view to obtaining adjustments in price, delivery or content must only take place in exceptional circumstances and with the approval of the Monitoring Officer. Discussion must be conducted by a team of at least two Officers .

1.2 Post tender discussion of a Relevant Contract procured in accordance with the Procurement Legislation may only be undertaken on the grounds permitted in the Procurement Legislation.

32. AUTHORISATION TO AWARD A CONTRACT

1.1 The Persons and bodies authorised to award Relevant Contracts are set out in the table below.

Total Contract Value	**Decision Maker**
£0 - £500,000	
£500,001 - £5,000,000	
£5,000,001 and above	

1.2 The award of any Relevant Contract which is a Key Decision, including Call Offs from a Framework Agreement, Dynamic Purchasing System or Dynamic Market must include within the report to the decision maker the following information:

1.2.1 The price and details of the budgetary provision.

1.2.2 The number of tenders received.

1.2.3 The Tendering Process used.

1.2.4 The award criteria.

1.2.5 A risk assessment and risk management arrangements.

1.2.6 TUPE implications.

1.2.7 Recommendation of award.

1.2.8 Contract monitoring and management arrangements.

1.2.9 Any impact on the local economy, suppliers based in the Combined Authority's geographical area and the third sector.

1.3 Where a number of similar Relevant Contracts are recommended to be awarded on or around the same time a composite report may be used.

33. Contracts for Legal Advice and/or Services

1.1 Relevant Contracts for the instruction of counsel or the procurement of external legal advisers may only be awarded by the Chief Legal and Monitoring Officer or a solicitor authorised by the Chief Legal and Monitoring Officer prior to the award such a Relevant Contract.

34. Providing Services to Other Organisations

1.1 Where a Director proposes to apply to provide services to another organisation the Chief Legal & Monitoring Officer must be consulted about the terms and conditions on which the services are to be provided and regard had to the advice received.

1.2 As set out in the Finance Procedure Regulations/Finance Procedure Rules (Section 4.8, Part 4 of the Constitution) of this Constitution, any indemnity required to be provided by the Combined Authority must be approved by the Chief Legal and Monitoring Officer and Section 73 Officer before an agreement is entered into.

35. Notification of Award

1.1 All Relevant Contract award decisions taken by the Constituent Council Member and Key Decisions taken by Officer are subject to scrutiny under the Combined Authority's procedures for call in set out in Part 4, Section 4.6 Overview and Scrutiny Procedure Rule s of this Constitution.

1.2 The successful Supplier must be notified that Relevant Contract award is subject to call in and award must not be confirmed until the call in period has expired, or if the decision is called in the procedures following call in have been completed.

1.3 Where the award of a Relevant Contract is subject to the Procurement Legislation the procedures for notification of Supplier and a standstill period must be followed in respect of the award.

1.4 If an award decision, including after the contract has been awarded, is challenged in any way the Responsible Officer must not proceed with the award the Relevant Contract and must refer immediately to the Monitoring Officer.

36. CONTRACTS AND CONTRACT MANAGEMENT

Contract Formalities

1.1 Unless otherwise authorised by the Chief Legal & Monitoring Officer, all Relevant Contracts must be executed as follows:

Total Contract Value	Method of Completion	Authorised Officer

£0 - £50,000	Signature	
£50,001 - £250,000	Signature by two Officers Sealing (strategically or politically important contracts or those requiring a 12 year limitation period)	
£250,001 and above	Sealing	

1.2 Attesting of the Combined Authority's seal may only be undertaken by delegated officers within the authorised delegation of the Monitoring Officer, following a decision taken by a delegated officer within the relevant service area and recorded on the Combined Authority's central decision recording system.

1.3 Notwithstanding the provisions of paragraph 1.1, any Relevant Contract that meets any of the following criteria must be made under seal:

1.3.1 Any Relevant Contract that is required by law to be executed as a deed (which includes but is not limited to appointment of trustees, transfers of land, powers of attorney, some formal scheme amendments – please seek further guidance from Legal Services).

1.3.2 Any agreement that is otherwise executed as a deed (for example, agreements for no consideration or where it is uncertain as to whether any valuable consideration exists (i.e. there is no price or no obvious benefit to a party), where an extended limitation period is required (standard contracts have a 6 year limitation period whereas deeds have a 12 year limitation period).

37. Contract Management

1.1 Officers are responsible for ensuring that all Relevant Contracts relating to functions for which they are responsible are managed in accordance with a risk and contract management framework appropriate to the risk, value and impact of the contract. Officers are responsible for ensuring that these arrangements are kept up to date for the life of the Relevant Contract.

1.2 For every Relevant Contract managed by an Officer, the Officer is responsible for appointing a Responsible Officer, at an appropriate level for the risk, value and impact of the Relevant Contract, to manage it.

1.3 In preparing the risk and contract management arrangements for a Relevant Contract, and managing the Relevant Contract, the Responsible Officer should follow the procedures set out in the Guidance.

1.4 Officers are responsible for identifying significant Relevant Contracts and ensuring that they are maintained in a corporate register of significant Relevant Contracts.

1.5 **Significant Contracts** are defined as those few, but important agreements critical to the Combined Authority's business objectives, financial stability and/or reputation, such as:

1.5.1 Contracts critical to the Combined Authority's delivery of statutory duties;

1.5.2 Contracts that pose significant risk (reputation and/or financial) and/or would have a significant impact in the event of relationship breakdown or supplier failure;

1.5.3 Contracts that, in the context of the Combined Authority's Budget and its ordinary contracts, are of significant value.

1.6 Officers are responsible for ensuring that Significant Contracts managed in their Directorate are regularly reviewed in their Management Team and for making a report with an action plan to the Corporate Management Team on at least a quarterly basis.

1.7 The Monitoring Officer is responsible for making a report at least annually to the Corporate Management Team of the issues raised with Significant Contracts during the year and an assessment of the implementation of actions included in exception report action plans.

38. MODIFICATION OF CONTRACTS DURING THEIR TERM

1.1 On the written application of the Monitoring Officer is authorised to approve modifications to Relevant Contracts during their term. For the avoidance of doubt, a modification includes an extension to the term or any other variation to the Relevant Contract that has been provided for in the terms and conditions (such as additional goods, services or works which may be opted into during the term of the Relevant Contract).

1.2 Where the Relevant Contract has been procured under the Procurement Legislation it may only be modified if the modification may be made under the Procurement Legislation and is made in compliance with the Procurement Legislation.

1.3 Such modifications, changes, awards or amendments that are not compliant with the relevant Procurement Legislation may result in a legal challenge, which if upheld, could result in the termination of the Relevant Contract as well as reputational and financial harm for the Combined Authority. Prior to modifying any Relevant Contract, whether in terms of value, duration, scope or otherwise, advice must first be sought from the Monitoring Officer.

1.4 Relevant Contracts may only be modified, changed or amended in very limited circumstances and regard should be had to:

1.4.1 Section 74 and Schedule 8 of the Procurement Act 2023 in respect of contracts to which the Procurement Act 2023 applies;

1.4.2 [Regulations 13 and 14 of the Provider Selection Regime Regulations in respect of contracts for Health Care Services. For the avoidance of doubt, Regulations 13 and 14 of the Provider Selection Regime Regulations applies to contracts for Health Care Services which were originally let prior to 1 January 2024; and]

1.4.3 Regulation 72 of the Public Contracts Regulations 2015 in respect of contracts to which the Public Contracts Regulations 2015 apply.

1.5 Where the modification of a contract awarded after 24 February 2025 results in that contract exceeding the Procurement Threshold (a "convertible contract"), consideration must be had to Section 74 and Schedule 8 of the Procurement Act 2023.

1.6 The direct award of any contract exceeding the relevant Procurement Threshold must be made in accordance with the justifications set out in the relevant Procurement Legislation.

39. WAIVING THE CONTRACT PROCEDURE RULES

1.1 These CPRs are mandatory and must be adhered to at all times. A Waiver to these CPRs must

only be sought in exceptional circumstances, where it is demonstrated that adherence to these rules would be impractical or would cause a significant impediment to the fulfilment of an urgent or essential need. Such circumstances are rare and must be justified with clear, compelling, and documented evidence that all other procurement avenues have been exhausted or are unviable.

1.2 The request for a Waiver must be presented in a detailed and structured manner to the relevant Responsible Officer(s) as determined by the table below in paragraph 16.6, outlining the specific rule from which a waiver is sought, the exceptional circumstances warranting such a Waiver, and the anticipated benefits of granting the waiver versus adhering to the established CPRs.

1.3 The decision to grant a Waiver will not be taken lightly. The Responsible Officer must assess the potential impact on competition, value for money, transparency, and fairness of the procurement process. A Waiver may only be granted if it is in the public interest and complies with all relevant laws and regulations, including those pertaining to anti-corruption and fair trading and the Procurement Legislation.

1.4 A departure from these CPRs, whether by explicit reference or in principle, will require a Waiver. Advice must be sought from the Monitoring Officer concerning any request for a Waiver.

1.5 A decision to waive these CPRs must be recorded on the Combined Authority's central decision recording system and, if applicable, an appropriate notice under the relevant Procurement Legislation issued/published.

1.6 The table below sets out which Officers are authorised to approve a waiver of the CPRs:

Contract Value	**Authorised Officer**
Up to £30,000	
£30,001 - £100,000	
£100,000.01 – Procurement Threshold	
Above the Procurement Threshold (as applicable) - £5,000,000	
Above £5,000,000	

40. Non-compliance

1.1 It is not possible to seek a Waiver of the requirements of the Procurement Legislation.

1.2 Advice must be sought from the Monitoring Officer on a route to compliance.

1.3 The Monitoring Officer will report annually to Audit and Governance Committee on all Exceptions/Waivers, exclusions and non-compliance, with an interim report to be provided six months prior to the full report.

1.4 The Monitoring Officer will report any illegality in accordance with section 5 of the Local

Government and Housing Act 1989.

41. NOTICES

1.1 The Combined Authority shall ensure that all notices required by the relevant Procurement Legislation are published within the timescales set out in that Procurement Legislation. Officers must discuss the requirements of their procurement process with the [Procurement Service] in advance and as soon as the decision is made to go out to procure a contract.

42. GRANTS

1.1 The award of grants of public money may invoke the provisions of the Subsidy Control Act 2022and / or the Procurement Legislation. . Advice should be sought from the Monitoring Officer as to the application of this legislation.

43. GLOSSARY OF TERMS USED IN CPRs

Accountable Body	The arrangement whereby the Combined Authority has agreed to accept responsibility for the obligations set out in the terms of any funding granted to a third party organisation.
Asset	Refers to any property of the Combined Authority, but does not include, for the purposes of the Contract Procedure Rules, land and buildings or rights relating to land and buildings.
Award Criteria	Has the meaning given in the Procurement Legislation.
Centralised Procurement Authority	A Contracting Authority that is in the business of carrying our procurement for and on behalf of, or for the purpose of the supply of goods, services or works to other Contracting Authorities.
Consultant	An individual or firm (not being a firm of solicitors or a solicitor or barrister) procured to provide professional services, including advice.
Contracting Authority	Has the meaning given in the PA 2023 or Public Contracts Regulations 2015. “Contracting Authorities” to be interpreted accordingly.
Contractor	Has the meaning given to the definition in the Procurement Legislation.
Contracts Register	The Combined Authority’s database of contracts.
Exception(s)	Means the disapplication of the CPRs in certain circumstances for internal reasons permitted in these CPRs as further described in paragraph 20
Exemption	A disapplication of the CPRs for reasons permitted in these CPRs or the Procurement Legislation.

Guidance	As described in paragraph 1.1.5 being the Combined Authority's Procurement Cycle, Procurement Strategy and Commissioning Strategy and/or any replacement of such strategies from time to time in force.
Lead Body	The arrangement whereby the Combined Authority is the applicant and/or recipient of an external grant or other funding for a special purpose.
Officer	An officer of the Combined Authority.
Partnership Arrangements	Non-contractual arrangements between the Combined Authority and one or more third parties to deliver common functions in collaboration with each other.
Procurement Legislation	Means the legislation which applies to the Combined Authority'sprocurement activity, as set out at paragraph 8.1.3 of these CPRs.
Procurement Threshold	The financial threshold at which Contracts must be procured in accordance with Procurement Legislation applicable at the time. Procurement Policy Note 11/23 – New Thresholds (HTML) - GOV.UK - Supplies & Services £214,904, Works £5,372,609, Light Touch Regime for Services £663,540 (correct as at Feb 2025).
Provider Selection Regime	Means the procurement regime for Health Care Services set out in the Health Care Services (Provider Selection Regime) Regulations 2023.
Relevant Authority	Has the meaning ascribed in the National Health Service Act 2006.
Relevant Contract	Means any agreement or contract to which the Combined Authority is a party, including Framework Agreements, Dynamic Markets and Dynamic Purchasing systems for the provision of Services, Supplies or execution of Works.
Responsible Officer	The Officer who has the lead responsibility for the commissioning, procurement and/or management of a Relevant Contract.
Scheme of Delegation to Officers	Means the Officers Scheme of Delegation (Non-Mayoral and Mayoral General Functions) set out in Section 7 Part 3 of the Constitution.
Significant Contracts	As further described in paragraph 37.1.5 of these CPRs
SME	Means small and medium enterprise.
Supplier(s) or Contractor(s)	is a reference to the supplier(s) or contractor(s) (or the potential supplier or contractor) of the Supplies, Services and/or Works for the relevant contract or procurement exercise.

Supplies, Services and Works	Have the meaning given in the Procurement Legislation.
Tender Process	Means the process to appoint a contractor/supplier/provider for the provision of the relevant Supplies, Services and Works.
Total Value	Is the estimated financial value of the Relevant Contract to be calculated in accordance with the Procurement Legislation and these CPRs.
VCFS	Means voluntary, community and faith sectors.
Waiver(s)	Means a waiver of the application of these CPRs for reasons permitted in paragraph 39

Section 4.8 - Financial Regulations

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Part 1 - INTRODUCTION

1. These Financial Regulations lay down for the guidance of Members and Officers, principles to be followed in securing the proper administration of the Combined Authority's financial affairs and shall be reviewed at intervals of not more than [three years].

2. All Members and Officers will be reminded annually of their responsibility to comply with these Financial Regulations (and associated Contract Procedure Rules). Reminders will be sent by the Section 73 Officer in the month following the Annual General Meeting of the Combined Authority.

3. The Section 73 Officer is the officer designated pursuant to Section 73 Local Government Act 1985 to be responsible for the proper administration of the financial affairs of the Combined Authority (the Section 73 Officer) and shall report to the Combined Authority any significant failure to comply with these Regulations which comes to their attention.

4. The Head of Paid Service, Monitoring Officer and the Section 73 Officer shall be responsible for the accountability and control of all resources managed by them on behalf of the Combined Authority.

5. For the purposes of complying with these Financial Regulations, the Section 73 Officers shall be provided with any information they may require and shall have access to any documents and records, as necessary.

6. Whenever any matter arises which may involve financial irregularity the Section 73 Officer shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Section 73 Officer and after consultation with the Head of Paid Service, be referred by them to the Combined Authority. Further, in a case where the Section 73 Officer advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

The Finance Procedure Rules

7. The Finance Procedure Rules set out in Part 2 below form part of the Financial Regulations provide the framework for the financial view to ensure that the Combined Authority's financial affairs are conducted in a sound and proper manner, and administration of the Combined Authority's finances to demonstrate value for money and to minimise the risk of legal challenge to the Combined Authority. The Finance Procedure Rules are not intended to constitute a set of detailed rules to respond to every contingency.

8. All financial decisions and decisions with financial implications must have regard to proper financial control. Any doubt as to the appropriateness of a financial proposal or correctness of a financial action must be clarified in advance of the decision or action with the Section 73 Officer.

9. Detailed Finance Procedure Notes (FPN's) Codes of Practice and other financial instructions (e.g. Financial Management System Business Process Procedures) may be issued from time to time by the Section 73 Officer where assistance is needed with the interpretation of Finance Procedure Rules.

10. These Finance Regulations and the Finance Procedure Rules should be read in

conjunction with the following:

- Budget and Policy Rules
- Contract Procedure Rules;
- Scheme of Delegation to Officers (Officer Delegation Scheme: Non-Mayoral and Mayoral General Functions).

Review of the Financial Regulations and Finance Procedure Rules

11. The Section 73 Officer is responsible for maintaining a continuous review of the Finance Regulations and the Finance Procedure Rules (set out in Part 2 below) and submitting any additions or changes necessary to Combined Authority for approval. The Section 73 Officer is also responsible for reporting, where appropriate, breaches of the Financial Regulations, including the Finance Procedure Rules to the Combined Authority and/or to the Members. The Section 73 Officer is authorised to temporarily suspend Finance Procedure Rules in exceptional circumstances, and where such a suspension is authorised, a written record shall be kept of the reasons for this.

Staffing

12. The Head of Paid Service will be responsible for providing overall management to staff employed by the Combined Authority.

13. The Section 73 Officer will be responsible for ensuring that there is proper use of evaluation or other agreed systems for determining remuneration.

14. The Section 73 Officer is responsible for:

a) arranging and controlling the secure payment of wages and any other emoluments to officers in their capacity as employees, in accordance with procedures prescribed by the Section 73 Officer, on the due date
b) recording and making arrangements for the accurate and timely payment of tax, national insurance, pension deductions and any other deductions;
c) making arrangements for the payment of travel and subsistence claims;
d) ensuring that appropriate systems, records and documentation are maintained on behalf of the administering pension body.

1.1 Officers must ensure that appointments are made in accordance with the approved establishment and scales of pay and the adequate budget provision is available. An annual staffing budget must be produced (including on costs and overheads) which should be an accurate forecast of staffing levels and associated costs.

1.2 Payroll documents must be retained and stored for the defined period in accordance with guidance issued by the Section 73 Officer.

1.3 Officers shall notify the Combined Authority's HR Team of all matters affecting payment to employees - including appointments, resignations, dismissals, suspensions, secondments and pay awards, absences from duty for sickness and other reasons affecting pay, information necessary to maintain records of service for pension purposes, income tax and national insurance.

PART 2 – THE FINANCE PROCEDURE RULES

1 FPR1 – RESPONSIBILITIES

Responsibilities to the Combined Authority

1.1 Members, Officers and employees of the Combined Authority are responsible for ensuring that they use the resources and assets entrusted to them in a responsible and lawful manner. They should strive to achieve value for money and avoid legal challenge to the Combined Authority.

1.2 These responsibilities apply equally to Members, Officers and employees when representing the Combined Authority on outside bodies.

Personal Responsibilities

1.3 Any person charged with the use or care of the Combined Authority's resources and assets should inform themselves of the Combined Authority's requirements under these Financial Regulations and the Procedure Rules. If anyone is in any doubt as to their obligations, then they should seek advice. Unresolved questions of interpretation should be referred to the Section 73 Officer or the Monitoring Officer.

1.4 Members, Officers and employees or agency workers contracted with the Combined Authority must report immediately to their manager, supervisor or other responsible senior officer any illegality, impropriety, serious breach of procedure, suspected financial irregularity or serious deficiency in the provision of service they suspects or becomes aware of. Employees or agency workers contracted with the Combined Authority are able to do this without fear of recrimination providing they act in good faith and in accordance with the Combined Authority's Whistleblower Policy and Procedure (see Section 5.7, Part 3 of the Constitution). In such circumstances managers must record and investigate such reports, after taking advice and guidance from the Section 73 Officer or the Monitoring Officer. Following this, managers must ensure that appropriate action is taken.

Section 73 Officer

1.5 Section 114 of the Local Government Finance Act 1988 requires the Section 73 Officer to report to the Combined Authority, and external auditor if the Combined Authority or one of its Officers:

- has made, or is about to make, a decision which involves or would involve the Combined Authority incurring expenditure which is unlawful;
- has taken, or is about to take, a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Combined Authority ;
- is about to enter an item of account the entry of which is

unlawful;

or the expenditure of the Combined Authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.

1.6 Section 114 of the 1988 Act also requires:

- the Section 73 Officer to nominate a properly qualified member of staff to deputise should they be unable to perform the duties under section 114 personally;

- the Combined Authority to provide the Section 73 Officer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.

1.7 Reference to the Section 73 Officer in these Finance Procedure Rules includes those authorised by them to undertake the various functions concerned.

1.8 The Section 73 Officer shall maintain on behalf of the Combined Authority an adequate and effective system of internal audit of the accounting records and internal control systems of the Combined Authority.

Monitoring Officer

1.9 The Monitoring Officer is responsible for promoting and maintaining high standards of conduct and therefore provides support to the Standards Committee. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Combined Authority and/or to the Constituent Authority Members and for ensuring that procedures for recording and reporting "Key Decisions" are operating effectively. (See also the Access to Information Procedures in Part 4 of the Constitution).

1.10 The Monitoring Officer must ensure that the Members decisions and the reasons for them are made public. He or she must also ensure that Members are aware of decisions made by the Members and of those made by Officers who have delegated executive responsibility.

1.11 The Monitoring Officer is responsible for advising all Members and Officers about who has authority to take a particular decision.

1.12 The Monitoring Officer is responsible for advising the Combined Authority Members or the Combined Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework or which becomes a Key Decision.

1.13 The Monitoring Officer in consultation with the Section 73 Officer is responsible for advising the Combined Authority Members or the Combined Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be

contrary to the budget include;

- initiating new policies and commitments
- committing expenditure in year and in future years above budget
- budget or spending transfers above virement limits.

1.14 The Monitoring Officer is responsible for maintaining an up-to-date Constitution.

Officer with responsibility for Human Resource services

1.15 The Officer with responsibility for human resource services being, in consultation with the Section 73 Officer , shall ensure:

- all employees are paid in accordance with their contract of employment, and ensure leavers are removed from the payroll; and
- reimbursement and levels of allowances and expenses to staff and members is in accordance with the appropriate agreements and legislation.

Officers

1.16 Officers are responsible for ensuring that Finance Procedure Rules are observed throughout all areas under their control and shall:

- provide the Section 73 Officer with such information and explanations as the Section 73 Officer feels is necessary to meet their obligations under Finance Procedure Rules;
- consult with the Section 73 Officer and seek approval on any matter the Combined Authority's finance materially, before any commitments are incurred;
- ensure that Members are advised of the financial implications of all significant proposals and that the financial implications have been agreed by the Section 73 Officer;
- inform the Section 73 Officer of failures of financial control resulting in additional expenditure or liability, or loss of income or assets;
- wherever any matter arises which may involve irregularities in financial or stores transactions consult with the Section 73 Officer and, if a serious irregularity is confirmed, the matter shall be reported to the Head of Paid Service, Monitoring Officer and appropriate Combined Authority Members;
- ensure the legality of the Officer's actions.

1.16.2 All Officers should ensure that any financial procedures/ guidelines in support of financial control are fully compliant with these Finance Procedure Rules

and Financial Regulations.

1.16.3 The Section 73 Officer is responsible for ensuring that all Officers, Members and employees of the Combined Authority are aware of the existence and content of these Financial Regulations and Finance Procedure Rules and other internal regulatory documents and that they comply with them.

2 FPR2 – FINANCIAL PLANNING AND ANNUAL ACCOUNTS – COMBINED AUTHORITY'S COSTS

Accounting Arrangements of the Combined Authority's Budget

1.4 Pursuant to Article 13 of the Cumbria Combined Authority Order 2026, the Constituent Councils must ensure the cost of the Combined Authority reasonable attributable to the exercise of its functions are met. The apportionment of such costs shall be in such proportions as they may agree, or in default of such agreement, in accordance with the proportion of the total resident population of the Combined Authority which resides in the area of each Constituent Council at the relevant date as estimated by the Statistics Board *(See also Budget and Policy Rules in Part 4 of the Constitution).*

1.5 The Section 73 Officer shall prepare a manual of financial and accounting procedures to be operated by officers working on Combined Authority matters.

1.6 All accounting and financial arrangements shall be determined by the Section 73 Officer who shall be consulted before any form or document of a financial or costing nature is introduced.

1.7 The Section 73 Officer shall be responsible for the certification of all claims for grant to Government Departments, or other funders. All Members and Officers must ensure that any expenditure of grant funding is compliant with the relevant grant conditions.

1.8 The Section 73 Officer is responsible for ensuring, not later than the date specified in government regulations, the preparation and submission to the Combined Authority of the annual statement of accounts for the year ending on the preceding 31 March (subject to 2.5 below) in a form prescribed by the Section 73 Officer in compliance with the Local Audit and Accountability Act 2014 and the government's accounts and audit regulations currently applicable.

1.9 The relevant provisions of Section 3(3) of the Local Audit and Accountability Act 2014 (general requirement for accounts) are:

1.9.1 disapplied in respect of the annual accounts for the financial year beginning on 1st April 2025; and

1.9.2 modified in respect of the financial year beginning on 1st April 2026 so the statement of accounts for that year in respect of the period beginning from 24th February 2026 and ending with 3st March 2027

1.10 The annual statement of accounts should be approved by the Combined Authority

within the statutory deadlines.

1.11 At the end of the financial year, Officers must supply the Section 73 Officer with information in such form and by such date as is determined to enable the prompt close of the Combined Authority's annual accounts.

1.12 If an external auditor's report requires any material amendment to be made to the Combined Authority's annual accounts, this must be then reported to the Combined Authority as soon as practicable after the receipt of the audit report.

1.13 At that meeting the Section 73 Officer of the Combined Authority must report to it on the following matters:

- the robustness of the estimates made for the purposes of the calculations, and
- the adequacy of the proposed financial reserves.

1.14 The Combined Authority shall have regard to the report when making decisions about the calculations in connection with which it is made.

1.15 No levy shall be imposed by the Combined Authority unless the notice convening the meeting shall show the Combined Authority tax or levy which will be moved.

1.16 The Combined Authority shall approved the Combined Authority's Budget for each year within statutory deadlines and requirements.

Combined Authority - Revenue Budget Preparation and Planning (Medium Term Financial Plans)

1.17 The Section 73 Officer shall prepare a medium term financial plan comprising a forecast of revenue expenditure and income for discussion with the Constituent Councils in relation to future levies and funding and report such discussions to the Combined Authority.

1.18 Such a strategy must reflect the priorities and plans of the Combined Authority and the Mayor; it is the responsibility of Officers to advise the Section 73 Officer of changes to their resource requirements over the period under review.

1.19 The Section 73 Officer shall ensure that a revenue budget is prepared on an annual basis for consideration and approval at a meeting of the Combined Authority before 10th February prior to the start of the financial year, allowing for call in if required. At that meeting determination shall be made of the level of the levy (if any), Mayoral precepts and other contributions for the following year.

1.20 The Section 73 Officer, in consultation with the Constituent Councils, shall prepare an annual estimate of capital expenditure for submission and approval to the Combined Authority, together with proposals for financing that programme. Full approvals for capital projects and funding / financing proposals will be considered through the Combined Authority's governance processes and in line with the Combined Authority's Assurance Framework.

1.21 In the case of proposals involving capital expenditure, the funding of the proposal must be identified together with the full financial implications, including where available those relating to whole life costing.

1.22 The Section 73 Officer, in consultation with the Constituent Councils, shall prepare annual estimates of revenue expenditure and income, indicating the levy and additional amounts payable by the Constituent Councils necessary to finance the net expenditure for the next financial year.

Combined Authority's Budget - Revenue Budgetary Control

1.23 The Combined Authority will determine the amounts to be allocated to Combined Authority functions.

1.24 The Head of Paid Service, in conjunction with Officers, will monitor expenditure against this approval, and report on a regular basis agreed with the Section 73 Officer to the Combined Authority showing forecast variations from the budget allocated. It will be a matter for the Combined Authority to determine from this information whether expenditure priorities should be changed within the funding envelopes available.

1.25 The Section 73 Officer is responsible for advising on the format of the revenue budget and for ensuring that the mechanism for financial control and management of the budget is in place and for providing appropriate financial information to Officers to enable them to effectively monitor their budgets.

1.26 For revenue expenditure any likely overspending shall be reported by Officers as soon as practicable to the Section 73 Officer. Where it is not possible to address overspending by a transfer between expenditure budget heads (see virements and delegations below), the matter shall be referred to the Combined Authority for consideration.

1.27 The Section 73 Officer will determine guidelines for carrying forward of surplus and deficits on budget headings.

1.28 Officers have powers to incur revenue expenditure in carrying out the functions allocated to them provided that:

- the expenditure is within the law;
- Contract Procedure Rules on procurement have been complied with;
- The expenditure is within the approved revenue budget or capital programme provision;
- the expenditure is consistent with Combined Authority's policies.

1.29 Each Officer in charge of a revenue budget shall:

- monitor and control expenditure within their approved budget;

- report progress against their budget to the Combined Authority in consultation with the Section 73 Officer; and

- keep the Section 73 Officer informed of any actual or likely changes which will/may have a significant impact on current or future budgets, including any potential overspending or under-achievement of income budgets in a timely manner.

1.30 The Section 73 Officer shall also provide guidance on and co-ordinate the budget monitoring process including the form, basis, supporting information and timetable for preparation.

Virement (or transfers) Between Budgets

1.31 Virements are deemed to be:

- Revenue - A transfer of budget for a different purpose to that set out in the approved Combined Authority Budget;

- Capital - a movement of budget between approved capital schemes.

1.32 The Section 73 Officer shall be authorised to approve virements between expenditure up to [£] PROVIDED THAT:

- virement should only apply to the transfer of funds within the delegated budget of the relevant Officer;
- the proposals should be consistent with approved Combined Authority policies;
- virement should not involve the transfer of funds between departments;
- virement should only be allowed where the total net delegated budget is still within the delegated costs limit; and
- there should be no consequential revenue effects in later years.

1.33 Should virement be requested which is contrary to one of the above conditions, or is in excess of [£] it is necessary to seek the prior approval of the Combined Authority.

1.34 In conjunction with Officers, the Section 73 Officer is to report to and seek the prior approval of the Combined Authority for any revenue expenditure where it is for the release of earmarked sums from reserves for a purpose or scheme that is different to the purpose or scheme for which they have been earmarked.

1.35 The Section 73 Officer is to report and seek the approval of the Head of Paid Service (in consultation with the Combined Authority) to the exercise of the virement powers of the Combined Authority where a matter is urgent.

Capital Expenditure Monitoring and Budgetary Control Arrangements

1.36 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Combined Authority, such as land, buildings and vehicles. They may create financial commitments for the future in the form of financing costs and revenue running costs.

1.37 Before a capital scheme for which provision is made may proceed, it must proceed through the Combined Authority Assurance Framework processes and approval routes. This is applicable too for proposals submitted by the Mayor.

1.38 The proposal will report on the ongoing revenue implications of the scheme as part of the approval requested.

1.39 After a capital scheme has been approved, relevant Officers shall inform the Section 73 Officer as soon as practicable of any likely overspending and submit the relevant change request using the Combined Authority Assurance Framework approval processes.

Reserves and contingencies

1.40 Section 25 of the Local Government Act 2003 places a duty on the Section 73 Officer to report to the Combined Authority's reserves.

1.41 The Section 73 Officer will ensure that there are clear protocols for the establishment and use of balances/reserves/provisions and, in consultation with the Combined Authority, will establish reserves and/or provisions and provide guidance on how to incur expenditure from balances/reserves/provisions.

1.42 The Section 73 Officer is to seek Combined Authority approval for the use of balances, reserves or provisions in addition to those already approved in setting the original budget.

1.43 Officers must ensure that the use of reserves or provisions when approved is planned into the budget and used only for the purposes for which they were intended.

1.44 The Combined Authority have the authority to agree transfers to earmarked reserves of the Combined Authority from earmarked reserves are agreed by the Section 73 Officer providing the transfer is for the purpose which earmarking was agreed by Combined Authority.

1.45 Request for earmarked reserves will be submitted by Officers to the Section 73 Officer for consideration before recommending to Constituent Council Members.

1.46 When requested and in any event, always at the financial year end, Officers will provide the Section 73 Officer with a statement of earmarked reserve balances held and movements therein. The Section 73 Officer will consider the continuing relevance and adequacy of reserves (and make recommendations to Constituent Council Members and the Combined Authority.

1.47 Transfers from contingencies to revenue budgets require the approval of the Section 73 Officer.

3 FPR3 – ACCOUNTING

1.1 The Section 73 Officer shall:

a) determine accounting systems and procedures and the form of financial records and statements;
b) provide guidance and advice on all accounting matters;
c) monitor accounting performance to ensure an adequate standard for all services; and
d) certify all financial returns, grant funding applications and claims and other periodic financial reports required of the Combined Authority .

1.2 Each Officer shall:

a) implement accounting procedures and adopt the form of financial records and statements as determined by the Section 73 Officer;

b) obtain the approval of the Section 73 Officer prior to introducing or changing the form or method of existing accounting systems and procedures, financial records or statements. Approval is to be requested from the Section 73 Officer in writing. The request must give details of the proposed change and the anticipated benefit from the change, an estimate of the costs involved and the proposed implementation date;

c) complete and pass to the Section 73 Officer financial returns and other financial reports requiring certification in good time; and

d) keep a proper separation of duties for staff with financial responsibilities.

1.3 The Section 73 Officer shall be responsible, through staff under their control, for the keeping of the financial accounts of the Combined Authority. All accounting procedures shall be determined by the Section 73 Officer, but where such records are maintained other than that of the Section 73 Officer, they will consult with the Officer concerned. Where agreement is not reached, the matter shall be referred to the Monitoring Officer.

1.4 The following principles shall be observed in connection with accounting systems:

a) the duties of providing information regarding sums due to or from the Combined Authority and of calculating, checking and recording these sums shall be separated as completely as possible from the duty of collecting or disbursing them;

b) Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of these transactions.

c) financial statements where the Combined Authority has material interests in subsidiaries, associates or joint ventures.

1.5 The Audit and Governance Committee is responsible for approving the annual statement of the Combined Authority's accounts by the statutory

deadline, and to receive reports from the external auditor relating to any material issues relating to the Combined Authority's annual accounts.

2 FPR4 – INTERNAL AUDIT

2.1 The Combined Authority is required by legislation to provide an internal audit function. Internal Audit is an independent appraisal function established under the requirements of the Accounts and Audit Regulations 2015.

2.2 The prime objective of Internal Audit is to provide assurance to the Combined Authority in relation to the internal control environment and assist management in delivering the Combined Authority's objectives through assessing exposure to risk and recommending where appropriate, practical improvements to the control environment. It also evaluates the effectiveness of internal controls in operations and assess their adequacy in relation to prevent or detection of fraud.

2.3 It is the responsibility of Internal Audit to review, appraise and report to management upon:

a) whether operations are being carried out as planned and objectives and goals are being met;
b) the adequacy of systems established to ensure compliance with policies, plans, procedures, laws and regulations, i.e. rules established by the management of the organisation, or externally;

c) the completeness, reliability and integrity of information, both financial and operational;

d) The extent to which the Combined Authority's assets, data and interest are properly accounted for and safeguarded from losses of all kinds, including fraud, corruption, waste, extravagance, abuse, ineffective management and poor value for money; and the economy, efficiency and effectiveness with which resources are employed.

2.4 Internal Audit is required to provide an objective audit service in line with the Public Sector Internal Audit Standards and professional auditing standards. To this end Internal Audit will have no executive responsibilities and the Section 73 Officer will have direct access to, and freedom to report to, all senior management including the Monitoring Officer, Head of Paid Service and the Audit and Governance Committee.

2.5 The Section 73 Officer will have the freedom to determine the priorities and will have an unrestricted range of coverage of the Combined Authority's operations for Internal Audit in consultation with the Section 73 Officer , Officers and the Audit and Governance Committee, and

2.6 The Section 73 Officer shall have authority to have access to all officers, buildings, premises or land information, explanations and documentation required to discharge the audit role.

2.7 This includes not only the Combined Authority , but also:

a) organisations to whom the Combined Authority has given grants;
b) organisations where Combined Authority services are delivered through contracts / agreement with third parties and where the Combined Authority is the Lead or Accountable Body.

Officers shall ensure that these rights of access are written into the appropriate agreements with these organisations.

2.8 All material findings will be communicated to the relevant Officer, a final report will be provided to the Head of Paid Service and the Section 73 Officer. Management is expected to implement all agreed audit recommendations within a reasonable timeframe and should put in place arrangements to monitor progress of implementation. Internal Audit will undertake appropriate follow up work in this regard. Management is expected to implement all agreed audit recommendations within a reasonable time frame and should put in place arrangements to monitor progress of implementation.

2.9 The Section 73 Officer shall:

a) provide an annual opinion to the Audit and Governance Committee on the adequacy of the Combined Authority's internal control arrangements;

b) report material failures of financial control to the Section 73 Officer, the Chair of the Audit and Governance Committee and the appropriate Constituent Council Member and Head of Paid Service; and

c) where evidence of fraud, misappropriation or theft is discovered, decide, after consultation with the Section 73 Officer and relevant Officer whether to refer the matter to the Police in accordance with the Anti-Fraud, Bribery and Corruption Policy (see Part 5 of the Constitution)

2.10 Each Officer shall:

a) respond without undue delay to any enquiries or recommendations made by the Head of Paid Service or the Section 73 Officer;

b) inform the Section 73 Officer soon as possible of failures of financial control, including matters which involve, or may involve, financial irregularity.

2.11 The Section 73 Officer and each Officer jointly shall investigate failures of financial control, including matters which involve, or may involve, financial irregularity in accordance with the Anti-Fraud, Bribery and Corruption Policy.

2.12 If serious irregularity is confirmed the matter shall be reported to the Head of Paid Service, Section 73 Officer and/or Monitoring Officer (as appropriate).

3 FPR5 – INCOME

The objective of this Finance Procedure Rule is to ensure that all income due to the Combined Authority is collected, banked and properly accounted for. This includes sums received by electronic means such as debit/credit cards, internet, telephone and direct debits.

3.1 The collection of all sums due to the Combined Authority shall be under the supervision of the Section 73 Officer. In conjunction with the Officer concerned or the appropriate officer of any third-party collecting sums on behalf of the Combined Authority. The Section 73 Officer shall make and maintain adequate arrangements for prompt and proper accounting for all income received including the collection and deposit of such sums.

3.2 Details of all charges to be made for work, services, or goods supplied by the Combined Authority, and of all other amounts due, shall be promptly notified to the Section 73 Officer in a format approved by them. All income due to the Combined Authority shall be collected by the Section 73 Officer, subject to any other arrangements they approve. The basis and level of fees and charges must be reviewed by Officers on, at least, an annual basis.

3.3 The Section 73 Officer shall be consulted on any proposal for the introduction of, or a variation in, a scale of charges. Where the source of income is a new one the collection arrangements shall be agreed with the Section 73 Officer and the sums anticipated shall be notified to them. Where Officers introduce new fees and charges, which result in a change in policy, such charges shall be referred to Section 73 Officer.

3.4 All sums received by either:

(a) Cashier; or
(b) other person/ third party authorised by the Section 73 Officers to collect sums due to the Combined Authority

3.5 All sums received shall be immediately acknowledged, by the issue of a receipt or ticket or by other method agreed by the Section 73 Officer. Payments by other methods need not be acknowledged unless requested.

3.6 Every transfer of official money from one Officer to another shall be immediately evidenced in the records by the signature of the receiving Officer.

3.7 All money received on behalf of the Combined Authority shall be held securely and paid to the Section 73 Officer or, as he or she may direct.

3.8 Payment/banking shall be at least weekly, unless otherwise agreed by the Section 73 Officer.

3.9 Where payment/banking amounts in hand exceed £1,000 or the insurance limit, whichever is the lesser, they shall be paid over immediately, unless there agreed otherwise by the Section 73 Officer.

3.10 Where an agreed collection schedule is arranged with the Combined

Authority, the Section 73 Officers must ensure that the insurance limit on their safe is adequate to cover the value of monies received and held. No deductions may be made from such money except as expressly authorised by the Section 73 Officer. The Section 73 Officer shall, not later than the next following business day after receipt, pay to the Combined Authority's bankers all monies received by him.

3.11 Each Officer who pays in money on behalf of the Combined Authority shall enter on the pay-in slip and duplicate or counterfoil, particulars of such payment, including in the case of each cheque paid in:

a) the amount of the cheque;
b) the invoice/account number if one exists;
c) if an account/invoice number does not exist then a reference (such as the number of the receipt given, or the name and/or address of the debtor), which will connect the cheque with the debt for which it was received.

3.12 Each Officer shall also provide no later than the following working day, particulars of each payment to the Section 73 Officer.

3.13 Officers must ensure that levels of income received are compared to budget figures of income due on a regular basis and differences promptly investigated.

3.14 The advice of the Section 73 Officer must be sought on agreements which provide for variable income.

3.15 Wherever possible/practical income should be collected in advance of service, or where this is not possible, by an official invoice.

3.16 Apart from those income streams specifically excluded by the Section 73 Officer's accounts, sums due may only be raised on the Combined Authority's corporate accounts receivable system unless alternative arrangements have been approved by the Section 73 Officer.

3.17 Arrangements for payment by instalment must be authorised by the Section 73 Officer.

3.18 Unused manual receipts, tickets or vouchers must be held securely at all times. A record of stocks held must be kept and blank receipt books/unused tickets must only be issued to staff on receipt of their signature in the stock record. Officers holding individual receipt books/ticket books must keep them in a secure manner. Officers must ensure that a regular independent reconciliation is carried out of stock records to physical stocks held.

3.19 Security and retention of safe keys must be in accordance with the dictates of the Combined Authority's Insurers. Advice on this matter should be sought from the Section 73 Officer.

3.20 Written authorisation of the Section 73 Officer must be obtained before uncollected income due is written off.

3.21 Personal cheques must not be cashed out of money held on behalf of the

Section 73 Officer unless they are cheques drawn on the Combined Authority's bank account and express authority of the Section 73 Officer has been given to such action.

Debt Write Off

3.22 The Section 73 Officer is responsible for maintaining records of debts raised and notified by Officers for collection, and is also responsible (together with Officers where such tasks may have been delegated), for subsequent recovery of debts.

3.23 Officers will provide the Section 73 Officer and/or the Monitoring Officer with all information required for the collection of debts. The Monitoring Officer in consultation with the relevant Officer, will institute, defend, settle or compromise on behalf of the Combined Authority.

3.24 Officers will provide the Section 73 Officer with information required to report on the collection of income and debt, in the format and timescales agreed by the Section 73 Officer Officers will keep records of all write off of debt in a form approved by the Section 73 Officer.

3.25 Officers, with the approval of the Section 73 Officer and Monitoring Officer will write off debts up to an amount of [£ 250,0000] any one item in respect of:

a) losses arising when property of the Combined Authority is lost, stolen, damaged or destroyed and the loss is not recoverable from insurance or other sources
b) Losses upon disposal of stock at a price less than the book value at the time of disposal: and
c) money due to the Combined Authority which has become irrecoverable or is thought no longer cost effective to recover.

Provided in each case that proper steps have been taken to mitigate the loss in accordance with the Debt Recovery Policy and steps taken to prevent a recurrence.

For Write off of debts above the amount of [£250,000], Combined Authority Members approval is required.

3.26 Officers do not have the authority to write off salary and allowances overpayments without going through the formal write-off procedure as stated above.

VAT

3.27 Officers will ensure that, where applicable, VAT is charged in calculating any income due in accordance with FPR5. Officers will seek advice on VAT from the Section 73 Officer when required.

3.28 The Section 73 Officer is responsible for ensuring income is recorded in the Combined Authority's corporate financial systems. Officers will ensure that all income is accurately recorded against the correct budget.

4 FPR6 – BANKING ARRANGEMENTS AND CHEQUES

The objective of this Finance Procedure Rule is to ensure sound banking and payments arrangements by limiting responsibility for this to the Section 73 Officer.

4.1 All arrangements with the Combined Authority's bankers shall be made by or under arrangements approved by the Section 73 Officer who shall be authorised to operate such banking accounts as they may consider necessary. No bank accounts or similar may be opened without the consent of the Section 73 Officer. The maintenance of Combined Authority's bank accounts shall be in accordance with arrangements determined by the Section 73 Officer.

4.2 Section 73 Officer shall be responsible for making all arrangements in connection with electronic payment and collection of monies and shall ensure that adequate security exists within these arrangements to prevent loss due to error or fraud.

4.3 All cheques, and other orders for payment shall bear the facsimile signature of the Section 73 Officer , or be signed by the Section 73 Officer or other officers so authorised.

4.4 All cheques shall be ordered only on the authority of the Section 73 Officer who shall make proper arrangements for their custody.

4.5 The approval of the Section 73 Officer must be obtained for any proposal to enter into a credit agreement.

4.6 The approval of the Section 73 Officer must be obtained to pay for goods or services through a Direct Debit agreement.

5 FPR7 – ORDERS FOR GOODS WORKS AND SERVICES

The objective of this Finance Procedure Rule is to ensure that works, goods and services are only ordered for the purposes of Combined Authority business and that the resulting expenditure is within budget and properly approved.

5.1 Each Officer shall be responsible for all orders requisitions for goods, work or services. Official orders shall be issued for all work, goods or services to be supplied to the Combined Authority, except periodical payments, petty cash purchases or such other exceptions as may be approved. Before orders are made the Officer must ensure:

a) that there is adequate budget provision before committing expenditure and ensure any necessary Officer, Section 73 Officer or Combined Authority Member approvals are obtained; and

b) any necessary Officer, Section 73 Officer or Combined Authority Member approvals have been obtained as set out in the Contract Procedure Rules on procurement.

5.2 If goods are to be ordered on behalf of another department of the Combined Authority then a written requisition must be received from the relevant Officer of that department.

5.3 Orders must be made in advance of receiving goods/services using systems approved by the Section 73 Officer, unless otherwise agreed and confirmed with the Section 73 Officer or the Combined Authority's purchasing procedures.

5.4 Each order shall conform with the policies of the Combined Authority with respect to procurement and any standardisation of supplies and materials.

5.5 Whenever practicable, the duties of ordering, receiving goods and certifying invoices (where not electronically matched) for payment shall not be performed by one Officer.

5.6 A list of Officer nominated to approve the ordering of goods must be maintained by the Section 73 Officer and a sample of their signature must be maintained and utilised where an approved electronic workflow is not used.

5.7 Before orders are made the Officer must assure themselves of the following:

a) prices are in accordance with the agreement, any price list provided by the Section 73 Officer, in accordance with the Contract Procedure Rules, contract, quotation or current market rate, whichever is applicable;

b) the order is in accordance with the Combined Authority's policy and instructions and complies with the Contract Procedure Rules;

c) the expenditure is within the amount provided by annual estimates or approved supplementary estimate; that it has been charged in the financial year in which the work is done, or the goods received, irrespective of the year in which provision has been made in annual estimates;

d) the order is correctly coded;

e) the order is approved by the relevant Officer or Section 73 Officer;

f) notification of goods/services received or amendments to orders e.g. quantity/price should be completed promptly using a form agreed by the Section 73 Officer to ensure invoices are not blocked for payment and suppliers are paid on time.

6 FPR8 – PAYMENT OF ACCOUNTS

The purpose of this Finance Procedure Rule is to ensure that all payments made by the Combined Authority are:

a) lawful;
b) properly authorised by an appropriate officer;
c) within the amount provided in the Combined Authority's Budget
d) paid on time

6.1 Apart from petty cash and other payments from the Combined Authority's

accounts, the normal methods of payment of money due from the Combined Authority shall be made as appropriate by one of the following ways: CHAPS, BACS, cheque drawn or direct debit on the Combined Authority's bankers by the Section 73 Officer.

6.2 Before any payments are made the relevant Officer must assure themselves of the following (unless otherwise expressly agreed by the Section 73 Officer):

a) the goods have been received, the work done, or the services rendered (except in a limited number of instances where advance payments are absolutely necessary e.g. attendance at a conference or course) and that they are satisfactory as to quality and correct as to quantity;

b) the goods or services have not been paid for previously;

c) the payments are arithmetically correct, and prices are in accordance with the agreement, any price list circulated by Section 73 Officer, in accordance with the Contract Procedure Rules, contract, quotation or current market rate, whichever is applicable;

d) the payment is lawful;

e) the expenditure is within the amount provided by annual estimates or approved supplementary estimate; that it has been charged in the financial year in which the work is done, or the goods received, irrespective of the year in which provision has been made in annual estimates;

f) the payment is correctly coded; and

g) appropriate entries have been made in inventories or stock or stores records.

6.3 Certificates for contract payments (authenticated by a duly appointed consultant where appropriate) shall be submitted to the appropriate Officer, who will authorise the certificate for payment after examining it to see that it is within the contract sum, subject to any authorised variations and is reasonable. Certificates must include details of the value of the work, retention money, amounts previously certified and amounts now certified.

6.4 Invoices subject to discount for prompt payment shall be passed in sufficient time to enable the discount to be claimed. Where invoices are received, they should be sent for processing promptly to ensure invoices are paid on time. All payments should be processed within 30 days. The requirements of the Late Payment of Commercial Debts (Interest) Act 1998 (the 1998 Act) and the policies and procedures adopted by the Section 73 Officer in relation to the 1998 Act shall be fully adhered to by all Officers.

6.5 All invoices shall be retained for at least 6 years. In the case of invoices relating to grant claims these must be kept until after the grant claim has been audited even if this exceeds 6 years. In all cases the Section 73 Officer should be consulted before any disposal takes place.

6.6 Each Officer shall as soon as possible after 31st March in each year, and in accordance with the final accounts timetable notify the Section 73 Officer of all outstanding expenditure relating to the previous financial year, and normally if accounts are not received during the month following that in which goods were delivered, services rendered, or work completed, the creditor shall be asked to supply an account forthwith.

6.7 Where grants can be claimed on expenditure incurred, Officers should be aware of the appropriate grant conditions and ensure that payments meet these conditions with regard to types of expenditure, payment date, etc. (see also Finance Procedure Rule 15).

Taxation

6.8 The Section 73 Officer is responsible for ensuring that appropriate advice is available to Officers on all taxation issues (excluding payroll) that affect the Combined Authority, having regard to guidance issued by appropriate bodies and relevant/applicable legislation.

6.9 The Head of Paid Services or the Section 73 Officer is responsible for ensuring that appropriate advice is available to Officers on all payroll taxation issues that affect the Combined Authority, having regard to guidance issued by appropriate bodies and relevant/ applicable legislation.

6.10 The Section 73 Officer is responsible for ensuring that the Combined Authority's tax records are maintained and that all tax payments are made, tax credits received, and tax returns submitted by their due date as appropriate, and tax transactions are properly accounted for.

6.11 Tax related documentation will be stored and be readily accessible for examination in accordance with the Combined Authority's data retention policy and/or as directed by the Section 73 Officer.

7 FPR9 – PAYMENT OF EMPLOYEE RELATED EXPENSES

The objective of this Finance Procedure Rule is to ensure that staff are appointed in accordance with the Combined Authority's procedures on recruitment and selection, are paid in accordance with their contract of employment and to ensure leavers are removed from the payroll.

7.1 The payment of all salaries, wages, pensions, compensation and other emoluments shall be made by the Section 73 Officer or under arrangements approved by them.

7.2 The Combined Authority will keep for each employee data regarding the employee's contract of employment together with sufficient information to identify service, salary scale and current amount payable, and sickness leave taken.

7.3 Each Officer shall notify the Section 73 Officer in the form prescribed, of all matters affecting the various payments at paragraph 9.1 and in particular:

a) appointments, resignations, dismissals, secondments and transfers;

b) absences from duty for sickness or other reason, apart from paid leave;

c) changes in remuneration including normal increments and pay awards and agreements of general application;

d) information necessary to maintain records of service for superannuation, income tax, national insurance etc.;

e) provision of benefits in kind.

7.4 All timesheets or other pay documents shall be in a form prescribed or approved by the Section 73 Officer and shall be duly certified by an Officer.

7.5 Each Officer shall be responsible for the submission of the relevant documents within an approved timetable to enable the Section 73 Officer] to make payments by the due dates.

7.6 On a regular basis the Officer shall be provided by the Section 73 Officer with a selected list of Officers currently paid within their budget and the rate at which they are currently being paid. The Officers shall certify that every name on the list is a bona fide employee and that the rate of payment to the employee is correct.

7.7 The Section 73 Officer is responsible for maintaining appropriate systems and records, and to ensure that a proper allocation of those costs, deductions and related employer's contributions and payments is provided as required by the Section 73 Officer for updating the Combined Authority's corporate financial systems.

10 FPR10 – IMPREST AND PETTY CASH ACCOUNTS

7.8 The Section 73 Officer shall provide petty cash accounts of such amounts as may from time to time be required for the purpose of paying subsistence allowances, local bus and train fares, minor items of equipment and postage stamps and other such urgent payments as may be determined.

7.9 Where they consider it appropriate, the Section 73 Officer shall open an account with the Combined Authority's bankers for use by the imprest holder who shall not overdraw on the account. It shall be a standing instruction to the bankers that the amount of any overdrawn balance shall forthwith be notified to the Section 73 Officer.

7.10 A petty cash payment slip must be completed for every reimbursement that is made, signed by the claimant, authorised by their manager and signed by the person making the payment. Receipts must be obtained to back up all expenditure made and reclaimed through the petty cash account and attached to the petty cash payment slip. Please note that this is an agreed prerequisite with the Inland Revenue.

7.11 No income received may be paid into an imprest account but must be separately banked as provided in these Rules. The only payments into the

account must be the reimbursement of the float and change relating to small purchases where an advance has been made. (NB: Such advances must not be for travel/ subsistence purposes).

7.12 Petty cash accounts must never be used to cash personal cheques or make personal loans. On leaving the Combined Authority's employment or otherwise ceasing to be entitled to hold a petty cash advance, an employee shall account to the Section 73 Officer for the amount advances to him or her.

7.13 A list of officers nominated to request the opening of a new petty cash account and a sample of their signature must be supplied by Officer to the Section 73 Officer and updated on a regular basis.

7.14 Petty cash re-imbursement claims should be correctly coded and authorised for payment by an Officer.

8 FPR11 - RISK MANAGEMENT AND INSURANCE

The objective of this Finance Procedure Rule is to ensure that the Combined Authority manages potential risks and liabilities and to limit the authority for arranging insurance cover to the Section 73 Officer .

8.1 The Constituent Authority Members are responsible for approving the Combined Authority's risk management strategy and strategic risk assessment and for ensuring that proper insurance exists where appropriate.

8.2 The Section 73 Officer will update the Combined Authority's strategic risk register on a quarterly basis. The Section 73 Officer is responsible for preparing the Combined Authority's risk management strategy and Officers and Members are responsible for promoting and implementing the risk management strategy throughout the Combined Authority.

8.3 It is the responsibility of each Officer to assess annually all risks within the areas under their control, and to record them in an annual risk management plan. Officers are responsible for identifying, assessing and controlling risks within their budget on an ongoing basis.

8.4 All risks will be recorded in the Combined Authority's strategic risk register together with an action plan to show how the risks are owned, monitored, and mitigated.

8.5 The Audit and Governance Committee will monitor the effective development and operation of risk management framework in the Combined Authority.

8.6 The Section 73 Officer shall assess the Combined Authority overall insurance requirements and will be responsible for arranging all insurance cover and will review insurance cover on an annual basis.

8.7 Each Officer shall be responsible for identifying, assessing and controlling risks within their Directorate on an ongoing basis. Each Officer will undertake a quarterly assessment of strategic risks and determine whether

any need to be added or removed, together with an annual review of Directorate risk in consultation with the Section 73 Officer.

8.8 The Section 73 Officer shall ensure all claims against the Combined Authority's insurances are processed and negotiate settlements where liability is accepted within the limits and conditions agreed with the Combined Authority's insurers. Officer s shall be responsible for providing the necessary information in a timely manner and every assistance in the defence or submission of claims shall be afforded to the Section 73 Officer. Where it is deemed an insurance recovery will not be forthcoming the Section 73 Officer is delegated to write off that amount, up to a value of [£250,000.] Above this amount, Constituent Council Member's approval is required.

8.9 The Section 73 Officer shall ensure a record is kept of all insurances effected by the Combined Authority and the property and risks covered thereby, including valuations of insured property. Officers shall notify the Section 73 Officer on all new risks, properties and vehicles which may need to be insured and of any alterations affecting existing risks or insurances and provide all information requested by insurers in connection with these and current risks.

8.10 All Officers or Members concerned with the receipt, custody and/or disbursement of the monies and property of the Combined Authority shall be included in a suitable fidelity guarantee insurance. Officers shall ensure that the Section 73 Officer is notified of such persons.

8.11 Officer s shall require approval of the Section 73 Officer and the Monitoring Officer, in respect of the terms of any indemnity which the Combined Authority is requested to give.

8.12 The Section 73 Officer shall be consulted about any insurance policies that Officers may wish to arrange on behalf of other parties.

8.13 Officers are responsible for ensuring that anyone covered by the Combined Authority's insurances is aware that they must not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim and notify the Section 73 Officer as soon as possible of any event which may give rise to a claim under any insurance policy.

12 FPR12 – TREASURY MANAGEMENT

The objective of this Finance Procedure Rule is to ensure that proper processes are in place for treasury management for the Combined Authority.

12.1 All investments and borrowing (excluding externally held assets of any Pension Fund) shall be made by the Section 73 Officer and are in the name the Combined Authority

12.2 All securities which are the property of or are in the name of the Combined Authority shall be held in the custody of the Section 73 Officer.

12.3 The Section 73 Officer is the Combined Authority's Registrar of Stocks,

Bonds and Mortgages (if any).

12.4 The Section 73 Officer shall produce a Combined Authority Treasury Management Policy Statement and an Annual Investment Strategy Report, Prudential indicators and MRP policy statement and submit them to the Constituent Council Members and then to Combined Authority each year. The Section 73 Officer shall also report on Treasury Management activity during the year, on a six monthly basis, and will revise the Treasury Management Strategy as appropriate and submit to Constituent Council Members for approval, and as appropriate to the Combined Authority. Audit and Governance Committee has a responsibility to review and monitor the Council's treasury management arrangements in accordance with CIPFA Treasury Management Code of Practice.

12.5 The Section 73 Officer, in consultation with the Constituent Councils and Monitoring Officer is responsible for financial management, may vary the Combined Authority lending list criteria and lending list should circumstances dictate. Any changes will then be reported to Constituent Council Members for retrospective endorsement and if necessary also to Combined Authority retrospectively in accordance with normal Treasury Management reporting procedures.

12.6 All Treasury Management activities must be conducted by the Section 73 Officer in line with the relevant CIPFA Code of Practice for Treasury Management in Local Authorities and the CIPFA Prudential Code for Capital Finance.

12.7 Adequate division of duties must exist between arranging and settling of transactions.

12.8 Arrangements must exist which provide for someone other than the officer responsible for day-to-day investment transaction to monitor investment levels, which should be periodically reviewed.

13 FPR13 – REIMBURSEMENT OF EXPENSES AND PAYMENT OF ALLOWANCES FOR OFFICERS

The objective of this Finance Procedure Rule is to ensure that the reimbursement of allowances and expenses to staff and members is in accordance with the appropriate agreements and legislation.

13.1 All claims by Officers for payment of any car allowances shall be submitted at monthly intervals to the Section 73 Officer in approved form, duly certified by the Officer. Payment of other travelling expenses, subsistence allowances and incidental expenses will be made upon receipt of the appropriate form duly certified and where appropriate the Members Allowance Scheme.

13.2 Payment to members of the Combined Authority or its Officer s who are entitled to claim travelling and subsistence allowance will be made by or on behalf of the Section 73 Officer upon receipt of the prescribed form duly completed.

13.3 Receipts must be provided for all expenditure claimed wherever possible. This is a prerequisite of the HM Revenue & Customs (HMRC).

13.4 All claims from Officers for a financial year are to be submitted not later than one month following 31st March in any year, except with the express approval of the Section 73 Officer.

13.5 Certification of a claim shall be taken to mean that the journeys were authorised, and the expenses properly and necessarily incurred, and that the allowances are properly payable by the Combined Authority in accordance with the rates approved by the Combined Authority and where appropriate, the Independent Remuneration Panel. Claims submitted must provide sufficient information to allow such certification to take place and shall be made in accordance the Members Allowance Scheme.

13.6 Advances for travel and subsistence expenses will only be made in exceptional circumstances to be approved in advance by the Section 73 Officer.

14 FPR14 – SECURITY AND CONTROL OF ASSETS

The objective of this Finance Procedure Rule is to ensure the proper use and safeguarding of assets owned by the Combined Authority or for which the Combined Authority has responsibility. This Rule applies to all assets, including stocks, stores, furniture, equipment, vehicles, cash, land and buildings, software and information that are owned by, or are in the possession of the Combined Authority and for which the Combined Authority is responsible.

14.1 The use of assets is restricted to authorised Combined Authority business. Surplus assets shall be disposed of in an appropriate manner as directed by the Section 73 Officer and in accordance with the Contract Procedure Rules.

14.2 The Monitoring Officer shall have custody of all title deeds of properties owned by the Combined Authority and be responsible for their security, and the Monitoring Officer shall maintain a terrier of all land and properties owned by the Combined Authority recording the location, extent, plan, reference, purchase details, nature of the interests, tenancies granted, rents payable and purpose for which held.

14.3 The Monitoring Officer is designated as Senior Information Risk Owner (SIRO) for the Combined Authority and shall ensure that information risk is properly identified, managed and controlled. Assistant Officers are designated as Information Asset Owners (IAOs) and shall ensure that appropriate information assurance mechanisms and inventories are in place to support these SIRO requirements.

Property

14.4 The Combined Authority shall put in place an Asset Management Plan which sets out the vision, core values and objectives for the management of the Combined Authority's assets. Property related matters are the responsibility of the Section 73 Officer and the Monitoring Officer.

14.5 Except as agreed by Section 73 Officer, no Officer or Member may raise money by securing any legal charge or claim upon the buildings, land or any other asset or interest of the Combined Authority. Any contract or legal agreement involving a charge upon assets will be forwarded to the Monitoring Officer and the Section 73 Officer for approval and signature on

behalf of the Combined Authority.

14.6 The Combined Authority's approach to the ownership and management of its operational property assets (excluding highways, for which the Director of Thriving Places is responsible). The Combined Authority's approach means that the ownership of property assets and the responsibility for their management and maintenance is transferred from Officer to the Combined Authority, which is a centralised corporate function.

14.7 In this way the Section 73 Officer and Monitoring Officer approach:

a) enables the Combined Authority to utilise its assets to deliver better, more efficient services to our communities;
b) unlocks the value of assets, seeks efficiencies through joint arrangements with our public sector partners and maximises private sector investment;
c) ensures the provision of a consistent, corporate and strategic approach to the management of the Combined Authority's property portfolio; and
d) supports the delivery of the Asset Management Plan

Inventories

14.8 Inventories shall be maintained and kept up to date. They must contain an adequate description (including serial numbers where appropriate) of furnishings, fittings, equipment, plant, machinery, vehicles and other property of the Combined Authority with an individual value exceeding [£1000], Officers shall presume their asset have a default value in excess of this amount.

14.9 Attractive and portable items such as computers or cameras should be identified with security markings as belonging to the Combined Authority, and must be recorded in the inventory regardless of value.

14.10 Each Officer is responsible for making checks of such inventories not less than once per year.

14.11 No property of the Combined Authority shall be removed otherwise than in the business or used otherwise than for the Combined Authority's purposes except in accordance with ordinary course of specific instructions issued by the Section 73 Officer.

14.12 Inventory items found to be obsolete or in excess of requirements shall be disposed of in an appropriate manner.

15 FPR15 – PAYMENT OF GRANTS

The objective of this Finance Procedure Rule is to ensure that only properly authorised grant and benefit payments are made, and where discretionary, to ensure that their purpose is achieved.

15.1 Where specific services are required from a third party, care must be taken to ensure that the Contract Procedure Rules are applied where appropriate.

15.2 Prior to the award of a grant, Officers in consultation with the Section 73 Officer, must consider the need for a financial appraisal of the recipient organisation to ensure the company is financially viable.

15.3 The award of any loan or guarantee must be approved by the Section 73 Officer and Monitoring officer.

15.4 Each Officer shall provide a record justifying the award of the loan, grant or guarantee.

15.5 All claims must be correctly certified and submitted only if all conditions are met. The Officer is responsible for examining, verifying and certifying grant/benefit payments and certification shall mean that:

a) the grant/benefit payment has not been paid previously;

b) the payment is lawful and is in accordance with the Combined Authority's policy;

c) the payment is arithmetically correct;

d) the grant is within budget provision.

15.6 Where grants are made to third parties who subsequently procure any part of the works or services covered by the grant, the grant conditions should require the procurement process to be broadly comparable to those contained with the Contract Procedure Rules (e.g. competitive process). The conditions in this regard are to be agreed by the Section 73 Officer.

15.7 When making payments for which external funding can be claimed, Officers must be aware of any conditions/obligations laid down by the external funder that the Combined Authority must meet (e.g. monitoring of spending) and be satisfied that these conditions/obligations can be and are being met. This includes retaining required records and asset registers as appropriate, and in accordance with the Finance Procedure Rules.

15.8 Where funding is dependent upon achievement of outputs, such outputs must be evidenced and monitored accordingly.

15.9 Pursuant to Article 9 of the Cumbria Combined Authority Order 2026, the Combined Authority is responsible for determining an amount of grant to be paid be paid towards expenditure incurred or to be incurred by a Constituent Council in relation to the exercise of that Constitution Council's highway functions.

The Section 73 Officer shall ensure that in determining this amount payable, the Financial Regulations and Finance Procedure Rules have been complied with and the Combined Authority must have regard to the desirability of ensuring that the Constituent Council has sufficient funds to facility the effective discharge of such functions.

16 FPR16 – RECORD OF CONTRACTS FOR CAPITAL WORKS

16.1 Each Officer shall be responsible for maintaining proper records for all contracts in accordance with the Contract Procedure Rules and for informing the Section 73 Officer and appropriate Officer where the final cost is likely to exceed the financial provision.

16.2 In every case before a Officer or consultant issues or certifies a final certificate of payment under a contract the Section 73 Officer shall have an opportunity to examine the contractor's final account together with such relevant documents and information as they may require.

17 FPR17 – EXTERNAL FUNDING

17.1 Where the Combined Authority bids for revenue or capital external funding (either directly or as the accountable body) the decision to apply / bid for the funding is the responsibility of the Officer in consultation with the Combined Authority and the Section 73 Officer.

17.2 Successful applications/bids will be reported to Members and associated expenditure will be included in the revenue budget and/ or capital programme.

17.3 Where the Combined Authority is providing match funding to support projects / funding applications by other organisations, and these organisations request the Combined Authority's support for a project which they are pursuing, the responsibility for approving the Combined Authority's support is the relevant Officer in consultation with the Combined Authority, and the Section 73 Officer.

17.4 In respect of any external funding arrangements, whether the Combined Authority is the accountable body or not, it is the responsibility of the relevant Officer, in consultation with the Section 73 Officer to ensure that adequate financial management arrangements are in place prior to entering the Combined Authority into an external funding arrangement. The processes to ensure adequate financial management arrangements will be determined by the Section 73 Officer and must be consistent with the terms and conditions of the funding agreement.

17.5 The Section 73 Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Combined Authority 's corporate financial systems, and Officers are responsible for providing the Section 73 Officer with all necessary information to enable this to be achieved.

17.6 Where the Combined Authority receives grants (revenue or capital) or external funding from outside bodies (usually, but not restricted to government departments) in the absence of a bidding process, the requirements of paras 17.8 – 17.10 do not apply. This grant income / external funding is usually subject to clear grant notifications and directions and will be included in the annual Combined Authority Budget or reported in year to Constituent Council Members through the regular budget monitoring reports as applicable.

17.7 Where external organisations bid for resources from the Combined Authority, in addition to the above, it is essential to ensure that the Combined Authority's resources are not committed to pursue the priorities of another body (which may not coincide with the Combined Authority's aims and priorities, approved by the policy framework) unless the matter has first been properly evaluated, considered and approved.

17.8 If any Member or Officer is involved with an external organisation that is bidding for Combined Authority funding, they must declare their interest and withdraw from any involvement in the decision-making process.

17.9 It is the responsibility of Officers, in consultation with the Section 73 Officer, to ensure that adequate financial management arrangements are in place prior to entering the Combined Authority into a strategic and commercial contract or partnership arrangements. The processes to ensure adequate financial management arrangements will be determined by the Section 73 Officer.

Note Contract Procedure Rules should also be read in conjunction with this section.

PART 5

Ethical Standards

Part 5

Section 5.1 - Members' Code of Conduct

1. Definitions

For the purposes of this Code of Conduct, a "Member" means a member of the Combined Authority, including the directly elected Mayor and any substitute and co-opted members. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "*a person who is not a member of the authority but who*

a) *is a member of any committee or sub-committee of the authority, or;*

b) *is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;*

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

2. Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Members, Officers, and the reputation of the Combined Authority and local government. It sets out general principles of conduct expected of all Members and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Member and local government.

3. General principles of Member conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors, members and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.
Building on these principles, the following general principles have been developed specifically for the role of Member.
In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of member.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person

- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my Combined Authority's requirements and in the public interest.

4. Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Member or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Member.
This Code of Conduct applies to you when you are acting in your capacity as a Member which may include when:

- you misuse your position as a member;
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a member;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings,
- at online or telephone meetings,
- in written communication,
- in verbal communication,
- in non-verbal communication, and
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

5. Standards of Member conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.
Guidance is included to help explain the reasons for the obligations and how they should be followed.

6. General Conduct

1 RESPECT

As a Member:

1.1. **I treat other Members and members of the public with respect.**

1.2. **I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you

can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Member, where action could then be taken under the Members' Code of Conduct, and local authority employees, where concerns should be raised in line with the [Officers' Code of Conduct].

2 BULLYING, HARASSMENT AND DISCRIMINATION

As a Member:

2.1 **I do not bully any person.**

2.2 **I do not harass any person.**

2.3 **I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in virtual meetings, emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Member have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3 IMPARTIALITY OF OFFICERS OF THE COUNCIL

As a Member:

3.1 **I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Combined Authority.**

Officers work for the Combined Authority as a whole and must be politically neutral (unless

they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question Officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4 CONFIDENTIALITY AND ACCESS TO INFORMATION.

As a Member:

4.1 **I do not disclose information:**

4.1.1 **given to me in confidence by anyone**

4.1.2 **acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**

(a) I have received the consent of a person authorised to give it;

(b) I am required by law to do so;

(c) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

(d) the disclosure is:

(i) reasonable and in the public interest; and

(ii) made in good faith and in compliance with the reasonable requirements of the Combined Authority; and

(iii) I have consulted the Monitoring Officer prior to its release.

4.2 **I do not improperly use knowledge gained solely as a result of my role as a Member for the advancement of myself, my friends, my family members, my employer or my business interests.**

4.3 **I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5 DISREPUTE

As a Member:

5.1 **I do not bring my role or local authority into disrepute.**

As a Member, you are trusted to make decisions on behalf of your community and your

actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Member and/or the Combined Authority and may lower the public's confidence in your or the Combined Authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Combined Authority into disrepute.

You are able to hold the Combined Authority and fellow Members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Combined Authority whilst continuing to adhere to other aspects of this Members' Code of Conduct.

6 USE OF POSITION

As a Member:

6.1 **I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a Member provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7 USE OF COMBINED AUTHORITY RESOURCES AND FACILITIES

As a Member:

7.1 **I do not misuse Combined Authority resources.**

7.2 **I will, when using the resources of the Combined Authority or authorising their use by others:**

7.2.1 **act in accordance with the Combined Authority's requirements; and**

7.2.2 **ensure that such resources are not used for political purposes.**

You may be provided with resources and facilities by the Combined Authority to assist you in carrying out your duties as a Member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Combined Authority's own policies regarding their use.

8 COMPLYING WITH THE CODE OF CONDUCT

As a Member:

8.1 **I undertake Code of Conduct training provided by the Combined Authority.**

8.2 **I cooperate with any Code of Conduct investigation and/or determination.**

8.3 **I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

8.4 **I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a Member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Combined Authority or its governance. If you do not understand or are concerned about the Combined Authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the Combined Authority.

9 INTERESTS

As a Member:

9.1 **I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members.

You need to register your interests so that the public, local authority employees and fellow Members know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10 GIFTS AND HOSPITALITY

As a Member:

10.1 **I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or**

do business with the Combined Authority or from persons who may apply to the Combined Authority for any permission, licence or other significant advantage.

10.2 **I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**

10.3 **I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the Combined Authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.

The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Member. If you are unsure, do contact your Monitoring Officer for guidance.

APPENDIX A – THE SEVEN PRINCIPLES OF PUBLIC LIFE

The principles are:

Selflessness
Holders of public office should act solely in terms of the public interest.

Integrity
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty
Holders of public office should be truthful.

Leadership
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

APPENDIX B – REGISTERING INTERESTS

Within 28 days of becoming a Member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable pecuniary interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

2 A 'sensitive interest' is as an interest which, if disclosed, could lead to the member, or a person connected with the member, being subject to violence or intimidation.

3 Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

"Standard Dispensation" means a dispensation that has been granted by the Authority relieving the member or co-opted member from the restrictions or obligations under this Code as detailed in **Table 3** below.

Non participation in case of disclosable pecuniary interest

4 Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room/meeting unless you have been granted a dispensation. In addition, you may speak on the matter only if members of the public are also allowed to speak and having spoken you must leave the room/meeting. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5 Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as an Executive member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registrable Interests

6 Where a matter arises at a meeting which ***directly relates*** to one of your Other Registrable Interests (as set out in Table 2), you must disclose the interest. If you have such an interest you must consider whether a reasonable member of the public, knowing all the facts, would think the interest such that it may influence the way you vote. If the ordinary person would think that the interest may influence your vote then you should not participate in the matter. In these circumstances you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter. If it is a 'sensitive interest', you do not have to disclose the nature of the interest

Disclosure of Non-Registrable Interests

7 Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8 Where a matter arises at a meeting which ***affects*** –

8.1 your own financial interest or well-being;

8.2 a financial interest or well-being of a friend, relative, close associate; or

8.3 a financial interest or wellbeing of a body included under Other Registrable Interests set out in Table 1,

you must disclose the interest. In order to determine whether you may participate in the meeting after disclosing your interest the following test should be applied:

a) Where a matter ***affects*** your financial interest or well-being so that a reasonable member of the public knowing all the facts would believe that it may affect your view of the wider public interest you may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter.

b) If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

c) Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the member's knowledge) – (a) the landlord is the council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.

Securities	Any beneficial interest in securities* of a body where – (a) that body (to the member's knowledge) has a place of business or land in the area of the council; and (b) either – (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/ her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:
a) Any unpaid directorships b) any body of which you are in general control or management and to which you are nominated or appointed by your authority c) any body (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

The requirement to disclose an Other Registerable Interest and not participate in a decision directly relating to or affecting it, shall be applied in such a manner as to recognise that this Code should not obstruct a member's service on more than one local authority. For the avoidance of doubt, participation in discussion and decision making at one local authority will not by itself normally prevent you from taking part in a discussion and decision making on the same matter at another local authority. This is on the basis that a reasonable member of the public will see no objection in principle to such service or regard it as prejudicing a member's judgement of the public interest and will only regard a matter as giving rise to bias in exceptional circumstances.

Table 3: Standard Dispensations

1. You will not be regarded as having a prejudicial interest in any business of your authority in respect of any Other Registerable Interest:

ı) where that business relates to:

(i) another local authority of which you are also a member;
(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
(iii) a body to which you have been elected, appointed or nominated by your authority, but only in the circumstance where the sole purpose of participating is to make representations, answer questions or give evidence relating to the business at the request of the Committee meeting;
(iv) your role as a school governor, unless it relates particularly to the school of which you are a governor; or
(v) your role as a member of a National Health Service board or governing body;

›) except that no dispensation described in sub-paragraph (a) above will apply where the business to be transacted at the meeting is the determination of any regulatory approval, consent, licence, permission or registration (for example, determination of an application for planning permission or consent or licence under the Licensing Act 2003).

2. You will not be regarded as having a prejudicial interest in any business where that business relates to:

(a) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;

(b)	the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
(c)	the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
(d)	the functions of your authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of the Local Government Act 2000;
(e)	any ceremonial honour given to one or more Members; or
(f)	the setting of the authority's council tax requirement, council tax, levy or a precept under the Local Government Finance Act 1992 (except that this dispensation does not apply if you are two months or more in arrears with their Council Tax you must declare this to the meeting and must not vote on budget recommendations, as to do otherwise can be a criminal offence)

Summary of Criminal Offences and Sanctions

Offences

1. A person commits an offence if, without reasonable excuse, the person:

(a) fails to:

- register any disclosable pecuniary interest, or
- disclose a disclosable pecuniary interest not entered on the register, or

(b) participates in any discussion or vote, where they have a disclosable pecuniary interest.

2. A person commits an offence if when registering a disclosable pecuniary interest or disclosing an interest not entered on the register, the person provides information that is false or misleading and the person:

(a) knows that the information is false or misleading, or

(b) is reckless as to whether the information is true and not misleading.

Sanctions

3. A person who is guilty of such offence may be fined up to £5000.

4. A court may also disqualify the person for up to five years for being or becoming (by election or otherwise) a Member or co-opted Member of the Combined Authority or any other relevant authority.

Dispensations

Requests

1. The Combined Authority will consider any requests for a dispensation.

2. Any request for a dispensation must be made in writing to the Monitoring Officer.

3. A request will not be granted unless it is made **not less than 10 clear days** before the date of the meeting to which the request relates, except where the Monitoring Officer considers that there are exceptional circumstances.

Period

4. A dispensation must specify the period for which a dispensation has effect, which must not exceed four years.

Criteria

5. The Combined Authority may grant you a dispensation only if, having regard to all relevant circumstances, it considers that:

- without the dispensation, the number of Members prohibited from participating in any particular business would be so great a proportion of the Combined Authority[41] as to **impede the transaction of the business,**
- without the dispensation, the **representation of different political groups** on the Combined Authority would be so upset as to alter the likely outcome of any vote on the matter,
- the dispensation is in the **interests of persons living in the Combined Authority's area,** or
- it is **otherwise appropriate** to grant a dispensation.

6. In determining whether to grant dispensation requests, the Combined Authority may consider:

- whether the nature of the Member's interest is such that to allow the Member to participate would not damage public confidence in the conduct of the Combined Authority's business,
- whether the interest is common to the Member and a significant proportion of the general public,
- whether the participation of the Member in the business that the interest relates to is justified by a Member's particular role or expertise, and
- whether the interest is trivial or remote.

Section 5.2 - Code of Conduct for Officers

7. Introduction

1.1 The public are entitled to expect the highest standards of conduct from all officers who work within local government. This Code of Conduct outlines existing laws, regulations and conditions of service, and provides officers with guidance to assist them in their day-to-day work.

1.2 The purpose of the Code is to help ensure that the Combined Authority's activities, through the actions of its officers, are conducted to the highest standards, as expected of local government, by:

1.2.1 detailing existing laws, regulations and conditions of service;

1.2.2 providing further guidance to assist officers in their day-to-day work; and

1.2.3 specifying standards and procedures which will help protect both the Combined Authority and its officers from misunderstanding and undue criticism.

1.3 The Combined Authority's values support this code, by providing further guidance in relation to how officers need to conduct themselves in the workplace. Further information on these values is in a number of policies, procedures, guidelines and service standards which the Combined Authority l has developed, to be read in conjunction with this Code.

1.4 The adopted Code applies as part of the conditions of service of all officers working under a contract of employment with the Combined Authority. All officers are expected to read, understand and accept the Code, and abide by the standards of behaviour expressed within it. The standards specified in the Code should also be adhered to by officers in any activities undertaken as members of companies, voluntary organisations or any other body and in their personal lives generally.

1.5 The Code does not replace, negate or remove any of the conduct issues set out in the various national terms and conditions, or in legislation such as the Local Government and Housing Act 1989 and the Local Government Act 1972 and Local Government Act 2000, but seeks to clarify and consolidate all such conduct issues within a locally adopted code.

1.6 This Code sets out the minimum standards that apply to officers. It may be supplemented and clarified by other corporate guidance as appropriate.

1.7 The following core principles underpin the concept of public service and apply to all officers of the Combined Authority regardless of the nature of the job they do:

1.7.1 **Selflessness**: Holders of public office should take decisions solely in the terms of the public interest.

1.7.2 **Integrity**: Holders of public office should not place themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and **relationships**.

1.7.3 **Objectivity**: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

1.7.4 **Accountability**: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

1.7.5 **Openness**: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

1.7.6 **Honesty**: Holders of public office should be truthful.

1.7.7 **Leadership**: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

1.7.8 **Duty**: You must uphold the law and act in accordance with the Combined Authority's constitution and the public trust placed in you. You have a duty to act in the interests of the Combined Authority as a whole and all communities served by the Combined Authority.

1.7.9 **Respect**: You must respect all other officers, members, partners and the public. You must not act in a disrespectful way towards any individual because of a protected characteristic or for any other reason.

1.8 Officers are expected to follow the standards of behaviour set out in the Code, and should be aware that failure to meet these standards may lead to action being taken by the Combined Authority under its Disciplinary and / or Capability Procedure. This Code supplements, and does not replace any code or recognised standards of conduct endorsed by any professional body of which an officer is a member. If officers have any queries or are uncertain about its content, they should contact their line manager for advice.

2 GENERAL PRINCIPLES

2.1 Where it is part of their duties to advise, officers must provide any advice impartially. This includes advice to Members, colleagues, customers, contractors and the public.

2.2 If an officer becomes aware of activities which they consider to be illegal, improper, unethical or otherwise inconsistent with this Code, they must report it to their manager (or next appropriate manager) as soon as possible. Information on whistleblowing is also available on the Combined Authority's website.

2.3 Responsibility is placed on every employee to disclose to an appropriate manager any potential conflict of interest which may affect them in their job role.

2.4 Officers must not misuse their position, information or any Combined Authority resources or equipment to further their own or others personal interests.

2.5 It is not enough for officers to simply avoid a breach of this Code. At all times, officers must act in such a way to avoid any occasion for suspicion and any appearance of improper conduct. This includes activities both in and outside of the normal place of work, and includes work related functions e.g. leaving celebrations. It also includes occasions outside of work where an employee makes themselves identifiable as an employee of this Combined Authority e.g. social media activities, wearing a uniform etc.

3 DISCLOSURE AND CONFIDENTIALITY OF INFORMATION

3.1 The Combined Authority is required by law to make certain types of information available to Members, auditors, government departments, service users, regulators and the general public. However, prior to the release of any data or information an employee must consider and be confident that this is not in breach of data protection legislation, or other legal or Combined Authority requirements for confidentiality. If in any doubt, officers must check with their manager prior to the release of the information.

3.2 Personal data obtained in the course of employment should always be treated confidentially and only be disclosed in accordance with data protection legislation or other legal or Combined Authority requirements.

3.3 Officers must comply with all current legislation, such as the Data Protection Act and Freedom of Information Act regarding the disclosure of information and the Combined Authority's associated policies and procedures. Further information and advice on responsibilities under the Data Protection Act and Freedom of Information Act are available from the Combined Authority's Data Protection Officer.

3.4 Officers should not use any information obtained in the course of their work for personal gain or benefit, nor should they pass it on to others who might use it in such a way. If officers receive specific information, from whatever source, in the course of carrying out their duty, they should not divulge it, except where such disclosure is required or sanctioned by the law.

3.5 Officers should not disclose, without express permission, information relating to exempt agenda items and reports. No reports relating to staffing, financial, commercial, disciplinary, political or other confidential matters should be disclosed to any unauthorised person without the prior express permission of the Combined Authority, or the Chief Executive/Head of Paid Service.

3.6 Officers should be aware that in the course of their work, they may have access to personal or otherwise confidential information, some of which may fall within the scope of the Data Protection Legislation. The Combined Authority expects officers to respect the confidentiality of all information, both during and subsequent to a period of employment with the Combined Authority, in accordance with its Data Protection Policy.

3.7 The leaking of confidential or exempt information to a third party may be viewed as a disciplinary matter, and may also result in legal action being taken.

4 POLITICAL NEUTRALITY

4.1 Officers serve the Combined Authority as a whole, and must serve all Members equally and ensure that the individual rights of Members are respected. Officers must not allow their personal or political opinions to interfere with their work or their behaviour at work.

4.2 Where an employee is requested to advise a full meeting of a political group or its executive, the Chief Executive/Head of Paid Service must be informed by the employee in advance of the meeting. In providing the advice, political neutrality must be maintained. In addition, any advice given should be made available to all political groups, if requested.

4.3 Certain officers hold politically restricted posts. If your job is politically restricted, you will be notified, and you will be prevented from taking up certain roles, for example becoming a member of a local authority (other than parish councils); becoming an MP or MEP; holding office in a political party, and canvassing, speaking in public or writing on party political matters.

5 RELATIONSHIPS AT WORK

5.1 Officers must declare to their manager any situation where their impartiality, objectivity, or honesty may be compromised due to them being related to, or having a close personal relationship with someone at work.

Members

5.2 Mutual respect between Officers and Members is essential. Some Officers work closely with Members, and all communication should be dealt with in a polite, impartial and efficient manner. Officers are expected to inform elected members on relevant issues in a timely manner. Close personal familiarity between Officers and individual Members must be avoided at all times to prevent damage to the relationship and embarrassment to individuals and the Combined Authority.

The Local Community and Service Users

5.3 Officers should always remember their responsibilities to the community and ensure a polite, impartial and efficient service delivery to all groups and individuals within that community.

Contractors / Suppliers / Procurement / Tendering

5.4 All relationships of a business or personal nature with external contractors or suppliers must be declared to the employee's line manager at the earliest opportunity. Arrangements for any appropriate steps to be taken to manage any conflict of interest will then be made.

5.5 Orders and contracts must be awarded in accordance with the Combined Authority's procedures and no special favour must be shown to businesses or individuals.

5.6 Officers whose work involves the procurement, appointment or supervision of contractors must disclose any former or current private or official relationships with contractors to their Line manager.

5.7 Officers must not make official professional decisions about matters in which they have a personal involvement. Officers must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others.

5.8 When a conflict of interest is disclosed, the Combined Authority reserves the right to remove the employee from any areas of direct or indirect involvement in the matter concerned.

6 APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

6.1 Appointment and employment decisions must be made in accordance with Combined Authority's policies and procedures.

6.2 To avoid accusations of bias, officers must not be involved in appointment processes where they are related to or have a close personal relationship with an applicant.

6.3 All Officers are required to disclose any relationship known to exist between them and any person who they know is a candidate for an appointment with the Combined Authority.

6.4 Officers should not be involved in other employment related decisions for Officers who are a relative or with whom they have a close personal relationship, nor should they attempt to influence such decisions. This includes decisions on matters such as discipline, promotion or pay adjustments.

7 OUTSIDE COMMITMENTS

7.1 Officers must not allow their personal interests to conflict with or be detrimental to their duties or Combined Authority's business.

7.2 All Officers, irrespective of hours worked, must not engage in any other business or take up any additional employment or other appointments without the agreement of the Combined Authority. Officers requesting such agreement should contact their line manager who will discuss and seek agreement with the individual nominated within the service area.

7.3 The Combined Authority will not unreasonably prevent Officers from taking additional employment, but in accordance with their obligations as an employer, however, the Combined Authority will not approve any additional employment that, in the view of the Combined Authority, has the potential to conflict with, or be detrimental to the Combined Authority's interest or in any way weaken public confidence in the conduct of its business or is contrary to any legal provision or obligation on the part of the Combined Authority as employer including ensuring compliance with Working Time Regulations.

7.4 Officers are not permitted to carry out private trading in relation to goods, services or any form of intellectual property on the Combined Authority's premises nor may they do so elsewhere whilst on Combined Authority duties.

8 PERSONAL INTERESTS

8.1 All Officers must declare, any financial or non-financial interests which they consider could bring about conflict with the Combined Authority's interests.

8.2 It is a legal requirement for Officers to formally declare any contracts with the Combined Authority in which they have a pecuniary interest. Such declarations should be sent to Monitoring Officer. It is a criminal offence to fail to comply with the provision.

8.3 Officers must not make official professional decisions on behalf of the Combined Authority about matters in which they have a personal involvement.

9 EQUALITY

9.1 All members of the community, customers and Officers have the right to be treated with fairness and equality. Officers must behave in a way that supports equality, dignity and respect and must observe the Combined Authority's Equality Scheme and other employment policies outlined in the Employee Handbook.

9.2 Unlawful discrimination, harassment and victimisation on any basis including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex; and sexual orientation will not be tolerated and will be dealt with through disciplinary procedures.

10 SEPARATION OF ROLES DURING TENDERING

10.1 Officers involved in a tendering process and/or dealing with contractors must ensure they carry out their duties in a clear, transparent and fair way.

10.2 There must be a clear separation of client and contractor roles. Senior Officers who have both a client and contractor responsibility must ensure clear accountability, transparency and openness.

10.3 Officers in contractor or client services must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and subcontractors.

10.4 Officers who have access to confidential information on tenders or costs relating to either internal or external contractors must not disclose that information unless there is clear and specific authorisation to do so.

10.5 Officers must declare any relationship which may have the potential to conflict with the tendering process or could be perceived by others as a potential reason for bias.

11 FRAUD OR CORRUPTION

11.1 It is a serious criminal offence for Officers to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or refraining from doing something, or to show favour or disfavour to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly given or received. This applies equally to bodies already holding contracts as to those seeking to secure contracts.

11.2 Officers must declare any personal or pecuniary interests in contracts which the Combined Authority is proposing to enter into, in accordance with the procedures set out in Sections 7 and 8, and observe the procedures for dealing with gifts and hospitality in the Gifts and Hospitality Policy.

11.3 Officers should be aware that any departure from these standards will be treated as a most serious matter, both under the terms of the Combined Authority's disciplinary procedures, and where necessary, through the processes of law.

12 USE OF FINANCIAL RESOURCES

12.1 Officers must ensure that they use public funds entrusted to them in a responsible and lawful manner. Officers should always strive to ensure value for money to the local community and to avoid legal challenge to the Combined Authority.

12.2 To support Officers in this, the Combined Authority has developed financial rules and procedures, and information is also set out in the Finance Procedure Rules set out in this Constitution.

13 SPONSORSHIP – GIVING AND RECEIVING

13.1 If an organisation wants to sponsor a Combined Authority's activity, whether by invitation, tender, negotiation or voluntarily, the basic rules about accepting gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

13.2 If the Combined Authority sponsors an event or service, you or anyone connected with you may not benefit from the sponsorship. Similarly, if the Combined Authority gives financial support in the community, please ensure that impartial advice is given and that you have no conflict of interest.

Section 5.3 - Conflicts of Interest Policy

1. Introduction

1.1. The Combined Authority is committed to ensuring that Members and Officers act in line with the Nolan Principles of public life, which are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

1.2. This Conflicts of Interest Policy applies to:

- the Mayor and any other Combined Authority Member (or substitute member),
- any Associate Member or Non-Constituent Member,
- any committee members or members of any advisory board or working group,
- any Officer of the Combined Authority, and
- any officer of a local authority who advises the Combined Authority or any of its committees or Boards

1.3. It applies to both local authority and private sector representatives, and their substitutes.

1.4. The policy provides an overview of how conflicts of interest are managed, by reference to the procedures which the Combined Authority has in place to maintain high ethical standards and protect its reputation against any allegation of conflicting interests. These include requirements to register and declare interests.

1.5. The policy must be followed throughout all decision-making processes. The Combined Authority is committed to ensuring that this policy applies to decisions taken at formal meetings or by individuals on behalf of the Combined Authority under delegated authority. It is communicated to everyone involved in decision- making by the Combined Authority, to ensure their commitment to it.

1.6. To ensure transparency, decisions are recorded and published in accordance with agreed procedures.

2. Definition

A conflict of interest is a set of circumstances which creates a risk that an individual's ability to apply judgement or act in a role is, or could be, impaired or unduly influenced by a secondary interest of that individual, or of another person.

2.1 For example, a conflict of interest would arise where a member of any advisory board has an interest, for instance, as a shareholder in a company that is a potential beneficiary of grant funding, conflicting with the interests of the Combined Authority

2.2 Conflicts of interest may inhibit open discussions and may result in irrelevant considerations being taken into account or decisions being taken that are not in the best interests of the Combined Authority.

2.3 This policy covers commercial, personal, actual or potential conflicts of interests; for the

purposes of this policy, the perception of competing interests, impaired judgement or undue influence can also amount to a conflict of interest.

3. General

All Members and officers must **take personal responsibility** for declaring their interests and avoiding perceptions of bias. Where any conflict of interest arises outside of those which they are specifically required to register or declare, they should **err on the side of caution** and declare these interests in line with the Nolan Principles.

2.4 This policy applies whether they are decision-makers, consultees or involved in any other way in relation to any decision to be taken the Combined Authority or the Mayor.

Members

2.5 Members are required to comply with the Combined Authority's Members' Code of Conduct in Part 5 of the Constitution. The Code sets out the procedures for registering and declaring pecuniary and other interests, and managing conflicts which arise at any formal meeting of the Combined Authority, or a committee appointed by the Combined Authority.

2.6 The Code of Conduct sets out requirements for declaring pecuniary and other interests at formal meetings, where members are decision-makers. The Conflicts of Interest Protocol: Applications for Loans or Grants manages any conflict of interest which may arise when a decision is taken by an Officer, in respect of a loan or grant from the Combined Authority.

2.7 The Combined Authority's complaints procedure sets out the process to be followed if a Member is alleged to have failed to comply with the Code.

2.8 Registers of interests are published on the Combined Authority's website.

2.9 The Members' and Officers' Relations Protocol also specifies additional requirements and restrictions in relation to:

2.9.1 canvassing for appointments to the Combined Authority, and
2.9.2 disclosing any relationship between the Member and an Officer, or a candidate for employment.

Members of any Advisory Boards who are not subject to the Members' Code of Conduct

2.10 Any member of any Advisory Board who is not subject to the Members' Code of Conduct are still required to act in line with the Nolan Principles of public life which are selflessness, integrity, objectivity, accountability, openness, honesty and leadership and are expected to meet the standards of the Members' Code of Conduct as a matter of good governance.

2.11 All members of Advisory Boards should treat meetings as if they are a formal committee meeting for the purposes of disclosing interests and not participating where a member has an interest in any matter. This approach helps members avoid breaching the principles of conduct set out in the Code relating to selflessness, and honesty and integrity.

2.12 Any declaration or non-participation by any Member should be recorded in the minutes for the meeting of the Board or committee as appropriate.

Officers

2.13 Officers of the Combined Authority must comply with the Combined Authority's Officers' Code of Conduct and Gifts and Hospitality Policy in Part 5 of the Constitution when they are working for the Combined Authority.

2.14 The Members' and Officers' Relations Protocol requires Officers to disclose any relationship with a Member. It also reflects statutory provisions relating to:

- prohibiting Officers from being operators, directors, partners or employees of public passenger transport services, and
- recording pecuniary interests in contracts.

2.15 The **Contract Procedure Rules** in Part [ ] of the Constitution addresses potential conflicts of interests arising in respect of **contracts** with the Combined Authority for goods, services or an interest in property.

Section 5.4 - Conflicts of Interest Protocol: Loans or Grants to Businesses

1. Purpose

1.1. The Combined Authority has adopted an overarching Conflicts of Interest Policy which is set out in Section 5.1 of the Constitution, and which provides an overview of how conflicts of interest are managed by reference to other procedures and requirements including the Members' Code of Conduct and this Conflicts of Interest Protocol: Loans or grants to businesses.

1.2. The Members' Code of Conduct in Part 5 of the Constitution addresses how Members are required to register and declare pecuniary and other interests at formal meetings where members take decisions.

1.3. This **Conflicts of Interest Protocol: loans or grants to businesses** sets out the process which the Combined Authority follows to demonstrate that applications from businesses for loans or grants are dealt with in an impartial, fair, and transparent way, including where they are considered by Officers. It provides an additional safeguard (for the Combined Authority and for applicants) to minimise the risk of reputational damage from any perception of undue influence.

1.4. The process requires additional scrutiny of any application where a potential conflict of interest arises.

2. Scope

2.1 This protocol should be followed where an application for a loan or grant is made by any business (including a company, social enterprise or a sole trader) to the Combined Authority.

2.2 The protocol applies to:

- the Mayor and any other Combined Authority Member
- any voting member on a committee of the Combined Authority,
- any member of any Advisory Board
- any non-voting Member including Associate Members and/or Non-Constituent Members

2.3. It applies to both local authority and private sector representatives, and their substitutes.

3. General

3.1. This protocol supplements the Conflicts of Interest Policy. It does not replace or alter any requirement of the Members' Code of Conduct, nor any other procedure which addresses conflicts of interest.

> Where any conflict of interest arises outside of those specifically required to be registered or declared under the Members' Code of Conduct, a procedure referred to in the Conflict of Interest Policy or this protocol, a Member should declare their interests **erring on the side of caution**, in line with the Nolan Principles.

4. Setting Policies and Strategies Relating to Loans and Grants

4.1 Members must follow the Members' Code of Conduct which sets out requirements for registering and declaring interests at meetings. The Code restricts Members' involvement in decision making at formal meetings of the Combined Authority and committees where a conflict of interest arises.

4.2 However, to secure the input of suitable expertise and a range of representative views into the decision-making process, appropriate involvement in matters in which Members may have an interest is facilitated by exceptions and dispensations granted under the Code.

4.3 Members are not generally precluded from participating in or voting on developing or setting any overarching policy or strategy, including setting criteria against which any application for a loan or grant will be assessed. However, **this is subject to exceptions** such as where a direct financial interest arises.

4.4 At any meeting where an item relates to a **change of criteria** for any loan or grant programme in respect of which a Member (or a business in which they have registered an interest) has applied for a loan or grant during the previous 24 months (successfully or otherwise), the Member should declare the application. Any such declaration should be noted in the minutes of the meeting, but the member may nevertheless participate and vote in the decision, unless otherwise precluded by the Code or the application is still to be determined. A Member may, however, choose not to participate or vote in the item if they are aware that any proposed change in criteria may affect an application which they (or the business in which they have registered an interest) intend to make for the loan or grant.

Members should check with the Monitoring Officer if they are unsure whether they may participate or vote in relation to any particular item

5. Members to Notify Businesses of their Involvement with the Combined Authority

5.1 Any Member who (to comply with a Code of Conduct) has registered an interest in a business, **including any interest of their spouse or civil partner,** must:

- **notify that business of their involvement** with the Combined Authority,
- **ask the business to declare their involvement** as a conflict of interest when applying for any relevant loan or grant, and
- **make arrangements for the business to notify them** on any occasion when the business applies for a relevant loan or grant.

6. Applying for a Loan or Grant - Applicant Business

6.1 The application form for a loan or grant to businesses will ask the applicant to declare whether:

- the applicant, any Director, Trustee or employee of the business, or
- their spouse or civil partner is:

a) a Combined Authority Member, or
b) a non-voting member including Associate Member and/or Non-Constituent Body Member; or
c) a voting member of any committee appointed by the Combined Authority, or
d) a member of any Advisory Board of the Combined Authority,

A business should be advised of any such potential conflict of interest by the relevant Member, under paragraph 5 above. Nevertheless, each business should take such additional steps as are reasonably practicable to ensure that any declaration is full and accurate.

7. Members' Actions Where a Conflict of Interest Arises

7.1 A Member must also:

a) **notify the Monitoring Officer** on each occasion where:
   - they apply for a loan or grant, or
   - a business which is registered as an interest on their register of interest applies for a loan or grant,
   - any other interest arises which may be perceived as giving rise to a conflict of interest (for example, where an application is made by a close friend, or family member, or they are related to an officer of the Combined Authority).

   The notification to the Monitoring Officer should identify
   - the name of **the applicant**,
   - the **type of funding** applied for (including the funding stream if known), and
   - the nature of **the potential conflict of interest**.

   The date of the application should also be stated (if known).

b) so far as reasonably practicable **avoid any personal involvement** with any application for any loan or grant, or

c) where it is not reasonably practicable to avoid personal involvement with an application:
   - **declare on any application form their involvement** if they are not a signatory,
   - **do not discuss the application verbally** with any officer of the Combined Authority, and

- **communicate only in writing** about the application after it has been submitted.

8. Advising on Loan and Grant Applications

8.1 To avoid improper use of "inside information" about the assessment process for applications, where a member's role includes or has included **advising on individual grant and loan applications from businesses**, no application from them, their spouse or civil partner, or from a business which they have (or should have) registered as an interest under the relevant Code of Conduct shall be considered until **6 months** has elapsed since they carried out that role.

9. Considering Loan and Grant Applications

9.1 Every application is considered on its own merits, and none are granted unless the eligibility criteria for the loan or grant are met.

9.2 No Member may participate or vote on any decision-making relating to any application in respect of which they have a conflict of interest.

9.3 Members must not seek in any way to improperly influence the outcome of any application which has (or may be) made in which they have an interest.

9.4 Where an interest has been declared by an applicant on the application form, and/or a Member (or where an interest is otherwise brought to the attention of a relevant Director), the application will not be progressed unless:

a) the Monitoring Officer has confirmed that:
   - the Member has **registered the business as an interest** on their register in accordance with the requirements of the relevant Code of Conduct, and
   - a full **declaration of interest** by the Member has been received in relation to the application in accordance paragraph 7 of this protocol.

and

b) the relevant Director has confirmed that:

   - the **applicant** has made a **declaration of interest** on the application form in accordance with paragraph 6,
   - the **Member did not discuss the application verbally** with any officer of the Combined Authority after its submission, nor otherwise **seek to improperly influence** the application.

9.5 Subject to a) and b) above, where an interest arises, the application should be referred for determination by:

- the Combined Authority's Chief Executive/Head of Paid Service, or
- a meeting of the Combined Authority or a relevant committee.

9.6 An application may only be granted further to a recommendation from a **relevant Director** who has assessed the application, and confirmed that it has been considered on its own merits and meets relevant eligibility criteria.

9.7 The decision-maker should take into account any other relevant information which relates to the conflict of interest.

9.8 The **record of any decision** about an application where a conflict of interest has arisen must record the conflict of interest declared by the member, and that this protocol has been followed.

10. Reporting

10.1 The Monitoring Officer will **annually report** to the Combined Authority's Audit and Governance Committee on the number and outcome of applications considered in accordance with this protocol during the financial year and on any breaches of the protocol.

Section 5.5 - Member and Officer Relations Protocol

1 INTRODUCTION AND PRINCIPLES

1.1 The purpose of this protocol is to guide Members and Officers of the Combined Authority in their relations with one another; to define their respective roles, and to provide guidance for dealing with particular issues that may most commonly arise or cause concern.

1.2 Given the variety and complexity of such relations, this protocol does not seek to be prescriptive and it may not cover all situations. It is hoped, however, that the general approach set out in this protocol will serve as a guide in dealing with other issues that may not be specifically covered.

1.3 This protocol also seeks to reflect the principles underlying the Members' Codes of Conduct and the Officers' Code of Conduct. The shared objective of these Members' Codes of Conduct and the Officers' Code of Conduct (see Part 6 of this Constitution) is to enhance and maintain the integrity of the Combined Authority by demanding very high standards of personal conduct.

1.4 Mutual respect between Members and Officers is essential to good local government and to the Combined Authority. It is important in all dealings between Members and Officers that both should observe reasonable and consistent standards of courtesy and that neither party should seek to take advantage of their position. Close personal familiarity between individual Members and Officers can damage this relationship and prove embarrassing to other Members and Officers.

1.5 The relationship has to function without compromising the ultimate responsibilities of Officers to the Combined Authority as a whole, and with due regard to such technical, financial, professional and legal advice that employees can legitimately provide to Members. This protocol seeks to set a framework that assists the working relationships between Members and Officers.

2 ROLE OF MEMBERS AND OFFICERS

Members

2.1 The roles of Members and Officers are different, but complementary. Both Members and Officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Combined Authority as a whole, and they are accountable to the Head of Paid Service. Their job is to give advice to Members and the Combined Authority, and to carry out the Combined Authority's work under the direction and control of the Combined Authority and its various committees.

2.2 There are a number of crucial roles for Members. Four, in particular, can be summarised as follows:

2.2.1 to provide strong leadership for communities and to share in the policy and budget decisions of the Combined Authority, suggest policy improvements and scrutinise the Combined Authority's policy proposals and their implementation;

2.2.2 to monitor and review the Combined Authority's performance in implementing approved policy and in delivering services;

2.2.3 to represent their constituents, promoting and communicating the interests of the electorate within the Combined Authority decision making processes and dealing with their day to day problems and concerns as they arise;

2.2.4 to represent the Combined Authority externally on joint committees, and on key partner and other outside bodies.

2.3 Members should not get involved in the day to day operational management of services. Equally, Officers should not get involved in politics.

Officers

2.4 Officers serve the whole Combined Authority. Officers support and advise the Combined Authority, and the constituent parts of its decision-making machinery; implement Combined Authority decisions and may themselves take decisions formally delegated to them through the Scheme of Delegation to Officers (see Part 3 of the Constitution). All Officers are required to be politically neutral, and for statutory Officers or senior Officers this is enforced through the political restrictions of the Local Government and Housing Act 1989. This position is also enshrined in the Officers' Code of Conduct which forms part of the Council's Constitution (see Part 6 of this Constitution).

2.5 Within this context, it is important to recognise the differing roles of certain Officers:

2.5.1 The Monitoring Officer, which provides a formal interface between Members and Officers, and which has a leading role in relation to policy co-ordination and performance management.

2.5.2 Officers are directly responsible for the day to day delivery of services within the Combined Authority's established policy and decision-making framework.

2.5.3 Officers within services themselves are primarily accountable to their manager and/or the Monitoring Officer and when assisting Members should always do so within the parameters of whatever authority they have been given by the Monitoring Officer.

2.6 In particular, it should be recognised that Members do not have any special immunity from civil or criminal wrongs that they may commit against fellow Members, Officers or members of the public.

Members must ensure that they do not, therefore, for example, bully, harass, slander or libel another person. During public meetings of the Combined Authority or its Committees, statements made by Members may attract "legal privilege" which may be a defence to an action for defamation. Unlike Parliament and the Courts, local authorities only benefit from "qualified", rather than "absolute", privilege. As such there are conditions that must be met before qualified privilege will attach to a statement (including that Members should generally believe that statements they make are true and they should be made without malice).

2.7 Any member of the public (including Officers) can complain to the Monitoring Officer about a Member's alleged breach of Members' Code of Conduct and / or bring private, civil action against a Member.

Members' Expectations

2.8 Members can expect from Officers:

2.8.1 A commitment to the Council as a whole, and not to any political group.

2.8.2 A working partnership based on an understanding of and support for respective roles, workloads and pressures.

2.8.3 Reasonable and timely response to enquiries and complaints.

2.8.4 Professional advice, not influenced by political views or preference, which does not compromise the political neutrality of Officers.

2.8.5 Regular, up to date information on matters that can reasonably be considered appropriate and relevant to Members' needs, having regard to any individual responsibilities that they have and positions that they hold.

2.8.6 Awareness of and sensitivity to the political environment.

2.8.7 Respect, dignity and courtesy and not acting in a discriminatory way through behaviour or speech.

2.8.8 Relevant training and development in order to carry out their role effectively.

2.8.9 Integrity, mutual support and appropriate confidentiality.

2.8.10 That Officers will not use their relationship with Members to advance their personal interests or to influence decisions improperly.

2.8.11 That Officers will at all times comply with the relevant Code of Conduct.

2.8.12 Support for the role of Members as the local representatives of the Council, within the parameters of support approved by the Council.

2.8.13 That Officers will promote equality of opportunity in all Council matters.

Officers' Expectations

2.9 Officers can expect from Members:

2.9.1 A working partnership based on an understanding of and support for respective roles, workloads and pressures.

2.9.2 Political leadership and direction.

2.9.3 Respect, dignity and courtesy and not acting in a discriminatory way through behaviour or speech.

2.9.4 Integrity, mutual support and appropriate confidentiality.

2.9.5 Not to be subject to bullying or harassment or to be put under undue pressure. Members should have regard to the seniority of Officers in determining what reasonable requests are, having regard to the relationship between Members and Officers, particularly at junior levels.

2.9.6 That Members will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly.

2.9.7 That Members will at all times comply with the Members' Code of Conduct.

2.9.8 That Members will promote equality of opportunity in all Council matters.

Limitations on Behaviour

2.10 The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exhaustive list:

2.10.1 Close personal, as opposed to working, relationships between Members and Officers can confuse these separate roles and detrimentally affect the proper discharge of the Combined Authority's functions, not least by creating the perception in others that a particular Member or Officer may be securing advantageous treatment.

2.10.2 The need to maintain the separate roles means that there are limits to the matters on which Members may seek the advice of Officers, both in relation to personal matters and party-political issues.

2.10.3 Relationships with a particular individual or party groups should not be such as to create public suspicion that an Officer favours that Member or group above others. The issue of Officer attendance and advice to political groups is specifically covered at paragraphs 3.1 to 3.4 of this Protocol.

3 OFFICER ADVICE TO GROUPS OF MEMBERS

3.1 It is common practice for political groups to give preliminary consideration to matters of Combined Authority business in advance of such matters being considered. As an example, the Combined Authority's notice of forthcoming Key Decisions will identify the Key Decisions that the Combined Authority will be considering. Individual Members and/or groups of Members may properly call upon Officers to support and provide factual advice to their deliberations. The support provided by Officers can take many forms, ranging from a briefing meeting prior to a committee meeting, to a presentation to a full group meeting. Briefing of political groups should only be undertaken by the Monitoring Officer, or otherwise with the approval of the Head of Paid Service.

3.2 Certain points must, however, be clearly understood by all those participating in this type of process, Members and Officers alike. In particular:

3.2.1 Officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Combined Authority business. Officers must not be involved in advising on matters of a 'political' nature. Officers are not expected to be present at meetings, or parts of meetings, where matters of political business are to be discussed.

3.2.2 Similarly, where Officers provide information and advice to a group of Members meeting in relation to a matter of Combined Authority business, this cannot act as a substitute for providing all necessary information and advice to Members, the Overview and Scrutiny Committee or other Committee meetings when the matter in question is considered.

3.3 Officers must respect the confidentiality of any group discussions at which they are present in the sense that they should not relay the content of any such discussion to another group of Members, unless specifically asked to do so by a member of the group to whom the duty of confidentiality is owed.

3.4 Any particular cases of difficulty or uncertainty in this area of Officer advice to groups of Members should be raised with the Head of Paid Service or, in their absence, the Monitoring Officer.

4 OFFICER / MEMBER RELATIONSHIPS

4.1 It is clearly important that there should be a close working relationship between Members, any chairs of Committees and Officers. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question an Officer's ability to deal impartially with other Members.

4.2 Whilst Members will routinely be consulted as part of the process of drawing up agenda items for a forthcoming meeting, it must be recognised that in some situations an Officer will consider it their duty to submit a report on a particular matter. In these circumstances, an Officer will always be fully responsible for the contents of any report submitted in their name. Similarly, a Member will also be fully responsible for that part of any report submitted in their name. Any issues arising between a Member and an Officer in this area should be referred to the Head of Paid Service for their resolution. Where individual Members wish to place an item on an agenda of a Combined Authority meeting, they should notify the Head of Paid Service.

4.3 It must be remembered that Officers are accountable ultimately to the Head of Paid Service, and that whilst Officers should always seek to assist any Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by the Monitoring Officer and/or Head of Paid Service. Officers should also refer to Part 3 (Responsibility for Functions) and Part 5 (Officers' Code of Conduct) in the Constitution for clarification about the bounds of their responsibility.

5 UNDUE PRESSURE

5.1 A Member should not apply undue pressure on an Officer to do anything which they are not empowered to do, or which is against the Officer's professional judgement, or to undertake work outside normal duties or normal hours.

5.2 Similarly, an Officer must not seek to influence an individual Member to make a decision in their favour, nor raise personal matters relating to their job, nor make claims or allegations about other Officers, except in accordance with any agreed Combined Authority procedure or in accordance with law. Members who receive any such approach from an Officer should advise the Monitoring Officer immediately.

6 GRIEVANCES OR COMPLAINTS

Procedure for Officers

6.1 From time to time the relationship between Members and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or Member, Officers will have recourse to the Grievance Procedure where the matter concerns their employment, or to the Monitoring Officer as appropriate in the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Head of Paid Service who will decide on the course of action to be taken.

Procedure for Members

6.2 In the event that a Member is dissatisfied with the conduct, behaviour or performance of an Officer, they should not raise the matter in public or before the press, as Officers have no means of responding to the same in public. The matter should be raised with the Monitoring Officer. Where the Officer concerned is the Monitoring Officer, the matter should be raised with the Head of Paid Service. Where the Officer concerned is the Head of Paid Service, the matter should be raised with the Monitoring Officer. If the matter cannot be resolved informally, it may be necessary to invoke the Combined Authority's disciplinary procedure.

7 MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

7.1 Subject to the Access to Information Procedure Rules (see Part 4 of the Constitution), Members are free to approach the appropriate Service to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as Members. This can range from a request for general information about some aspect of the Combined Authority's activities to a request for specific information on behalf of a constituent. Such approaches should be directed to the Officers or other nominated representative. If Members wish to visit Officers, they should contact the Monitoring Officer to make arrangements whenever possible.

7.2 With respect to the legal rights of Members to inspect documents, these are covered partly by statute and partly by the common law, and are subject to the Access to Information Procedure Rules (see Part 4 of the Constitution).

7.3 The exercise of the common law right depends upon a Member's ability to demonstrate a "need to know". In this respect a member has no right to "a roving commission" to examine any documents of the Combined Authority. Mere curiosity is not sufficient.

7.4 The information sought by a Member should be provided in a timely manner. It should only be provided by the respective Officer as long as it is within the limits of the Officer's resources. For their part, Members should seek to act reasonably in the number and content of the requests they make.

7.5 It is important for Officers to keep Members informed both about the major issues concerning the Combined Authority and, more specifically, about issues and events affecting the areas that they represent. It is expected that Constituent Council Members will be kept informed about proposals that affect their ward and should also be invited to attend Combined Authority initiated events.

7.6 If a Member asks for specific information relating to the work of the Combined Authority, and it appears possible or likely that at a subsequent meeting an issue could be raised or question asked on the basis of the information provided, then the appropriate Member concerned should be advised about the information provided.

7.7 Any Member may apply in confidence to the Head of Paid Service or appropriate Officer for procedural advice or information to address a constituency issue.

7.8 The Members' Code of Conduct provides that a Member must not disclose information given to the Member in confidence by anyone, or information which the Member believes, or ought reasonably to be aware, is of a confidential nature except where:

7.8.1 the Member has the consent of a person authorised to give it;

7.8.2 the Member is required by law to do so;

7.8.3 the disclosure is made to a third party for the purposes of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

7.8.4 the disclosure is reasonable and in the public interest and made in good faith and in accordance with the law.

7.9 In order to safeguard against possible breaches of the Data Protection Legislation (which applies to all information of a personal nature) a member should always seek advice from the Head of Paid Service or Monitoring Officer before disclosing confidential information. Generally personal information cannot be released without the consent of the person to whom it relates. Improper disclosure of confidential information can put the Member or the Combined Authority at legal and financial risk.

8 ATTENDANCE OF OFFICERS AND MEMBERS AT OVERVIEW AND SCRUTINY COMMITTEE

8.1 The Local Government Act 2000 empowers an Overview and Scrutiny Committee to require Members and Officers to attend meetings of the committee and answer questions. Pursuant to the Combined authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, it is a statutory duty for the Combined Authority or the Mayor to comply with such requests and respond to reports. This statutory position is reflected in the Overview and Scrutiny Procedure Rule s (see Part 4 of the Constitution) and, in general, should only need to be exercised by relevant Officers and the Monitoring Officer.

8.2 It is important for the reputation of the Combined Authority that the Overview and Scrutiny Committee use this power in a responsible and constructive manner which will assist the Overview and Scrutiny Committee in its work.

8.3 The Overview and Scrutiny Procedure Rule s contain requirements relating to the giving of proper notice to the Member or Officer concerned. It is important that care is taken to identify the relevant Officer who is best equipped to help the committee in its work. That will not necessarily be the Officer. Where there is any doubt the Chairman of the Overview and Scrutiny Committee concerned should consult with the Monitoring Officer to identify the appropriate Officer.

8.4 Overview and Scrutiny Committees must always treat a Member or Officer appearing before it with respect and courtesy. The Member or Officer is there to help the Committee with its work and a positive and constructive approach should be taken by all parties. Committees should in particular refrain from any personal criticism. The Chair of the Overview and Scrutiny Committee have a particular responsibility in setting the tone of the meeting to ensure this protocol is followed.

8.5 Overview and Scrutiny Committees should always bear in mind that when Officers appear to answer questions their evidence should, so far as possible, be confined to questions of fact and explanation relating to policies and decisions.

8.6 Officers may explain: what the policies are; the justification and objectives of those policies as the Members sees them; the extent to which those objectives may have been met; and how administrative factors may have affected both the choice of policy measures and the manner of their implementation.

8.7 Officers may be asked to explain and justify advice they have given to Members prior to decisions being taken and they may also be asked to explain and justify decisions they themselves have taken under delegated powers.

8.8 Officers should not be drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by Officers should always be consistent with the requirement to be politically impartial.

9 SUPPORT SERVICES TO MEMBERS AND PARTY GROUPS

9.1 The only basis on which the Combined Authority can lawfully provide support services (e.g. stationery, typing, printing, email, internet, photocopying, transport, etc.) to Members is to assist them in discharging their role as Members of the Combined Authority. Such support services must therefore only be used on Combined Authority business. They should never be used in connection with party political or campaigning activity or for private purposes.

10 CORRESPONDENCE

Official letters entering into formal commitments on behalf of the Combined Authority should be sent in the name of the appropriate employee, rather than over the name of a Member. Letters which, for example, create obligations or give instructions on behalf of the Combined Authority should never be sent out in the name of a Member. It may be appropriate in some circumstances for a letter to be sent in the name of a Member, for example in response to a letter of complaint sent direct to that Member. But this should be the exception rather than the norm and it should only be done following consultation with the Head of Paid Service and/or the Monitoring Officer.

11 MEDIA

11.1 Communication with the media can be an important part of a Member's workload. In general, Members provide comment and views, as appropriate to their role, while employees provide factual information. If a Member has any queries regarding liaison with the media, they should contact the appropriate officer concerned or the Monitoring Officer.

11.2 Members are reminded that they must not use Combined Authority's resources to publish any material that (in whole or in part) appears to be designed to affect public support for a political party.

12 WARD MEMBERS

Whenever a public meeting is organised by the Combined Authority to consider a local issue, all the Members, as a matter of course, be invited to attend the meeting. Similarly, whenever the Combined Authority undertakes any form of consultative exercise on a local issue, the Members should be notified at the outset of the exercise. More generally, Officers should consider whether other policy or briefing papers or other topics being discussed with a Member should be discussed with relevant Officers.

13 CONCLUSION

It is hoped that, by following good practice and securing sensible and practical working relationships between Members and Officers, we can provide one of the cornerstones of a successful Combined Authority and thereby enhance the delivery of high value quality services to the people within the Combined Area. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the Combined Authority, its Members and Officers.

Section 5.6 - Anti-Fraud, Bribery and Corruption Policy

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1. Introduction

1.1. This Anti-Fraud, Bribery and Corruption Policy aims to ensure that the Combined Authority has an effective anti-fraud culture and an effective framework to manage the risk of fraud, bribery and corruption.

1.2. Fraud, bribery and corruption are serious criminal acts that can damage the finances of the Combined Authority and undermine confidence in public services. Such acts are the antithesis of the Combined Authority's values. Criminal penalties for breaching the law in this area can be severe and there are some specific points where the Combined Authority itself could potentially face prosecution if there is an insufficient framework in place. The policy is therefore important in protecting the Combined Authority from financial and reputational harm, as well as providing greater clarity on the actions to take if Members, Officers, customers, partners or other stakeholders suspect or believe that fraud, bribery or corruption are happening.

1.3. This policy incorporates Combined Authority's approach to the following:

1.3.1. Anti-Fraud
1.3.2. Anti Bribery and corruption
1.3.3. Anti-Money laundering
1.3.4. Tax evasion

1.4. The Combined Authority takes its responsibility for safeguarding public monies seriously and has a zero-tolerance approach to fraud; bribery and corruption; money laundering; and tax evasion. Fraud and corruption reduce the resources available to deliver the Combined Authority's services to those people who depend on them and this is particularly important in the current climate of reduced funding in local government. Failure to put in place effective measures to counteract financial irregularities may also damage the Combined Authority's reputation.

1.5. This document sets out the Combined Authority's strategy and response to the Bribery Act 2010: the Combined Authority, through its Officers and Members, is committed to carrying out its activities and functions fairly, honestly and openly. The Combined Authority has, and will have, a "zero tolerance" of fraud, bribery, corruption, theft, or any criminal actions.

1.6. The Combined Authority expects Members and Officers to demonstrate the highest standards of honesty and integrity. This includes compliance with appropriate legislation, the Member's Codes of Conduct, Officer's Code of Conduct, standing orders, Financial Regulations, conditions of service, standards of appropriate professional bodies, and any other standards, guidelines or instructions which are relevant to the service or activity.

1.7. The people of the Combined Area are entitled to expect the Combined Authority to operate with integrity, honesty and openness. They rightly expect the highest standards from all those connected with the Combined Authority in any official capacity. The Combined Authority is therefore committed to combating fraud and taking action against anyone who does attempt to commit fraud against it.

1.8. The Combined Authority has statutory obligations regarding these areas, for example, it may be held liable for an offence under the Bribery Act 2010 if it fails to prevent a person (who could be an Officer or Member, consultant or any contractor or sub-contractor who provides services on Combined Authority's behalf) from committing bribery

1.9. Having and adhering to adequate procedures to prevent bribery provides Combined Authority is a defence against liability under the Bribery Act 2010.

1.10. The Combined Authority is committed to ensuring that it has effective arrangements to prevent, detect and report suspected money laundering activities in line with the Proceeds of Crime Act 2002 and the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017. This policy is to ensure that all appropriate action

is taken to prevent the Combined Authority and its Offices and Staff being exposed to money laundering, and that actual or suspected incidences of money laundering are reported in line with the requirements of the Money Laundering regulations.

1.11. Finally as an employer, if the Combined Authority fail to prevent its Officers, Members, staff, workers, agents or service providers facilitating tax evasion, the Combined Authority can face criminal sanctions including an unlimited fine, as well as damage to our reputation. The Combined Authority takes its legal responsibilities seriously and will uphold all laws relevant to countering tax evasion, including the Criminal Finances Act 2017.

2. Definitions

2.1. For the purposes of this policy, “Financial Irregularity” means fraud, bribery, corruption, money laundering, tax evasion or facilitating tax evasion.

Fraud

2.1.1. Fraud is defined within the 2006 Fraud Act which sets out three categories of fraud:

a. False representation - where a person makes a false representation in order to cause a gain for themselves or a loss to another person
b. Failure to disclose information - where there is a legal duty to do so
c. Abuse of position - where a person abuses the position they hold to cause a gain to themselves or a loss to another person.

2.1.2. Crucially, under the Fraud Act, the gain or loss does not have to have materialised for fraud to have been committed; it is the action and intent that creates the offence of a fraud.

2.2. **Bribery**

2.2.1. Bribery means offering, promising or giving someone a financial or other advantage to encourage them to perform their functions or activities improperly, or rewarding someone for having already done so or accepting any financial or other advantage. This includes:

a. Offering or giving a bribe to another person;
b. Receiving or agreeing to receive a bribe from another person;
c. Facilitation payments (unlawful payments which be small and unofficial amounts demanded by officials to perform, secure or expedite the performance of their normal duties).

2.2.2. The Combined Authority would commit an offence if a person associated with it bribes another person for the Combined Authority's benefit. An "associated person" includes Officers and Members, service providers and other partners.

2.2.3. Officers and Members involved in planning and procurement should be especially aware of the possibility that they may be targeted for attempted bribery.

2.3. **Corruption**

2.3.1. Corruption is the offering, giving, soliciting or acceptance of an inducement or reward which may influence any person to act inappropriately.

2.4. **Money laundering**

2.4.1. Money laundering is the process by which criminally obtained money or other criminal property are exchanged for “clean” money or other assets with no obvious link to their criminal origins.

2.4.2. The formal definition of money laundering is set out in the Proceeds of Crime Act 2002 as:

a. The process by which the proceeds of crime are; concealed, disguised, converted, transferred or removed from England, Wales, Scotland or Northern Ireland.
b. Being involved in an arrangement which a person knows or suspects facilitates the acquisition, retention, use or control of criminal property.
c. Acquiring, using or possessing criminal property.

2.4.3. There are also secondary offences of:

a. Failure to disclose money laundering offences.
b. Tipping off a suspect, either directly or indirectly.
c. Prejudicing an investigation.

2.5. **Tax evasion**

2.5.1. Tax evasion means the offence of cheating the public revenue or fraudulently evading UK tax, and is a criminal offence. The offence requires deliberate action, or omission with dishonest intent. For the purposes of this policy tax evasion includes foreign tax evasion.

2.5.2. Tax evasion facilitation means being knowingly concerned in, or taking steps with a view to, the fraudulent evasion of tax (whether UK tax or tax in a foreign country) by another person, or aiding, abetting, counselling or procuring the commission of that offence. Tax evasion facilitation is a criminal offence, where it is done deliberately and dishonestly.

3. Policy Statement

3.1. The aim of this policy is to make clear to all Officers (including permanent, temporary and agency staff), Members, contractors, consultants, other bodies and the public, the Combined Authority's approach to financial irregularities.

3.2. The Combined Authority is committed to the prevention, deterrence and detection of fraud and other financial irregularities and has a zero-tolerance approach. Robust arrangements are in place to deal with any financial irregularities committed against the Combined Authority including both disciplinary and criminal proceedings where appropriate.

3.3. This policy aims to ensure that all appropriate action is taken to prevent the Combined Authority and its Officers and Members being exposed to bribery and sets out what Officers and Members are expected to do if they suspect bribery.

3.4. The Combined Authority opposes all corruption and will support its Officers and Members at all times in acting ethically.

4. Scope

4.1. This policy applies to all Officers and Members (whether voting or non-voting, Associate Members, Non-Constituent Members), contractors and agents of the Combined Authority, except where agents have their own policy and procedures in place that already provide at least an equivalent and sufficient framework.

4.2. The Monitoring Officer is responsible for the implementation of this policy. This policy shall be in effect from the date of publication.

4.3. This Policy is accessible on the Combined Authority's website and on the intranet for Officers and Members.

4.4. Training will be provided to Officers and Members must complete training on Anti-Fraud, Bribery and Corruption Policy before the 1 April each year.

4.5. This policy applies to all elected Members and Officers working for the Combined Authority whether full-time or part-time, paid or voluntary, temporary or casual and staff employed through an agency.

4.6. Where the Combined Authority's services are delivered by other organisations, the Combined Authority remains responsible for safeguarding the interests of service users and taxpayers and therefore expects the same high standards of conduct and behaviour from all individuals working with and on behalf of the Combined Authority.

4.7. The Combined Authority recommends this policy to its partner organisations with the expectation that it is either adopted in full or used as a basis for their local arrangements.

4.8. Where it is suspected that fraud has been committed against the Combined Authority by staff from third party organisations, the Monitoring Officer will, where appropriate, report the matter to the employing organisation and will support them fully in dealing with the issues under their respective organisational policies and procedures.

4.9. The Combined Authority will comply with provisions in procurement law requiring the exclusion of contractors (or a connected person) convicted of bribery, blackmail, fraud, money laundering, tax evasion.

4.10. The Combined Authority will also include clauses in tender documents and contracts which permit exclusion of contractors, termination of contracts and recovery of losses by the Combined Authority in the event of an act of corruption by a tenderer or contractor (including sub-contractors).

4.11. This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

5. Corporate culture and frameworks

5.1. The Combined Authority is committed to creating an environment where the risk of financial irregularities is minimised. Responsibility for an antifraud culture is the joint duty of all those involved in giving political direction, determining policy and management. Members and Officers are committed to creating a culture that is resilient to the threats of financial irregularities and which aligns to the standards of good governance.

5.2. Officers at all levels are required to acknowledge and identify the risks of financial irregularities occurring within their service areas and implement controls to mitigate these risks.

5.3. Officers and the Monitoring Officer are expected to deal swiftly and firmly with those involved in financial irregularities.

5.4. The Combined Authority expects that all Officers and Members will lead by example in ensuring adherence to all legal requirements, contract and financial procedure rules, codes of conduct and best practice. There are a range of interrelated policies and procedures that provide a corporate framework to counter fraudulent activity. These have been formulated with regard to the relevant legislative requirements and include:

- 5.4.1. The Combined Authority's Constitution
- 5.4.2. Officer's Codes of Conduct
- 5.4.3. Members' Code of Conduct
- 5.4.4. Appointment of statutory officers
- 5.4.5. Financial Regulations and Financial Procedure Rules
- 5.4.6. Contract Procedure Rules
- 5.4.7. Whistleblower Policy and Procedure
- 5.4.8. Conflict of Interest Policy

5.4.9. Access to Information Procedure Rules
5.4.10. The Combined Authority ‘s disciplinary procedure
5.4.11. Any other relevant Code of Practice for Members and Officers

5.5. The Government now includes reference to fraud in all of its the grant funding agreements and it is essential that relevant Officers dealing with grant funding clear understanding the Combined Authority’s arrangements in place to deter and identify fraud to ensure compliance with ant grant funding requirements.

5.6. Line managers of Officers are responsible for ensuring that all their Officers are aware of and understand their responsibilities within this policy and for periodically reminding Officers of these.

6. Responsibilities in relation to financial irregularities

6.1. The Section 73 Officer and Monitoring Officer are responsible for communicating the Anti-Fraud, Bribery and Corruption Policy to Officers and Members and for promoting awareness of the commitment to eliminating all forms of corruption.

6.2. The Section 73 Officer and Monitoring Officer are responsible for ensuring that any risk of financial irregularities is identified, documented and managed at the appropriate level in the Combined Authority. Officers are responsible for ensuring there are appropriate controls within their systems to prevent financial irregularities and fraud.

6.3. All Officers and Members are responsible for ensuring that if they receive an allegation under this policy, they:

a. Deal with the matter promptly in line with this policy;
b. Record, preserve and secure all evidence received;
c. Implement the Combined Authority's disciplinary procedures where appropriate.

6.4. Each Officer and Member are responsible for their own conduct and for performing their functions with honesty and integrity, in the public interest.

6.5. All Officers and Members are responsible for ensuring that they do not:

a. Engage in any form of financial irregularities;
b. Aid, abet, counsel, procure or commission any other person to engage in any financial irregularities;
c. Engage in any other activity that may lead to a breach of this policy; or
d. Threaten or retaliate against any person who raises concerns under this policy

6.6. All Officers and Members, are required to be vigilant to the possibility that financial irregularities may occur and have a responsibility to report any suspicions of fraud as indicated within this policy. Where an Officer or Member, fails to report suspicions, they themselves become implicated in the wrongdoing and the Combined Authority will treat failure to report concerns as a serious matter which may in the case of a person employed by the Combined Authority, amount to a disciplinary matter and in the case of Members, to a breach of the Member’s Code of Conduct.

6.7. The Combined Authority will seek to ensure that companies of which it is a member/shareholder and major partnerships in which it participates or for which it is accountable body have in place arrangements to prevent financial irregularities in respect of their activities

6.8. The Combined Authority has established an Audit and Governance Committee. Its terms of reference are set out within the Constitution (see Section 5.2, Part 3) and include oversight of the Combined Authority's risk management activities and monitoring the Combined Authority's anti-fraud, bribery and corruption arrangements.

6.9. The Audit and Governance Committee has the responsibility for monitoring and reviewing the effectiveness and arrangements within this policy.

7. Prevention

7.1. The Combined Authority's main aim is to prevent financial irregularities from occurring. This is done through a combination of an effective ethical culture and behaviours whereby wrongdoing is seen as unacceptable by everyone and maintaining well-controlled systems that do not allow wrongdoing to succeed.

7.2. A key element in financial irregularity prevention is the regular checks undertaken by Officers and the Monitoring Officer to confirm that their financial irregularity controls continue to work effectively. Internal Audit can advise on appropriate controls to mitigate risk but it is the Officers and Members' responsibility to ensure controls are implemented and continue to work effectively.

7.3. A key stage in upholding the Combined Authority's ethical culture is through recruitment of appropriate staff. Officers and Members are responsible for ensuring that all appropriate checks and due diligence are undertaken to establish, as far as possible, the honesty and integrity of potential staff, whether for permanent, temporary or casual posts, or agency staff. All recruitment must therefore be conducted in accordance with the Combined Authority's recruitment and selection policy and associated procedures.

8. Gifts, Hospitality and Donations

8.1. Under the Bribery Act 2010, the provision of genuine hospitality is not an offence, so businesses are, for example, able to offer appropriate gifts to clients, take clients to dinner, and offer other hospitality if that is reasonable and proportionate expenditure for their business.

8.2. Officers and Members may only receive gifts and hospitality in accordance with Gifts and Hospitality Policy (see Section 5.8 Part 3 of the Constitution), the Member's Code of Conduct and Officer's Code of Conduct (see Section 5.2, Part 5 of the Constitution).

9. Data Matching for the Purpose of Fraud Prevention

9.1. The Combined Authority is expecting to participate in the National Fraud Initiative (NFI). The National Fraud Initiative (NFI) matches electronic data within and between public and private sector bodies to prevent and detect fraud. These bodies include police authorities, local probation boards, fire and rescue authorities as well as local councils and a number of private sector bodies. The Combined Authority is required to review and investigate any potential fraud or irregularities identified by the NFI. The Combined Authority will participate fully in the mandatory biennial National Fraud Initiative (NFI).

9.2. The Combined Authority may also use internal data matching between its own systems for the purposes of preventing and detecting fraud. Any such arrangements will be in full compliance with relevant legislation covering information governance.

10. Reporting concerns

10.1. Any person who suspects that corruption or a financial irregularity may be taking place must report their suspicions.

10.2. The report should be made to the Officer's line manager, or the Monitoring Officer for Members, in the first instance, unless there are reasons why you are unable to report to the Officer's line manager or Monitoring Officer. In this case, the report should be made to the Section 73 Officer.

10.3. Officers receiving credible reports of suspected financial irregularities, and Officers who are unable to discuss their concerns with their line manager or Monitoring Officer must contact the Section 73 Officer, who will then liaise with the Chair of the Audit and Governance Committee and/or the officer responsible for human resources as appropriate, to discuss the best course of action.

10.4. If an Officer or Member suspect that a financial irregularity has taken/is taking place the Officer and Member must not attempt to investigate the matter themselves nor confront any person suspected of being involved. The Officer and Member should note as much detail as possible to allow the matter to be investigated, but the Officer and Member must not go looking for evidence or take any action that may alert the individuals to their suspicions. The Officer and Member must not attempt to find information by switching on the person's computer as this can seriously prejudice further investigation.

10.5. The Combined Authority has a Whistleblower Policy and Procedure which enables individuals to make disclosures in the public interest where they feel unable to report under other policies. We recommend that staff read this policy alongside the Whistleblowing Policy and Procedure (see Part 5.7, Part 3 of the Constitution).

11. Investigation, sanctions and recovery of losses

11.1. Officers receiving referrals of suspected financial irregularity must report their concerns in accordance with paragraph 10 of this policy (Reporting Concerns) above. Once reported Internal Audit will be alerted and will contact the line manager of the relevant Officer (or the Monitoring Officer for Members) to discuss the most appropriate arrangements for investigating. Any decision on how best to investigate will be made by the Section 73 Officer after consultation with the relevant Officer, the Monitoring Officer and Chair of the Audit and Governance Committee as appropriate to the individual case. Internal Audit will provide advice and support to management in undertaking investigations and advise on strengthening controls following any incidents. The Section 73 Officer will advise and instigate such action as is necessary in order to investigate the suspected financial irregularity. This may also involve a referral to Cumbria Police.

11.2. It is the Combined Authority's policy that all suspected financial irregularities will be investigated and where fraud, bribery, corruption, money laundering or tax evasion is found to have been committed, action will be taken. Consideration will be given in all cases to referral to the police where criminal activity is suspected. Where a financial irregularity has been committed by an Officer or Member, the disciplinary procedures will be invoked together with a referral to the police as appropriate.

11.3. The Combined Authority will pursue recovery action to recover misappropriated assets. This may involve following the Proceeds of Crime Act (POCA), as well as civil sanctions including recovery from the individual's pension contributions.

11.4. We will publicise actions taken against anyone found to have committed a financial irregularity against the Combined Authority as part of our strategy to reduce bribery and fraud risk.

12. Review of this Policy

12.1. This policy will be reviewed [annually] by the Monitoring Officer and the Audit and Governance Committee.

13. Counter Fraud Strategy

13.1. The implementation of the fraud element of the anti-financial irregularities policy is set out in

paragraphs 1 to 10 of this document and will form the Combined Authority's Counter Fraud Strategy.

13.2. The counter fraud strategy is informed by a periodic fraud risk assessment which ensures that resources are targeted at the areas of highest risk.

Summary of Fraud and similar offences set out in UK legislation

Fraud Act 2006

The Fraud Act defines a general offence of fraud and three ways it can be committed. In each case there must be: dishonesty; and an intent to make a gain or cause loss; and:

- *Fraud by false representation* – where someone makes a statement which they know to be untrue or misleading.
- *Fraud by failing to disclose information* – where someone fails to disclose information they are under a legal duty to disclose.
- *Fraud by abuse of position* – where someone is expected to safeguard the financial interests of another person and abuses that position.

The Fraud Act defines further offences of:

- *Possession of articles for use in frauds* – such as other people's credit card details or software for producing blank utility bills.
- *Making or supplying of articles for use in frauds* – such as supplying information or manufacturing devices to be used in frauds by other people.
- *Fraudulent trading* - such as inflating bills or charging for work not done.

Theft Act 1968

- *Theft* - eg of money or assets
- *False accounting* – falsification or concealment of financial records or use of such records for dishonest purposes.

Bribery Act 2010

- *Offer or promise of a bribe*
- *Request or acceptance of a bribe*
- *Bribing a foreign public official to secure business or advantage in the conduct of business*
- *Failure by an organisation to prevent bribery committed on its behalf.* It is hard to envisage circumstances where bribery would be committed on the Authority's behalf and the robust framework as described in this policy should provide a defence if this offence was ever alleged.
- *Obstruction of authorised officers.*

Prevention of Social Housing Fraud Act 2013

This defines specific offences in relation to the *sub-letting of social housing stock.* It also provides investigators with similar powers to those under the CTRS Regulations but in respect of investigations into tenancy fraud.

The Public Contracts Regulations 2015 and related matters

These set out parameters for the way in which public bodies should procure goods and services. A breach of the Regulations would not, in itself, be a criminal offence. However, potential contractors who are disadvantaged may seek remedies through the courts. This could have serious financial, operational and reputational consequences. Also, if a breach was intentional and/or dishonestly motivated, the circumstances could give rise to offences under other legislation, such as the Fraud Act or the Bribery Act. This is particularly the case regarding Regulation 24, which requires effective measures to prevent conflicts of interest distorting competition.

Road Traffic Regulation Act 1984

s.117 of the Road Traffic Regulation Act 1984 defines offences concerning the *wrongful use of disabled persons badges.*

Criminal Finances Act 2017

This gives law enforcement agencies and partners further capabilities and powers to recover the proceeds of crime, tackle money laundering, tax evasion and corruption, and combat the financing of terrorism.

Part 3 of the Criminal Finances Act 2017 defines corporate offences of *failure to prevent the facilitation of tax evasion.* Given the nature of the Authority's transactions, it is hard to envisage circumstances where the Authority or its agents would facilitate tax evasion and the robust framework as described in this policy should provide a defence if this offence was ever alleged.

Anti-Money Laundering Legislation

Various legislation that deals with offences in relation to money laundering and the financing of terrorism. Money laundering involves the processing, dealing with, concealing or converting the proceeds of crime or terrorism and/or funds to be used for terrorism. The impact of this legislation in the Authority's context is described in the Authority's Anti-Money Laundering Policy, together with guidance on the actions to take if officers become aware or suspicious that money laundering is taking place.

Section 5.7 - Whistleblower Policy and Procedure

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1. About this Whistleblowing Policy

1.1 The Combined Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, the Combined Authority expects its employees, elected members, contractors, volunteers or consultants that have concerns about wrongdoings or malpractice in any aspect of practices encountered within the Combined Authority or its commissioned services to come forward and voice those concerns without fear of reprisal (sometimes called whistleblowing).

1.2 The Combined Authority is committed to the highest standards of honesty, integrity and accountability in carrying out its functions. All staff are expected to maintain high standards. Any suspected wrongdoing should be reported as soon as possible.

1.3 This Whistleblowing Policy covers all Officers, Members consultants, contractors, casual workers and, agency workers working for the Combined Authority and volunteers, and explains the protection and support that is available for 'whistleblowers'.

1.4 Any prospective 'whistleblower' can seek support from their Trade Union either before raising a concern or at any time during a concern being considered under this Whistleblowing Policy.

1.5 The Audit and Governance Committee is responsible for approving and monitoring Combined Authority's policy in relation to confidential reporting (whistleblowing). An annual report will be provided to the Audit and Governance Committee on the operation of this Whistleblowing Policy.

1.6 The purpose of this Whistleblowing Policy is:

(a) To encourage Officers and Members to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.

(b) To provide Officers and Members with guidance as to how to raise those concerns.

(c) To reassure Officers and Members that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.7 This Whistleblowing Policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

2. What is Whistleblowing?

2.1 Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to any activities that the Combined Authority is engaged in. It covers the following specific wrongdoing/practices:

(a) a criminal offence including fraud, corruption or bribery.

(b) breach of any legal or regulatory obligation.

(c) a miscarriage of justice.

(d) endangering the health and safety of any individual.

(e) damage to the environment.

(f) the intentional concealment of information about any of the above.

2.2 Whistleblowing is for disclosures that are in the public interest, it is not to be used for raising complaints relating to an Officer or Member's personal circumstances or treatment at work. In those cases, Officers or Members should use the grievance procedure or other appropriate Human Resources procedures.

2.3 A whistleblower is a person who raises a genuine concern relating to any of the above concerns in paragraph 2.1. If Officers or Members have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) they should report it under this Whistleblowing Policy.

2.4 If Officers or Members are uncertain whether something is within the scope of this Whistleblowing Policy you should seek advice from the Monitoring Officer, whose contact details are at the end of this Whistleblowing Policy.

3. How to raise a concern

3.1 A whistleblowing concern should be raised by an Officer with their line manager or if that is not possible, the Monitoring Officer. Concerns raised by the Members should be raised with the Monitoring Officer or if this is not possible, the officer responsible for human resources or the Chair of the Audit and Governance Committee. Concerns can be made verbally or in writing.

3.2 If there are specific reasons why Officers or Members are unable to report their concerns within their own line management chain or to the Monitoring Officer, there are named contacts at the end of this Whistleblowing Policy to whom they may make a referral. Officers or Members must advise the person you report to that you are making a disclosure under this Whistleblowing policy. A record of all whistleblowing concerns is maintained by the Monitoring Officer.

3.3 Once the Officer or Member's referral is received, a suitable, independent investigating officer and/or the Monitoring Officer will be assigned to the referral, and will write to them within [10] working days confirming receipt and summarising the concerns they have raised. The independent investigating officer and/or Monitoring Officer will also arrange a meeting with the relevant Officer or Member as soon as possible to discuss the concern raised. The Officer or Member may bring a companion (e.g. work colleague or union representative) to any meetings under this Whistleblowing Policy. The Officer or Member's companion must respect the confidentiality of their disclosure and any subsequent investigation. The independent investigation officer and/or the Monitoring Officer will also aim to give you an indication of how we propose to deal with the matter in our correspondence with you.

If an investigation is required it will be undertaken in line with this Whistleblowing Policy (alongside Combined Authority's disciplinary process). Subsequent investigations should be completed within [3 months]. Again, if there are delays, the relevant Officer or Member who raised the concern will be kept up to date on progress. The Officer or Member must treat this information as confidential.

4. Who is responsible for this Whistleblowing Policy?

4.1 The Audit and Governance Committee has overall responsibility for the effective operation of this Whistleblowing Policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this Whistleblowing Policy.

4.2 The Monitoring Officer has day-to-day operational responsibility for this Whistleblowing Policy and you should refer any questions about this Whistleblowing Policy to them in the first instance. The Monitoring Officer must ensure that regular and appropriate training is provided to all managers and other staff who may deal with concerns or investigations under this Whistleblowing Policy.

4.3 This Whistleblowing Policy is reviewed at least annually by the Monitoring Officer and the Audit and Governance Committee.

4.4 All Officers and Members are responsible for the success of this Whistleblowing Policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Officers and Members are invited to comment on this Whistleblowing Policy and suggest ways in which it might be improved.

5. Confidentiality

5.1 We hope that Officers and Members will feel able to voice whistleblowing concerns openly under this Whistleblowing Policy. However, if Officers or Members want to raise concern confidentially, the Monitoring Officer will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know the identity of the Officers and Members, the independent investigation officer or Monitoring Officer will discuss this with the relevant Officer and Member.

6. External disclosures

6.1 The aim of this Whistleblowing Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Officers or Member should not find it necessary to alert anyone externally.

6.2 The law recognises that in some circumstances it may be appropriate for Officer and Member to report your concerns to an external body such as a regulator. It is strongly encouraged that Officers and Members seek advice before reporting a concern to anyone external to ensure that Officers and Members do not disclose confidential information. The independent whistleblowing charity, Protect, operates a confidential helpline. Protect also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this Whistleblowing Policy.

7. A collective responsibility to report concerns

7.1 There is a responsibility for all Officers and Members to notify and report any issues of serious concern. Failure to do so may have a negative impact on the delivery of Combined Authority's services, reputation or the conduct of an individual. As a result, failure to declare or report such concern could be considered a disciplinary matter.

8. Protection and support for whistleblowers

8.1 The Combined Authority will not tolerate any harassment or victimisation of whistleblowers. The Combined Authority aims to encourage openness and will support whistleblowers who raise genuine concerns under this Whistleblowing Policy, even if they turn out to be mistaken.

8.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If Officers or Members believe that they have suffered any such treatment, they should inform the officer responsible for human resources or the Monitoring Officer immediately.

8.3 No one must threaten or retaliate against whistleblowers in any way. If an individual is found to threaten or retaliate against whistleblowers in any way, action may be taken against them, including under Combined Authority's disciplinary procedures.

8.4 If an Officer or Member make an allegation in good faith, but it is not confirmed by an investigation, no action will be taken against the relevant Officer or Member. However, if Officers or Member make a false allegation maliciously, disciplinary action may be taken against them.

9. Key Contacts

Chair of the Audit and Governance Committee	[NAME] [TELEPHONE] [EMAIL]
Officer responsible for Human Resources	[NAME] [TELEPHONE] [EMAIL]
Monitoring Officer	[NAME] [TELEPHONE] [EMAIL]
Section 73 Officer	[NAME] [TELEPHONE] [EMAIL]
Protect (Independent whistleblowing charity)	Helpline: (020) 3117 2520 Email: whistle@protect-advice.org.uk Website: www.protect-advice.org.uk

Section 5.8 - Gifts and Hospitality Policy

1. Introduction

13.3 One of the Nolan principles, integrity, is that holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

13.4 A potential source of conflict between Officers' and Members' private and public interests is the offer of gifts, hospitality or benefits in kind to Officers and Members in connection with their official duties. At all times an Officer or Member must consider whether the gift or offer of hospitality would lead a member of the public to question whether their dealing with a matter may be prejudiced by a gift.

13.5 The Bribery Act 2010 provides that it is a criminal offence for a Member to request, agree to receive, promise, offer or give any gift, loan, fee, reward or advantage for doing anything or showing favour or disfavour to any person in their official capacity. It is for the Member to demonstrate that any such rewards have not been corruptly obtained

13.6 The Member's Code of Conduct requires Members to notify the Monitoring Officer in writing of any gift or hospitality they receive which may be to the value of [£100] or more.

13.7 The Officer's Code of Conduct requires Officers to notify the Monitoring Officer in writing of any gift or hospitality they receive which may be to the value of [£100] or more.

13.8 It is also a breach of the Member's Code of Conduct or the Officer's Code of Conduct for an Officer or Member to act in such a way as to bring the Combined Authority into disrepute or for a member to use their position as an Officer or Member of the Combined Authority improperly to confer on or secure for themselves or any other person advantage or disadvantage.

13.9 This Policy also applies to spouses, partners or other associates if it can be argued or perceived that the gift or hospitality is in fact for the benefit of the Officer or Member.

13.10 The following guidance aims to assist members in complying with the Code of Conduct for Members but it also goes beyond these basic provisions and seeks to provide wider guidance so members can avoid any situation where their integrity may be brought into question as a result of gifts and hospitality

13.11 In exercising judgement as to whether to accept a gift or hospitality the question should be asked what public perception would be if the information was published. *In general terms, if an Officer/Member has any doubt about whether an item should or should not be declared, they are advised to declare it.*

13.12 Officers should consult their line manager, and Members should consult the Monitoring Officer, for any guidance required on this policy.

14 Gifts

14.1 An Officer or Member should refuse any personal gift offered to them, or to any family member, by any person or organisation who has dealings with the Combined Authority. There is a limited number of exceptions to this, as set out in paragraph 2.5 below. .

14.2 Any offer of such a gift should be reported, *whether accepted or declined,* as soon as possible and, in any case, within [28] days of receipt to the Monitoring Officer. . Any offer of such a gift should be reported to the Monitoring Officer. An Officer or Member should show tact and courtesy when refusing a gift, including explaining why they are unable to accept.

14.3 If the gift is delivered to an Officer's or Member's place of work there may be a problem returning it, in which case it should be reported to the appropriate Chief Officer immediately using the Employees' Code of Conduct form. The gift should not be used unless specific authorisation is received.

14.4 . The general principle must be that gifts or money should be politely and tactfully refused with an appropriate explanation. If it is not possible to return a gift, the details of the gift and the reason why it is not returned must be reported immediately to the Monitoring Officer who will give further guidance. The gift must not be utilised unless explicit authorisation is received.

14.5 If an Officer becomes aware that they have been made a beneficiary in an individual's will as a result of their work for the Combined Authority, they must immediately report this to their manager and the Monitoring Officer. The manager will then visit the individual to ensure that the bequest represents the genuine wishes of the individual and has not been improperly influenced by the Officer or Member. Following this, the manager will notify the Head of Paid Service who will determine the appropriate course of action. In some cases an Officer may be unaware that they are a beneficiary until after the death of the client. As soon as an Officer is made aware of such a bequest they must notify the Monitoring Officer who will determine the appropriate course of action. Members, similarly must report any such bequest they have received to their Monitoring Officer.

14.6 The following are exceptions, and do not need to be declared to the Monitoring Officer (however, if there is any cause for concern, an Officer or Member is responsible for discussing the matter with their line manager or Monitoring Officer):

14.6.1 A modest gift of a promotional nature given to a wide range of people, such as calendars, diaries, pens and other such articles which are common in the office and can be considered to form part of the general mailings of a company.

14.6.2 A modest gift where refusal would cause needless offence and the giver is not seeking a business decision, but it is merely an expression of thanks for service e.g. box of chocolates or a standard bottle of wine.

14.7 An Officer or Member must not, on any occasion, accept the offer of money.

15 Hospitality

15.1 The guiding principle is that it is important not to create an appearance of improper influence which can then undermine public confidence. In general terms, it will often be more acceptable to join in hospitality offered to a group than to accept something on an individual basis.

15.2 Hospitality is sometimes offered and accepted by an Officer or Member where it is reasonable in all the circumstances, and there is a legitimate requirement to attend. Approval by an appropriate manager or Monitoring Officer is required. Caution is needed where the host is seeking to do business with the Combined Authority or to obtain a decision from it. It is important to avoid any suggestion of improper influence.

15.3 Care must be taken when considering attending exhibitions, seminars or visiting manufacturers, etc. Such visits can be linked to a major sporting events, shows, concerts etc. and can be an attempt to legitimise offers of hospitality in the guise of business activities.

15.4 When a particular person or body has a matter currently in issue with the Combined Authority, e.g. an arbitration arising from a contract or ongoing planning application, then clearly common sense dictates that offers of hospitality be refused even if in normal times they would be regarded as acceptable.

15.5 All offers of hospitality to Officers and Members should be reported to the relevant manager and the Monitoring Officer.. Any offer should be reported, *whether accepted or declined,* as soon as possible and, in any case, within [28] days of receipt of the offer.

16 Rejecting gifts or hospitality

16.1 The following checklist of questions may help to determine if an offer of hospitality or gift should be accepted or tactfully rejected.

16.1.1 Is the donor or event significant in the community or in your Combined Authority's area?

16.1.2 Is there an expectation that a Combined Authority representative attends because of their role?

16.1.3 Will the event be attended by others of a similar standing in the community or in other communities?

16.1.4 What is the motivation behind the invitation?

16.1.5 Would acceptance of the invitation be, in any way, inappropriate or place an Officer or Member under pressure in relation to any current or future issue?

16.1.6 Could the decision to attend be justified to the Combined Authority, press and public?

16.1.7 What is the hospitality or the nature of the gift and is it reasonable and appropriate in all of the circumstances to accept?

16.1.8 What are the concerns about accepting the hospitality?

17 SPONSORSHIP – GIVING AND RECEIVING

17.1 If an organisation wants to sponsor a Combined Authority activity, whether by invitation, tender, negotiation or voluntarily, the basic rules about accepting gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

17.2 If the Combined Authority sponsors an event or service, the Officer, Member or anyone connected with the relevant Officer and Member may not benefit from the sponsorship. Similarly, if the Combined Authority gives financial support in the community, the Officer and Member shall ensure that impartial advice is given and that they have no conflict of interest.

Section 5.9 - Protocol for Webcasting, Filming and Recording of Combined Authority Meetings

1. Background

1.1. The main purpose of webcasting is to promote openness and accountability, and to support greater participation in local democracy by giving members of the public, elected members, officers and other interested parties the opportunity to view meetings without having to attend in person.

1.2. Live webcasting and the retention of recordings online for later viewing does not replace the formal record of the meeting and the decisions made. The only formal record of any meeting of a Combined Authority is its minutes and agendas which are required to be maintained and retained for a number of years.

2. Operating Procedure for Filming/Webcasts

2.1. At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being webcast, and that the Chair may also terminate or suspend the webcasting of the meeting, in accordance with this protocol. This will be confirmed by the Chair making the following statement: “I would like to remind everyone present that this meeting will be broadcast live to the internet and will be capable of repeated viewing.”

2.2. Webcasts will only commence at the beginning of a meeting when the Chair opens the meeting and will finish when the meeting is closed. During any adjournments or parts of the meeting where press and public are excluded video and audio will be switched off and a holding screen displayed for those viewing live.

2.3. The Chair of the meeting shall have the discretion to terminate or suspend the webcast if:

a) The meeting is adjourned;
b) A resolution is lawfully passed to exclude the press and public from the meeting or a specific portion of the meeting;
c) There is a public disturbance;
d) Webcasting may lead to a potential infringement of the rights of any person or other breach of law, subject to legal advice; or
e) The Chair considers that continuing to webcast would prejudice the proceedings of the meeting, subject to agreement by the majority of Members attending the meeting.

2.4 Anything that is outside of the scope of the meeting will not be filmed. This includes reaction shots, walkouts etc. Where an operator is unsure on what to film or is in an unfamiliar situation, the operator should select a camera shot of the Chair of the meeting.

2.5 Webcasts or parts of webcasts may be removed if, in the reasonable opinion of the Monitoring Officer, it may prejudice the Combined Authority’s or the public’s interests.

2.6 Content may also be removed if the Monitoring Officer considers it necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information. The reason for any decision to edit a webcast will be logged and published.

2.7 Combined Authority anticipates that the need to exercise this power will occur only on an exceptional basis.

2.8 Any elected Member who is concerned about any webcast should raise their concerns with the Democratic Services Team.

2.9 Should the live webcast be halted for a technical reason the following procedure will be applied:

a) The webcasting operator will inform the Democracy Officer and Chair as soon as practically possible;
b) The Chair may agree a short adjournment to see if the problem can be resolved. If after adjourning the problem still persists, the meeting should continue irrespective of it not being transmitted live.
c) If the live webcast cannot be resumed a back-up recording will be published following the meeting

2.10 People under the age of 16 will not be filmed unless written parental/guardian permission has been provided.

2.11 Recordings of meetings will be made available to view online for a period of 6 years after which time they will be permanently deleted.

3. Public Speakers and Audience Attendees

3.1 As part of the process for registering to speak at public Combined Authority meetings, residents will be advised that the meeting will be streamed live on the internet made available to view later online.

3.2 If an attendee does not wish to be filmed whilst speaking to the Board, the webcast operator will:
a) Give guidance to the best place to sit
b) Ensure no close-up images of the attendee will be taken
c) If the attendee is speaking, the webcast operator will focus the camera on the Chair or a camera view where the speaker will not be shown.

3.3 Guidance will be provided to people in the audience at public Combined Authority meetings advising them to contact Democratic Services staff if they have concerns about being seen on camera.

4 Signage at Meetings

4.1 On the signs to be displayed at the entrance to the meeting room and on the meeting agenda, there will be the following notice:

WEBCASTING NOTICE

Please note: this meeting may be filmed for live and /or subsequent viewing online - at the

start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Authority is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Authority's published policy. The Authority avoids filming public seating areas where possible. If you have concerns about being seen on camera during the meeting please contact a member of the Authority's Democratic Services Team.

5 Filming by members of the public and press

5.1 Members of the public and press are permitted to film or record in accordance with the Board Procedure Rules.

5.2 We may reasonably ask for the filming to be undertaken in such a way that it is not disruptive or distracting to the good order and conduct of the meeting. As a courtesy, attendees will be informed at the start of the meeting that it is being filmed.

PART 6

Members' Allowance Scheme

Part 6

Section 6.1 - Members' Allowances Scheme

Section 6.1 - Members' Allowances Scheme

1. Pursuant to the Cumbria Combined Authority Order 2026, the Combined Authority may only pay an allowance to individuals listed in 4(b) below if the Combined Authority has:
    - Established an independent remuneration panel;
    - Considered a report published by the independent remuneration panel which contains recommendation for such allowance; and
    - The allowance paid does not exceed the amount specified in the recommend made by the independent remuneration panel.

[TO FOLLOW ONCE IRP ESTABLISHED]

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Cumbria Combined Authority

Assurance Framework

Version Control

Version	Date	Detail	Approval
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1 Introduction and Overview

1.1 Purpose of Assurance Framework

This document is the Local Assurance Framework for Cumbria Combined Authority (CCA). The purpose of this document is to set out how CCA will manage public money responsibly, transparently and how accountability is provided to residents and businesses within Cumbria, as well as to UK Government.

The Assurance Framework has been developed in accordance with the English Devolution Accountability Framework (March 2023) and the HM Treasury Green Book (November 2022).

HM Treasury states that Assurance Frameworks have the general purpose of "providing independent assessment on governance, risk management, and control processes for [an] organisation."

This CCA Assurance Framework ensures necessary systems and processes are in place to manage funding effectively, and to ensure the successful delivery of Going for Growth: Cumbria's Economic Strategy 2025-2045, or its successor document(s). The Assurance Framework is designed to be a reference document for CCA Members, Officers and all relevant stakeholders, setting out the local arrangements that are in place for CCA to ensure that funding decisions (and how these decisions are implemented) are proper, transparent and deliver value for money.

The Assurance Framework sits alongside several key governance and policy documents – most notably the English Devolution White Paper (December 2024), the English Devolution and Community Empowerment Act (July 2025) and the Strategic Authority Transfer of Function Order (Statutory Instrument), the CCA Constitution including the Financial Regulations, the Medium-Term Financial Plan and the Going for Growth: Cumbria's Economic Strategy 2025-2045 (or its successor document(s)).

1.2 Scope of the Assurance Framework

The Assurance Framework applies to all expenditure on programmes and schemes representing CCA's overall 'Programme of Investment'. It is utilised when considering decision making, approvals, funding bids, programmes and projects that are focussed upon achieving desired outcomes for Cumbria. The Assurance Framework also describes how investments will be tracked in relation to progress and impact as well as the evaluation process. It provides consistency of approach for assurance, objective assessment and informed decision making across all relevant funding pots. The Assurance Framework does not relate to corporate projects or programmes, or business as usual activity.

A corporate project or programme is defined as addressing an internal business need, for example a change to an operating system.

Business as usual refers to ongoing, routine activities that form part of CCA's core responsibilities.

The Assurance Framework is applied flexibly and proportionately dependent upon the level of risk, and this rising scale of assurance is set out in section 4. The Assurance Framework allows proportionality to be applied for the development of business cases where these are required, through defined development routes.

1.3 Updating the Assurance Framework

CCA is committed to ensuring the highest standards of governance, accountability and transparency across all aspects of its activities. The Assurance Framework will be reviewed and updated on an annual basis and signed off by CCA and the relevant statutory officers in line with requirements set by Government.

The first review will significantly reflect the election of a Mayor for Cumbria. For this reason, it is expected to take place following Mayoral elections in May 2027, and the relevant mayoral functions coming into force and transfer of police and fire functions.

CCA will notify the Government Department for Local Government (currently MHCLG) when considering any significant changes and submit any new drafting to obtain Government Department approval before re-publishing.

The Assurance Framework may be amended and re-published prior to the annual review date if improvements are required or significant changes are made to CCA or its governance and assurance structures and processes, or if new guidance is received from the Government.

1.4 The Seven Principles of Public Life

The Seven Principles of Public Life (the 'Nolan principles') are central to this Assurance Framework to ensure that all roles within CCA are upholding the highest standards of conduct and ensuring responsible management of resources. The principles, which all elected officials and officers of CCA are expected to uphold, are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

1.5 About the Region

In late 2024, the government's English Devolution plan invited regions to take on more powers and local leaders in Cumbria expressed an interest in devolution. This was the start of the Cumbria's journey to form a Combined Authority – Cumbria Combined Authority (CCA).

CCA geographical area comprises the local authority areas of Cumberland Council and Westmorland and Furness Council, the two unitary authorities that cover the County of Cumbria.

In early 2025 Cumbria was selected to join the government's Devolution Priority Programme, and a public consultation was launched in the summer of 2025. Government then confirmed that Cumbria had met the statutory tests for progressing devolution.

In Autumn 2025 Cumberland and Westmorland and Furness Councils debated the devolution proposal and gave their final consent for the creation of the new Mayor-led Combined Authority.

CCA will be formally established in early 2026, at which point it will operate without a Mayor for a transitional year. In May 2027, Cumbria's first Mayor will be elected.

An overview of the responsibility for the areas of competence for CCA and functions and services across Cumbria is below.

CCA receives a range of services from the constituent councils to support its functions. These arrangements are set out in service level agreements with appropriate provisions for the timely passporting and scheduling of funding.

In June 2025, Cumbria published Going for Growth: Cumbria's Economic Strategy 2025-2045. This reflected Cumbria's large and diverse geography, as well as its strengths and challenges, identifying six key priorities to deliver growth:

- Deliver the connectivity improvements needed to deliver growth
- Increase productive business growth
- Enable the country's defence and energy security and transition to net zero
- Enhance and capitalise on our natural assets and economy
- Transform services to drive inclusive growth
- Support vibrant and thriving communities to attract more residents

This provides the platform for CCA's initial work programme and the development of a future Local Growth Plan for Cumbria.

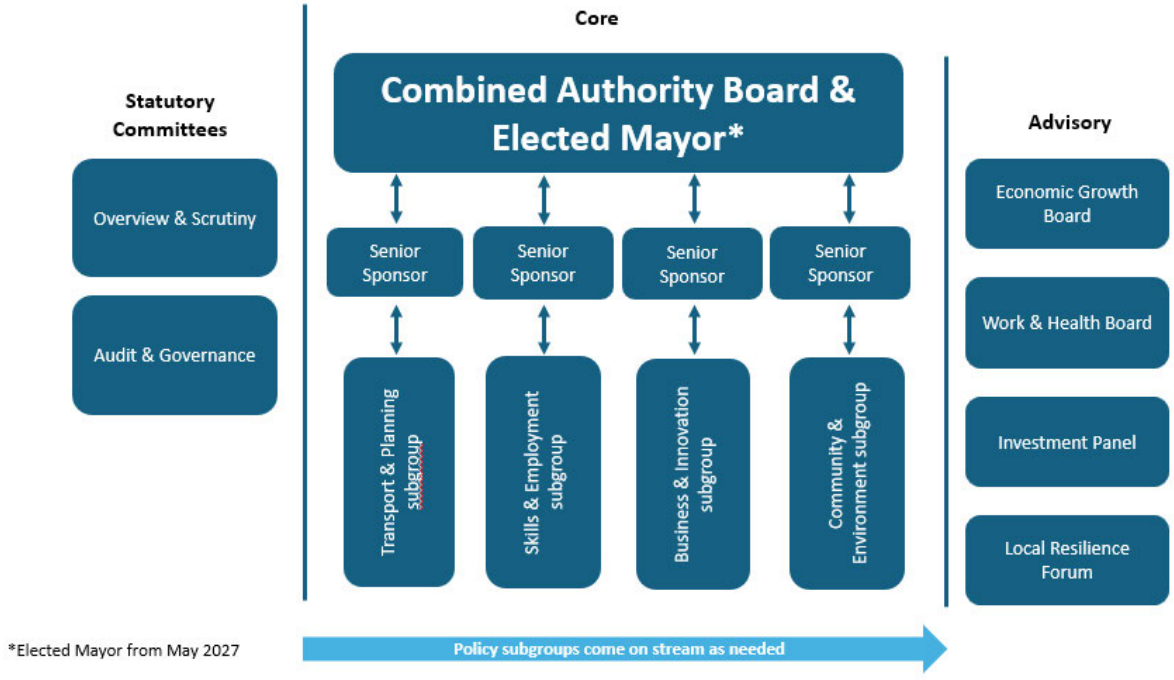
2 Governance and Transparency

2.1 Governance Structure

The initial governance structure of the CCA aligns the decision making around the non-mayoral functions and those functions exercisable by the Board, ahead of the Mayor being elected, within the following structure:

Sets Strategic Objectives	Board
Approves strategy, key policy and frameworks	Board
Sets medium term financial plan	Board
Decision making	Board
Develops strategy, framework and policy proposals for approval by the Board	Policy subgroups
Provides investment guidance and advice	Investment Panel
Undertakes strategic level scrutiny	Overview and Scrutiny
Holds Mayor and Board to account	Overview and Scrutiny
Provides oversight and assurance of Standards and the Constitution	Audit and Governance
Provides oversight and assurance of sound financial management, governance and supporting frameworks	Audit and Governance
Coordinating local partners to address employment, unemployment, economic inactivity, and health-related barriers to work, in line with national policy commitments	Work and Health Board
Independent and diverse business representation across Cumbria	Economic Growth Board

A chart reflecting the overall CCA governance structure is set out below:



Key elements of the how CCA will operate are outlined below.

Cumbria Combined Authority Board: The CCA Board, formed as set out in the CCA Constitution, is the primary decision-maker. The Board sets the strategic priorities, signs off funding decisions, agrees the budget and investment plans.

The Mayor: Once elected, the Mayor will form a key component of Board voting arrangements as its Chair and can also exercise certain functions autonomously, as set out in the CCA Constitution. The Mayor will have a clear democratic mandate having been directly elected.

Policy Sub-groups: Policy sub-groups will be established as functions are transferred to CCA to cover key policy areas and areas of competency. They will be chaired by a member of the Board (Senior Sponsor) and include relevant portfolio members and senior officers from each Constituent Council, as well as key external partners and subject matter experts. Their role will be to review evidence, test emerging policy proposals and advise on papers and recommendations before they are considered by the Board, ensuring that decisions are well-informed and robust, while maintaining clear accountability with elected members.

Initially, sub-groups will be established for:

- **Transport & Planning** – Key focus will include integrated spatial planning with responsibility for the Spatial Development Strategy, Local Transport Plan and a transport delivery plan, the Energy Plan, Digital Infrastructure Strategy and joint plans with Homes England, National Highways and Great British Railways.
- **Skills & Employment** – Key focus will include the Get Cumbria Working Plan, the Local Skills Investment Plan, and the Strategic Skills Plan and Commissioning Strategy that will be required for devolution of the Adult Skills Fund.
- **Business & Innovation** – Key focus will include the business support function, inward investment and innovation – including development of the innovation strategy with UK Research & Innovation.
- **Community & Environment** – Key focus will include community resilience and climate adaptation, linking to the Local Resilience Forum trailblazer pilot programme, and piloting new approaches to devolution.

Senior Sponsors: Senior Sponsors are members of the Board and will Chair Policy sub-groups. They will be responsible for ensuring that papers and recommendations to the Board have received appropriate engagement, assurance and are considered capable of delivering the desired outcomes.

Statutory Committees: Statutory committees will be established to provide overview, scrutiny and audit of the CCA, playing a key role in scrutinising decisions, supporting transparency and accountability. The statutory committees that will be in place initially, with terms of reference within the CCA Constitution are:

- **Overview & Scrutiny Committee** – Will seek to ensure that effective scrutiny, which is critical for ensuring there is appropriate accountability for the decisions made by local decision-makers is in place. This will drive understanding, enhance the performance of services and improve the outcomes for those people affected by those decisions.
- **Audit & Governance Committee** – Will focus on the audit, assurance and reporting framework underpinning the financial management and governance arrangements and

it will also undertake the functions of the Standards Committee dealing with member conduct and ethical standards.

Advisory Bodies: Advisory bodies will provide strategy advice and expertise from outside the organisation. Their role is to provide insight, challenge and expertise, ensuring that strategies and investment decisions are informed by evidence, operational experience and the perspectives of employers, workers, communities and public services. They will help CCA test ideas, spark innovation and utilise experience. Initially, key advisory bodies for the CCA are recognised as:

- **Economic Growth Board** – Providing effective, independent and diverse business representation across Cumbria to enhance local economic strategies and interventions.
- **Cumbria Work and Health Advisory Board** – Providing leadership and oversight of the *Get Cumbria Working Plan*, including overseeing delivery of the Connect to Work programme, coordinating local partners to address employment, unemployment, economic inactivity, and health-related barriers to work, in line with national policy commitments
- **Investment Panel** – Will be established to provide a technical test and challenge of investment proposals and make recommendations to the relevant CCA decision-maker. A key purpose will be for members to: interrogate key lines of enquiry relevant to producing a quality business case; to ensure that agreed priorities of the CCA have been adequately addressed; and, to consider value for money.
- **Local Resilience Forum**- Providing a multi-agency partnership that plans, prepares, and coordinates responses to major emergencies across Cumbria, bringing together emergency services, local authorities, the NHS, the Environment Agency, and other partners to ensure the county is resilient to risks such as flooding, severe weather, industrial accidents, and public health crises.

Beyond its formal governance structures, CCA will ensure appropriate links to other **strategic partnerships** and a wide range of organisations across Cumbria, reflecting that partnership working will be central to how policy is developed and delivered.

Underpinning Values & Governance have been agreed for the CCA to act as the foundations for governance, culture and accountability. These are:

- **Form follows function** – governance arrangements will flow from the vision, purpose and functions of the CA.
- **Accountability** – decision-makers must clearly take responsibility and engage with those seeking to hold them to account. Decision-makers also need to have the confidence that systems are in place that allow them to benefit from the insight that those holding them to account can provide.
- **Transparency** – it must be clear who is making decisions, on what, when, why and how.
- **Effective decision making** – governance structures should allow effective and efficient decision making with appropriate scrutiny. Overly complicated and bureaucratic governance arrangements may prevent or slow decision making.
- **Engagement** – effective public engagement and involvement and decision-making being informed by the views of the public and stakeholders should be seen as central to good governance.

- **Equality** - the constitution and governance arrangements ensure that the councils commit to being equal partners, ensuring this equality through the governance arrangements – there is a political "unity of purpose" built in.
- **Evolution** – a constitution and governance are created that have flexibility for evolution, initially keeping decision-making at Board level to provide oversight of evolution with clear intention for appropriate delegations to follow with the implementation of strategy. The constitution and governance frameworks are "living" documents with proper oversight of change.

2.2 Transparency, Communications and Engagement

CCA will put in place appropriate policies and procedures to underpin good governance, and high standards of integrity and transparency. The CCA Constitution incorporates the following:

- Members' Code of Conduct
- Officers' Code of Conduct
- Conflicts of Interest Policy
- Gifts and Hospitality Policy
- Members Allowances scheme
- Whistleblower Policy and Procedure
- Access to Information procedure rules
- Anti-Fraud, Bribery and Corruption Policy
- Scheme of Delegation to Officers (Non-Mayoral and Mayoral General Functions)
- Members and Officer Relations Protocol
- Budget and Policy Rules
- Mayoral Procedure Rules
- Standing Orders including Contract Procedure Rules, Overview and Scrutiny Standing Orders, Board Procedure Rules and Financial Procedure Rules
- Data Protection Policy
- Publication Scheme
- Complaints Policy
- A Treasury Management Strategy and, when required, other strategies and policies required by the CIPFA Treasury Management Code

The CCA Constitution provides for the purpose, terms of reference and membership to be established for all relevant groups that form part of the governance structure. The inaugural meeting of the CCA will approve the Constitution, including Terms of Reference for the Board and any statutory committees, as well as confirming initial appointments to policy subgroups. The Terms of Reference for the remaining groups in the structure (non-statutory) will then be developed and approved at the second meeting of CCA for publication.

CCA will put in place appropriate arrangements to ensure that formal meetings of the CCA and its committees (and any sub-committees subsequently established) are published as required by law.

The dates of all formal meetings will be published on the CCA website and relevant documents for each meeting will also be published in advance, allowing the public to stay informed of key decisions and strategic issues. Other documents required for publication such as a Forward

Plan of upcoming key decisions and notices relating to exempt information items will also be published on the website.

CCA will strive to go beyond statutory requirements and will seek to publish relevant timeframes, datasets, dashboards and open data relating to funding programmes following each quarter end.

CCA is committed to active, effective and meaningful engagement with the public, local partnership and other local public and private sector partners and stakeholders. The partnership working approach outlined in section 2.1 facilitates this and this will include engaging stakeholders to inform the development of key strategies, plans and following any specific guidance issued by Government (e.g. in relation to the Local Transport Plan). CCA will also ensure engagement with the local press and media, recognising their key role in facilitating public accountability with opportunities created for them to engage with the committees, its members, and their work, and findings. The CCA will develop a separate Public & Stakeholder Engagement Policy.

The CCA will develop annual **strategic priorities for investment** as well as setting **investment principles** that will guide prioritisation of investment proposals and will publish these, as well as key information relating to funding streams, on the CCA website. This will include up to date information about scheme funding and approvals. Associated reference materials and documents relating to funding arrangements will be published on the CCA website.

In addition to its formal and informal governance as set out in this Assurance Framework, the CCA will maintain regular contact with the constituent councils through Chief Executive and / or senior officer meetings and through relevant officers' working or delivery groups on project or theme specific issues.

The CCA will provide mechanisms, such as meetings, surveys, and thematic networks, for stakeholders to actively engage and provide feedback for its key priorities and activities. A communications and engagement plan will be developed and will be a standing agenda item for its Board.

The CCA is committed to driving community empowerment and building in best practice to public scrutiny and organising public events to allow local residents, businesses and groups opportunities to question the CCA and, following elections in May 2027, the Mayor, on local issues that affect them. To support this, CCA will establish a Public and Stakeholder Engagement Policy.

2.3 Financial Management

The CCA will be the Accountable Body for all funds directly received from Government in relation to its Programme of Investment and will be responsible for overseeing the proper administration of financial affairs. Through the role of the s73 Officer, they will ensure that the usual Local Authority checks and balances apply to the awards of public funds.

The CCA will:

- Hold the funds and make payments in accordance with decisions from the relevant decision-making body.
- Ensure that funding is approved and allocated in a manner that is lawful, transparent, evidence-based, consistent and proportionate.

- Ensure compliance with any funding conditions.
- Ensure that decisions and activities conform to the legal requirements with regard with equity, diversity and inclusion, environmental regulations, procurement, subsidy control regulations and other relevant legislation and guidance.
- Ensure through the s.73 Officer that the funds are being used appropriately, prudently and are in accordance with the decisions made by the relevant decision-making body. The s.73 Officer will provide assurance to government confirming the reliability of the arrangements in place as required.
- Record and maintain the official record of formal meetings relating to funding decisions.

Quarterly financial reports relating to the CCA's funds will be presented to the Board.

Annual accounts will be prepared and published in accordance with Local Government accounting standards.

3 Decision Making

3.1 Investment Decisions

The primary decision-maker is the Combined Authority Board. Some decisions may be delegated to officers in line with the Officers' Scheme of Delegation (Mayoral and non-mayoral functions). Decision makers will be responsible for ensuring any statutory requirements are met when considering proposals and making decisions. Sub-groups will be established to advise or make recommendations to CCA on investment decisions which do not fall within the terms of reference of any other Committee or advisory body.

Decisions will be made by the Mayor once elected (in relation to those decisions reserved to them) or the Mayor and Executive in accordance with the Statutory Instrument and CCA's Constitution.

The Board provides the overall strategic direction for economic growth and will approve the strategic priorities for investment, investment principles as well as relevant corporate and financial plans.

In order to support robust funding decisions, the agreed broader governance process will ensure that these decisions will reflect impartial advice with appropriate checks and balances particularly when assessing the merits of (potentially competing) business cases. The 'Project Lifecycle' section details how the net impact of the overall programme of investments will be considered, to ensure that projects work together when assessed cumulatively.

3.2 The role of the Accountable Body

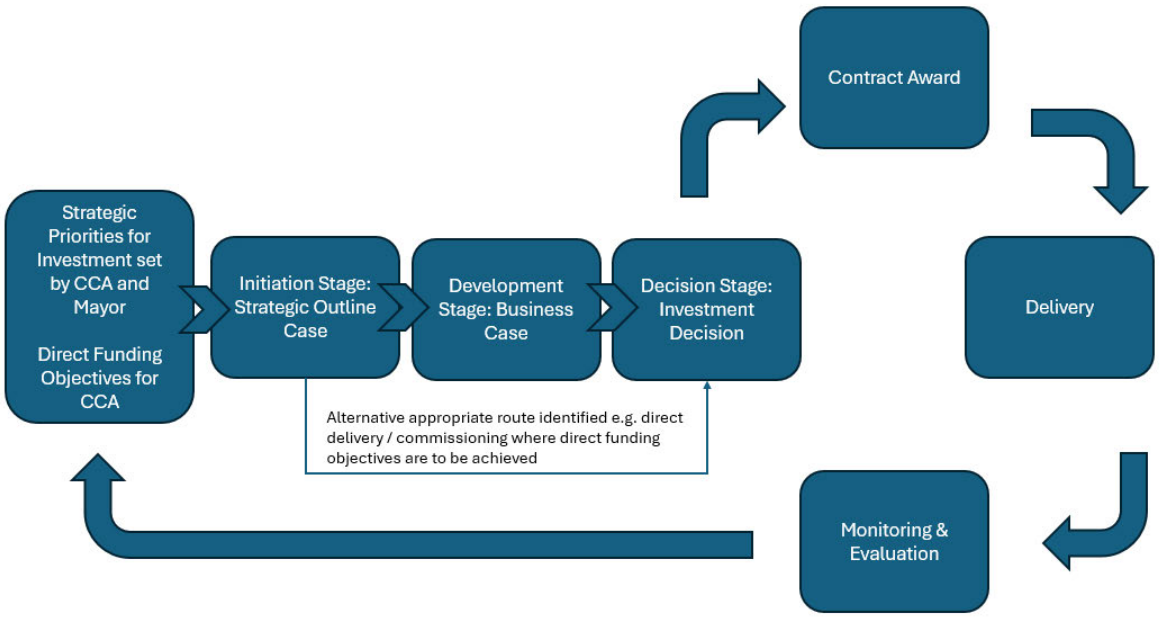
CCA will be the Accountable Body for all funds within the overall Programme of Investment and will be responsible for the proper administration and financial probity of all funds received. CCA will ensure the effective use of public money and have responsibility for the proper administration of funding received and its expenditure.

As the Accountable Body, CCA will be responsible for overseeing policy, the prioritisation of funding and ensuring appropriate development routes, ensuring value for money, evaluating performance and managing risk. CCA will ensure this in line with the requirements detailed in the 'Financial Management' section of this Assurance Framework.

Should a decision related to funding not conform to this Assurance Framework then CCA, as Accountable Body, will not action this decision. Examples of this would be not meeting legal requirements or representing inappropriate use of funds.

4 Project Lifecycle

A visual overview of the project lifecycle process is set out below.



4.1 Identifying Projects

Projects for funding through the CCA overall Programme for Investment will be identified by CCA through their fit with the strategic and economic policy and plans for Cumbria. Key plans include Going for Growth: the Cumbria Economic Strategy 2025-2045 or its successor document(s), the Cumbria Transport Infrastructure Plan and the Cumbria Local Skills Improvement Plan.

CCA will agree the strategic priorities for investment, and these will be reviewed on an annual basis. Initially, these will reflect short-term priorities, recognising that longer-term priorities will be established following the mayoral elections. It would not be appropriate to initiate long term commitments from the Mayoral Investment Fund prior to a Mayor being elected.

The project identification process will be guided by the agreed strategic priorities for investment, with prioritisation of these supported through a set of investment principles for the overall Programme of Investment, that will also be agreed by the CCA. Investment principles will be kept under review to reflect the evolution of the programme and will be based on a range of factors built around the business case for intervention. This may include: Transformational impact, Strategic fit and rationale; High yielding development; Projected outputs and outcomes against relevant strategic objectives; Deliverability; Value for money and Innovation. Longer term commitments may include the scope for funding to be repaid (in whole or in part) or generate a return, in order that the Programme of Investment's impact can be maximised.

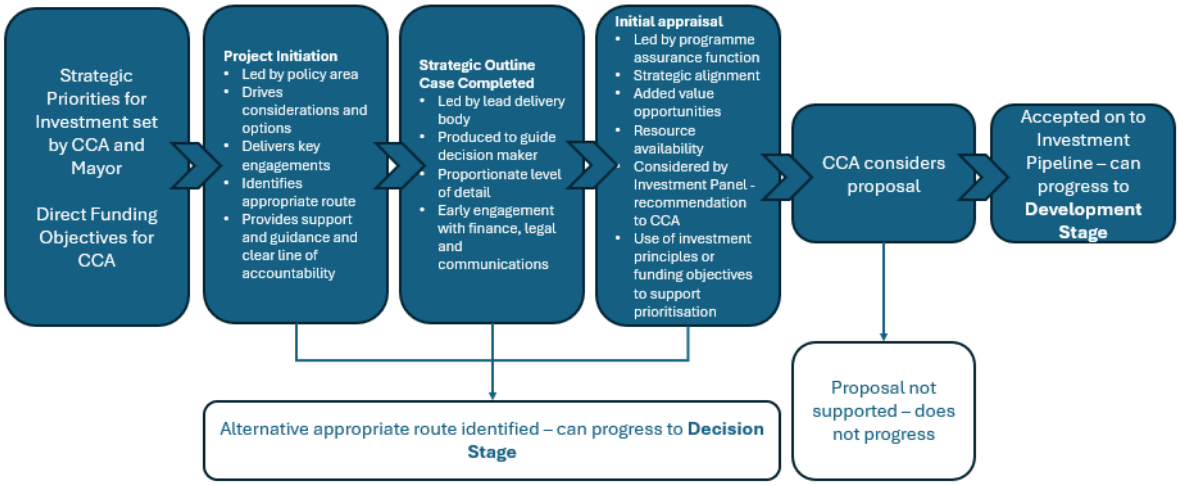
A transparent, evidence-based process will be used to identify projects for funding. Following identification of an appropriate development route, opportunities for funding will be widely advertised, which will detail any relevant call criteria or requirements relating to the funding source. In addition, projects that have the potential to contribute to the CCA's strategic objectives may be put forward for funding on an ad-hoc basis, supporting the development of a robust Investment Pipeline.

Identified projects will produce a Strategic Outline Case (SOC) in alignment with requirements set out in the *Initiation Stage* of this Assurance Framework. In certain circumstances, the CCA may ask project delivery bodies to complete specific application forms or issue an Open Call for proposals as to how to deliver a particular objective. The CCA may also identify alternative appropriate routes to delivery in line with delivering direct funding objectives required of the CCA. In these cases, a proposal outlining that route (e.g. direct delivery or commissioning) may be developed in alignment with the *Initiation Stage*.

It is proposed that projects will be able to seek funding for development from a Development Fund to progress early-stage projects, or the additional capacity required to access funding to deliver activity which has potential to contribute to the CCAs strategic objectives. Proposals seeking support from the Development Fund will be invited to complete a bespoke application form, with the CCA making decisions on allocation of funding.

4.2 Initiation Stage

A visual overview of the Initiation Stage is set out below.



This stage provides early assurance that investment proposals meet strategic objectives, have sufficient resources and appear to meet the necessary requirements for compliant delivery prior to the development of a business case.

The Initiation Stage enables the opportunity for early engagement across the CCA, providing appropriate support and guidance to ensure high quality development of proposals, and identification of an appropriate route for delivery.

All investment proposals are required to complete a Strategic Outline Case (SOC) (or in the context of an alternative route being identified, a clear proposal) which will provide a summary of the proposed investment. The content and approach to engagement will be proportionate to the scale of investment.

The SOC requires key information including a brief description of the proposal, the strategic context, underlying justification for the project, anticipated outputs (including when, how and who will deliver them) and associated benefits, as well as initial finance and risk detail. The proposed approach to evaluation should also be considered at this stage.

The SOC provides a consistent point of entry to the Programme of Investment, providing the required information to enable early assessment, prioritisation and consideration of the investment proposal.

The Initiation Stage ensures early engagement enabling subject matter expert input from the relevant policy areas as well as legal and finance. It also provides initial assurance that proposals are in line with the strategic priorities for investment and are appropriate.

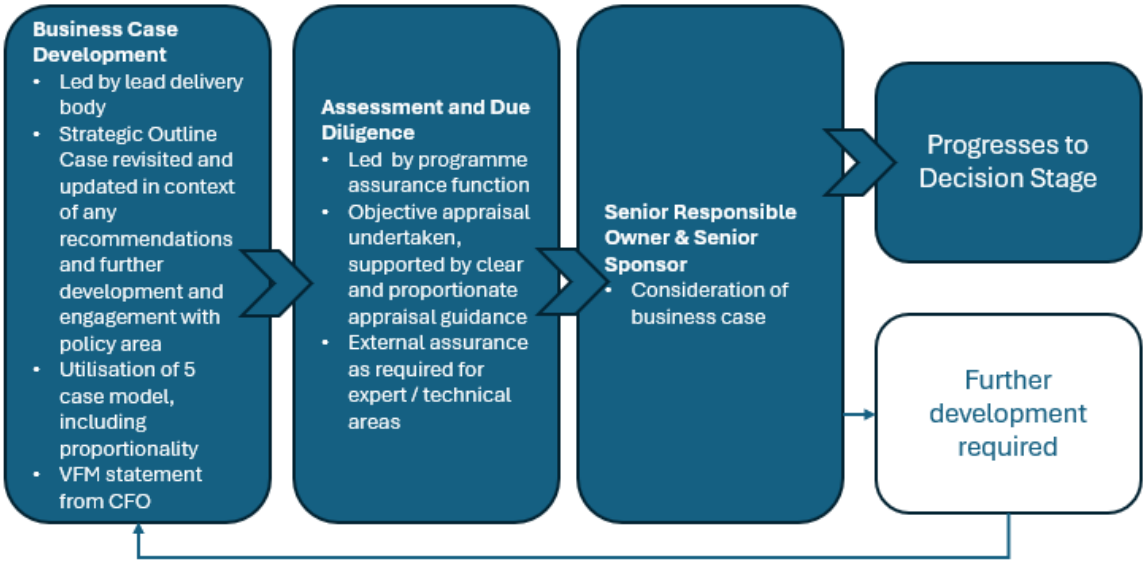
All SOCs / proposals will be subject to an initial assessment and considered by the Investment Panel, who will make a recommendation to CCA's relevant decision maker based upon the context of the agreed strategic priorities for investment and the investment principles, or funding objectives.

SOCs will be considered by CCA prior to the proposal being accepted onto the Investment Pipeline. Projects or programmes seeking less than £500,000 funding will be considered by the CEO in consultation with the Monitoring Officer and s73 Officer and, following elections in May 2027, the Mayor. Projects or programmes seeking £500,000 or more will be considered by the CCA Board.

CCA endorsement at the appropriate level is required prior to acceptance on the Investment Pipeline and progression to the Development Stage. The Investment Pipeline will be a standing agenda at the CCA Board for review and to hold the relevant SROs to account for progress.

4.3 Development Stage

A visual overview of the Development Stage is set out below.



This stage provides a comprehensive case for funding in line with HMT Green Book principles. Business cases at this stage are expected to be developed to the minimum standard of an Outline Business Case (OBC). In most cases, it is expected that this will allow a decision to be taken with refinement through the 'contract award' stage effectively progressing the business case to a Full Business Case (FBC). Business cases are designed to ensure necessary compliance, drive standards of project development and better enable delivery. The Business

Case is critical because projects will only deliver their intended outputs and benefits if they are properly scoped, planned and cost justified from the outset.

The business case will be subject to a technical, objective assessment, providing assurance to decision-makers that investment proposals meet agreed requirements, are compliant and are in line with recognised best practice.

Identified projects will be assessed against agreed criteria. The business case will be developed by the identified lead delivery body and managed by the relevant policy area of the CCA through the established sub-groups, ensuring its content meets the required standards, including Green Book compliant and being aligned to strategic objectives.

The relevant policy area is responsible for ensuring they or any partners meet deadlines, engage the appropriate subject matter experts, technical appraisers and stakeholders, and adhere to any required formats when developing a business case.

The Programme Assurance function of the CCA can provide advice and guidance throughout the Development Stage. Senior Responsible Owners (SROs) must ensure their business case is developed and aligned with any external development and assurance requirements (driven by government departments), with the aim to eliminate duplication of effort.

Where 50% or more of the funding for a project has been awarded by a government department or Homes England through a specific funding application which gives final funding approval for delivery (equivalent to a Full Business Case), a separate business case may not necessarily be required to access match funding through the funds in scope of this framework. In such cases it may be assumed that the case for investment and value for money will already have been suitably established by the external funder as part of the funding award. In these cases, evidence that Government has approved the funding will be required to support submission of the business case for assessment in the context of CCA priorities.

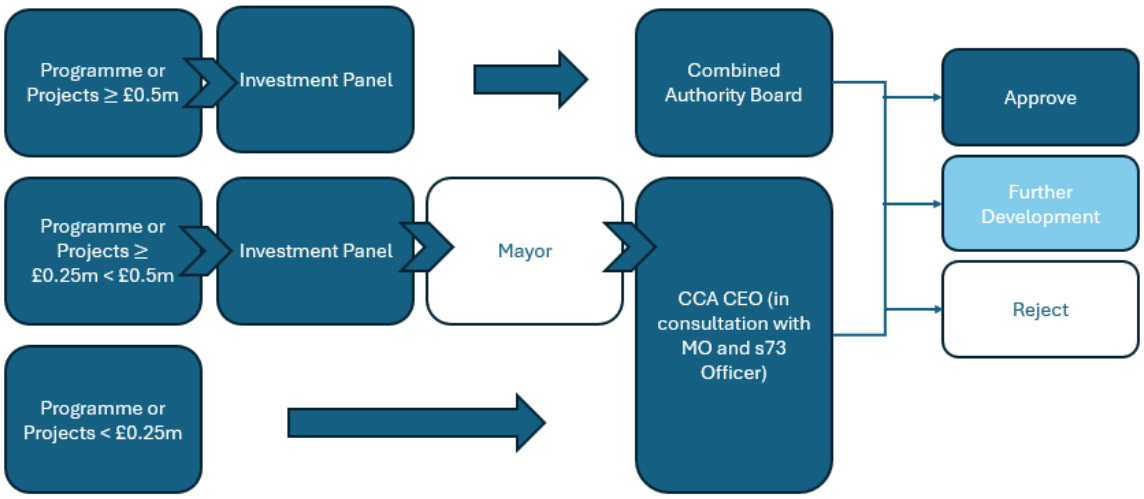
The CCA will use a proportionate method for assessing value for money and the level of detail it will expect in a business case, aligning with government guidance. The principles of the HM Treasury Green Book will be applied, and they will require detailed evidence on the options (including appraisal of shortlisted options including a do minimum option), designs, delivery and outcomes of the project along with strategic fit and value for money information to enable informed decision making. The business case will include a developed logic model to support effective evaluation. The inclusion of the do minimum option is essential in providing an important benchmark from which additionality of the investment can be considered.

All business cases will be subject to a Green Book compliant technical assessment and due diligence, as well as any additional agreed criteria. This will be undertaken by a dedicated Programme Assurance function, ensuring assessments are objective and undertaken independently from the policy area leading the development of the proposal, maintaining a clear separation of duty. In some cases, for example high value or technical, contentious or novel proposals, assessments may be undertaken or supported by external technical experts appointed by the CCA.

Subject to SRO agreement, following review of the completed assessment, investment proposals will progress to the decision stage.

4.4 Decision Stage

A visual overview of the Decision Stage is set out below.



This stage is to take funding decisions on investment proposals following the principles set out in this Assurance Framework, in line with the CCA's constitution. The Decision Stage has been designed to ensure the level of assurance is provided relevant to the scale of investment and in line with the agreed underpinning values and governance. This Assurance Framework supports informed decision making through enabling:

- Appropriate initiation process to drive strategic fit and identification of appropriate route to delivery, ensuring senior management and relevant policy areas from an early stage.
- Proportionate business case development process in line with best practice, with approval of concept to ensure priorities and resources are focussed.
- Appropriate use of expertise to support business case development and assessment, ensuring compliant and quality business cases are developed and approved with clear ownership and separation of duty.
- Support through the Investment Panel to focus CCA and mayoral considerations and inform the decision-making process, including an objective assessment summary from a Programme Assurance function.

Where the Department for Transport (DfT) designates a scheme as "retained", the CCA will comply with DfT's requirements for additional engagement and approvals. For retained schemes, the processes described in this LAF may be subject to additional steps e.g. where DfT approval of a business case is needed before a scheme can proceed to implementation.

To ensure the overall Programme of Investment is managed strategically the CCA CEO, supported by senior officers, will be responsible for the overall management of the Programme and that linkages are made within the portfolio of projects seeking investment.

Decisions are based on proportionate financial delegation, i.e. a request of £100,000 will not be scrutinised to the same level as a request for £5million. Time taken to reach an investment decision is also reflective of the financial ask. The required decision route is also dependent on the level of financial ask.

Decision routes are all supported by an objective assessment summary report, made available to the CCA's relevant decision-maker as part of the recommendations made on the merits of

individual business cases or applications. These will also be part of the CCA's or relevant decision-maker's public agenda pack that will be available to view on the CCA website.

Proposals seeking £250,000 or more are supported by an Investment Panel, who will provide a technical test and challenge of investment proposals and make recommendations to the relevant CCA decision maker. There is an option of escalated progression to the CCA for final decision to support the decision-maker if there are concerns regarding a business case decision, e.g. significant reputational or political risk.

A key purpose of the Investment Panel is for members to interrogate key lines of enquiry relevant to producing a quality business case, ensuring that that agreed priorities of the CCA have been adequately addressed and to consider value for money.

Formal decisions by the CCA to commit funding will be made in accordance with the CCAs constitution by the CCA, Mayor or by officers under delegated powers.A summary of the required documents, determined by the value of the investment, is set out below:

Investment Value	<£0.25m	≥£0.25m - £0.5m	≥£0.5m
Initiation Stage	• Strategic Outline Case • Initial Assessment Summary Report	• Strategic Outline Case • Initial Assessment Summary Report • Investment Panel Report	• Strategic Outline Case • Initial Assessment Summary Report • Investment Panel Report
Development Stage	• Business Case including VfM statement • Assessment Summary Report	• Business Case including VfM statement • Assessment Summary Report • Investment Panel Report	• Business Case including VfM statement • Assessment Summary Report • Investment Panel Report
Decision Stage	• CCA Decision Record (ODDR - Sign off of CEO, S73 & MO)	• CCA Decision Record (ODDR - Sign off of [Mayor], CEO, S73 & MO)	• CCA Decision Record – (Board Report, or OKD where delegation exists)

4.5 Assessment, Value for Money & Additional Considerations

The CCA is committed to undertaking due diligence and project assessment activities that support effective decision-making. A dedicated Programme Assurance function will undertake project due diligence and assessment on business cases, ensuring impartial and objective assessments and producing Assessment Summary reports at both the Initiation Stage and Development Stage for consideration by the SRO, Investment Panel and decision-maker. This may also inform appropriate policy sub-groups and advisory groups where relevant. External agencies may also be commissioned to support this function as appropriate. Assessment Summary reports will include a summary assessment of the business case, value for money statements where relevant, and utilise a RAG rating to inform decision making. They will also

include an overview of key risks and potential mitigations, which may include recommended conditions of funding.

The appraisal process for all business cases within the overall Programme of Investment will be consistent with HMT's Green Book and Business Case appraisal process, including supplementary and departmental guidance, such as the Department for Transport's (DfT) Transport Analysis Guidance (TAG) appraisal guidance for transport schemes.

The CCA will make investment decisions based on a range of evidence. This evidence will be consistent with HM Treasury's Green Book and other relevant departmental guidance, whilst reflecting the opportunity devolution offers to consider particular challenges in a 'Cumbrian' context.

A Value / Risk matrix has been developed to guide that the approach to appraising and assessing value for money is proportionate to the value of the investment and the risk associated with its delivery and outcomes, ensuring compliance with the Green Book and aligning with its proportionality principles. It is aimed to prevent over burdening small, low-risk schemes while ensuring robust scrutiny for major or complex investments.

Value bands will be defined as:

Low Value (<£500k)	Small scale, localised interventions
Medium Value (£500k - £5m)	Significant, but not transformational schemes
High Value (>£5m)	Major or strategic investments

Risk will be categorised as:

Low Risk	Well understood, proven interventions
Medium Risk	Some uncertainty or complexity
High Risk	Novel, complex or highly uncertain

The Value / Risk matrix for the approach to value for money for CCA is shown in the table below. The approach set out represents the minimum acceptable standard. The need for a BCR should always be considered, with justification provided if not provided.

Value / Risk	**Low Risk**	**Medium Risk**	**High Risk**
Low Value	**Proportionate VfM Statement** (qualitative)	**Proportionate VfM Statement** (basic quantitative analysis)	**Enhanced VfM Statement** (qualitative + basic quantitative analysis)
Medium Value	**Enhanced VfM Assessment** (may include simple BCR if benefits monetisable)	**Full VfM Assessment** (BCR expected where feasible)	**Full VfM Assessment** (BCR expected)
High Value	**Full VfM Assessment** (BCR expected)	**Full VfM Assessment** (BCR expected)	**Full Economic Case** (BCR required; sensitivity tests mandatory)

In line with the above, where appropriate for the scale of funding and type of activity, the appraisal will assess the Benefit to Cost ratio (BCR). Whilst recognising the BCR remains the universal metric to assess VfM, CCA will take account of a range of evidence when deciding to invest in a project within the context of a wider VfM appraisal. In the event that a scheme does not offer at least 'high' VfM (i.e., that the national BCR is below 2 and once significant non-monetised impacts and key uncertainties have been considered), CCA may still decide, exceptionally, to invest in a project based on the strength of evidence presented in the overall business case.

Business cases, including their value for money, will be signed off by the s151 officer or Chief Finance officer of the lead delivery body. Similarly, Assessment Summary Reports will be considered by the Investment Panel in making their recommendation and included in the report to the CCA or relevant decision-maker where the business case is being considered. Where the CCA is the project delivery body separation of roles will be ensured, with additional representation at the relevant Investment Panel from another member of the CCAs Senior Management Team or the s151 officer from one or both of the constituent Councils.

The Business Case will need to provide details on how funding awarded is compliant with the Subsidy Control regime. Subsidy Control will be considered as part of the decision-making process and records will be kept in line with the transparency requirements of the Subsidy Control Act 2022.

Procurement considerations will also form part of the decision-making process to ensure compliance with all relevant requirements of the Procurement Act 2023. Compliance with other relevant legislation, for example the Public Sector Equality Duty (2010), the inclusion of Equality Impact Assessments, environment and climate legislation as well as any other sector specific legislation should also be addressed as part of the business case.

Transport Projects

The Assurance Framework ensures a flexible and proportionate approach, enabling transport business cases to retain the benefits of local assurance in terms of speed of decision-making. For the purposes of the Assurance Framework, a transport scheme is defined as any scheme that significantly changes the transport network infrastructure or its operation, whatever the objective of the scheme. This may include enabling projects such as those that support behavioural change.

For transport projects, the CCA will ensure that modelling and appraisal is sufficiently robust and fit for purpose for the project under consideration, and it meets current Department for Transport (DfT) guidance for all relevant schemes. For schemes with a low cost, a more proportionate approach may be taken, in line with the Value / Risk matrix. In addition to TAG, other robust or evidence-based assessments or methodologies may be employed to prioritise and assess the overall business case for a project. Transport Project Business Case assessments will be based on forecasts which are consistent with the definitive version of NTEM (DfT's planning dataset).

For transport investments, project promoters are required to complete bespoke templates that allow for more detailed transport specific criteria consistent with DfT guidance. For smaller scale and relatively straightforward transport projects a specific template will be used, also structured around the five-case model, which seeks to capture the critical aspects of the business case in a comprehensive but proportionate way.

The expectation is that all schemes must meet the defined need of CCA and be measured against SMART objectives from the project's early conception. SMART objectives will be independently assessed and the cost and benefit delivery of viable options considered against the 'do minimum' option. When subject matter expertise is required, CCA will, as part of the assessment process commission a specialist transport consultant, fully independent from the project promoter and with no involvement in the development of the scheme being appraised, to assess and analyse the business case for the project where appropriate. The assessment will include a full analytical assurance statement, including verification of the value for money statement provided as part of the business case, which for transport projects are anticipated to include a summary breakdown of the Net Present Social Value (NPSV) and BCR in a context relevant for decision makers. The independent assessment will be made available to the CCA or relevant decision-maker as part of the decision-making process.

The CCA will be able to exceptionally approve transport projects with lower NPSV / BCR having regard to specific circumstances, such as non-monetisable impacts.

The justification will be clearly set out in the report before the CCA or relevant decision maker, with the recommendations clearly explaining the rationale for approving a project with medium or worse VFM and the implications of the recommendation.

Skills Funding

Once the CCA and Mayor are responsible for the Skills Funding function, the governance structures, systems, processes and policies that will be developed and implemented by the CCA as the accountable and decision-making body, will provide the Department for Education (DfE) and the Department for Work and Pensions (DWP) with confidence that it has in place all relevant infrastructure to effectively manage the process and risks associated with the allocation of devolved skills funding, including accountability to:

- The public, via the Overview and Scrutiny and Audit and Governance committees, including scrutiny of the accounts and local audit reports.
- The UK government. The CCA will also discharge any responsibilities to devolved funding received from the DfE and DWP through such reports and processes as required.

Development Funding

Subject to the availability of a Development Fund and available resources, the CCA may wish to support the development of strategic ideas or programmes or indeed pilot activity through this route. This will help support the case for future business case development or provide evidence to support subsequent major investment linked to strategic priorities to a maximum value of £100,000.

Consideration of this will be based on the submission of a project feasibility and development application form which will identify tasks, timescales and costs for bringing forward a business case. All submissions will be appraised and considered by the CCA. Any approved investment decisions will be published.

4.6 Contract Award

The CCA will be the contracting entity for the purposes of entering into Grant Funding Agreements (GFA)with project delivery bodies for all funding awarded. Where the project

delivery body is the CCA itself, this will be in the form of an internal GFA enforcing the principle of holding itself to the same standards and expectations.

No GFA will be entered into without relevant approval of a business case or application, clearance of any relevant funding conditions and agreement of a Monitoring and Evaluation Plan which will form a schedule within the funding agreement. The GFA will set out the following which will be monitored by the CCA's Programme Assurance function:

- details of the project and outputs to be delivered in a specified timescales;
- an agreed funding profile and arrangements for payment (up front or in arrears, quarterly or other);
- arrangements to suspend or claw back funding in the event of non-delivery or mismanagement;
- monitoring requirements, including the metrics and frequency of reporting
- Publicity obligations and arrangements;
- any project specific conditions;
- conditions relating to statutory requirements such as procurement; and
- details on how the funding awarded is compliant with Subsidy Control regulations.

The release of any funding will be dependent upon the relevant execution of a GFA.

4.7 Change Control and Risk Management

The overall Programme of Investment will need to be managed effectively to ensure it delivers both the intended outcomes and strategic objectives, as well as value for money. A change control process, details of which will be published on the CCA website, will be implemented to actively manage this, and to respond to changes mid-term within relevant project circumstances. This will include a mechanism for escalation to the relevant decision-maker as required.

The CCA Chief Executive Officer (CEO) will be responsible for the identification and management of risk for the overall Programme of Investment. Key risks will be added to the Corporate Risk Register and will be monitored by the relevant Committees.

Effective risk management will be required at both project and programme levels and is incorporated into the governance as outline above and by being an integral element of the evaluation and decision-making processes at all levels.

4.8 Effective Monitoring and Evaluation

There are a number of mechanisms that will ensure effective management of the overall Programme of Investment to maximise the economic impact for Cumbria. Key mechanisms include:

- Designation of CCA s73 officer as having overall responsibility for the management and reporting on the performance of the Programme of Investment to MHCLG and other Government departments as required
- Designation of CCA Monitoring officer under Section 5 of the Local Government and Housing Act 1989 to ensure any proposals, decisions or omission by CCA or any committee (or sub-committee) and offers are compliant and report to CCA as appropriate

- Establishment of the Overview and Scrutiny Committee and Audit Committee
- Ensuring suitable mechanisms and resources are in place to effectively monitor, evaluate and review the performance of projects in the Programme of Investment in respect of delivery, expenditure and outputs / outcomes. The change control process will include a mechanism for the relevant decision-maker as required.

The CCA's overall approach to Monitoring and Evaluation will be underpinned by transparency and the following key principles:

- Reporting requirements are locally defined and support delivery of local strategies
- Regular reporting through CCA's democratic and governance processes. This will include finance, budget and performance data, with published papers to relevant Committees
- Evaluation is meaningful and proportionate
- Data is collected once and used many times (in accordance with legal requirements)
- Baseline information is consistent across key initiatives
- Monitoring and evaluation are a core part of all activities
- Lessons learned are used to inform future policy development

This will support CCA to:

- Demonstrate local accountability, evidencing how funding is being spent and benefits achieved against local priorities, demonstrating the value and effectiveness of local decision making and shaping future priorities
- Comply with external scrutiny, aligning with this Assurance Framework, demonstrate progress and delivery to stakeholders
- Understand what works, providing a feedback loop enabling lessons learned to be fed back into policy making
- Develop an evidence base
- Ensure quality assurance

It is anticipated that a Monitoring and Evaluation Framework will be developed within the CCAs first year.

All funded projects will have an effective Monitoring and Evaluation plan in place which will form a key part of the business case and schedule of the GFA. This will enable assessment of the effectiveness and impact of investing public funds and provide evidence of lessons learned to inform decisions about future delivery. Monitoring and Evaluation plans will guide the collection of data from individual projects, capturing required information and will be proportionate.

Monitoring and Evaluation plans will identify the outcomes planned to be delivered, how these will be measured, a baseline assessment and how it is intended to implement, monitor and assess the project to identify whether the outcomes have been realised in line with the approach and timescales set out in the plan.

Projects will be required to submit quarterly monitoring reports (financial, output and narrative) explaining their progress to expenditure and delivery targets and noting specific changes to the project and challenges in delivery. This will be reviewed by the CCA's Programme Assurance function in the context of the change control process, with escalation as required. The CCA

reserves the right to recover or withhold all or part of the funding supplied for a project in certain circumstances including:

- The project is not delivered within the agreed dates
- The project delivered differs from that specified
- The outcomes demonstrated through post-delivery evaluation fall short of those on which the value for money assessment and business case were based
- The outputs identified in the business case are not delivered

Monitoring reports will be summarised for consideration on a quarterly basis by the relevant Committee or the Investment Panel, using a RAG rating system. In line with good practice, and to support effective and robust decision making, monitoring report summaries will typically summarise good progress and areas of good practice. The report will also highlight risks to delivery. If projects are highlighted as High Risk an escalation process will be applied, including the potential for the Committee or Panel to invite the promoter to a meeting. The Investment Panel will take local circumstances into account when making recommendation to the CCA over whether funding should be withheld or recovered.

Audit Committee

The CCA complies with statutory requirements relating to audit arrangements, principal elements of which are:

- Appointing an audit committee
- Inspection by external auditors
- Adopting internal audit, risk and fraud arrangement

The CCA's Audit Committee fulfils the requirement to appoint an audit committee. By law this must include at least one independent person.

An annual external independent audit is conducted by externally appointed auditors ensuring the CCA operates a robust financial management and reporting framework.

The CCA's internal audit function carries out independent and objective appraisals of relevant systems and processes, including ensuring that effective procedures are in place to investigate promptly any alleged fraud or irregularity. The CCA's internal auditors provide assurances to the CCA through its Audit Committee and the s.73 Officer.

Overview and Scrutiny Committee

The CCA has established an Overview and Scrutiny Committee, in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009, the Combined Authorities (Overview and Scrutiny, Access to Information and Audit) Regulations 2017 (as amended) and in alignment with the English Devolution Accountability Framework and the principles of the EDAF Scrutiny Protocol.

The remit and operations and terms of reference of the Overview and Scrutiny Committee are set out in the CCA's constitution.

The appointment of members to the committee reflects the requirements of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committee) Order 2017, being that the members of the committee taken as a whole reflect so far as

reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together.

The Audit Committee and the Overview and Scrutiny Committee are key parts of the overall accountability framework of the CCA, ensuring the requirements of the English Devolution Accountability Framework is complied with.

4.9 Three Lines of Defence Model

The process set out within the Project Lifecycle section demonstrates CCAs implementation of a 'Three Lines of Defence' model. This can be summarised as:

- **First Line of Defence:** SROs / Policy Area
- **Second Line of Defence:** Programme Assurance, Investment Panel
- **Third Line of Defence:** s73 Officer, Internal Audit; Audit Committee

4.10 Enforcement

CCA will have appropriate processes in place to recover non-compliant funding. Should a decision be made not to recover funding, a strong and compelling justification will be required which will be formally documented.

The GFA for each project will detail the action that will be taken if there is evidence of non-compliance. The promoter is required to identify the risks in the detailed business case for the delivery of the wider project if the additional approvals or funding is not forthcoming. The project will be submitted to the appropriate decision-maker for consideration of a recommendation to the CCA, and any approval will be subject to any future funding only being released once evidence of the outstanding requirements (funding conditions) are provided to the Accountable Body.

The funding will initially be by way of a grant and will be subject to clawback if the project has changed significantly, and this is not approved by the CCA. The grant given may require some form of security, for example, a charge on land.

CCA has the right to withhold funding if the project delivery expectations defined at inception are not met with the agreed funding period.

The promoter is required to identify risks in the detailed business case for the delivery of the wider project and the potential outputs delivered at each stage. The project will be submitted to the relevant decision-maker for review if in the opinion of CCA the project has significantly changed (in line with the change control process) and will be subject to any future funding only being released once a satisfactory response is provided to CCA.

4.11 Project Closure

All project promoters are required to produce an End of Project Delivery Report within 3 months of completion of the project, which demonstrates that:

- All activities have been delivered in accordance with the Grant Funding Agreement
- All funding has been spent appropriately in line with the projected financial profile for the project (or detailing where there is variation) and that final claims are accompanied by either a statement from a Chief Financial Officer or an audit report

- There are no outstanding risks or actions that need to be taken to sign the project off by CCA
- All relevant outputs and key milestones have been achieved
- The key successes and lessons learned from the project
- Confirmation of the evaluation activities to be subsequently undertaken, when these will take place and the lead contact who is responsible for ensuring this occurs

A summary of these reports will be published on the CCA website.

ENDS

APPENDIX C – APPOINTMENT TO OUTSIDE BODIES

Transport for the North Board

1. Chair of Cumbria Combined Authority

Substitute

1. Vice Chair of Cumbria Combined Authority

Rail North Committee of Transport for the North

1. Chair of Cumbria Combined Authority

Substitute

1. Vice Chair of Cumbria Combined Authority

General Purposes Committee of Transport for the North

1. Chair of Cumbria Combined Authority

Substitute

1. Vice Chair of Cumbria Combined Authority

Transport for the North Scrutiny Committee

1.

Substitute

1.

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Appendix – Table of Powers and Functions

We have set out in the Table below a summary of the functions which will be transferred to the CA on establishment pursuant to the Statutory Instrument and the existing legislation as set out in the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) and those which may automatically be given to the CA following enactment of the English Devolution and Community Empowerment Bill.

Relationship between the Statutory Instrument and the Statutory Instrument and the English Devolution and Community Empowerment Bill (EDCEB / Bill)

It is worth noting the **Guidance from Central Government** on the relationship between the two:

- *The DPP [Devolution Priority Programme] SIs therefore aim [i.e. the purpose of the SI is] primarily to establish the CAs/CCAs using existing legislation, but the **intention is for the EDCEB to confer the full suite or powers and functions available to Mayoral Strategic Authorities** as part of the revised Devolution Framework, **once it is in force**.*
- *Our [Government's] aim is therefore to ensure that the Bill is in force in time for the DPP CAs and CCAs to be designated as Strategic Authorities **and receive their full suite of powers as close to their establishment and inaugural mayoral elections as possible**. The SIs however include some **very minimal functions and powers** for the CAs/CCAs, such as the power to develop local transport plans and some economic development functions, **to ensure the CAs/CCAs can operate from day one in the event of any delays to the EDCEB receiving Royal Assent**.*

[NB: the wording in brackets and highlighting has been added by legal advisers for emphasis and clarification].

Article 3(3) of the draft Statutory Instrument (SI) provides that the functions of the CA are those which are conferred or imposed by the draft SI or any other enactment which may be passed or made in the future.

It is also worth noting that the Government envisages the new Devolution Framework, as set out in the Bill, evolving over time and that new functions and powers will be added in the future. What follows is with reference to how the Bill was originally presented to Parliament for debate, it is making its way through the Parliament and will be amended prior to presentation for Royal Assent which may mean the table needs to be updated at a later date to reflect those changes.

Functions of the CA and the Mayor

The functions of the CA are exercisable by either the CA or the Mayor and these can be in place of the Constituent Councils or concurrently with them.

Section 107D of the 2009 Act provides that the Secretary of State may make provision for any function of a mayoral CA to be a function exercisable only by the Mayor. Any such function is to be exercisable by the Mayor individually.

The Mayor may arrange for the deputy mayor or for another member or officer of the CA to exercise any general function of the Mayor (section 107D(3)).

Members and Voting of the CA

The draft SI provides for each Constituent Council to appoint two of its elected members to be Members of the CA. They must also appoint substitute members to act as a member in the absence of the Members appointed. Prior to the appointment of the Mayor, the CA must appoint a chair and vice chair from amongst its Constituent Council Members.

Following election, the Mayor is by virtue of their office, a Member of, and the chair of, the CA (s107A of the 2009 Act). The Mayor must appoint one of the Members of the CA to be the mayor's deputy (s107C of the 2009 Act).

Quorum arrangements for CA meetings:

- Prior to the Mayor being appointed, the chair or vice chair and at least two of the Members appointed by the Constituent Councils must be present at any meeting.
- Once the Mayor is appointed, the Mayor (or deputy mayor) and at least three Members appointed by the Constituent Councils must be present.

The draft SI provides that the CA must have no more than four non-constituent members and associate members.

Non-Constituent Members are appointed pursuant to Section 104A of the 2009 Act. The CA may designate a body other than a Constituent Council as a nominating body who much consent to such appointment. The nominating body may then nominate a representative of the body for the appointment by the CA as Non-Constituent Member. The Non-Constituent Members are to be non-voting members of the CA unless the voting members resolve otherwise by simple majority. If they are given voting rights, there are still some decisions which they would not take part in, these comprise the adoption of the Spatial Development Strategy, the Local Transport Plan and the Mayor's Budget.

Under the draft SI each nominating body must also nominate another person to act as the Non-Constituent Member in the absence of the Non-Constituent Member appointed under Section 104A.

Associate Members are appointed pursuant Section 104B of the 2009 Act, the CA may appoint an individual to be an Associate Member of the CA who will be a non-voting members of the CA. Under the draft SI each an Associate Member must also nominate another person to act in their absence.

Except as otherwise provided, any decision of the CA is to be decided by a simple majority of the Members present and voting. Once the Mayor is appointed, such majority is to include the Mayor, or the deputy mayor acting in place of the Mayor. Except as otherwise provided, each Member is to have one vote and there is no casting vote. Please note the casting vote position of the Mayor is set out in the table below.

Where the deputy mayor is acting in place of the Mayor, they cannot also act in their capacity as a Member. Presumably, one of the substitute members would act as a member in their place.

Summary of Functions

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
1	**Section 1 – Functions of the CA from Day One conferred by the Statutory Instrument**			
1.1	**Functions of the Constituent Councils as local transport authorities as specified in the following sections of the Transport Act 2000** • Section 108 (local transport plans) • Section 109 (further provisions about plans: England) • Section 112 (plans and strategies: supplemental) *Article 8 of the draft SI*	Combined Authority until 10 May 2027 when the Mayor takes office and this function becomes a Mayoral function.	To be exercisable concurrently with Constituent Councils during the Transition Period (being the date the Order comes into force until 31 March 2027). After the end of the Transition Period to be exercised by the CA instead of the Constituent Council.	Simple majority but under s109 of the 2000 Act, the CA must consult with Constituent Councils
1.2	**Section 31 (Power to pay grant) of the Local Government Act 2003.**	Exercisable **only** by the CA until 10 May 2027 when the Mayor	Exercisable concurrently with the Secretary of State.	Simple majority

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	Article 9 of the draft SI provides that the functions in Section 31 (being the power to pay grant) are the functions of CA's that are exercisable in relation to the CA's area.	takes office and this function becomes a Mayoral function. The powers are exercisable with the consent of the Treasury (s31(6) of the 2003 Act).		
1.3	**General Power of Competence - Article 15(4) of the Cumbria SI and Section 1 of the Localism Act 2011** Article 15(4) provides that the functions of the Constituent Councils under Section 1 of the Localism Act 2011, to the extent that those functions are exercisable **for the purpose of economic development and regeneration,** are exercisable by the CA in relation to the Area. Section 1 of the Localism Act 2011 provides that "*a local authority has power to do anything that individuals generally may* do".	CA	Exercisable concurrently with the Constituent Councils	Simple majority
1.4	**Section 113A of the 2009 Act** In addition, section 113A of the 2009 Act provides that the CA may do:	CA	These are powers/ functions of the CA exercisable concurrently with the Constituent Councils (Article 15(5) of the Cumbria SI).	

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	(a) anything it considers appropriate for the purposes of the carrying-out of any of its functions (its "functional purposes") (b) anything it considers appropriate for purposes incidental to its functional purposes, (c) anything it considers appropriate for purposes indirectly incidental to its functional purposes through any number of removes (d) anything it considers to be connected with any of its functions, or anything it may do under paragraph (a), (b) or (c); and (e) for a commercial purpose anything which it may do under any of paragraphs (a) to (d) otherwise than for a commercial purpose.			
1.5	**Sharing of information** pursuant to Section 17A of the Crime and Disorder Act 1998 *Article 14(1) of the draft SI. This is also covered in clause 48 of the Bill.*	CA	Exercisable concurrently with the Constituent Councils	Simple majority
1.6	CA is a relevant authority for the purposes of section 115 of the **Crime and Disclosure Act 1998 (disclosure of information)**	CA	Exercisable concurrently with the Constituent Councils	Simple majority

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	Article 14(2) of the draft SI			
1.7	**Power to arrange for publication of information** etc relating to the functions of the authority pursuant to Section 142(2) of the Local Government Act 1972 *Article 15(1)(a) of the draft SI.* *This has also been included in the Bill in clause 42 and paragraph 2 of Schedule 20.*	CA	Exercisable concurrently with the Constituent Councils	Simple majority
1.8	**Power to prosecute and defend legal proceedings** where they consider it expedient for promoting or protecting the interests of the residents of their area pursuant to Section 222 of the Local Government Act 1972 *Article 15(1)(b) of the draft SI.* *This has also been included in the Bill in clause 42 and paragraph 3 of Schedule 20.*	CA	Exercisable concurrently with the Constituent Councils.	Simple majority
1.9	**Establishment of Joint committees** – Section 101(5) of the Local Government Act 1972 (Arrangements for discharge of functions by local authorities) enables the CA to may arrange for the discharge of any	CA	CA	Simple majority

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	of their functions by a committee, a sub-committee or an officer of the CA or by any other local authority. However, a CA may not arrange for the discharge of any functions which are a Mayoral Functions.			
1.10	**Funding by the Constituent Council** The Constituent Councils must ensure that the costs of the CA reasonably attributable to the exercise of its functions are met. The amount payable by the Constituent Councils shall be apportioned between the Constituent Councils in such proportions as they may agree or, in default of agreement, in accordance with the proportion of the total resident population of the CA which resides in the area of each constituent council at the relevant date as estimated by the Statistics Board. *Article 13 of the draft SI*	To be agreed by the Constituent Councils.	.	**Note: essentially the Constituent Councils will be "guaranteeing" the meeting of expenditure by the CA from either its own funding sources and/or sources made available by Government. The Constituent Councils should clearly be thinking about the set up costs and the initial costs and how these will be covered.**
1.12	Approval of the **CA's Budget**	CA	To be approved by the CA	Simple majority.
1.13	Approval of the **Mayor's Budget**	Mayor to put forward his budget for approval by the CA in accordance with Combined		The 2017 Order sets out the process for approval/vetoing of the Mayor's budget by the CA.

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
		Authorities (Finance) Order 2017 The 2017 Order provides a specific process for approving the Mayors Budget with specific timescales for vetoing otherwise deemed approved – see voting column for further details Article 5(2), Part 3 of the 2017 Order specifies that the Mayor's draft budget must set out the Mayor's spending plans and how the Mayor intends to meet the cost of the Mayor's general functions. The Mayor is also to include relevant amounts and calculations in the Mayor's budget: *"5(2) The draft budget must—* *(a)set out the mayor's spending plans and how the mayor intends to meet the costs of the mayor's general functions; and* *(b)include the relevant amounts and calculations."*		The Mayor must provide a draft budget to the CA for the next financial year before the 1st February. Article 5(2), Part 3 of the 2017 Order specifies that the Mayor's draft budget must set out the Mayor's spending plans and how the Mayor intends to meet the cost of the Mayor's general functions. The Mayor is also to include relevant amounts and calculations in the Mayor's budget: *"5(2) The draft budget must—* *(a)set out the mayor's spending plans and how the mayor intends to meet the costs of the mayor's general functions; and* *(b)include the relevant amounts and calculations."* The CA reviews the budget and may make a report to the Mayor on the draft budget. Any report must set out whether the CA approves the draft Mayor's budget in the current form or may include recommendations.

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
				The draft budget is **deemed to have been approved** by the CA unless the CA makes a report before 8th February in each year. If a report is made, the CA will specify a time period of at least 5 working days within which the Mayor may decide whether or not to make any revisions to the draft budget and notify the CA of reasons for that decision. If the Mayor makes a revision, it shall provide the revised draft budget. Once the period for the Mayor to respond has expired, the CA must determine whether to: (a) approve the Mayor's draft budget (or a revised draft budget); or (b) "veto" the Mayor's draft budget and approve the Mayor's draft budget incorporating the recommendations of the CA contained in the report. The Mayor's budget shall be **deemed approved** here unless vetoed within a further 5 working days. Any decision to veto the Mayor's draft budget and approve the draft Mayor's budget incorporating the recommendation must be decided by **three-quarters of the**

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
				Constituent Council Members (as per the Cumbria SI), present and voting on the question at a meeting of the CA. The Mayor and Non-Constituent Members cannot vote on this. *Note it's not clear from the 2017 Order, what voting is required if the CA approves the Budget (as opposed to vetoing it which is dealt with in Article 8(4)), presumably simple majority as not otherwise stated.*
Section 2 – Functions which will become exercisable by the Mayor from 10th May 2027				
2.1	**Functions of the Constituent Councils as local transport authorities** as specified in the following sections of the Transport Act 2000 • Section 108 (local transport plans) • Section 109 (further provisions about plans: England) • Section 112 (plans and strategies: supplemental) *Article 8 of the draft SI*	Exercisable only by the Mayor from the start of their office being 10 May 2027 but Local Transport Plan subject to final approval of the CA. Members and Officers may assist the Mayor in the exercise of the functions (*Article 11.3 of the draft SI*)	Mayor only	Under section 109 of the 2000 Act, a CA /Mayor must consult with the Constituent Councils. If the Bill is enacted as presently drafted, final approval of a Local Transport Plan is subject to a simple majority vote of the Constituent Council Members and the Mayor where the Mayor must be in the majority. Any Non-Constituent Members who have been given voting rights would not be able to vote on the adoption. The Mayor has an additional casting vote in the event the vote is tied (Schedule 9 of the Bill which will insert a new s109ZA into the

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
				Transport Act 2000 and subparagraph 5(b) provides for the casting vote).
2.2	**Power to pay grant to a Constituent Council** – This will enable the CA to pay to a Constituent Council a grant towards expenditure incurred or to be incurred by it without requiring the Treasury's consent (as under s31). The amount of a grant, the manner of its payment and any conditions are to be such as the person paying it may determine *Clause 39 of the Bill*	Exercisable only by the Mayor on behalf of CA from the start of their office being 10 May 2027 Members and Officers may assist the Mayor in the exercise of the functions (*Article 11.3 of the draft SI*)	Mayor only	Exercised by the Mayor.
2.3	**Section 113A of the 2009 Act** The Mayor may do anything that the CA may do under section 113A of the 2009 Act in exercising its mayoral functions – *Article 11(4) of the draft SI,* this includes: (f) anything it considers appropriate for the purposes of the carrying-out of any of its functions (its "functional purposes") (g) anything it considers appropriate for purposes incidental to its functional purposes, (h) anything it considers appropriate for purposes indirectly incidental to its	Mayor	Exercisable concurrently with the CA.	N/A

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	functional purposes through any number of removes (i) anything it considers to be connected with any of its functions, or anything it may do under paragraph (a), (b) or (c); and (j) for a commercial purpose anything which it may do under any of paragraphs (a) to (d) otherwise than for a commercial purpose.			
2.4	The Mayor can appoint a **political advisor** as an employee of the CA *Article 7 of the draft SI*	Mayor only	Mayor only	N/A
2.5	**Mayor's Budget**	Mayor to put forward a draft Mayoral Budget for approval by the CA in accordance with the Combined Authorities (Finance) Order 2017 – see further details in 1.13 above		See 1.13 above for the process for approving / vetoing the Mayor's Budget
2.6	**Mayoral precepts** – The Secretary of State may by order make provision for the costs of a Mayor that are incurred in, or in connection with, the exercise of Mayoral Functions to be met from precepts issued	CA in conjunction with the Mayor.		Mayor will be subject to voting rules set out in previous legislation on precepts raised against Mayoral functions

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
	by the CA under section 40 of the Local Government Finance Act 1992. *s107G of the 2009 Act and s40(11) of the 1992 Act*			
2.7	**Funding by Constituent Council** - The Constituent Councils must meet the costs of the expenditure reasonably incurred by the Mayor in, or in connection with, the exercise of the Mayor Functions, to the extent that the Mayor has not decided to meet these costs from other resources available to the Combined Authority. (Article 13 of the Cumbria SI)			With regard to any of the Mayor's expenditure that is going to be met by the Constituent Councils (i.e. not by other resources available to the CA), the Mayor must agree with the CA the total expenditure in advance of incurring such expenditure, and in the absence of such agreement, no such expenditure may be incurred. **See comments above with regard the CA approving/vetoing the Mayor's budget** Any precept issued in relation to such expenditure under section 40 of the Local Government Finance Act 1992(b) is to be disregarded from any calculation of the costs of the expenditure.
3.	**Section 3 – Functions to be automatically conferred to the CA and/or the Mayor once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026).** **Please see also extract below from the Government's guidance highlighting the Mayoral functions only.**			

	STATUTORY FUNCTIONS AND POWERS	WHO CAN EXERCISE IT - CA OR MAYOR?	SEPARATE FUNCTION OR CONCURRENT WITH ANOTHER BODY?	VOTING
3.1	**GENERAL POWERS - Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**General Power of Competence –** The General Power of Competence in s1 of the Localism Act will be expressly extended to apply CAs in full. *Clause 20 and Schedule 4 of the Bill*	The CA or may be exercised by the Mayor on behalf of the CA (concurrently with the CA) To be used at the discretion of the CA and its Mayor independently of each other.	To be exercised concurrently between the CA, Mayor and local authorities	Simple majority of the CA or exercised individually by the Mayor.
(b)	**Power to Convene and Duty to Respond** - The Mayor may convene meetings with local partners to consider relevant local matters. The local partner must respond to the notification of a meeting. The specific local partners will be set out in subsequent secondary legislation. *Clause 21 of the Bill*	To be used at the discretion of the Mayor once elected	New function to be given the Mayor	Mayor has sole decision on this.
(c)	**Duty to Collaborate** – The Mayor may make a request to another elected mayor to collaborate in relation to a matter relating to one or more areas of competence. *Clause 22 of the Bill*	To be used at the discretion of the Mayor once elected	New function to be given the Mayor	Mayor has sole decision on this.

(d)	**Power to appoint Commissioners** – the Mayor to appoint not more than 7 persons: (a) to assist the Mayor in the exercise of the mayor's general functions in relation to the areas of competence; and (b) to otherwise assist the Mayor in relation to the exercise by the CA of functions which relate to the areas of competence. *Clause 9 and Schedule 3 of the Bill* Mayor can delegate functions to the commissioner subject to the proposed restrictions in paragraph 7 of Schedule 5BA of the Bill (e.g. cannot delegate functions of approving local growth plan, local transport plan, spatial development strategy; staff appointments, PFCC functions exercisable by Mayor).	To be used at the discretion of the Mayor once elected. The Mayor will determine the terms and conditions of a person's appointment as a Commissioner and this must provide for the person's work as Commissioner to relate to one of the areas of competence. The Mayor must obtain the consent of the CA to any arrangement for a Commissioner to exercise a function; but this does not apply to a function that is exercisable only by the Mayor on behalf of the CA. The CA may make a scheme providing for the payment of allowances to Commissioners appointed by the Mayor and pay allowances in accordance with the scheme. The CA may only make a scheme once it has considered a report published by the relevant remuneration panel.	New power to be given the Mayor	Mayor has sole decision on the appointment but CA responsible for determining allowances. The Mayor must obtain the consent of the CA to any arrangement for a Commissioner to exercise a function; but this does not apply to a function that is exercisable only by the Mayor on behalf of the CA. The Overview and Scrutiny Committee will have the power to recommend the termination of an appointment of a Commissioner. If a recommendation is made, the CA must decide whether or not to accept the recommendation, such decision to accept must be made by a two thirds majority of voting members (excluding the Mayor).
(e)	**Power to pay grant to a Constituent Council** – This will enable grants to a be paid to Constituent Council towards	Exercisable only by the Mayor on behalf of CA.	Mayor only	Exercised by the Mayor individually

	expenditure incurred or to be incurred by it without requiring the Treasury's consent (as under s31). The amount of a grant, the manner of its payment and any conditions are to be such as the person paying it may determine *Clause 39 of the Bill*			
3.2	**FUNDING - Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Allowances for members with special responsibilities** – CA will be able to make a scheme providing for the payment of allowances to members of the CA who have special responsibilities and to pay allowances in accordance with the scheme. CA must produce and publish reports on the allowances paid under the Scheme. *Clause 10 of the Bill*	CA but it may only make a scheme if it's considered a report published by a remuneration panel which contains recommendations for the allowances provided for in the scheme. The allowances payable under the scheme cannot not exceed the amounts specified in the recommendations made by the relevant remuneration panel.	Exercisable by the CA	Simple majority of the CA subject to consideration of report by the remuneration panel.
(b)	**Extension of the precepts** - Mayors will be able to issue a precept to generate revenue across all Mayoral and CA functions. <u>This will extend the current arrangements for the issue of precepts by amending section 40 of the Local Government Finance Act 1992.</u> *Clause 11 of the Bill*	Mayor / CA Voting and governance arrangements will vary depending on whether the	Solely by the Mayor / CA	Mayor will be subject to voting rules set out in previous legislation on precepts raised against Mayoral functions Simple majority including the Mayor if the Mayor wishes to raise a precept on wider CA functions

		precept is on Mayoral functions or wider CA functions.		
(c)	**Power to Borrow** - A power to borrow up to an agreed cap upon establishment for purposes relevant to their functions. There will no longer be a requirement for a specific power to be included in the SI. *Clause 12 of the Bill*	CA Exercise of the power to borrow will be automatically conferred for functions relevant to transport, police and crime commissioner and fire and rescue functions when the CA takes on those functions. This power may be exercised by the CA immediately for these functions only, before a Mayor has been elected. Must obtain consent from the Secretary of State before the first exercise of the power to borrow money for a purpose relevant to a function other than its transport, police or fire and rescue functions	Exercised concurrently with local authorities.	Simple majority of the CA
3.3	**TRANSPORT: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Local Transport Authority functions** Powers to secure the provision of passenger transport services where not otherwise provided.	CA save that functions relating to the Local Transport Plan and the decision on whether to make a proposed franchising scheme	Exercisable solely by the CA	Simple majority of the CA save that the decision on whether to make a proposed franchising scheme are exercisable only by the Mayor.

	Powers and duties to prepare a bus strategy for carrying out their bus functions, enter into partnerships with bus operators, enter into franchising schemes, and manage travel concessions. *Clause 29 and Schedule 9 of the Bill and Transport Act 1985*	are exercisable only by the Mayor. As set out above in 2.1, final approval of a Local Transport Plan is subject to a simple majority vote of constituent members where the Mayor must be in the majority. If the vote is tied, the Mayor has an additional casting vote.		As set out above in 2.1, Functions relating to Local Transport Plans will be solely exercisable by the Mayor – however final approval of a Local Transport Plan is subject to a simple majority vote of Constituent Council <embers where the Mayor must be in the majority. If the vote is tied, the Mayor has an additional casting vote (*Schedule 9 of the Bill which will insert a new s109ZA into the Transport Act 2000 – subparagraph* 5(b)).
(b)	**Transport Levy** - CA will be able to issue levies to the Constituent Council to meet the cost of exercising their transport functions, where otherwise not met (for example by a precept). *Clause 13 of the Bill and Local Government Finance Act 1988*	CA	Exercised solely by the CA	Simple majority of the CA Apportionment between Constituent Councils is subject to the Transport Levying Bodies Regulations 1992.
(c)	**Agreements between authorities and strategic highways companies** - CAs will be able to enter to enter into agreements with local highway authorities (upper-tier local authorities) and/or National Highways to delegate or share the maintenance and improvement of roads *Clause 24 and Schedule 6 of the Bill*	CA	Exercised concurrently with Constituent Councils. Use of these functions requires the consent of the relevant constituent authority where the function would be exercised.	Simple majority of the CA with the exception that the use of the functions requires the consent of the relevant constituent authority where the function would be exercised.

(d)	**Civil enforcement of road traffic contraventions -** Powers to enforce parking, bus lane, and moving traffic contraventions through penalty charge notices. (This function is only available if the relevant Constituent Council already has these functions and consents to the CA using them) The CA must follow existing statutory guidelines for charge levels for Fixed Penalty Notices and provide information on appeals processes. *Clause 25 and Schedule 7 of the Bill*	CA	The function is to be exercised concurrently with local authorities. This function is only available if the relevant Constituent Council already has these functions and consents to the CA using them	Simple majority of the CA with the exception that use of these functions requires the consent of the relevant constituent authority.
(e)	**Duty to set up and coordinate a Key Route Network.** Mayors to prepare a proposed designation of a key route network in their area, and to publish and maintain a record of such a network. The Mayor will also have a Power of Direction over constituent highway authority exercise of their traffic, permit, street and local highways authority powers on Key Route Network roads to support delivery of the Mayor's agreed Local Transport Plan.	Exercisable only by the Mayor, on behalf of the CA	Exercisable by the Mayor	This function is exercisable only by the Mayor, on behalf of the CA However, final agreement of which roads are included in the Key Route Network will be subject to a simple majority vote of the CA where the Mayor must be in the majority.

	This means the Mayor can direct councils with responsibilities for roads in their areas to use their powers in a certain way. *Clause 27 and Part 1 of Schedule 8 of the Bill*			
(f)	**Transfer of duty of principal councils to make reports on Key Route Network roads** – CA to be required to prepare reports assessing local road traffic levels and forecasting their growth on their Key Route Network. *Clause 27 and Part 2 of Schedule 8 of the Bill*	CA	Exercised solely by the CA CAs are taking over this duty for key route network roads. Constituent Councils retain this duty for other roads.	Simple majority of the CA
(g)	**Road User Charging** – CA to be able to make a joint road user charging scheme (e.g. congestion charging) with relevant Constituent Councils. *Chapter I of Part III of the Transport Act 2000*	CA	This function can only be exercised jointly with the relevant constituent local traffic authority (the upper-tier local authority) where the scheme would take place. Constituent Councils continue to be able to exercise independently	Simple majority of the CA with the exception that this function can only be exercised jointly with the relevant constituent local traffic authority (upper tier local authority) where the scheme would take place.
(h)	**On-Street Micromobility Schemes** – CA, in their role as the Local Transport Authority, to be able to license micromobility	CA	Exercised solely by the CA	Simple majority of the CA

	schemes operating on public roads and pavements. *Clause 23 and Schedule 5 of the Bill*			
3.4	**ECONOMIC DEVELOPMENT AND REGENERATION: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Duty to produce a Local Growth Plans –** A mayoral CA will be required to prepare and publish a local growth plan for its area A local growth plan must (a) include an overview of the economic conditions of the area 10 (including the main economic characteristics which are likely to influence current and future economic growth), (b) identify priorities for the economic growth of the area that 15 are agreed with the Secretary of State ("shared local growth priorities"), and (c) identify key projects for achieving economic growth in the area through private or public investment. This requirement may be met by the publication of a local growth plan before the section comes into force. *Clause 38 and Schedule 19 of the Bill which will add new provisions into the 2009 Act*	CA	Exercisable solely by the CA	Simple majority of the CA

(b)	**Duty to prepare an assessment of economic condition –** A CA will be required to prepare an assessment of the economic conditions of its area in addition to the assessment undertaken by local authorities. *Clause 37 and Schedule 18 of the Bill which will amend Section 69 of the 2009 Act*	CA	Exercisable concurrently with local authorities	Simple majority of the CA
(c)	**Powers to encourage visitors and provide entertainment** – CA may encourage people to visit their area and provide, support, and/or contribute to the provision of entertainments, such as concerts, plays, or exhibitions, and incur expenditure for these purposes. *Clause 40 of the Bill and section 144 of the LGA 1972*	CA	Exercisable concurrently with local authorities	Simple majority of the CA
(d)	**Power to place staff at the disposal of other authorities** – CA can enter into arrangements with other public sector bodies to share staff services for their functions pursuant to s113 of the Local Government Act 1972 *Clause 42 and Paragraph 1 of Schedule 20 of the Bill*	CA	Exercisable concurrently with other CA/CCAs, local authorities or other bodies such as NHS England	Simple majority of the CA

(e)	**Research and collection of information** on matters concerning their area to support their functions and share their findings. *Clause 42 and Paragraph 4 of Schedule 20 of the Bill*	CA	Exercisable concurrently with local authorities	Simple majority of the CA
3.5	**SKILLS AND EMPLOYMENT SUPPORT: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Adult Education Functions -** Subject to a transition period, some powers of the Secretary of State relating to education and training of adults will be devolved to CA. For example, the CA must secure the provision in relation to the relevant area of such facilities as it considers appropriate for (a) education suitable to the requirements of persons who are 30 aged 19 or over, other than persons aged under 25 for whom an EHC plan is maintained, and (b) training, other than apprenticeship training, suitable to the requirements of such persons. These powers support the delivery of devolved adult skills funding. Powers relating to apprenticeships and people subject to adult detention are not devolved. *Clause 30 and Schedule 10 of the English Devolution and Community Empowerment*	CA	To be exercised solely by the CA except that the relevant functions in section 90 and 100 of the Apprenticeships, Skills, Children and Learning Act 2009 are exercised concurrently with the Secretary of State.	Simple majority of the CA

	Bil which will amend the Apprenticeships, Skills, Children and Learning Act 2009			
3.6	**HOUSING AND STRATEGIC PLANNING: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Duty to produce a Spatial Development Strategy** *This is to be introduced through clause 52 of the Planning and Infrastructure Bill which will insert new provisions into the Part 1A of the Planning and Compulsory Purchase Act 2004*	To be exercised by the Mayor on behalf of the CA	By the CA and Mayor	To be exercised by the Mayor on behalf of the CA Approval of the Spatial Development Strategy requires a simple majority vote of the Mayor and Constituent Council Members. The Mayor must be included in the majority for a vote to be carried and if the vote is tied, the Mayor gets an additional casting vote.
(b)	**Housing and land powers to acquire housing and land for specific purposes (concurrent with Homes England).** **This includes powers to acquire land using the compulsory purchase powers previously solely held by Homes England** Functions must be exercised for the purposes of, or for purposes incidental to the objectives of: • Improving the supply and quality of housing in the area; • Securing the regeneration or development of land or infrastructure in the area;	Mayors exercise the compulsory purchase function on behalf of the CA. Other functions are to be exercised by the CA	Exercised concurrently with Homes England.	Mayors exercise the compulsory purchase function on behalf of the CA. Before exercising their compulsory purchase powers, Mayors must consult the local planning authority where the power is to be exercised. All other functions are exercised by the CA and are subject to simple majority of the CA.

	• Supporting in other ways the creation, regeneration or development of communities in the area or their continued well-being; • Contributing to the achievement of sustainable development and good design in the area This will include the ability to provide financial assistance to any person. *Clause 34 and Part 1 of Schedule 15 of the Bill*			
(c)	**Housing and Land Powers (concurrent with local authorities) - acquire and develop housing and land as well as provide services in relation to housing.** Duty on CA to review housing needs in their area and enabling them to provide additional facilities in relation to housing they provide. The land acquisition powers can also be used for the purpose of providing housing, develop the land, or for planning purposes. *Clause 34 and 35, Part 2 of Schedule 15 and Schedule 16 of the Bill*	CPO powers under the Housing Act 1985 only exercisable by the Mayor. Other powers, including CPO under the Town and Country Planning Act 1990, exercisable by the CA.	Exercisable concurrently with local authorities	Before exercising CPO powers, Mayors and CA (depending on who is exercising the function) must consult the local planning authority where the power is to be exercised Simple majority of the CA in relation to CA functions. Mayor can exercise his function independently.
(d)	**Mayoral Development Corporations –** powers to the Mayor to designate a Mayoral Development Area and subsequently	These functions are to be exercisable only by the Mayor on behalf of the CA. Mayor is	Relevant only to Mayoral CAs	Designation of a Mayoral Development Area will be subject to a simple majority of voting

	establish a Mayoral Development Corporation for that area. *Clause 36 and Schedule 17 of the Bill*	responsible for establishing and overseeing a Mayoral Development Corporation.		members where the Mayor must be in the majority. The Overview and Scrutiny Committee will scrutinise the Mayors decisions regard the Mayoral Development Corporation.
(e)	**Strategic Development Management Powers –** Mayors will be able to intervene in planning applications of potential strategic importance (e.g. especially large or prominent developments) and will have the ability to call in these applications and determine them instead of local planning authorities, or direct the local planning authority to refuse the application *Clause 31 and Schedule 11 of the Bill*	These functions are to be exercisable only by the Mayor on behalf of the CA	Relevant only to Mayoral CAs	These functions are to be exercisable only by the Mayor on behalf of the CA
(f)	**Mayoral Community Infrastructure Levy –** Mayors will be able to charge developers a Mayoral Community Infrastructure Levy. This is a charge which can be imposed on new development in their area and can be used to raise funds to deliver infrastructure needed to support development. *Clause 33 and Schedule 14 of the Bill*	Exercisable only by the Mayor on behalf of the CA. The Mayor is responsible for developing and applying the Mayoral Community Infrastructure Levy	Relevant only to Mayoral CAs	Exercisable only by the Mayor on behalf of the CA. The Mayor is responsible for developing and applying the Mayoral Community Infrastructure Levy The approval of a charging schedule for the levy is subject to a simple majority vote of the voting members of the CA. The Mayor will have a casting vote in the event there is a tied vote (paragraph 3 of Schedule 14 of the Bill inserts a new sub section 6B into Section 213 of the Planning Act 2008 and the associated provisions in Section 214 are also amended accordingly).

(g)	**Mayoral Development Orders –** Mayors will have the ability to prepare Mayoral Development Orders which will allow them to grant pre-emptive planning permission for a particular development instead of relying on an application to be submitted. *Clause 32 and Schedule 12 of the Bill*	These functions are to be exercisable only by the Mayor on behalf of the CA	Relevant only to Mayoral CAs	Mayors must consult and gain approval of the local planning authority where the order would have effect. Where the local planning authority does not approve the order, the Mayor can request the Secretary of State approve the order instead.
3.7	**ENVIRONMENT AND NET ZERO: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Heat Network Zoning Coordination role** pursuant to s228(5) of the Energy Act 2023	CA	Exercisable by CA only	Simple majority of the CA
3.8	**HEALTH, WELLBEING AND PUBLIC SERVICE REFORM: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Statutory health improvement and health inequalities duty -** a duty on the CA and the Mayor, when considering whether or how to use any of its powers and functions to have regard to the need to improve the health of people in the CA's area and the need to reduce health inequalities in the local area. *Clause 43 of the Bill*	CA and Mayor	New duty on the CA and the Mayor	To be considered when taking any decisions
3.9	**PUBLIC SAFETY: Once the English Devolution and Community Empowerment Bill has been enacted (estimated 2026)**			
(a)	**Police and Crime Commissioner Functions**	Exercisable only by the Mayor.	CA would work with the Cumbria Police and Fire	

	Mayors will be, by default, accountable for the exercise of Police and Crime Commissioner (PCC) functions where mayoral boundaries align with police force boundaries, or with two police force boundaries when taken together. Transfers will be subject to secondary legislation. **As there is alignment of boundaries, these functions would automatically transfer if it hasn't already under an Order pursuant s107F of the 2009 Act, once the Bill is enacted subject to secondary legislation. We note there is one Police, Fire and Crime Commissioner in Cumbria.** The Secretary of State may by order transfer PCC functions to the Mayor of a CA where there are coterminous borders. The Secretary of State, at the same time, may alter the boundary of the police area (or areas) to which the transfer relates to achieve coterminosity. *Clause 44, 45 and 47 of the Bill*	Mayors will have to delegate PCC responsibilities to a Deputy Mayor (for Policing, Fire and Crime for each police force area for which they have PCC functions).		
(b)	**Fire and Rescue Authority Functions** Mayors will be, by default, accountable for the exercise of Fire and Rescue Authority (FRA) functions where FRA and mayoral boundaries align, subject to secondary legislation. **As there is alignment of**	Mayors will have the option to delegate FRA responsibilities to a Deputy Mayor for Policing, Fire and Crime, or a Public Safety Commissioner.	CA would work with the Cumbria Police and Fire	

	boundaries, these functions would automatically transfer if it hasn't already under an Order pursuant s107EA of the 2009 Act, once the Bill is enacted subject to secondary legislation. We note there is one Police, Fire and Crime Commissioner in Cumbria. The Secretary of State may by order transfer FRA functions to the CA where there are coterminous borders. The Secretary of State, at the same time may alter the boundary of the FRA area (or areas) to which the transfer relates to achieve coterminosity. *Clause 46 and 47 of the Bill*			

The Bill is a floor and not a ceiling and so further powers and functions may be conferred through future legislation.

Extract from Guidance on Mayoral Functions

Functions which are solely exercisable by the Mayor of a Mayoral Strategic Authority

Function	Clauses in the English Devolution and Community Empowerment Bill
A Power to Convene and a Duty to Respond This will enable Mayors to convene local partners to address local challenges. It will also place a duty on local partners to respond to a Mayor's request when they make use of the power to convene. The specific local partners covered will be set out in subsequent secondary legislation.	Clause 21 of the English Devolution and Community Empowerment Bill
A Duty to Collaborate This will ensure that Mayors of neighbouring Strategic Authorities have a formal process by which they can enter into collaboration with one another.	Clause 22 of the English Devolution and Community Empowerment Bill
Certain Local Transport Authority functions Functions relating to Local Transport Plans and the decision on whether to make a proposed franchising scheme are exercisable only by the Mayor. However, final approval of a Local Transport Plan is subject to a simple majority vote of constituent members where the Mayor must be in the majority. If the vote is tied, the Mayor has an additional casting vote.	Clause 29 and Schedule 9 of the English Devolution and Community Empowerment Bill
Key Route Network Power of Direction Mayoral Strategic Authorities will have a duty to set up and coordinate a Key Route Network. This will allow the most important local roads to be strategically managed. Mayors will also hold a Power of Direction over constituent highway authority exercise of their traffic, permit, street and local highways authority powers on Key Route Network roads to support delivery of the Mayor's agreed Local Transport Plan. This means Mayors can direct councils with responsibilities for roads in their area to use their powers in a certain way; for example, to create a bus gate.	Clause 27 and Part 1 of Schedule 8 of the English Devolution and Community Empowerment Bill

This function is exercisable only by the Mayor, on behalf of the Strategic Authority. However, final agreement of which roads are included in the Key Route Network will be subject to a simple majority vote where the Mayor must be in the majority.	
Spatial Development Strategy All Strategic Authorities will have a duty to produce a Spatial Development Strategy. These documents enable them to strategically plan for development across their whole area. (Note: This duty will also be mirrored for all principal local authorities in areas without Strategic Authorities, where authorities will be required to collaborate via Strategic Planning Boards where necessary.) This function is exercised by the Mayor on behalf of the Strategic Authority. However, approval of the strategy requires a simple majority vote of the Mayor and constituent members. The Mayor must be included in the majority for a vote to be carried. If the vote is tied, the Mayor gets an additional casting vote.	To be introduced through clause 52 of the Planning and Infrastructure Bill: Part 1A of the Planning and Compulsory Purchase Act 2004
Powers to acquire land using the compulsory purchase powers previously solely held by Homes England. Mayors exercise the compulsory purchase function on behalf of the Strategic Authority. Before exercising their compulsory purchase powers, Mayors must consult the local planning authority where the power is to be exercised. These functions are exercised concurrently with Homes England.	Clause 34 and Part 1 of Schedule 15 (Acquisition and development of land) in the English Devolution and Community Empowerment Bill
Housing and Land Powers, concurrent with Local Authorities Compulsory purchase powers under the Housing Act 1985 are only exercisable by the Mayor. Whereas all other powers, including compulsory purchase powers under the Town and Country Planning Act 1990, are exercised by the Strategic Authority. Before exercising their compulsory purchase powers, Mayors and Mayoral Strategic Authorities (depending on who is exercising the function) must consult the local planning authority where the power is to be exercised.	Clause 34 (Acquisition and development of land); Clause 35 (Housing accommodation); Part 2 of Schedule 15; and Schedule 16 of the English Devolution and Community Empowerment Bill

These functions are exercised concurrently with local authorities.	
Mayoral Development Corporations These powers enable Mayors of Strategic Authorities to designate a Mayoral Development Area and subsequently establish a Mayoral Development Corporation (MDC) for that area. MDCs are statutory corporate bodies which can take broad planning and land assembly powers, have the ability to attract inward investment, and are well placed to harness private sector expertise to drive forward development. These functions are exercisable only by the Mayor on behalf of the Strategic Authority. This means that the Mayor is responsible for establishing and overseeing a Mayoral Development Corporation. The overview and scrutiny committee of the Strategic Authority will in turn scrutinise the Mayor's decisions regarding the MDC. However, the designation of a Mayoral Development Area will be subject to a simple majority of voting members of the Strategic Authority where the Mayor must be in the majority.	Clause 36 and Schedule 17 of the English Devolution and Community Empowerment Bill.
Strategic Development Management Powers These powers enable Mayors of Strategic Authorities to intervene in planning applications of potential strategic importance (e.g. especially large or prominent developments). These include the ability to 'call in' these applications (and determine them instead of local planning authorities), or direct the local planning authority to refuse the application. These functions are exercisable only by the Mayor on behalf of the Strategic Authority.	Clause 31 and Schedule 11 of the English Devolution and Community Empowerment Bill
Mayoral Development Orders These powers give Mayors of Strategic Authorities the ability to prepare Mayoral Development Orders (MDOs). MDOs allow them to grant planning permission for a particular development instead of relying on an application to be submitted. These functions are exercisable only by the Mayor on behalf of the Strategic Authority. Mayors must consult and gain approval of the local planning authority where the order would have effect. Where the local planning authority does not approve the order, the Mayor can request the Secretary of State approve the order instead.	Clause 32 and Schedule 12 of the English Devolution and Community Empowerment Bill.

Mayoral Community Infrastructure Levy These powers enable Mayors of Strategic Authorities to charge developers a Mayoral Community Infrastructure Levy. This is a charge which can be imposed on new development in their area. It can be used to raise funds to deliver infrastructure needed to support development in their area. These functions are exercisable only by the Mayor on behalf of the Strategic Authority. This means that the Mayor is responsible for developing and applying the Mayoral Community Infrastructure Levy. However, the approval of a charging schedule for the levy is subject to a simple majority vote of the voting members of the Strategic Authority.	Clause 33 and Schedule 14 of the English Devolution and Community Empowerment Bill.
Mayoral Council Tax Precept The changes to this provision will allow Mayors to issue a precept to generate revenue across all Mayoral and CA/CCA functions. Previously, a Mayor could precept only for Mayoral functions, and not CA/CCA functions. Voting and governance arrangements will vary, depending on whether the precept is on Mayoral functions, or wider C(C)A functions: • Mayors will continue to be subject to voting rules set out in previous legislation on precepts raised against Mayoral functions, which is commonly 2/3 of constituent authorities can vote against or to amend a precept. • A Mayor wanting to raise a precept on wider C(C)A functions would be subject to the standard voting arrangements of a simple majority including the Mayor.	Clause 11 of the English Devolution and Community Empowerment Bill
Power to pay grant to a constituent authority This power enables Mayors to pay grants to their constituent councils. This is most commonly used to pass funding for maintaining local roads to councils. This function is exercisable only by the Mayor on behalf of the Strategic Authority.	Clause 39 of the English Devolution and Community Empowerment Bill
Police and Crime Commissioner Functions Mayors will be, by default, accountable for the exercise of Police and Crime Commissioner (PCC) functions where mayoral boundaries align with police force boundaries, or with two police force boundaries when taken together. Transfers will be subject to secondary legislation. The Secretary	Clause 44, 45 and 47 of the English Devolution and Community Empowerment Bill

of State may by order transfer PCC functions to the elected mayor of a CA or CCA where there are coterminous boundaries. The Secretary of State, at the same time, may alter the boundary of the police area (or areas) to which the transfer relates to achieve coterminosity. This function is exercisable only by the Mayor. Mayors will have to delegate PCC responsibilities to a Deputy Mayor (for Policing, Fire and Crime for each police force area for which they have PCC functions).	
Fire and Rescue Authority Functions Mayors will be, by default, accountable for the exercise of Fire and Rescue Authority (FRA) functions where FRA and mayoral boundaries align, subject to secondary legislation. The Secretary of State may by order transfer FRA functions to a CA or CCA where there are coterminous boundaries. The Secretary of State, at the same time may alter the boundary of the FRA area (or areas) to which the transfer relates to achieve coterminosity. Mayors will have the option to delegate FRA responsibilities to a Deputy Mayor for Policing, Fire and Crime, or a Public Safety Commissioner.	Clause 46 and 47 of the English Devolution and Community Empowerment Bill

Cumbria Combined Authority

Board Meeting

Date	18th March 2026		
Report Title	Budget 2026-27 for Cumbria Combined Authority		
Accountable CCA Board Member	Board Member Accountability to be established		
Accountable Chief Officer			
Report Author	Nick Bell – Interim Section 73 Officer		
Report Considered by	Member Steering Group (informal)		
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

1.1 The purpose of this report is to present the proposed revenue budget and capital programme for 2026-27 to the Board for approval.

1.2 This is the first budget and Medium-Term Financial Plan ('MTFP') of the recently created Cumbria Combined Authority (CCA) and it is designed to reflect emerging priorities for the Combined Authority. As this is the Combined Authority's first year of operation it is likely that there will be some changes to the proposed revenue budget and capital programme as the emerging priorities become established, and any proposed changes will be reported to the Board for approval at its future meetings.

1.3 The 2026-27 final Revenue Budget is £11.202m, whilst the Capital Programme is £2.750m. To ensure that these funds are used effectively and efficiently to deliver the emerging projects and programmes and to operate the new Combined Authority in a way that is consistent with its Best Value requirements there will need to be sufficient staff capacity. The anticipated costs of this capacity have been included in the budget and is assessed as being sufficient for the likely demands of the programmes noted above. (Please refer to appendix

3). Strong risk management and performance management frameworks and processes will be developed to mitigate the risks of potential slippage on these projects and programmes.

1.4 There are a number of programmes which will need to be delivered either in 2026-27 or over the course of the MTFP, including the Adult Skills Fund from September 2027; the existing programmes delivered by Enterprising Cumbria, including the Kingmoor Park Enterprise Zone, the Connect to Work employability programme, skills bootcamps, careers services, net zero work and business support; the transition of public transport responsibilities from the Constituent Councils to the CCA; additional funding for highways maintenance and the development of some more inward investment and visitor economy services; the major transport projects which will be funded from increased transport funding and further development of the systems and processes that are the Combined Authority's foundations to effectively support the other programmes.

2. Recommendations

2.1 Approve the proposed revenue budget for Cumbria Combined Authority for 2026-27 (as shown in appendix 1) and to note the Medium-Term Financial Plan for 2026-2030 will be included in next CCA Board meeting for approval.

2.2 Approve the proposed capital programme for Cumbria Combined Authority for 2026-27 and to note the Medium-Term Financial Plan for 2026-2030 will be included in next CCA board meeting for approval

2.3 Agree that the CCA will opt into the national Public Sector Audit Appointments scheme to appoint its External Auditors.

2.4 Agree to the appointment of MIAA to undertake the internal audit functions of the CCA.

2.5 Approve the proposal to adopt the Treasury Management Strategy from Westmorland and Furness Council (as attached at Appendix 4) for Year 1 of the CCA. Whilst the Combined Authority does not currently intend to undertake any borrowing during its first financial year it is likely to have surplus cash from grant funds received in advance of expenditure which should be prudently invested in line with an approved Treasury Management Strategy.

2.6 Agree to CCA entering into Service Level Agreements ('SLAs') with the Westmorland and Furness Council and Cumberland Council ('the Constituent Councils') in relation to the services set out in paragraph 10.1 of the report and delegates to the Interim Head of Paid Service following consultation with the Interim S.73 Officer to finalise the terms and conditions of the SLAs.

3. Background

3.1 The Cumbria Combined Authority (CCA) was established through the Cumbria Combined Authority Order 2026 and associated statutory instruments. Its formation followed the agreement of a devolution deal between Government and local partners, setting out a programme of powers and funding intended to support economic growth, transport integration, skills development, and strategic investment across Cumbria. The Combined Authority brings together the two unitary councils—Cumberland Council and Westmorland & Furness Council—alongside wider partners, providing a single strategic body with responsibility for exercising devolved functions on behalf of the region.

3.2 The establishment phase has focused on creating the constitutional, financial, governance, and operational frameworks required for the Combined Authority to function as a legally compliant public body. This includes developing the Constitution, decision-making

arrangements, financial regulations, and assurance processes necessary for vesting day and the subsequent Mayoral election. The CCA Board plays a critical role in overseeing this transition, ensuring that the Combined Authority is founded on strong principles of transparency, accountability, and sound financial management.

3.3 The Combined Authority will be required to operate within the Local Government Finance Act 1988, the Local Government Act 2003, and the Accounts and Audit Regulations 2015.

This includes:

- A duty to set a balanced budget
- A requirement to maintain robust financial management arrangements
- Preparation of annual accounts in accordance with the CIPFA Code
- Provision for external audit and public inspection

4. Revenue budget 2026-27

4.1 The budget is based on known funding and on several cost assumptions that reflect the best information available at this stage as listed in Appendix 1. While some estimates will be refined as delivery progresses, the overall financial position remains stable. Robust oversight, regular review, and proactive cost management will ensure that the budget remains balanced throughout the year.

Revenue Budget	**£m**
	26/27
Local Transport	
Local Transport grant Income revenue	(5.692)
Westmorland and Furness Council Funds	2.370
Cumberland Council Funds	3.172
CCA top slice	0.150
Local Transport Total	**0.000**
Investment Fund grant Income	(2.750)
CA Capacity grant	(2.822)
Other Income	(5.630)
Total CCA Income	**(11.202)**
Total Expenditure	**11.202**
Total Net budget	***(0.000)***

4.2 The Combined Authority will work on developing its first Corporate Plan during 2026-27, which will define the Combined Authority's long-term priorities, outcomes, and investment intentions. This Corporate Plan will form the basis of future years' budgets and MTFPs, as well as helping to determine investment priorities.

4.3 As the Combined Authority does not intend to borrow to fund capital expenditure during 2026-27 and has no outstanding debt, it does not intend to produce the full suite of Treasury Management strategies and policies normally required of a local authority. However, the Combined Authority is likely to receive grant funds through the Investment Fund and the Capacity Fund in advance of needing to incur expenditure and will retain a number of

earmarked reserves transferred from Enterprising Cumbria. It would be prudent to invest these cash sums until they are needed to accrue interest, and it is therefore proposed that the Combined Authority adopts the existing Treasury Management Policy of Westmorland and Furness Council to enable it to undertake those investments in an authorised fashion. The proposed policy is included at Appendix 4 to the report.

4.4 The transfer of Enterprising Cumbria to the Combined Authority is now assumed to take effect on 1 May 2026. This revised implementation date reflects the additional time required to conclude the employee consultation process. The delay does not affect the underlying grant budget assumptions, nor does it impact planned expenditure against those grant allocations.

The confirmed grants and associated expenditure relating to the transfer of Enterprising Cumbria have been incorporated into the Year 1 budget. This ensures that all known programme funding, contractual commitments, and operational costs transferring from the predecessor arrangements are fully recognised within the Combined Authority's financial position from the outset. The inclusion of these items provides clarity on the resources available to support economic development activity during the transition period and ensures continuity of service while the Cumbria Combined Authority establishes its longer-term strategic approach through the forthcoming Corporate Plan.

5. Capital Programme 2026-27

5.1 The Combined Authority has been allocated a long-term capital funding stream through the Investment Fund, with £2.75 million available in Year 1 and rising to £5.50 million per year from Year 2 onwards for a total period of 30 years. At this early stage, no commitments or plans have been made for the use of the Investment Fund, but proposals are expected to be developed later this year for potential investments covering areas such as skills, transport, business support and the Visitor Economy (including the Tour de France stages in summer 2027).

	£m
Capital Budget	**26/27**
Local Transport grant Income	(79.666)
Investment Fund grant Income	(2.750)
Westmorland and Furness Council Local Transport Funds	40.827
Cumberland Council local Transport Funds	38.839
Total Net budget	***(2.750)***

5.2 The Combined Authority will also receive a significant amount of capital grant (and revenue) grant funding from the Department for Transport from 2026-27. These grants and how they are to be passported to the constituent councils are detailed in a separate report to the Combined Authority.

6. Provisions and reserves

6.1 As the Combined Authority is a new entity it will have no provisions or reserves, either general or earmarked, to carry forwards from previous years.

6.2 The Combined Authority will inherit some earmarked and general reserves from Enterprising Cumbria. These reserves are not shown in the budget report as further work is needed to understand what, if any, liabilities attach to any of the transferring provisions and reserves

before approval is sought for their future use. A further report on this will be brought to the next Board meeting.

Notwithstanding this the Board is asked to note that the proposed revenue budget does include a contribution of £200k from Enterprising Cumbria general reserves towards the unfunded costs of former Enterprising Cumbria staff. This reflects the intent of Enterprising Cumbria prior to its transfer to the Combined Authority.

6.3 It is proposed that the Combined Authority creates a specific reserve of £500k in 2026-27 to cover part of the anticipated cost of the Mayoral election in May 2027.

6.4 In terms of general reserves it is proposed that, as a new entity with the concomitant risks of unknown costs and pressures, the Combined Authority retains at least £500k as a general reserve.

	£m
CCA reserves	**26/27**
General reserve	£ 0.500
Earmarked reserve	£ 0.500
Enterprising Cumbria	TBC
Total reserve	£1.000

7. Financial Risks/Opportunities

7.1 There are a number of potential financial risks that underpin the budget and which will need to be actively managed over the lifetime of the MTFP once it is developed. The key risks are:

- **Inflation.** Proposed budget includes 3% pay award, which is fully matched by Westmorland and Furness, ensuring consistency with local authority pay arrangements. However, if inflation was to return to the almost double-digit rates seen in 2022-23 then this could place additional funding pressures on the Combined Authority.

- **Interest rates.** While the Authority is not exposed to interest rate fluctuations on expenditure as it is not currently proposed to borrow over the short term, it is exposed to interest rate reductions on its invested cash**.** The budget currently assumes no interest on those cash balances so any interest earned on cash balances invested until they are needed will provide additional unbudgeted income for the Authority.

- **Erosion of grant income.** Whilst expenditure is forecast to increase each year because of inflation, the bedrock of the Authority's funding – its Investment Fund – is not indexed and will remain at £5.5m revenue and £5.5m capital from 2027-28 throughout the 30 years of the devolution deal. Even at current rates of inflation of around 3% on average, over 30 years the buying power will only be 40% of what it is today. Put another way, it will be equivalent to the Combined Authority receiving £2.2m revenue and capital each year instead of the initial £5.5m of each. This erosion is likely to have a long-term impact on the Combined Authority's continuing ability to fund programmes in later periods of the devolution deal.

- **Staffing costs.** The budget assumes that all substantive posts are filled on a phased basis during 2026-27. The staffing budget will require ongoing close management during 2026-27 to ensure the assumed phasing remains accurate.

- **Delivery.** There are many expectations on the Combined Authority to commence utilisation of Investment Funds as rapidly as possible after vesting day. Whilst capacity to deliver this has been included in the budget, there remains a risk that some of the proposals for use of Investment Funds may take time to develop to ensure that they are determined in line with the government approved Local Assurance Framework.

7. Section 25 Statement

7.1 Section 25 of the Local Government Act 2003 places requirements on the Chief Finance Officer (in the Combined Authority's case the Section 73 Officer) to comment on the robustness of the estimates and the adequacy of the reserves for consideration by the CCA Board when approving a budget.

7.2 In relation to the estimates included in the budget Interim Section 73 Officer confirms that they are sufficiently robust for the following reasons:

- All proposed expenditure and income items have been checked with managers and benchmarked against other Combined Authorities.
- Costs for the proposed staffing complement have been based on existing roles (for those transferring from Enterprising Cumbria) and benchmarked against pay scales of the constituent councils for proposed new roles.
- A prudent element of inflation (for both pay and non-pay items) has been included in the budget.
- Any known changes to the cost base from changes in government policy or legislation have been included.
- Anticipated grant income has only been included in the budget where the income allocation for the Combined Authority has been formally announced.

7.3 In relation to the adequacy of the reserves, Interim Section 73 Officer confirms that they are adequate for the Combined Authority for the following reasons:

- A sum of around £500k has been provided for general, unallocated reserves in 2026-27.
- This sum has been determined by considering the Combined Authority's financial risks. As the majority of the Combined Authority's budgets are not currently demand led and income streams are generally fixed in advance, reducing the risk of under recovery of income, a general reserve of around 5% of the net budget is considered adequate. The proposed forecast level of general reserves falls within that range.

8. External Audit

8.1 As a newly established Combined Authority, the CCA is required to appoint an external auditor in accordance with the Local Audit and Accountability Act 2014. It is proposed that the Combined Authority participates in the national auditor appointment arrangements led by Public Sector Audit Appointments (PSAA), which provides an efficient and compliant route for securing independent external audit provision.

9. Internal Audit

9.1 As part of the procurement process for appointing an internal auditor, three suppliers were approached for quotations. Of these, MIAA Solutions has emerged as the strongest candidate, offering the most robust combination of expertise, value, and alignment with the Combined Authority's requirements.

At this stage, the proposed appointment of MIAA remains subject to formal approval by the Combined Authority Board. Once approval is secured, arrangements for the internal audit programme will be finalised and reported back to the Committee.

10. Service Level Agreements (SLAs)

10.1 The Combined Authority has developed Service Level Agreements ('SLAs') with the Constituent Councils in relation to the following services for 2026-27:

- ICT
- Democratic Services
- HR
- Programme Management
- Assurance

10.2 It is proposed that delegated authority is given to the Interim Head of Paid Service following consultation with the S.73 Officer to finalise the terms and conditions of the SLAs in preparation for operation from 1 April 2026.

11. Financial Implications

These are provided in the body of the report

12. Governance and Legal Implications

The Combined Authority is required to agree a balanced budget annually and to monitor that budget throughout the year. In addition, there is a fiduciary duty not to waste public resources, to secure value for money and ensure that good financial governance arrangements are in place. The report includes the requirements of Section 25 of the Local Government Act 2003. The Combined Authority must have regard to this report when making decisions about the calculations in connection with which it is made.

The Combined Authority was established on 24 February 2026 by the Cumbria Combined Authority Order 2026 ('the Order'). Article 4 of the Order modified the financial reporting requirements for the Combined Authority for 2025-2026 as set out in Section 3(3) of the Local Audit and Accountability Act 2014 and disapplied the requirement for the Combined Authority to prepare a statement of accounts for the financial year beginning 1st April 2025.

For the financial year beginning 1st April 2026, the Combined Authority is required to prepare a statement of accounts for that year of the period from 24th February 2026 and ending with 31st March 2027.

The Combined Authority is required pursuant to Section 3(3) of the Local Audit and Accountability Act 2014 and Part 3 of the Constitution to prepare a statement of accounts in respect of each financial year. Failure to do so would constitute a breach of the 2014 Act and the Constitution.

It is the function of the Combined Authority to approve the Combined Authority's budget in respect of Non-Mayoral Functions.

Pursuant to the Financial Regulations set out in Part 4 of the Constitution, the Interim Section 73 Officer, in conjunction with officers, is required to monitor expenditure against the approved budget, and report on a regular basis agreed with the Interim Section 73 Officer to the Combined Authority showing forecast variations from the budget allocated.

13. Human Resource Implications

It is not expected that the budget outlined in this report will have any adverse impacts on people with protected characteristics. Future investment decisions will be underpinned by an Equality Impact Assessment.

14. Recommendations

Please refer to Point 2

15. Reason for Recommendation

15.1 To ensure Cumbria Combined Authority has a balanced budget and services in place to enable operation.

16. Alternative Options Considered

16.1 No other options have been considered as the Combined Authority has a duty to set a balanced budget, make provision for audit and ensure robust financial management arrangements are in place.

17. Background Papers

None

Report Author	Nick Bell Interim S73 Officer
Contact Details	
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

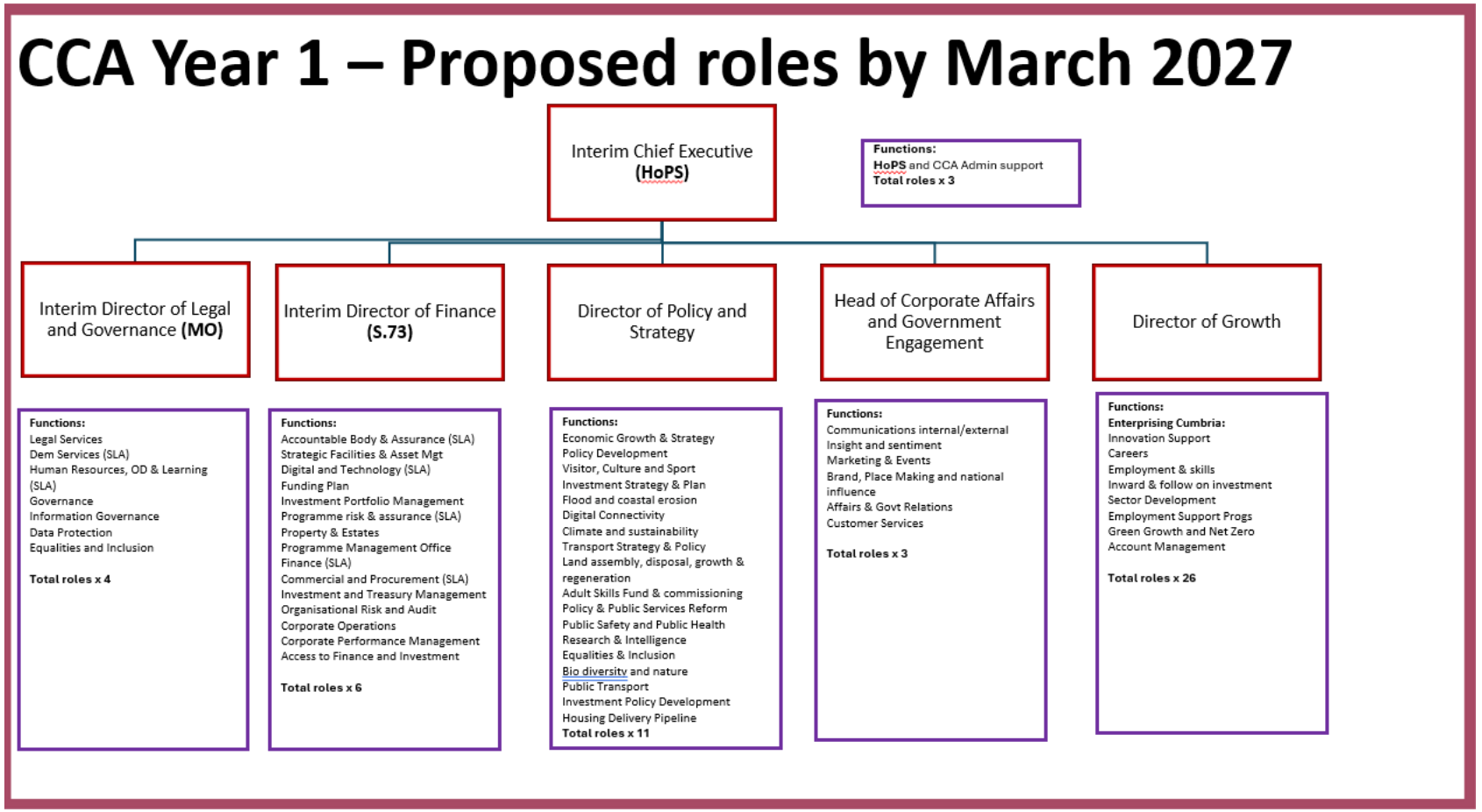
Appendix 1

	2026/27	
Income		**£m**
	2025-26 underspend b/f	(0.997)
	Contribution from former Enterprising Cumbria reserve	(0.200)
	Capacity Funding	(2.822)
	Investment fund	(2.750)
	Careers Hub Team	(0.178)
	Core Programme Delivery Agreement	(0.254)
	Growth Hub grant	(0.355)
	Connect to Work grant	(1.596)
	Skills Bootcamp grant	(1.275)
	Skills Bootcamp (admin)	(0.225)
	Spatial development strategy grant	(0.400)
	Local Transport fund	(0.150)
Total income		***(11.202)***
Expenditure		
	Employee costs:	
	Former Enterprising Cumbria staff	1.494
	Project delivery and project management staff	0.296
	Service lead and policy staff	0.703
	Corporate staff	1.202
Total Staff costs		**3.695**
	SLA and other Employer costs	0.884
	Supplies and services (including unallocated investment fund)	5.505
	Premises	0.034
	Support services	0.050
	Transport	0.034
	Contribution to election reserve	0.500
	Contribution to general reserves	0.500
Total operational cost		**7.059**
Total expenditure		***11.202***
Net (surplus)/deficit		***0.000***

Appendix 2

	£m
Local Transport Funding	**26/27**
Local Transport grant Income Capital allocation	(79.666)
Westmorland and Furness Council Local Transport Funds	40.827
Cumberland Council local Transport Funds	38.839
Net Capital budget	***0.000***
Local Transport grant Income revenue	(5.692)
Westmorland and Furness Council Funds	2.370
Cumberland Council Funds	3.172
CCA top slice	0.150
Net Revenue budget	***0.000***

CCA Year 1 – Proposed roles by March 2027



Appendix 4

Please refer to

Microsoft Word - Appendix 5 - Treasury Management Strategy 202526

Cumbria Combined Authority

Board Meeting

Date	18 March 2026		
Report Title	Cumbria Combined Authority Pay and Grading Framework		
Accountable CCA Board Member	No Member identified		
Accountable Chief Officer	John Barradell, Interim Chief Executive		
Report Author	Amanda Mays, Interim HR & OD Lead		
Report Considered by	Member Steering Group (informal)		
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

This report seeks approval of a Pay and Grading Framework for the Cumbria Combined Authority (CA). Establishing a clear and proportionate framework at this stage is essential to ensure pay arrangements are fair, transparent, legally compliant and financially sustainable as the Authority moves from set-up to delivery.

The proposed framework is based on the nationally negotiated arrangements of the National Joint Council for Local Government Services (NJC) and aligns with the approach used by the constituent councils. The NJC pay spine will form the basis of the grading structure for the majority of roles, with job evaluation undertaken using the NJC Job Evaluation Scheme for posts below Grade 19 and the Local Government Association

Chief Officer Scheme for senior managers. Non-Chief Officer terms and conditions will be in accordance with NJC collective agreements.

The framework is designed to provide stability and consistency during establishment, while retaining flexibility to respond to labour market pressures where objectively justified. Appropriate governance arrangements will ensure transparency in relation to senior pay, market supplements and appointments above the minimum grade.

The report also seeks agreement for the CA to become an accredited Living Wage Employer through the Living Wage Foundation, reinforcing the Authority's commitment to fair employment practices.

Overall, the proposed approach provides a stable, affordable and legally robust foundation for the CA's workforce as the organisation develops.

2. Recommendations

2.1 Note the progress made on the Cumbria Combined Authority Pay and Grading Framework.

2.2 Approve the proposed Pay and Grading Framework and associated pay scales in Appendix One.

2.3 Approve job evaluation of the work of CA employees using the NJC Job Evaluation Scheme for Grades below 19 and the Local Government Association Chief Officer Scheme for senior managers.

2.4 Agree that the terms and conditions of employment for non-Chief Officers will be in accordance with collective agreements negotiated from time to time by the 'Green Book' National Joint Council (NJC) for Local Government Services.

2.5 Agree to the Authority becoming a Living Wage Employer.

2.6 Note that progress has been made for the CA to join the Local Government Pension Scheme.

3. Background

The establishment of the Cumbria Combined Authority (CA) presents an opportunity to put in place a clear and proportionate Pay and Grading Framework that supports the CA's statutory responsibilities and strategic ambitions from the outset.

As the organisation transitions from set-up to delivery, it is important that there is a consistent and transparent approach to how roles are valued and remunerated. A clearly defined framework provides assurance that pay arrangements are fair, legally compliant and financially sustainable, while enabling the CA to attract and retain the skills and experience required.

The Pay and Grading Framework establishes the principles that will underpin pay decisions across the organisation, including alignment where appropriate with nationally negotiated local government arrangements and the practices of constituent councils. This supports consistency, mobility and collaboration across the wider public sector, while maintaining the CA's ability to respond to its specific workforce requirements.

The framework is designed to be simple, equitable and affordable, with appropriate governance arrangements to ensure transparency and oversight. It provides a stable foundation as the organisation grows and evolves and will be kept under review to ensure it remains fit for purpose as responsibilities develop.

This paper therefore seeks approval of the proposed Pay and Grading Framework, including the adoption of the nationally negotiated arrangements of the National Joint Council for Local Government Services as the basis for the CA's local grading structure, together with the associated pay principles set out below.

4. Proposal

4.1. Pay and Grading Principles

Setting clear pay and grading principles gives a consistent framework for how roles are valued and paid across the organisation. It helps ensure pay decisions are fair, legally compliant and easy to explain, while also being competitive enough to attract and retain the right talent. It supports a clear and coherent grading structure, aligns where appropriate with constituent councils to aid collaboration and movement of staff, and ensures the approach remains flexible as the organisation grows. Importantly, it also helps keep pay arrangements affordable and sustainable, while supporting performance and development.

The principles underpinning the proposed CA Pay and Grading Framework are as follows:

- Fair, transparent and equitable: ensuring equal pay for work of equal value and compliance with relevant legislation.
- Market-informed and competitive: enabling the CA to attract, retain and motivate high-quality talent in a competitive labour market.
- Consistent and coherent: aligned across the organisation, with clear grading structures and progression pathways.
- Aligned with constituent councils: supporting collaboration and mobility across the wider public sector where appropriate.
- Flexible and future-focused: capable of adapting to changing organisational priorities, roles and skills requirements.

- Simple and understandable: easy for employees and managers to understand, apply and explain.
- Affordable and sustainable: financially responsible and deliverable within the CA's funding envelope.
- Supportive of performance and development: recognising contribution, skills and growth while encouraging high performance**.**

4.2. Pay Spine

The CA proposes to use the nationally negotiated NJC pay spine as the basis for its local grading structure. This determines the salaries of the majority of the Grades. The CA's terms and conditions of employment for non-Chief Officers will be in accordance with collective agreements negotiated from time to time by the National Joint Council (NJC) for Local Government Services. Set out in the Scheme of Salaries and Conditions of Service (commonly known as the "Green Book") as amended or supplemented by any future local collective agreements. Grade 19 is the highest point paid on the NJC Pay Spine.

Where national pay frameworks are not specified, for example the Joint Negotiating Committee (JNC) for Chief Officers the CA will make the final decision in determining the remuneration levels in accordance with the CA's Constitution.

4.3. Framework

The proposed framework and alignment to the NJC pay spine can be seen at Appendix One This is consistent with the Westmorland and Furness Council and Cumberland Council Pay Policies.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate when a higher skill level and/or experience are applicable. From time to time, it may be necessary to take account of external pay market factors to attract and retain employees with particular experience, skills and capacity. Where necessary, the CA will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources.

Chief Officers are appointed at spot salaries. Progression through the salary ranges, where applicable, will be linked to objective, clear and relevant criteria, including the participation in an appropriate appraisal

A description of the organisational tiers, roles and planning horizon can be seen at Appendix Two. This underpins the framework as detailed above.

Work is ongoing to develop the policies underpinning the framework and they will align directly to those provided by Westmorland and Furness Council. In addition as progress is made regarding the transfer of public

safety functions into the CA the framework will be subject to ongoing review to ensure it remains fit for purpose.

4.4. Living Wage Commitment

The Combined Authority is committed to being a responsible and fair employer. As part of this commitment, the Authority intends to seek accreditation as a Living Wage Employer with the Living Wage Foundation. This would ensure that all directly employed staff are paid at least the independently calculated Real Living Wage, as updated annually, and would demonstrate the Authority's commitment to supporting employees' financial wellbeing. Accreditation would also reflect the Authority's wider values in relation to fair employment practices, inclusive growth and social responsibility, while remaining consistent with the nationally negotiated pay framework set out above.

4.5. Pension Scheme

Employees in the Cumbria Combined Authority are eligible to participate in the Local Government Pension Scheme (LGPS). The CCA is a combined authority established by an order under section 103(1) of the Local Democracy, Economic Development and Construction Act 2009, and hence covered by section 25 of Part 1 of Schedule 2 of the Local Government Pension Scheme Regulations 2013. As a scheduled body no admission agreement is required and therefore all eligible employees will be contractually enrolled, supporting the CA's commitment to providing competitive and secure employment terms.

5. Financial Implications

The costs associated with the proposed interim structure are reflected within the CCA's proposed budget model and are to be financed from the Mayoral Capacity Fund. Longer term the Pay and Grading structure will shape the pay and remuneration of permanent CCA employees.

6. Governance and Legal Implications

It is a legal requirement, pursuant to Section 38 of the Localism Act 2011, for the CA to prepare a pay policy statement for a financial year.

The pay policy statement must set out the CA's policies for the financial year relating to:

a) the remuneration of its chief officers,

b) the remuneration of its lowest-paid employees, and

c) the relationship between:

   (i) the remuneration of its chief officers, and
   (ii) the remuneration of its employees who are not chief officers.

Pursuant to Section 38(3) of the Localism Act 2011, the pay policy statement must also state:

a) the definition of “lowest-paid employees” adopted by the authority for the purposes of the statement, and

b) the CA’s reasons for adopting that definition.

Pursuant to Section 38(4) of the Localism Act 2011, the statement must include the CA’s policies relating to—

a) the level and elements of remuneration for each chief officer,

b) remuneration of chief officers on recruitment,

c) increases and additions to remuneration for each chief officer,

d) the use of performance-related pay for chief officers,

e) the use of bonuses for chief officers,

f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the CA, and

g) the publication of and access to information relating to remuneration of chief officers.

Pursuant to Section 38(5) of the Localism Act 2011, the pay policy statement may also set out the CA’s policies for the finance year relating to other terms and conditions applying to the CA’s chief officers.

This proposed Pay and Grading Framework sets out the CA's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.

In determining the pay and remuneration of all its employees the CA will comply with all relevant employment legislation. This includes, but is not an exhaustive list, the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.

Part 2 of Schedule 3 of the LGPS Regulations 2013) has been amended by the Cumbria Combined Authority Order 2026 (‘the Order’) so that the CA will be required to provide LGPS to its employees. Pension fund membership and administration will be provided through Westmorland and Furness Council pension fund as required by Article 15(3) of the Order.

7. Human Resource Implications

The introduction of a clear Pay and Grading Framework provides a stable and transparent foundation for the Cumbria Combined Authority's workforce.

Using the nationally recognised NJC job evaluation scheme and pay spine supports fairness, consistency and compliance with equal pay legislation. It reduces the risk of pay disparities and ensures roles are assessed objectively.

Alignment with nationally negotiated "Green Book" terms and conditions supports positive employee relations and provides a familiar framework for staff transferring from constituent councils. This will assist recruitment, retention and workforce mobility.

Becoming a Living Wage Employer and joining the Local Government Pension Scheme strengthens the Authority's overall employment offer and demonstrates a commitment to fair and responsible employment practices.

Implementation will require appropriate capacity to undertake job evaluation, support managers and ensure clear communication with employees as the organisation develops.

8. Recommendations

8.1. Note the progress made on the Cumbria Combined Authority Pay and Grading Framework.

8.2. Approve the proposed Pay and Grading Framework and associated pay scales in Appendix One.

8.3. Approve job evaluation of the work of CA employees using the NJC Job Evaluation Scheme for Grades below 19 and the Local Government Association Chief Officer Scheme for senior managers

8.4. Agree that the terms and conditions of employment for non-Chief Officers will be in accordance with collective agreements negotiated from time to time by the 'Green Book' National Joint Council (NJC) for Local Government Services.

8.5. Agree to the Authority becoming a Living Wage Employer.

8.6. Note that progress has been made for the CA to join the Local Government Pension Scheme.

9. Reason for Recommendation

The proposed Pay and Grading Framework is based on the nationally recognised arrangements of the National Joint Council for Local Government Services (NJC) and the Joint Negotiating Committee (JNC) and is aligned with the approach used by the constituent councils. This

provides a familiar, transparent and well-established structure as the CA is established.

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10. Alternative Options Considered

Option 1 – Alignment with Constituent Councils (proposed approach)

Adopt the NJC pay spine and grading structure consistent with local council arrangements.

The key features are nationally negotiated terms and conditions ("Green Book"), a clear grading framework and alignment with existing local government practice.

This provides stability and continuity during establishment, supports movement of staff between organisations where appropriate and ensures compliance with equal pay legislation. It may require targeted flexibility over time to respond to specialist recruitment markets.

Overall, this option provides a stable and proportionate foundation for a new organisation.

Option 2 – NJC Framework with a distinct local grading structure

This option retains NJC terms and conditions but would redesign grading structures specifically for the CA.

This would provide greater tailoring to the CA's emerging structure and responsibilities, however, would be more complex to implement at the establishment stage. It would also require additional development work and consultation.

This option may be considered in the future once the CA's operating model is fully embedded.

Option 3 – Hybrid model with additional market flexibilities

This option maintains the NJC framework for most roles, with additional flexibility for specialist posts where labour market conditions require it.

This would support recruitment in highly competitive professional areas. It does however require clear governance and evidence to maintain fairness and transparency and may be appropriate in limited circumstances.

Elements of this flexibility can be incorporated within the proposed framework through the controlled use of market supplements where objectively justified.

Summary: The proposed approach (Option 1) offers:

- A stable and legally robust starting point.

- Consistency with established local government practice.
- A proportionate and affordable framework for a new organisation.
- Flexibility to evolve as responsibilities and workforce requirements develop.

For these reasons, it is considered an appropriate and balanced framework at this stage of the CA's development.

11. Appendices

Appendix One – Draft Pay and Grading Framework

Appendix Two - Tier and Role Descriptors

Background Papers – None

Report Author	Amanda Mays, Interim HR & OD Lead
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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

Appendix One

Draft Pay and Grading Framework

Cumbria CA Pay and Grading Framework (Draft)					
Tier	**Work Level**	**Typical Jobs**	**Grade**	**Pay Range**	**SCP**
Tier One:	Level 1	Chief Executive	SMG	From £138,960	n/a
	Level 2	Executive Director	SMG	£117,064 to £131,296	n/a
	Level 3	Director	SMG	£98,453 to £103,927	n/a
Tier Two:	Level 1	Assistant Director	SMG	£85,000 to £86,408	n/a
	Level 2		19	£81,049 to £83,933	61 to 63
Tier Three:	Level 1	Heads of Service / Strategic Lead	18	£65,873 to £68,775	52 to 54
	Level 2		17	£56,883 to £59,198	45 to 47
Tier Four:	Level 1	Manager	16	£51,356 to £52,413	40 to 41
	Level 2		15	£47,181 to £48,226	36 to 37
Tier Five:	Level 1	Senior Officer	14	£45,091 to £46,142	34 to 35
	Level 2		13	£42,839 to £44,075	32 to 33
	Level 3		12	£40,777 to £41,771	30 to 31
	Level 4	Officer	11	£38,220 to £39,152	27 to 28
	Level 1		10	£36,363 to £37,280	25 to 26
	Level 2		9	£34,434 to £35,412	23 to 24
Tier Six:	Level 1	Administrator	8	£32,061 to £32,597	19 to 20
	Level 2		7	£28,598 to 29,540	12 to 14
	Level 3	Assistant	6	£26,403 to £26,824	7 to 8
	Level 4		5	£25,989 to £25,989	6
	Level 5		1 to 4	£24,413 to £25,583	2 to 5

Grades 1 to 4 paid the same pay, by a supplement, to achieve the Real Living Wage commitment

Appendix Two

Tier and Role Descriptors

Tier	Role Level	Role Focus	Description	Planning Horizon
1	Overall Organisational Leadership	Strategic leadership	Accountable for the overall leadership, performance and governance of the organisation. Sets long-term vision, strategic priorities and organisational culture. Full corporate accountability and external representation.	Multi years
	Functional Strategic Leadership (Organisation wide)		Sets strategic direction for the overall authority and within a functional area / major portfolios. Translate political and corporate priorities into authority-wide strategies. Accountable for outcomes across multiple services or functions	Multi years
	Functional Strategic Leadership (Area specific)		Sets strategic direction within a defined functional area. Shape policy, priorities and resource allocation at corporate level. Accountable for outcomes across multiple services or functions.	Multi years
2	Senior Management / Tactical Leadership	Strategy to delivery	Set strategic direction within a defined functional or service area. Translate corporate strategy into service strategies, plans and budgets. Accountable for service performance, people and resources. Strong contribution to strategy development.	12+ months
3	Heads of Service / Lead Specialists	Operational leadership	Translates strategy into tactical plans and is accountable for delivering specific service. Lead roles act as subject matter experts, providing insight to inform strategy.	Up to 12 months
4	Professional Operational Manager Roles	Professional delivery	Focuses on operational management of services with limited strategic input. Core operational roles ranging from junior to senior professionals. Work independently with minimal supervision within a professional discipline. Accountable for delivery of specific services or programmes.	Monthly
5	Technical / Practitioner Officer Roles	Technical service delivery	Focus on managing day-to-day operations and service delivery. Limited strategic input, but provide subject-matter expertise to inform decisions. Lead roles may manage teams, projects or complex casework.	Weekly
6	Complex Process Roles	Process delivery	Process-based roles with added complexity, including more demanding activities and/or supervision of others. Skilled process and support roles which may involve problem-solving and prioritisation. Work is largely guided by procedures but requires judgement in application.	Weekly
	Routine Process Roles	Transactional delivery	Routine process and administrative roles. Undertake routine, repetitive and well-defined tasks. Work closely follows instructions, procedures or checklists. Minimal planning or decision-making required.	Daily

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Cumbria Combined Authority

Board Meeting

Date	18/03/2026
Report Title	Cumbria Combined Authority Transport Delivery Plan
Accountable CCA Board Member	No Member identified
Accountable Chief Officer	Interim Section 73 Chief Finance Officer
Report Author	Thomas Andrew – Deputy Director for Devolution Programme
Report Considered by	None
Open/Restricted/Partially Restricted:	Open

Key Decision	Yes	**Voting Arrangements**	Simple Majority

1. Executive Summary

1.1. In order to secure consolidated transport funding being provided by the Department for Transport (DfT) for the next financial year (2026/27), the Cumbria Combined Authority is required to submit a draft Local Transport Delivery Plan (LTDP) for Cumbria to the Department for Transport by 20 March 2026, with a final plan submitted by 18 September 2026. This report provides the context within which that plan has been developed, seeks agreement on the key principles to be reflected in that plan, and includes the latest version of the draft for submission to the DfT in March.

2. Recommendations

2.1. **Agree** to delegate approval and submission of the draft Local Transport Delivery Plan on 20 March 2026 to the Interim Section 73 Officer, subject to the agreement of the relevant constituent authority officers, and in consultation with the Section 151 officers.

2.2. **Agree** that the draft Local Transport Delivery Plan will allocate transport funding for the Spending Review period for 2026/27 as set out in paragraph 4.5 of this report, to each constituent authority based on the indicative allocations set out by DfT, subject to the CA retaining a revenue allocation for capacity building within Cumbria of £150,000 to be retained by the CA for that year.

2.3. **Agree** to enter into grant funding agreements with the constituent councils to regularise the funding allocations for 2026/2027 and delegate authority to the Interim Monitoring Officer following consultation with the Interim Head of Paid Service and Interim Section 73 Officer to finalise the terms and conditions of such agreements in accordance with the CA's assurance framework, including the conditions to be included in any grant funding agreements.

2.4. **Delegate** to the Interim Section 73 Officer authority to agree to enter into and sign the Declaration and Memorandum of Understanding with the Department for Transport on the terms required by the Department of Transport Grant Determination Letter.

2.5. **Agree** development of the final Local Transport Delivery Plan be placed on the work programme for the CA with a report on the decision to approve the final plan for submission to Department for Transport before September 2026.

3. Background

3.1. As set out in the *Cumbria Combined Authority Order 2026*, the creation of the Cumbria Combined Authority saw Local Transport Authority (LTA) functions move from the constituent councils to the new Combined Authority (CA). This is subject to a 1-year transition period where certain functions will be exercised concurrently between the CA and the constituent councils.

3.2. As a result of this change, from April 2026 all local transport funding for Cumbria will be provided as a grant from DfT to Cumbria CA, as the relevant transport authority for the area. Cumbria CA will then be responsible for the dispersal of funding. This will primarily be done by passporting funding to the constituent councils, recognising that expertise, pipeline knowledge, and delivery capacity in relation to transport and highways schemes remains in these authorities.

3.3. DfT announced further significant changes to the local transport funding process in December 2025. From April 2026, all LTA transport funding will be provided as a consolidated, multi-year allocation, giving local areas greater flexibility and certainty over funding. A greater degree of consolidation is afforded to mayoral areas, and so from April 27, Cumbria CA will receive all transport funding in a single consolidated *Mayoral Transport Fund* (MTF). For the 26/27 financial year and ahead of the inaugural election of a Mayor, the CA will receive funding in two consolidated pots – the *Integrated Transport Fund* (ITF), which brings together highways maintenance funding with wider local transport grant, and the *Bus Services Fund* (BSF).

3.4. A central feature of this revised model is the approval of a single Local Transport Delivery Plan (LTDP) for each LTA area, setting out how the available funding will be prioritised for the full allocation period. This plan will need to be approved by Cumbria CA, including the Section 73 officer, and is intended to be a prerequisite

for the release of funding. To note the LTDP will need to be updated and refreshed annually, so there is scope for priorities to change over time.

3.5. Given the limited timeframes involved, DfT are not requiring a completed LTDP for the release of 26/27 funding. Instead, they have asked for each LTA to submit a draft LTDP by 20 March 2026, which details the intended scheme investments for 26/27, and sets out a high-level intention in relation to the remaining years. We understand that the draft will not be subject to full review by DfT ahead of the release of funding in April 26. A final version of the LTDP covering the full four-year allocation is requested by September.

3.6. To note that local transport funding will be accompanied by a revised system of accountability, based around a centrally devised Local Transport Outcomes Framework. The Combined Authority will be required to provide monitoring and reporting data against this framework, as well as reporting on progress against the LTDP.

4. Draft LTDP Approach

4.1. DfT have allocated a total of £401.4m for transport investment in Cumbria over the current Spending Review period, including a capital-only allocation for 29/30. For 26/27 (the period that the draft LTDP needs to cover in detail), there is £85.36m of funding allocated to Cumbria (£79.67m of capital, and £5.69m of revenue).

4.2. Although funding is provided on a consolidated Cumbria-wide basis, DfT have provided a breakdown of the funding as it would have pertained to the constituent councils in the absence of the CA for the full allocation period. This is provided in recognition that Cumbria is in a transition phase, and may not be provided for future Spending Review periods.

4.3. It is recommended that the CA use these allocations as the basis for the agreeing the funding that is passported to each constituent council via the LTDP. This will mean that rather than a single prioritised list of transport investments for the whole of Cumbria, the LTDP will effectively comprise of two separate lists of prioritised investments based on the indicative allocations for each constituent council. These lists are being developed by the constituent councils in consultation with their respective portfolio holders.

4.4. It is recommended that in 26/27 the CA retains £150,000 of revenue funding.[1] This will enable the CA to begin to build the capability and expertise required to deliver, monitor and assure the LTDP in partnership with the constituent councils, as well as commence delivery of the workplan set out in the Devolution Prospectus (e.g. “develop a robust evidence base for a refreshed Local Transport Plan”). The amount of funding retained by the CA may change over time as an increasing number of functions are delivered by the CA.

[1] For simplicity it has been agreed that this will comprise of £75,000 from each council’s ITF allocation in 26/27, however this does not preclude an alternative approach to retention being taken in future years. For example it would be possible for the CA to retain a proportion of each council’s allocation, instead of a flat rate from each.

4.5. The following allocations are recommended to be made in the LTDP draft to each recipient authority, subject to the identification of sufficient projects being identified in the draft LTDP:

Recipient authority	Fund	Total (£000's)	Capital	Revenue
Cumberland Council	ITF	£37,036.60	£36,358.30	£678.30
Cumberland Council	BSF	£4,975.20	£2,481.00	£2,494.20
Westmorland and Furness Council	ITF	£40,062.60	£39,480.70	£581.90
Westmorland and Furness Council	BSF	£3,133.70	£1,345.90	£1,787.80
Cumbria Combined Authority	ITF	£150.00	£0.00	£150.00
Total		**£85,358.10**	**£79,665.90**	**£5,692.20**

5. Draft LTDP and sign-off process

5.1. At the present point, the draft LTDP is still being produced by constituent council officers in consultation with relevant portfolio holders. This is due to the short notice given by DfT on the requirement for a draft LTDP. Officers will provide a verbal update on progress at the meeting of the Combined Authority Board, however the key elements of the plan are outlined above for agreement.

5.2. The draft LTDP needs to be signed off and submitted to DfT by 20th March by the CA's Section 73 officer. In the absence of a draft for the CA Governance board to approve, and noting that the constituent authorities will be developing the pipeline of investments for inclusion in the LTDP in consultation with portfolio holders, it is recommended that the CA board agree to delegate approval of the draft LTDP to the Section 73 Officer. It is further recommended that this approval should be subject to the agreement of the relevant officers with responsibility for transport within the constituent councils regarding the list of projects, and subject to consultation with the Section 151 officers regarding the conditions for the dispersal of funding.

6. Grant Funding Agreement

6.1. In line with the Assurance Framework, approval of the draft delivery plan by the Section 73 officer will constitute "approval of a business case" for the purposes of a grant funding agreement, with the delivery plan (alongside the Local Transport Outcomes Framework) providing a clear mechanism for monitoring and evaluation.

6.2. Passporting of the above funds to each constituent council will occur as early as possible once funding is received from DfT. This will be accompanied by a grant funding agreement which will make the necessary provisions around monitoring, evaluation and reporting on delivery. DfT have indicated that claw-back is a possibility in the event of non-delivery, and therefore this would need to be reflected in the grant funding agreements with the constituent councils.

6.3. It is recommended that the CA board agree to delegate authority to the Monitoring Officer following consultation with the Head of Paid Service and Section 73 Officer to finalise the terms and conditions of such grant agreements in accordance with the CA's assurance framework, including the conditions to be included in any grant funding agreements.

7. **Financial Implications**

7.1. Agreement to the above recommendations will mean the CA receives £150,000 of revenue in 26/27 to support CA capacity in relation to transport. The CA will be further be the accountable body for £85.21m of funding from DfT which will be passported to the constituent councils in 26/27 via grant funding agreement.

8. **Governance and Legal Implications**

8.1. Article 8 of the Cumbria Combined Authority Order 2026 ('the Order') provides that the CA can exercise the functions set out in this report by approving the Transport Delivery Plan. Article 9 of the Order makes further provision in relation to the making of grants by the CA, by making such determination the CA must have regard to the desirability of ensuring that the constituent council has sufficient funds to facilitate the effective discharge of their highways functions. The report sets out how this has been considered.

8.2. In accordance with the Part 3, Section 2 of the Constitution, approval of the Local Transport Delivery Plan is reserved to the CA Board for approval. The Board have the power to delegate the final version of the Plan to the Section 73 Officer.

Grant funding agreements - Allocation of the consolidated transport funding

8.3. In a settlement letter dated December 2025 issued by DfT to the Chief Executive of Westmorland & Furness Council and the Chief Executive of Cumberland Council, DfT confirmed that the CA will be allocated £401.4m of funding from DfT for 2026/27 to 2029/30 (2029/30 for CDEL).

8.4. Appendix F of the settlement letter from DfT set out the *"Funding Breakdown by Constituent Authority for Devolution Priority areas*". Appendix F is a table which shows the amounts that will be given to the Combined Authority broken down by constituent council in respect of each financial year between 2026/27 – 2029/30 (the Allocation)

8.5. In order to document the Allocation made by DfT for the financial year 2026/27, the CA and each of the constitution councils propose to enter into separate grant funding agreements to regularise the Allocation subject to the terms and conditions of such agreements being finalised by the Interim Monitoring Officer following consultation with the Interim Head of Paid Service and Interim Section 73 Officer in accordance with the CA's assurance framework, including the conditions to be included in any grant funding agreements.

Memorandum of Understanding to be made with the DfT

8.6. DfT issued a Grant Determination Letter which enclosed a Declaration and Memorandum of Understanding for consolidated transport funding for the 2026/27 financial year.

8.7. The Grant Determination Letter confirms that DfT is providing funding to local transport authorities under Section 31 of the Local Government Act 2003. This

includes local transport resource funding and capital funding from the Integrated Transport Fund and Bus Services Fund.

8.8. The Memorandum of Understanding is to be made between (1) DfT and (2) Cumbria Combined Authority and sets out the terms, principles and practices that will apply to the working relationship between the DfT and the CA in relation to the administration of the Integrated Transport Fund and Bus Services Fund.

8.9. The Memorandum of Understanding provides the following in respect of the LTDP :

a) that the consolidated funding is **subject to the LTDP being provided** and the LTDP must set out how the CA will use the consolidated funding to achieve progress against the Local Transport Outcome Framework; and

b) The DfT reserves the right to require the ***repayment*** of the whole or any part of the grant and/or reduce, suspend or withhold the future grant payments, or put additional conditions on funding if the scheme delivery does not progress as set out in the LTDP.

8.10. In addition, the Memorandum of Understanding also provides that the CA shall:

a) ensure that each scheme included in the LTDP is assigned a clear, concise, and easily identifiable name

b) provide a clear and comprehensive description of each scheme, including an outline of the expected benefits and intended outcomes.

c) specify the milestones for each scheme, as appropriate, within the LTDP.

d) shall provide expected scheme costs for each scheme listed in the LTDP.

e) shall assign an appropriate Scheme Category to each scheme, in line with the defined funding framework.

f) must ensure that all allocated funding is fully accounted for within the LTDP and subsequent reporting (including both the Bus Services Fund and Integrated Transport Fund).

8.9 The Declaration confirms that the information is accurate, all material detail disclosed and that the funding has been allocated for the purposes set out in the Local Transport Funding Settlement Letter and MOU and in line with the authority's legal duties for best value, propriety, regularity and that the programme represents value for money. This includes confirmation that the authority has:

a) Applied management controls to mitigate the risk of fraud and corruption;

b) Applied management controls to ensure funding will be used in accordance with UK subsidy control legislation;

c) Applied management controls to ensure that any procurement undertaken by a Contracting Authority using funds will comply with public procurement regulations;

d) Complied with its obligations under the Public Sector Equality Duty;

e) Complied with the requirements under the General Data Protection Regulations.

8.10 Payment of the consolidated transport funding from DfT is subject to the Combined Authority providing DfT with (1) signed Declaration (2) signed Memorandum of Understanding and (3) the draft LTDP by 20th March 2026.

8.11 The consolidated transport funding must be used by Combined Authority in accordance with the terms and conditions of the DfT Grant Determination Letter and Memorandum of Understanding.

8.12 The Combined Authority should also note that DfT has reserved the right to request repayment the whole or part of the consolidated transport funding or reduce, suspend

or withhold the future payments, or put additional conditions on the funding if the funding is not used in accordance with terms and conditions set out in the Memorandum of Understanding.

9. **Alternative options considered**

9.1. While it would be possible for the CA to take an alternative approach to allocation and passport of funding to the constituent authorities (i.e. through an alternative allocation methodology, or through direct delivery), this is not recommended on the basis that 1) the expertise, pipeline knowledge, and delivery capacity in relation to transport and highways schemes remains in these authorities rather than the CA, and 2) the existing DFT methodology for funding provides a clear and transparent basis for allocations.

Report Author	Thomas Andrew
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

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Cumbria Combined Authority

Board Meeting

Date	18/03/2026		
Report Title	Cumbria Combined Authority Devolution Prospectus		
Accountable CCA Board Member	No Member identified		
Accountable Chief Officer	Interim Chief Executive		
Report Author	Thomas Andrew – Deputy Director for Devolution Programme		
Report Considered by	None		
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

1.1. We are seeking member agreement to proceed to publication of the Cumbria Combined Authority ('Combined Authority') Devolution Prospectus, which will provide key stakeholders with context and narrative about the Combined Authority, alongside a clear workplan for the first 18 months.

2. Recommendations

2.1. **Agree**, subject to any further member comments, the draft Devolution Prospectus for publication, including the proposed Combined Authority workplan for the next 18 months.

2.2. **Agree** to delegate authority to the Interim Head of Paid Service to make any final changes to the draft Devolution Prospectus ahead of publication, including to reflect any comments from the Board or wider stakeholders, in consultation with the Combined Authority Board Members.

3. Background

3.1. The draft Devolution Prospectus attached at Annex A has been developed as a public facing document intended to set out the aims and ambitions of the Cumbria Combined Authority, its ways of working, and the key deliverables that have been identified for the next 18 months. In doing so, it helps to contextualise the CA's budget decisions for the public and key stakeholders, and to raise awareness about the role of the CA both within Cumbria, and at the national and regional level.

3.2. The current draft has gone through extensive engagement with constituent councils, at both member and officer level, and some elements (e.g. various iterations of the workplan) have been shared with key stakeholders for comment. There will be opportunity for further comments to be taken on board between now and publication.

4. Next steps

4.1. Subject to the board's agreement, the draft Devolution Prospectus will be worked up for publication. This will include design of the final document, with compelling visuals from across Cumbria. We anticipate publishing the draft Devolution Prospectus in late April when there is the possibility of a ministerial visit.

5. Financial Implications

5.1. The draft Devolution Prospectus sets out an ambitious workplan for the first 18 months of the Combined Authority. This workplan has been factored into budget decisions around resourcing and capacity within the Combined Authority.

6. Governance and Legal Implications

6.1. In accordance with the Part 3, Section 2 of the Constitution, approval of the Prospectus is reserved to the Combined Authority Board for approval.

6.2. Pursuant to paragraph 15(1), Part 7 of the Cumbria Combined Authority Order 2026, it is a function of the Combined Authority to arrange for publication of information relating to the functions of the authority pursuant to Section 142(2) of Local Government Act 1972.

Appendix A – Draft Devolution Prospectus

Report Author	Thomas Andrew
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

CUMBRIA DEVOLUTION PROSPECTUS

DRAFT – FEBRUARY 2026

Foreword

Cumbria is an astonishing place.

From submarine construction, nuclear decommissioning and advanced engineering, to tourism, food production and the creative arts, Cumbria has long punched above its weight in its contribution to Britain's security, prosperity and reputation across the world. But we have sometimes struggled in making that message heard at the heart of government and in the centres of finance.

There are signs that this is changing. The renewed focus on defence and security has put Barrow's future at the top of the political agenda, while commitments to plutonium immobilisation in West Cumbria will build on our existing strengths. We know that investors are taking another look at the opportunities Cumbria can offer, but we need to go further, and that is where devolution can provide a step-change in our approach.

Across England, Mayoral Combined Authorities have spent the last decade transforming the way places think about growth and prosperity. Today, more than half of England's population and 80% of the North is covered by mayoral devolution, and the government has set an ambition to fill the map, starting with the North of England. The English Devolution and Community Engagement Bill currently being considered by Parliament will strengthen the Combined Authority model, setting out a clearer statutory framework of powers and functions, supporting consistency, accountability and the delivery of real benefits for local communities.

We want to make sure Cumbria is part of this revolution, not left behind. A Mayor will give Cumbria a stronger voice at the heart of government, and will work with us, as Council leaders, to think strategically about growth and investment across the whole county. It is important to be clear that this is not Cumbria County Council reborn. The public services you rely on will continue to be delivered by the two existing councils, while Cumbria Combined Authority will remain a relatively small and agile organisation, focused on partnerships, strategy and long-term impact. But, together, the Combined Authority and the new Mayor will play a pivotal role in shaping Cumbria's future.

As members of the Board, we want to ensure that the Combined Authority is accountable to you, the public – providing transparency about our aims and objectives, and about how and why decisions are made. This prospectus is the first step towards that objective. By setting out our vision for the Combined Authority, its role within Cumbria, and our priorities for the first 18 months and beyond, we are inviting you to get involved, to challenge us to be ambitious for Cumbria, and to hold us to account for what we set out to deliver.

Jonathan Brook and Mark Fryer

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'Cumbria 2045: a modern and entrepreneurial economy where world-leading sector strengths and an outstanding natural environment drive shared prosperity for all people and places, from its vibrant urban centres to its thriving rural communities.'

Going for Growth, 2025-2045

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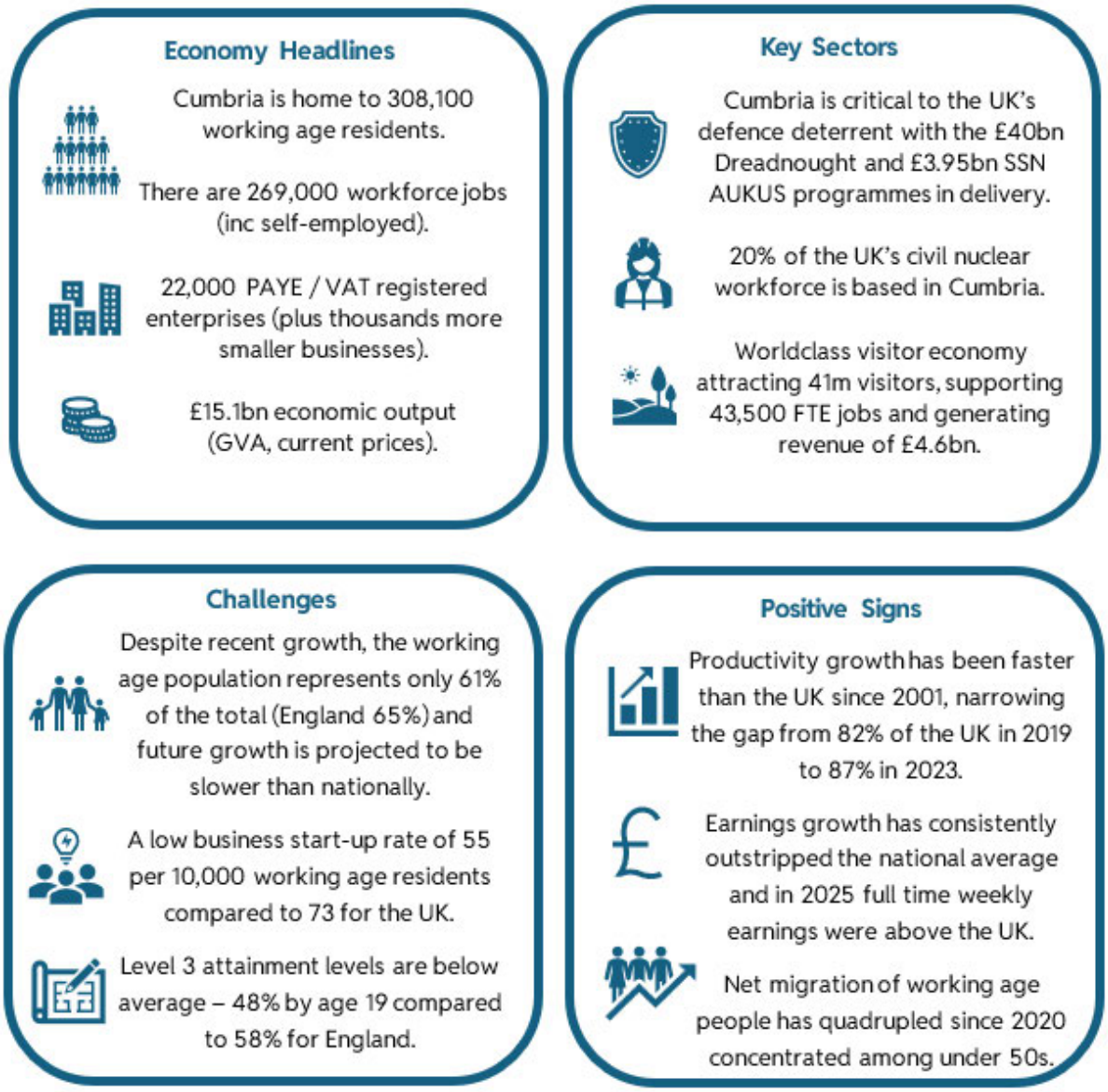
1 Introduction

Cumbria Combined Authority was established by Parliament on 24 February 2026. It brings together the leaders and deputy leaders of Cumberland Council and Westmorland and Furness Council to form a new Cumbria-wide institution, which will focus on providing strategic leadership, coordinating investment and planning at scale, and addressing challenges that cannot be tackled effectively by individual councils acting alone. From May 2027 this Combined Authority will be led by a directly-elected Mayor, at which point it is expected that the functions of the Police, Fire and Crime Commissioner for Cumbria will transfer into the Mayor and the Combined Authority. Until that point, leadership of Cumbria Combined Authority will be shared by the two council leaders.

This prospectus sets out our vision for devolution in Cumbria, as well as early priorities ahead of the Mayoral election in May 2027. It provides an overview of governance, decision-making and accountability in the Combined Authority, alongside a detailed workplan of activity across key strategic policy themes: transport and planning; skills and employment; business and innovation; and community and environment. Working in partnership with constituent councils and stakeholders, this workplan is intended to lay strong foundations for the future work of the Authority, while seizing opportunities in the immediate future to strengthen Cumbria's economies and communities by bringing new jobs and investment into local areas.

2 Why Cumbria Combined Authority exists

Cumbria in context



Data sources:
ONS Mid-Year Population Estimates 2024
ONS Population Projections 2022-based
ONS UK Business: Size, Activity & Location 2025
ONS Jobs Density Workforce Jobs 2023
ONS Regional Economic Activity 2023
Nuclear Industry Association Job Map 2024
Cumbria Tourism STEAM analysis 2024
DfE Explore Education Statistics, Attainment by Age 19
ONS Annual Survey of Hours & Earnings 2025
ONS Subregional Labour Productivity 2023

Cumbria plays a critical role in the UK's economy, security and long-term resilience. It is home to world-class capabilities in manufacturing, energy, defence, agriculture, culture and tourism, and underpins outcomes of national importance. From submarine construction at

Barrow and nuclear decommissioning at Sellafield, to offshore wind, advanced engineering and agri-tech, Cumbria's assets and institutions matter far beyond the county's borders.

Cumbria is a centre of manufacturing excellence, accounting for 16% of total employment (double the national average) and around 40,000 jobs. It anchors the UK's defence deterrent through long-term submarine programmes, hosts Europe's largest nuclear site, and is home to around 20% of the UK's nuclear workforce. Cumbria also supports six offshore wind farms, alongside a growing mix of onshore renewables and low-carbon innovation. This industrial base is reinforced by the RAICO robotics and artificial intelligence cluster, which is developing internationally recognised capability in automation, remote operations and digital engineering across nuclear, advanced manufacturing and other safety-critical sectors.

Alongside this industrial strength, Cumbria's natural and cultural assets are among the strongest in the country. Its landscapes, farming and land-management systems support food, water and environmental security, while a globally recognised visitor economy attracts over 41 million visitors a year, generating £4.6 billion in economic activity and supporting 43,500 jobs. Cumbria is also home to a strong cultural, voluntary and social enterprise sector that plays a vital role in place-making, wellbeing and community resilience.

Historically, however, this depth of assets has not translated into economic performance at the level Cumbria's potential would suggest. Productivity per hour remains below the UK average, and business start-up rates are lower than nationally. These outcomes reflect long-standing structural factors, including rurality, dispersed settlements, infrastructure constraints and demographic change.

There are, however, clear signs that this picture is beginning to shift. Productivity growth in Cumbria has outpaced the UK average in recent years, narrowing the gap with national levels, particularly in Westmorland and Furness. Earnings growth has also been strong, with resident pay now on par with the UK average (up from 90% of the average in 2015), reflecting the influence of high-value sectors such as defence and nuclear. Net inward migration has increased since the pandemic, and the working-age population has begun to grow again after a prolonged period of decline

Taken together, Cumbria's challenge is not one of ambition or capability, but of alignment, coordination and long-term focus. With the right structures in place, the county is well positioned to convert its strategic importance and emerging momentum into higher productivity, better jobs and stronger, more resilient communities right across the county.

A shared vision for Cumbria

Our shared vision, building on the *Going for Growth* strategy, is for a modern, entrepreneurial economy where world-leading sector strengths and an outstanding natural environment drive prosperity for all people and places. This ambition is framed by three long-term goals, which are mutually reinforcing and must be pursued together.

Prosperous: We want to work toward a productive and innovative Cumbria that creates good jobs, attracts investment and supports long-term, sustainable growth across the whole economy. This means building on Cumbria's existing strengths in areas such as advanced manufacturing, energy, defence and the visitor economy, while also creating the conditions for new sectors and businesses to emerge.

Sustainable: We want to work toward a responsible and resilient Cumbria that protects its environment and heritage, uses its natural assets wisely, and plans for future generations, recognising that Cumbria's landscapes, natural capital and rural economy are central to its identity and long-term success. This means delivering effective environmental stewardship, embedding climate adaption and mitigation at the heart of policy delivery, and ensuring that our farming and food sectors are protected for the long term.

Inclusive: We want to work toward a fair and connected Cumbria where opportunity is open to all, and no community is held back by geography, demographics or infrastructure. This means tackling barriers to participation in work, education and services, supporting strong, resilient communities where people feel safe and secure, and ensuring that long-standing inequalities in health and connectivity are addressed.

Taken together, these goals reflect a simple but demanding proposition: Cumbria's long-term success requires us to work toward a future that is productive, environmentally responsible and socially inclusive. Progress in one area depends on progress in the others, and none can be delivered in isolation. Delivering on that proposition is a long-term challenge that cuts across organisational and geographic boundaries, and cannot be addressed by any single council, service or sector acting alone. It requires coordination, scale and long-term leadership.

What devolution means for Cumbria

Devolution provides Cumbria with a stronger platform to realise its long-term ambitions. By establishing a Combined Authority, with a directly elected Mayor from May 2027, Cumbria will gain new statutory powers and access to long-term, flexible funding – including a £333 million Mayoral Investment Fund – to address challenges that operate at a county-wide scale and require sustained coordination over time.

At its core, devolution creates a single, accountable institution able to align investment, shape delivery and provide strategic leadership across the policy areas that most influence Cumbria's long-term economic and social outcomes. Through devolution, the Cumbria Combined Authority will gain:

- **Long-term investment funding**, including a £333m Mayoral Investment Fund over 30 years, alongside the potential to access future mayoral and integrated settlements as well as new revenue-raising powers such as a Visitor levy.

- **Statutory responsibility for developing a Cumbria-wide Local Growth Plan** to guide investment and align public-sector strategies across the county.
- **Strategic transport powers**, including responsibility for preparing a refreshed Local Transport Plan and shaping long-term investment in highways, public transport, and active travel in a way that strengthens local productivity through infrastructure.
- **Powers to prepare a Spatial Development Strategy** with a 20+ year horizon for housing and economic growth, against which local plans will need to align, supported by mayoral development powers for strategic sites.
- **Devolved control of the Adult Skills Fund**, alongside delivery of related employment and skills programmes, enabling provision to be better aligned with local labour-market needs at both the individual and business level.
- **Responsibility for business growth and innovation support**, including Growth Hub funding and associated programmes, working alongside national partners.
- **Formal representation in national and regional forums**, including the Council of Regions and Nations, UK Mayors and Great North, strengthening Cumbria's voice in national decision-making.
- **New partnership arrangements with national agencies** such as Homes England, Great British Rail and UK Research and Innovation, supporting coordinated delivery of major programmes and projects.

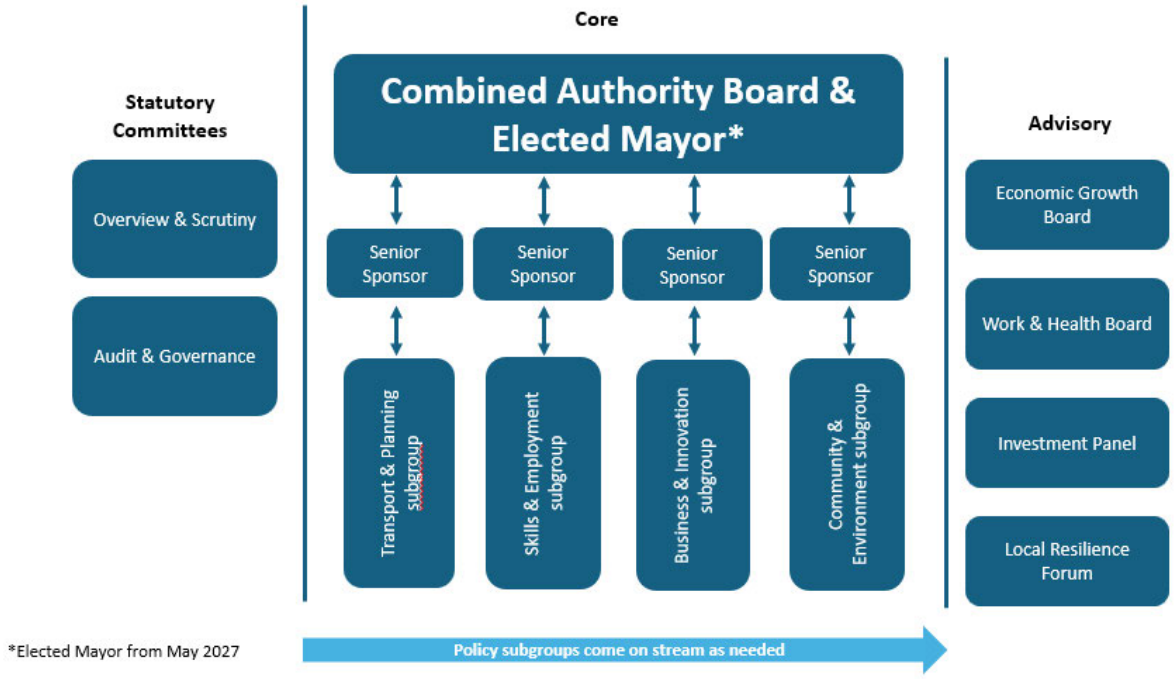
Alongside these formal responsibilities, devolution brings a set of equally important "soft" levers. A directly elected Mayor will act as an authoritative voice for Cumbria with central government, providing clearer and more consistent representation on issues such as infrastructure, energy, skills and public-service reform. This strengthens Cumbria's ability to influence national policy and secure support for priorities that are critical to the county's long-term success.

Devolution also enables a more proactive and coordinated approach to inward investment. The Mayor and Combined Authority will lead a strengthened investment function, working with national bodies such as the Department for Business and Trade and the Office for Investment, as well as international and local partners, to attract new businesses, research activity and supply-chain investment. This will be supported by a refreshed investment prospectus that sets out a clear narrative about Cumbria's strengths in engineering, energy, defence, natural capital and place-based innovation.

Taken together, devolution strengthens Cumbria's ability to act strategically: joining up decisions that are currently fragmented, aligning local priorities with national missions, and turning long-term ambition into practical, sustained delivery.

3 How Cumbria Combined Authority will operate

Leadership and the Board



The primary decision-making body of Cumbria Combined Authority is the Combined Authority Board. From May 2027, the Board will be chaired by the directly elected Mayor and will bring together the leaders and deputy leaders of Cumberland Council and Westmorland and Furness Council. Until that election, leadership of the Authority will be shared by the two council leaders.

This model ensures that strategic decisions affecting Cumbria as a whole are taken by locally elected leaders, with clear democratic accountability. The Mayor will provide visible leadership and a single point of accountability, in addition to new powers and funding. The anticipated election of the Mayor under a supplementary vote model means that that they will be required to draw broad support from amongst Cumbria's residents. In delivering on this mandate, the Mayor will work alongside council leaders who bring detailed knowledge of local places, communities and priorities.

The Board is responsible for setting the strategic direction of the Authority, approving investment decisions, and ensuring that devolved powers and funding are used effectively and in the long-term interests of Cumbria. It has been agreed that the current Police, Fire and Crime Commissioner will sit on the board as a non-voting member to help facilitate a smooth transition of PFCC functions in May 2027. Any further decisions about additional non-voting members of the Board will wait till the Mayor is in place.

External scrutiny, advice and expertise

Strong scrutiny and external challenge are central to how the Combined Authority will operate. Decisions of the Board will be subject to oversight through separate statutory audit and overview and scrutiny arrangements, providing independent challenge, assurance on value for money, and transparency in decision-making.

Alongside formal scrutiny, the governance arrangements of the Combined Authority provide for advice and expertise to be drawn from outside the organisation. Existing bodies such as the Economic Growth Board and the Work and Health Board will be incorporated into the Combined Authority's wider governance framework. These advisory boards and forums do not replace democratic decision-making. Their role is to provide insight, challenge and expertise, ensuring that strategies and investment decisions are informed by evidence, operational experience and the perspectives of employers, workers, communities and public services. In addition we will ensure appropriate links to the Local Resilience Forum and other strategic partnerships.

Policy subgroups will play a key role in supporting this approach. Each subgroup will be sponsored by a member of the Combined Authority Board and will bring together senior officers and cabinet members from the constituent councils alongside relevant external partners and subject-matter experts. Their role will be to review evidence, test emerging policy proposals and advise on papers and recommendations before they are considered by the Board. This ensures that decisions are well-informed and robust, while maintaining clear accountability with elected members.

Working in Partnership Across Cumbria

Beyond its formal governance structures, the Combined Authority will operate through close partnership with a wide range of organisations across Cumbria. This includes major employers, education and skills providers, health bodies, the voluntary and community sector, and nationally significant institutions rooted in the county.

Partnership working will be central to how policy is developed and delivered. The Combined Authority will use its convening role to bring organisations together around shared challenges, support joint problem-solving, and align strategies and investment where responsibilities and funding sit across multiple bodies. This approach recognises that long-term change in areas such as skills, transport, economic development and resilience depends on sustained and purposeful collaboration.

Through this model, the Combined Authority will act as a catalyst and coordinator, helping to turn shared ambition into practical action while respecting the distinct roles and responsibilities of its partners.

A disciplined approach to investment

Devolution provides Cumbria with new investment tools, most notably the £333 million Mayoral Investment Fund over 30 years. While this represents a significant opportunity, it is not a substitute for historic underinvestment or a solution to all funding pressures facing the county, not least following the Government's "Fair Funding" Review, which will see a significant decline in government funding for Cumbria's local authorities over the next 4 years. The Combined Authority will therefore take a disciplined, evidence-led approach to investment, focused on maximising impact and leveraging additional funding wherever possible.

Investment decisions will be guided by a clear assurance framework, setting out how proposals are developed, assessed and prioritised. This will include consideration of strategic fit, deliverability, value for money, long-term impact and alignment with Cumbria's shared growth ambitions. An Investment Panel, drawing on both internal and external expertise, will support the development and assessment of proposals before decisions are taken by the Board.

Data and evidence will play a central role in this approach. The Combined Authority will build a strong analytical base to inform investment choices, track outcomes and support continuous learning. This will help ensure that limited resources are targeted where they can make the greatest difference, and that investment decisions remain transparent, robust and defensible.

Through this model, the Combined Authority will act not simply as a funding body, but as a strategic investor: coordinating public and private investment, aligning local priorities with national programmes, and using devolution funding to unlock wider opportunities for Cumbria rather than attempting to fill funding gaps alone.

4 What Cumbria Combined Authority will do

Priority areas of focus

Cumbria Combined Authority will focus on turning devolution into practical delivery. In its early stages, it will concentrate on building the evidence, capability and partnerships needed to support long-term investment and decision-making across Cumbria.

This work builds on progress already made through the Cumbria Devolution Programme over the last six months, including:

- Developing a transport delivery plan for Cumbria to unlock £400m of funding for highways improvements and bus services over the next four years.
- Ongoing work with constituent councils to strengthen the case to government for upgrading Cumbria's coastal rail network
- Working with strategic partners to develop a Cumbria-wide bid for a Local Innovation Partnership.
- Contributing devolved funding and resources to bring the Tour de France to Cumbria in 2027.

Significantly, through the process of developing the Combined Authority we have secured £10m of new government funding to support projects across Cumbria. This is additional to the £330m Mayoral Investment Fund, and will be used to provide enhancements to the Cumberland Sports Village in Workington and the Heart of Kendal regeneration programme, alongside new affordable housing in Penrith and Barrow, and an extension to the Rural Enterprise Grant programme administered by the Cumbria Chamber of Commerce.

The priorities set out below represent the Combined Authority's initial work programme, covering the four policy themes outlined in the Combined Authority's proposed governance model: transport and planning; skills and employment; business and innovation; community and environment. Together, these form the building blocks of a future Local Growth Plan for Cumbria and ensure that, when the Mayor takes office in 2027, there is a clear strategic direction, a robust evidence base and a programme ready to move from planning into delivery. A fifth area of the workplan will cover cross-cutting projects and organisational development – including the work required to build out the Combined Authorities structures, and ensure that it is set-up to take a system-level approach to policy development and delivery.

Transport and Planning

Transport and planning are among the most significant long-term challenges facing Cumbria. Higher levels of rurality, long distances between population centres, and outdated transport

infrastructure result in more limited access to jobs, services and housing, with consequences for productivity and inward investment. Addressing these challenges requires sustained coordination across land use, housing, transport and digital infrastructure. The Combined Authority brings together strategic levers that enable this coordination at scale, including responsibility for transport planning and investment, the ability to develop a county-wide spatial development strategy, and formal relationships with national delivery bodies and funders.

Within the first 18 months, the Combined Authority will:

- Develop a robust evidence base for a refreshed Local Transport Plan, which will in turn support updates to the Bus Service Improvement Plan and a Local Cycling and Walking Infrastructure Plans.
- Approve and assure the final four-year delivery plan for the consolidated Mayoral Transport Fund, which will set the delivery priorities for transport and highways funding across Cumbria.
- Commence work on a new Spatial Development Strategy for Cumbria, setting priorities for housing, industrial development and land use over the next 10 to 20 years, as well as mapping future requirements in energy and other infrastructure.
- Develop and agree a Strategic Place Partnership with Homes England with priority given to the delivery of affordable housing to create more homes for current and future residents.
- Build relationships with National Highways and Great British Rail ahead of new statutory powers coming into force, as well as regional bodies like Transport for the North.
- Ensure that the case for urgent rail upgrades in Cumbria, both along the Cumbrian coast and into the heart of the Lake District, is heard at the highest levels of government.

Skills and Employment

Through initiatives like Team Barrow, we are already starting to see a reversal in declining population trends, and a stronger focus on matching skills to key sectoral needs. The Cumbria Combined Authority will build on this progress with the devolution of Adult Skills Funding, alongside a strengthened convening role across employers, providers and partners. As part of this the Combined Authority will be responsible for developing a new Skills Strategy, setting out it will use new and existing levers to shape a more responsive and locally driven skills system, geared towards a high skill, high growth economy aligned to our priority sectors. Alongside this, the Combined Authority will work closely with partners to ensure those furthest from the labour market are supported into work. This will build on the work that

Enterprising Cumbria has already done through the delivery of Skills Bootcamps, the Cumbria Careers Hub, and the development of the Connect to Work programme.

Within the first 18 months, the Combined Authority will:

- Develop the Skills and Commissiong Strategies required to ensure the devolution of Adult Skills Funding improves outcomes and enables more people to progress towards higher level skills, aligned to the refreshed Local Skills Improvement Plan that will articulate the skills provision needed by employers.
- Pilot a new programme to support young people in West Cumbria who are not in employment, education or training to find pathways into work, funded by Sellafield and the Nuclear Decommissioning Authority, while exploring options to scale up the programme to Cumbria-wide delivery.
- Work with the Work and Health Board to develop the Cumbria Good Employment Charter which will communicate our expectations of employers in terms of good quality work and healthy, inclusive workplaces.
- Continue to develop and deliver existing skills, careers and employment programmes, including implementation of the modern work experience requirement, and the launch of Connect to Work. These programmes will be integrated with ASF commissioning and aligned to evolving economic priorities, such as the increased labour supply needed by major construction projects.
- Lead strengthened and streamlined partnership working between employers and the skills system, focused on clear pathways into work in key sectors, and consider opportunities to improve co-ordination and navigation.
- Support the development of proposals for new Technical Excellence Colleges in Construction, Clean Energy and Defence, while ensuring these are connected to Cumbrian employers and opportunities.

Business and Innovation

Cumbria has strong sectoral assets, with strong growth forecast in its defence and nuclear sectors, and significant scope to support emerging low-carbon and green technologies. Yet key indicators around business creation, productivity and investment remain below national averages. A key focus of the Combined Authority will therefore be working across stakeholders to address the barriers that constrain economic activity in Cumbria, while supporting small and medium sized businesses across all parts of the county to grow and thrive – from urban industrial areas, to rural enterprises. This includes through business support, coordination of investment activity and place promotion, and strengthened connections to national and regional innovation and finance programmes, helping to create clearer routes for business growth and inward investment. Again, this work will build on the existing work of Enterprising Cumbria to strengthen the business and innovation ecosystem.

Within the first 18 months, the Combined Authority will:

- Review and refresh Cumbria's business support offer with a focus on encouraging greater levels of business start-up and expansion across both rural and urban areas.
- Develop a wider business intelligence function within the CA, with a clear focus on mapping and coordination across priority growth sectors that align with the national Industrial Strategy, including defence and energy sectors.
- Create and launch a new Cumbria-wide Investment proposition to promote Cumbria as a great place to invest, including through representation at UKREiiF. This will include developing and marketing a Cumbria-wide pipeline of inward and follow-on investment opportunities.
- Support the development of Cumbria's innovation ecosystems, including the Cumbria Advanced Systems Cluster anchored around BAE Systems and Sellafield. Explore opportunities for strengthened partnership working with Innovate UK as part of this work.
- Strengthen access to finance within Cumbria for SMEs and entrepreneurs, building on existing relationships with institutional investors, such as pension funds, NWF and the British Business Bank.
- Develop regional relationships and joint working with respect to key sectors, for example Lancashire CCA in relation to defence, and Cheshire and Warrington CA in relation to nuclear and clean energy.

Community and Environment

Strong local communities are central to Cumbria's identity, whether that is found in rural villages, coastal towns, or urban centres. While constituent councils will continue to take the lead in supporting many aspects of community life, including frontline service delivery, the Combined Authority can provide a strategic forum to align funding, strengthen partnership working and develop county-wide approaches to issues that are critical to thriving communities, including: local resilience, health integration, rural and coastal priorities such as tourism and agriculture, and the long-term sustainability of Cumbria's culture and heritage assets. Similarly, Cumbria's environment and landscapes are fundamental to both community wellbeing and economic success. Over time we want to develop the Combined Authorities role in supporting nature recovery and climate adaptation, ensuring environmental priorities are integrated into wider strategies for growth, resilience and place.

Within the first 18 months, the Combined Authority will:

- Build on the resilience expertise in the county to develop a Local Resilience Strategy and action plan for Cumbria, funded by the Local Resilience Forum trailblazer pilot.

- Advocate for a review of integrated care boundaries to achieve greater alignment with the Combined Authority boundary to support integrated working.
- Work with government to pilot a new approach to rural devolution and grow our place-based partnership working in rural and coastal areas. This will include working with Defra on the proposed Upland Farming pilot.
- Work with partners to ensure that the Tour de France 2027 is a success for Cumbria with a strong legacy for the local economy while providing a strong social impact across the region.
- Explore the case for applying a Visitor Levy in Cumbria to support wider local growth activity by the Combined Authority.
- Work with local and regional partners to develop a Cumbria-wide approach to strengthening Cumbria's culture and heritage assets, including through new programmes and initiatives.

Cross-cutting projects and Organisational Development

Finally, there are a number of areas where work will be required to address the organisational, governance and transition needs of the new Cumbria Combined Authority. These will ensure that the CA builds the appropriate capability and capacity, is connected into the regional and national landscape, and is able to operate effectively as a systems-leader for the whole of Cumbria.

Within the first 18 months, the Combined Authority will:

- Build the evidence base and options analysis required to underpin a Local Growth Plan for Cumbria.
- Work with the Office of the Police, Fire and Crime Commissioner to develop a transition plan for Police, Fire and Crime Commissioner functions from May 2027.
- Develop a place promotion strategy for Cumbria, focused on attracting students, skilled workers, businesses, investment and visitors to the county.
- Complete the transfer of Enterprising Cumbria staff and functions, including the novation of contracts.
- Develop the case to government for additional funding and investment to support Cumbria's priorities.
- Lay the groundwork for the incoming Mayor, including through the development of a Mayoral office and supporting capacity.
- Ensure that Cumbria has a strong voice within regional networks such as The Great North, One Creative North, and Transport for the North

- Develop a policy framework to embed health in all polices to support improvements to population health and reduce health inequalities.
- Develop engagement models that ensure Cumbria's young people are actively involved in the Combined Authority and the decisions that will affect their futures.
- Develop a policy framework that ensures equalities duties are embedded into all aspects of the Combined Authority’s work, including through the use of data and community engagement.

Cumbria Combined Authority

Board Meeting

Date	18 March 2026		
Report Title	Cumbria Combined Authority Calendar of Meetings and Forward Plan		
Accountable CCA Board Member	Cllr Mark Fryer		
Accountable Chief Officer	Interim Monitoring Officer Catherine A. Parkinson		
Report Author	Democratic Services Manager (Cumberland Council)		
Report Considered by	Member Steering Group (informal) and the Joint Executive Committee of Cumberland Council and Westmorland and Furness		
Open/Restricted/Partially Restricted:	Open		
Key Decision	No	**Voting Arrangements**	Simple Majority

1. Executive Summary

1.1 This report sets out the proposed calendar of meetings for the Cumbria Combined Authority for 2026 to 2027 which includes the proposed dates and times for each meeting, and the Forward Plan for the Cumbria Combined Authority Board.

2. Recommendations

2.1 That the dates and times of the meetings, as attached at Appendix 1, for the Cumbria Combined Authority Board, Audit and Governance Committee and Overview and Scrutiny Committee 2026/27 be agreed and authority is delegated to the Interim Monitoring Officer following consultation with the Chair and Vice Chair to amend such dates and times if required.

2.2 That the Forward Plan for the Cumbria Combined Authority Board, as attached at Appendix 2, is received and noted.

3. Background

3.1 The Cumbria Combined Authority Constitution provides that the Combined Authority will usually meet bi-monthly (once every 2 months) but additional meetings may take place within the monthly period should the need arise.

3.2 Pursuant to Article 2 of the Constitution, there are three types of Combined Authority meetings:

(a) The annual meeting of the Combined Authority
(b) The ordinary meetings of the Combined Authority
(c) The extraordinary meetings of the Combined Authority.

3.3 The Terms of Reference of the Audit and Governance Committee is set out Part 3 of the Constitution and provides that the Combined Authority will meet at least 4 times in the Financial Year. The Overview and Scrutiny Procedure Rules are set out in Part 4 of the Constitution and provides that the Combined Authority's Overview and Scrutiny Committee will schedule regular committee meetings as often as required to effectively discharge their functions.

3.4 The Combined Authority proposes to agree a programme of ordinary meetings to be agreed at the first annual meeting of the Combined Authority, namely:

- Combined Cumbria Authority – once every two months
- Audit and Governance Committee – four times in a financial year
- Overview and Scrutiny Committee - meet as often as required to effectively discharge their functions, it has been agreed that this will be at least quarterly in the first year.

3.3 The proposed dates have been scheduled to align with the existing meeting calendars of Cumberland Council, Westmorland and Furness Council, and the Lake District National Park Authority.

3.4 The Forward Plan will be presented to each future meeting of the Cumbria Combined Authority to set out the business of future meetings and agendas. In line with Access to Information legislation, any key decisions to be taken by the Cumbria Combined Authority need to be published the 28 days before the decisions are taken.

4 Financial Implications

4.1 This report has no finance implications.

5 Governance and Legal Implications

5.1 Comments are incorporated in the report

6 Human Resource Implications

6.1 This report has no human resource implications.

7 Recommendations

7.1 That the dates and times of the meetings, as attached at Appendix 1, for the Cumbria Combined Authority Board, Audit and Governance Committee and Overview and Scrutiny Committee 2026/27 be agreed.

7.2 That the Forward Plan for the Cumbria Combined Authority Board. as attached at Appendix 2, is received and noted.

8 Reason for Recommendations

8.1 For the reasons set out in the report, it is recommended, in accordance with the Constitution, that the dates and times of meetings in the Cumbria Combined Authority for 2026/27 be agreed, and that the Forward Plan is noted.

9 Alternative Options Considered

9.1 No alternative options have been considered as the Cumbria Combined Authority is required to publish its calendar of meetings.

Appendix 1 – Proposed calendar of meetings for 2026/27

Appendix 2 – Forward Plan

Background Papers

Cumbria Combined Authority Constitution, Cumbria Combined Authority Governance Arrangements report to Cumbria Combined Authority Board, 18 March 2026.

Report Author	Rachel Plant, Democratic Services Manager (Cumberland Council)
Contact Details	rachel.plant@cumberland.gov.uk
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.	

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Potential Dates

Meeting	Date
CCA	18 March 2026
	14 May 2026
	1 July 2026 *(7 weeks after previous and 9 weeks until next to avoid LGA conference)*
	1 September 2026*(2pm)
	26 October 2026
	6 January 2027 *(can't find a date earlier than 21 December, shorter gap to next meeting)*
	15 February 2027
	12 April 2027
Audit	8 May 2026
	20 July 2026 or 21 July 2026
	9 October 2026
	4 December 2026
	8 February 2027
Scrutiny	17 April 2026
	1 June 2026
	11 or 14 September 2026 (2pm) – date depends on membership
	8 January 2027
	16 April 2027

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APPENDIX 2

COMBINED AUTHORITY BOARD
Work Programme and Forward Plan of Key Decisions.

18 March 2026		
Report Title	**Report Author**	**Key Decision (Yes or No) and entered on the Forward Plan. ***
Election of Chair and Vice Chair	Rachel Plant	No
Appointment of Statutory Officers	Amanda Mays	No
Combined Authority Governance	Catherine Parkinson	No
Combined Authority Budget	Nick Bell	No
Pay and Grading Framework	Amanda Mays	No
Transport Delivery Plan for Cumbria	Tom Andrew	No
Cumbria Combined Authority Devolution Prospectus	Tom Andrew	No
Calendar of Meetings and Forward Plan	Rachel Plant	No
14 May 2026		
Report Title	**Report Author**	**Key Decision (Yes or No) and entered on the Forward Plan. ***
Local Skills Growth Plan	Caroline Powney	Tbc
Appointment to CA Policy Subgroups	Rachel Plant	Tbc
Medium Term Financial Plan for 2026-2030	Nick Bell	Tbc
Budget report (Including Enterprising Cumbria Reserves)	Nick Bell	Tbc
Forward Plan	Rachel Plant	Tbc

***Proposed key decisions of the Cumbria Combined Authority will be published on the Forward Plan for the Combined Authority.**

Overview and Scrutiny Committee are able to call in key decisions