



Cheshire and Warrington Combined Shadow Authority Board

Date : Friday, 30 January 2026
Venue : Council Chamber - Municipal Buildings, Earle Street,
Crewe, CW1 2BJ
Time : 10.30 am
Webcast Link : [Cheshire East Meetings Weblink](#)

Agenda

PART A - Open to the Press and Public

1 Apologies for Absence

2 Declarations of Interest

Members to declare any interest in relation to items on the agenda, following consideration of the Code of Conduct under the following categories:

- Disclosable Pecuniary Interests (DPI)
- Other Registerable Interests (ORI)
- Non-Registerable Interests (NRI)

3 Public Speaking Time

A total period of 15 minutes is allocated for members of the public to address Council on any matter relevant to items of business on this agenda.

Members of the public wishing to address Council are required to register their intention with the Director of Governance no less than two clear working days prior to the meeting, via the officer contact details at the foot of this agenda.

4	Minutes	(Pages 5 - 12)
	The Board are requested to approve the minutes of the meeting of the Shadow Board held on 28 November 2025, attached.	
5	Devolution Programme Update	(Pages 13 - 22)
	The Board are requested to consider the Programme Update, including officer appointments, report attached.	
	Councillor Karen Shore to lead on this item.	
6	Cheshire and Warrington Joint Devolution Task Group	(Pages 23 - 26)
	The Board are requested to consider the feedback from the Joint Devolution Task Group, attached.	
	Councillor Michael Gorman to lead on this item.	
7	Cheshire and Warrington Combined Authority Governance Update Report	(Pages 27 - 174)
	Board Members are requested to consider the following Governance updates:-	
	1) Draft Constitution	
	2) Draft Local Assurance Framework	
	3) Process for nominating Members for Statutory Committees	
	Councillor Hans Mundry to lead on this item.	
8	Strategic Update	(Pages 175 - 180)
	Board members are requested to consider the attached report.	
	Councillor Michael Gorman to lead on this item.	
9	Connect to Work in Cheshire and Warrington	(Pages 181 - 186)
	The Board are requested to consider the attached report.	
	Councillor Karen Shore to lead on this item.	
10	2026 Work Plan Cheshire and Warrington All Together Fairer	(Pages 187 - 194)
	The Board are requested to consider the attached report.	
	Councillor Jean Flaherty to lead on this item.	

11	Business Advisory Board Update	(Pages 195 - 198)
	The Board are requested to note the update, attached.	
	Steve Purdham to lead on this item.	
12	Voluntary, Community, Faith and Social Enterprise Update	(Pages 199 - 216)
	The Board are requested to note the update.	
	Gary Cliffe to lead on this item.	
13	Shadow Board Forward Plan	(Pages 217 - 218)
	The Board are requested to note the Forward Plan, attached.	
	Councillor Louise Gittins to lead on this item.	
14	Exclusion of the Press and Public	
	The Shadow Board may decide that the press and public be excluded from the remaining part of the meeting pursuant to Section 100 (A)4 of the Local Government Act 1972 on the grounds that discussions may involve the likely disclosure of exempt information as defined in the provisions of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.	
	Part B - Press and Public Excluded	
	For further information, please contact:	
	Deborah Ridgeley, Democracy Business Manager, Cheshire West and Chester Council democraticservices@cheshirewestandchester.gov.uk, 01244 977076	
	Date of Publication: 22 January 2026	

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**CHESHIRE AND WARRINGTON COMBINED
AUTHORITY SHADOW BOARD**

28 NOVEMBER 2025

(10.30 am - 11.45 am)

PRESENT: Councillor Nick Mannion (Deputy Chair, in the Chair)

Councillors Jean Flaherty, Michael Gorman, Hans Mundry, Karen Shore, Stuart Bingham (Reserve), Gary Cliffe, Dan Price and Andrea Stott (Board Members, Non-voting)

Apologies for absence were received from Councillor Louise Gittins, Steve Purdham, Melissa Crellin, Steve Hunter, Kevin O'Keefe, Steve Park, Rob Polkinghorne and Peter Skates

Reserve Member: Councillor Stuart Bingham

Visiting Members: Councillors Stewart Gardiner (Cheshire East Council), Charles Hardy (Cheshire West and Chester Council), Sharon Harris, Maureen McLaughlin, Helen Speed and Paul Warburton (Warrington Borough Council)

Officers in attendance:	Delyth Curtis	Chief Executive, Cheshire West and Chester Council
	Damon Taylor	Chief Executive, Office of the PCC
	Gemma Davies	Director of Economy and Housing, Cheshire West and Chester Council
	Adam Simpson	Monitoring Officer, Warrington Borough Council
	Philip Cox	Chief Executive, Enterprise Cheshire and Warrington
	Helen Charlesworth-May	Interim Chief Executive, Cheshire East Council
	Eleanor Blackburn	Growth Director, Warrington Borough Council
	Sandra Rothwell	Programme Director, Cheshire West and Chester Council
	Laura Edwards	Senior Transformation Manager, Cheshire West and Chester Council
	Deborah Ridgeley	Democracy Business Manager, Cheshire West and Chester Council

11 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor Louise Gittins, Leader, Cheshire West and Chester Council and Steve Purdham, Business Advisory Board. Councillor Stuart Bingham and Ms Andrea Stott were in attendance as their respective substitutes.

12 DECLARATIONS OF INTEREST

Councillor Michael Gorman declared an interest in Item 11 on the agenda as a Trustee of the Cheshire Pension Fund.

13 MINUTES

DECIDED: That

the minutes of the Cheshire and Warrington Shadow Board held on 28 October 2025 be agreed.

14 PUBLIC SPEAKING TIME

There were no requests to speak during Public Speaking Time.

There were three members of the public in attendance, with 5 visiting members also present.

15 CHESHIRE AND WARRINGTON COMBINED AUTHORITY GOVERNANCE UPDATE REPORT

Councillor Hans Mundry, Leader, Warrington Borough Council, referred to the circulated report, which requested consideration of the appointment of two additional non-constituent, non-voting members of the Shadow Board during the interim shadow period.

A representative from the Workforce Engagement Board, and from the voluntary, community, faith and social enterprise sector were considered as additional, non-voting members of the Shadow Board.

The progress to date on the development of the Local Constitution and Local Assurance Framework (LAF) was outlined, along with the timeline and engagement plans, both documents would be closely aligned as the legal framework for the LAF would be contained within the Local Constitution.

The recommendations were proposed by Councillor Hans Mundry, duly seconded by Councillor Michael Gorman.

DECIDED: That

- (1) the appointment of a representative of the Workforce Engagement Board (name to be confirmed) and a representative of the voluntary, community, faith and social enterprise sector (Gary Cliffe) as non-constituent (non-voting) members of the Shadow Board during the interim shadow period only, be approved; and
- (2) the progress of the Local Constitution and Local Assurance Framework, including the timeline and engagement plans, be noted.

16 CHESHIRE AND WARRINGTON JOINT DEVOLUTION TASK GROUP

Councillor Hans Mundry, Leader, Warrington Borough Council, referred to the circulated report which provided an update on the approach and next steps for the Cheshire and Warrington Joint Devolution Task Group. It was suggested that the

future work programme of the Task Group would mirror that of the Shadow Board and Members had expressed their wish to consider the following items:-

- The Sustainable and Inclusive Economic Strategy;
- Implications of being a Marmot Region;
- Draft Constitution and local assurance framework;
- Future corporate/business plan and priorities;
- Opportunities to hear external speakers
- Opportunity to get to know the wider sub-region.

The membership of the Task Group consisted of 6 Members from Cheshire East, and 8 from Cheshire West and Chester Council and Warrington Borough Council. All members would be encouraged to attend the Shadow Board and share their knowledge and insight.

The recommendations were moved by Councillor Hans Mundry and duly seconded by Councillor Jean Flaherty.

DECIDED: That

- (1) the set up of a cross-council, cross-party Joint Devolution Task Group to ensure regular wider Member detailed engagement ahead of the formal creation of statutory committees under the Combined Authority, be noted; and
- (2) the feedback from the Task Group would form a standing item on all Shadow Board meetings to ensure a consistent route for wider Member feedback.

17 STRATEGIC UPDATE

Councillor Michael Gorman, Deputy Leader, Cheshire East Council, referred to the circulated report which provided an update on progress with delivery of the Sustainable and Inclusive Economic Strategy (SIES).

Members were reminded of the ambitious target to make the sub-region the healthiest, most sustainable, inclusive and growing place in the country by 2045. The following updates were provided:-

- i) **The Sustainable and Inclusive Economic Strategy** – This was agreed at the previous Board meeting and set out the shared vision for the sub-region.
- ii) **Developing in Rural Areas** – A task and finish group had been created to provide a coordinated approach to the cross-cutting aspects of the SIES, and a further report setting out stakeholder engagement, involvement of the Business Advisory Board, the Voluntary, Community, Faith and Social Enterprise Sector, rural communities and young people would be submitted to the Board in January 2026.
- iii) **Siezing Our Growth Opportunities** – The scope for a comprehensive study had been prepared which would pull together an outline plan for public-private sector coproduction and would update the sector evidence and spatial cluster propositions. This would also form the content for Cheshire and Warrington's "pitch" at the UK Real Estate Investment and

Infrastructure Forum and Northern Investor Summit to be held in Leeds in May 2026.

- iv) **The Great North** – A report setting out the expected outcomes from the above May Summit and the possible collaborations with the 11 Northern Regions would be submitted to the January 2026 meeting.
- v) **The Budget** – The Chancellor of the Exchequer presented the Budget on 26 November 2026, and the Board were advised of measures in the Budget with an impact on the sub-region. Once operational, 100% of business rates would be retained locally, aiding regeneration. There was an expectation that £820m for young people; £200m towards the installation of electric vehicle charging locations; along with the previously announced commitment to invest £2.5billion in three small modular nuclear reactors at Wylfa in Anglesey which placed Birchwood at the centre of a North West Nuclear arc running from North Wales to Cumbria.

Councillor Gorman also referenced the lifting of the 2-child Benefit cap, and the lobbying that had taken place by the Local Government Association, to help tackle the issues around child poverty.

Mr Dan Price, Police and Crime Commissioner, welcomed the update and the ambition to improve the rural economy, with the expected benefits from local jobs, growth and the impact on child poverty,

Councillor Hans Mundry, Leader, Warrington Borough Council, referred to the benefits to young people and the positive Budget announcement, to help more young people into employment which would benefit the sub-region.

Mr Gary Cliffe, Voluntary, Community, Faith and Social Enterprise Sector, referred to the opportunities for all residents and that everyone should have the same access to employment, training and housing, and it was a real chance to be bold and make a difference across the sub-region.

The recommendation was moved by Councillor Michael Gorman and seconded by Councillor Jean Flaherty.

DECIDED: That

the progress against the Sustainable and Inclusive Economic Strategy as set out in the report and updated at the meeting, be noted.

18 CHESHIRE AND WARRINGTON BUSINESS ADVISORY BOARD UPDATE

Ms Andrea Stott, Business Advisory Board (BAB), provided the Shadow Board with an overview of the recent meeting of the BAB and reminded members of their broad range of membership from corporate to micro-businesses from every area of the sub-region. The BAB were in full support of the devolution process and of the importance of an available, skilled workforce.

The summary circulated with the SIES report was referred to, and the possibilities that came with Inclusive Growth were set out; including job opportunities; re-training; flexible working including retirement; mentorships; skill sharing; engaging

with further education establishments and supporting organisations on the devolution journey.

There were great people across the sub-region, who were ready to work, ready to re-train but required support to get to work, so because of this the BAB was hoping to see improvements in infrastructure as a priority. A strong brand for the Combined Authority was also suggested along with a consistent and structured approach to business engagement, with not only the BAB but using other networks and local insight to promote transparency and build trust.

Members thanked the BAB for their contributions to date and stated how much they valued their involvement.

Mr Dan Price, Police and Crime Commissioner, referred to recent correspondence between the BAB and Councillor Mundry, Lead on Transport, regarding automatic vehicles and how working together could help to accelerate opportunities.

The Board were reminded that the BAB remained in full support of devolution and that they should “lever in the power of the 20 members”.

DECIDED: that the update be noted.

19 GET CHESHIRE AND WARRINGTON WORKING PLAN

Councillor Karen Shore, Deputy Leader, Cheshire West and Chester Council, referred to the circulated report which provided an update on the Get Cheshire and Warrington Working Plan, which was a response to the “Get Britain Working White Paper” launched by the Government in November 2024.

A summary of the six priorities in the Plan was provided as outlined below:-

Priority 1 – Most deprived neighbourhoods

Priority 2 – Young People and NEET's (Not in Education, Employment, or Training)

Priority 3 – Long-term sickness and disability

Priority 4 – Early Retirement

Priority 5 - Carers and parents facing challenges

Priority 6 – Connecting people to opportunities.

The Board were informed that further activity was scheduled to take place at pace up to 31 March 2026 to develop and agree the outcome/impact measures and to ensure residents with lived experiences had an opportunity to shape both the priorities and proposed actions. This activity would be taken to the Task Group, which included officer representation from the constituent Councils, Enterprise Cheshire and Warrington, Cheshire and Merseyside Integrated Care Board and the Department of Work and Pensions.

Gary Cliffe, Voluntary, Faith and Community Sector, referred to the pathways and opportunities for residents to volunteer and his organisation could work with the BAB for training opportunities for those with disabilities or mental health issues. This was viewed as a way of building resilience levels to help those who required assistance and had so much to offer employers.

Andrea Stott, BAB, referred to Priority 4 and the number of different examples of how anyone taking early retirement could provide support, assistance and guidance across the sub-region in so many different sectors, including small businesses, further education and in the voluntary sector.

Visiting Member Councillor Maureen McLaughlin, referred to Priority 5 and the opportunities for those with caring responsibilities to be able to return to work and the support required for this stepping stone back into full time work. Often there was a great deal of expertise and experience held by residents who had taken on caring responsibilities.

Visiting Member Councillor Stewart Gardiner referred to the Learning Disability Board in Cheshire East and to the potential for opportunities to work with other groups.

The recommendation was moved by Councillor Karen Shore, duly seconded by Councillor Michael Gorman.

DECIDED: That

- (1) the report be noted and
- (2) the “Get Cheshire and Warrington Working” Plan attached to the report as Annex 1, be approved.

20 BECOMING A MARMOT COMBINED AUTHORITY DEVOLUTION AREA

Councillor Jean Flaherty, Deputy Leader, Warrington Borough Council, referred to the circulated report which proposed that the Cheshire and Warrington devolution area formally adopt Marmot status ahead of the formal go-live of the Cheshire and Warrington Combined Authority.

The declaration, if agreed, would support engagement with the growing network of Marmot Places and support the profile of Cheshire and Warrington as an area focussed on improving the health equity of its residents.

Visiting Councillor Paul Warburton spoke on this item as a former member of the Cheshire and Merseyside Health Partnership, and asked what difference it would make for the Combined Authority to become a Marmot Combined Authority when all the local authorities had already stated they would do the same. It was confirmed that a detailed response would be provided by officers in due course but by declaring this intention it would become the golden thread through all decision making by the Combined Authority and would ensure the Marmot principles were adhered to, making health the priority.

Visiting Councillor Maureen McLaughlin spoke on this item and welcomed the intention to adopt the principles from Day One, which would help to improve the health of young people especially, and give all residents a chance of a more fulfilling life by driving out inequalities.

The recommendations were moved by Councillor Jean Flaherty, duly seconded by Councillor Karen Shore.

DECIDED: That

- (1) the proposal to become a Marmot devolution area, adopting and implementing the Marmot principles and priorities across all its strategic priorities and aligning with the Cheshire and Merseyside All Together Fairer Programme be agreed, in principle;
- (2) with the use of existing resources, an outline Marmot Plan be commissioned from the Cheshire and Warrington Health Inequalities/in All Policies Group, to be reviewed by the Shadow Board at the next meeting in January 2026;
- (3) a cross-sector Marmot Steering Group to oversee the implementation be established and resourced: and
- (4) the approval by the Shadow Board is an “in principle” decision ahead of the establishment of the formal Cheshire and Warrington Combined Authority, and once the Authority is operational, the Board will be requested to confirm this Marmot status and embed principles into the Strategic Planning and Investment frameworks, for example – The Local Growth Plan, be noted.

21 DEVOLUTION PROGRAMME UPDATE

Councillor Karen Shore, Deputy Leader, Cheshire West and Chester Council, referred to the circulated report and provided an overview of the progress across the devolution programme since the last meeting.

The Board were informed that all vacancies were now advertised as interim posts, with interviews expecting to take place between December 2025 and February 2026. Engagement with staff and Trade Unions would be taking place through the Workforce Engagement Board (WEB) and the Shadow Board had appointed Joanne Moorcroft from the WEB as a non-constituent, non-voting member of the Shadow Board.

Work was also on track for the set-up arrangements to support the operational priorities and were within the budget parameters set at the last meeting of the Shadow Board.

The Risk Register attached to the report as Annex A set out the progress made and would be updated regularly.

The Shadow Board extended their thanks to officers, Members and stake holders involved in the programme to date.

Councillor Karen Shore moved the recommendation, duly seconded by Councillor Nick Mannion.

DECIDED: That

- (1) the progress made be noted and
- (2) the risk register be updated as outlined in the report .

22 SHADOW BOARD FORWARD PLAN

The Chair referred to the circulated Forward Plan, which was indicating a very busy meeting in January, and would be held on Friday 30 January 2026 at 2pm in Crewe.

The Chair extended thanks on behalf of the Board to the many officers in support of the devolution journey, from across the three authorities, Enterprise Cheshire and Warrington and the non-constituent representatives without whom it would be impossible to meet the required deadlines and continue to work at pace.

Gary Cliffe, VCS Representative, requested an opportunity to address the Board about how the sector could assist and develop their role with devolution, and this would be taken into consideration.

AGREED: That the Forward Plan be noted.

Chairman

Date



Cheshire and Warrington Shadow Board

Date of meeting:	30 th January 2026
Report of:	Cllr. Karen Shore, Deputy Leader, Cheshire West and Chester Council
Report Lead Officer:	Del Curtis, Senior Responsible Officer; Gemma Davies, Chair, Devolution Steering Group.
Title:	Cheshire and Warrington Devolution Programme Update

1. Purpose of Report

- 1.1. To update the Shadow Board on progress against the overall agreed devolution programme and budget 2025/6 and to approve in principle the appointment of the interim Cheshire and Warrington Combined Authority Chief Executive/Head of Paid Service.

2. Decision Required

Cheshire and Warrington Combined Authority Shadow Board is recommended

- 2.1. To approve in principle the offer of employment, made via the delegated authority to the Chief Executive of Cheshire West and Chester Council, to Nick Walkley as interim Chief Executive/Head of Paid Service of the Cheshire and Warrington Combined Authority, and to recommend final approval of this appointment to Combined Authority once it is established.
- 2.2. To note progress against the overall programme, including expenditure to the end of quarter three 2025/6 and anticipated budget to March 2026, including the additional Mayoral Capacity Fund total for 2025/6.
- 2.3. To approve the utilisation of anticipated programme underspends against 2025-26 implementation budgets to support currently unfunded support costs and/or to be carried forward to 2026-27, as outlined in paragraphs 3.24-3.27.

3. Report Details

- 3.1. As noted in the previous programme update to the Board in November 2025, the programme is now in a 'transition phase' to prepare for the establishment of the Cheshire and Warrington Combined Authority (CWCA). The [Statutory Instrument](#) to create the new authority was laid before Parliament at the end of 2025.

Subject to the Order's passage through both Houses of Parliament, the CWCA should be established by the end of March 2026.

- 3.2. There are a number of on-going workstreams ensuring that the CWCA will be ready for 'go live' in March 2026. The programme is continuing to use the previously agreed governance structure, recognising that this quarter (January – March 2025/6) will be a transitional one as the new CWCA interim team is recruited. All operational reporting continues via the officer Devolution Steering Group with escalation to council Chief Executives (including the Senior Responsible Officer for the Programme, the Chief Executive of Cheshire West and Chester Council). As at the end of quarter three (December 2025) there are no escalation points relating to risk to bring to the Board. The latest risk register is appended to this report.
- 3.3. Discussion is currently live with Government officials to finalise the anticipated budget for the first year of the CWCA. We anticipate the 2026/7 CWCA business plan and budget will be considered in draft by the Shadow Board in March 2026.
- 3.4. As we approach the establishment of the CWCA, there are a number of governance related priorities that remain on track. Underpinning this work are the local constitution and Local Assurance Framework, both of which are included as a separate item to the Board meeting. As CWCA competencies come on stream, additional governance matters will arise. As the CWCA will become the Cheshire and Warrington Local Transport Authority in its first year, officers from the transport teams of each council are working closely with the Department for Transport to understand governance, financial and operational implications. A more detailed report will come to the Board at its next meeting.
- 3.5. Communications and engagement remain a priority for the programme. Additional capacity has now been brought into the interim CWCA team to support this work – at local, regional and national levels. A series of 'roundtable' events is due to start this month to extend detailed engagement and discussion with members, stakeholders and partners to explore in detail local priorities and ambitions for devolution. We will be culminating this work with a devolution conference in the spring to coincide with the start of the CWCA. Ensuring that Cheshire and Warrington play a key role in 'The Great North' opportunities and have a strong presence in Westminster to maximise opportunities will also be increasing priorities to ensure early impact of the CWCA.
- 3.6. The recruitment process for the interim CWCA team went live in December 2025 following agreement by the Board in November 2025. This recruitment is focusing only on those posts which are statutory and operational critical. All interim statutory posts will be in place by the time the CWCA goes live.
- 3.7. In late December 2025 and following a rigorous internal and external interim recruitment process, interviews were held for the interim Chief Executive/Head of Paid Service for the CWCA. Interviews were conducted by Shadow Board Members and wider stakeholders from business, the voluntary and community sector as well as community representatives, including young people.

- 3.8. The appointment of Nick Walkley will bring exceptional leadership and experience to Cheshire and Warrington as the region embarks on an ambitious devolution journey. He is experienced in driving economic growth, building housing at scale, and forging powerful public-private partnerships. He has demonstrable ability to build high-performing teams and deliver transformation during challenging times. His track record in national and local government as well as the private sector, combined with his deep expertise in urban regeneration and place-making made him the outstanding candidate to work with elected leaders and wider partners on Cheshire and Warrington's devolution agenda. Subject to today's decision, he will take up the new position on 2nd March 2026
- 3.9. It should be noted that Cheshire West and Chester Council will support all seconded/ contracted interim staff until the CWCA goes live. All of these interim posts will then transfer to the new entity once it is created, subject to CWCA Board approval for the interim statutory posts. Processes for permanent staffing will commence during 2026/7 and be led by the CWCA.
- 3.10. All costs associated with the interim team will be met by the Devolution Programme budget - and then the CWCA's own budget from April 2026. This is supported by HMG funding.
- 3.11. The CWCA operating model is a small core team – with most services and process being 'bought' from the constituent councils (including finance processes, democratic services, facilities and ICT).
- 3.12. We continue to work closely with the Workforce Engagement Board as we move towards the establishment of the CWCA. The most recent meeting of the Board took place on Friday 23rd January 2026. As that meeting fell after the publication of reports for this meeting, the Workforce Engagement Board representative will be able to give a short verbal update at this meeting.

Financial Section – Implementation Budget

Background

- 3.13. On 30 May 2025, the Cheshire and Warrington Joint Committee approved an overall budget of £1.275m to support the pre-work necessary to enable delivery of a mayoral combined authority for the area. This covered:
- Programme management
 - Public engagement, marketing and communication
 - Evaluating the risks and opportunities from devolution
 - Development of local strategies/investment plans
 - Design and implement Combined Authority systems, governance
 - Functional set up of the new authority
- 3.14. At its meeting on 28th November 2025, the Shadow Board expanded the scope of this funding to also include the costs of recruiting and appointing to key roles in the interim structure of the Combined Authority prior to 31st March 2026, and where affordable, to reimburse Councils for in-kind support to the creation of the Combined Authority. The available budget remained £1.275m.

3.15. The budget is primarily funded by MHCLG Capacity Grant (£1m), with wider contributions from the Local Government Association (£25k) and sub-regional funding (£250k) from Enterprise Cheshire and Warrington (ECW). With the receipt of the Government's Capacity Grant on 2nd January 2026, all relevant funding is now secured and held locally.

Budget Position

3.16. As at the end of December 2025 (Q3) expenditure against the approved budget has risen to £502k (from £383k at mid-year).

Table 1 – Devolution Costs to 31st December

Workstream	Actual Spend				Total Spend £
	2024-25	Q1 2025-26	Q2 2025-26	Q3 2025-26	
Comms & Engagement	24,326	36,336	73,011	22,301	155,974
Finance / Bus Systems	-	14,800	12,700	12,700	40,200
Governance	3,000	24,308	19,345	13,998	60,651
Thematic Leads	-	7,693	34,394	23,930	66,017
Programme Management	34,889	43,176	55,991	45,494	179,550
Workforce	-	-	-	-	-
Interim Structure	-	-	-	-	-
Contingency	-	-	-	-	-
TOTAL	62,215	126,313	195,441	118,423	502,392

3.17. The main areas of spend to date have been linked to engagement with the public and stakeholders to build awareness and understanding of devolution, and delivery of the governance steps necessary to gain local and national approval to create a new Combined Authority in Cheshire and Warrington (CWCA).

3.18. As previously reported, efforts continue to be made to minimise the cost of the activities needed to create the Combined Authority, with priority being given to activities that are critical to enabling CWCA to be effective and impactful from day one, and ongoing utilisation of existing Council/ECW staff and capacity where possible whilst interim posts are recruited.

Further Costs

3.19. The projected cost to deliver the current work plan through to March 2026 is estimated at just over £1 million, against the overall original agreed budget of £1.275m. Expenditure will accelerate in the final quarter of the year as the interim structure is appointed to, systems are stood up and initial studies and reports are generated to help shape the activities of the new body.

Table 2 – Projected Costs through to March 2026

Projections to 31st March 2026					
Workstream	Total Budget £	Spend to 31/12 £	Q4 Projections £	Total Spend £	Variance £
Comms & Engagement	241,410	155,974	57,355	213,329	-28,081
Finance / Bus Systems	107,900	40,200	67,700	107,900	0
Governance	113,123	60,651	15,475	76,126	-36,997
Thematic Leads	245,069	66,017	122,419	188,436	-56,633
Programme Management	324,855	179,550	87,613	267,163	-57,692
Workforce	50,000	-	40,000	40,000	-10,000
Interim Structure	150,000	-	86,100	86,100	-63,900
Contingency	42,643	-	50,000	50,000	7,357
TOTAL	1,275,000	502,392	526,662	1,029,054	-245,946

- 3.20. This forecast represents an underspend of just under £0.25m against the available budget. This is primarily due to the ongoing use of inhouse Council support and the fact that most new roles being recruited to are not expected to join before the start of March 2026. There are also some activities, such as the next phase of wider stakeholder engagement and finalisation of plans for the Mayoral Investment Fund which are now scheduled to take place in early 2026-27.
- 3.21. The forecast is considered relatively prudent and includes a contingency allowance of £50k, against the need to incur unforeseen costs. Final spend levels may therefore be marginally less than the cost projections shown.
- 3.22. With the exception of a handful of specific roles, the costs shown do not include any reimbursement to Councils for the costs of in-kind support and capacity made available to the Combined Authority during 2025-26. In line with approvals given at the November Shadow Board, such costs could be considered for funding if there is an underspend on the implementation budget.
- 3.23. As of 20th January 2026, HM Government confirmed an additional £500,000 would be paid to Cheshire and Warrington as part of the 2025-26 Mayoral Capacity Fund. This is in addition to the original budget outlined above and increases the scale of uncommitted funding available to support the next phases of activity.
- 3.24. Subject to final confirmation of the outturn position at the end of March 2026, it is provisionally proposed that:
- 3.25. Up to £150k of the projected underspend be made available to support reimbursement of currently unfunded costs the Councils and ECW have incurred supporting the creation of the Combined Authority. To be distributed proportionately to unfunded support provided, with authority delegated to the Programme Director/new Head of Paid Service to determine allocations.
- 3.26. That additional funds (up to £100k) be allocated to the Programme Management workstream to support work on Mayoral Investment Fund pipeline development and support for the transition of the Local Transport Authority.

3.27. That remaining uncommitted funds (currently up to £500k) be carried forward to support year one activities in 2026-27 in recognition that some tasks originally planned for 2025-26 are now due to be carried out early in the new financial year.

4. What will it cost?

4.1. All financial implications are outlined in the report.

5. What are the Legal aspects?

5.1. There are no specific legal implications in the report. All key legal and governance implications linked to the programme are contained within a specific report on the meeting agenda.

6. What risks are there and how can these be reduced?

6.1. Latest risk register (including mitigations) is attached at Appendix A.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

7.1. The CWCA will have a statutory responsibility to address health inequality across all programmes and policy. The Shadow Board has also agreed to embed Marmot principles across all activities.

8. What are the implications of the decision on Climate Change?

8.1. Reaching net zero by 2045 is a key target of the Sustainable and Inclusive Economic Strategy which the Shadow Board have agreed as the priority for the CWCA.

9. What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

9.1. Ensuring that the CWCA is ready for operation by March 2026 is a critical part of maximising delivery of the strategy.

10. Are there any other options?

10.1. Delivery of the devolution work programme priorities and associated governance, staffing and budget are required to comply with the Statutory Instruments which will create the CWCA. If this work is not undertaken, the CWCA will not be in a compliant state for 'go live' by the anticipated date at which Parliament will approve the new authority.

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Background Documents:

Appendix A: Programme Risk Register

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Risk Register: SET UP PHASE to March 2026			Without Mitigations					With Mitigations					19/01/26
Reference No	Risk Description	Raised by	Probability (1-5)	Impact (1-5)	RAG status	Status	Proposed Mitigation	Probability (1-5)	Impact (1-5)	RAG status	Responsible	Status (Open, Closed)	Actions
R001	Member engagement: Not engaging effectively with members across the three constituent councils may result in misunderstanding and poor information exchange. It will also be important to ensure effective engagement ahead of the formal process to appointment statutory committees for the CWCA to ensure these committees can mobilise at pace - there risk is that they will not operate effectively in time for early CWCA decision making.	PM	3	4	7	Open	Set up and support on Joint Devolution Task Group (JDTG) across all 3 councils in addition to each council's own cross-party groups. Ensure regular and consistent information flows and ensure effective engagement points to shape and influence, including standing item in Shadow Board. Note specific session planned on statutory committee arrangements. Confirming LGA programme of support.	1	3	4	SR/MJ	Open	Forward plan and dates for JDTG. Finalise plan with LGA. Ensure effective engagement on constitution.
R002	Failure to deliver consistent comms and engagement across whole programme: Disengaged Members, business and stakeholders in development of competencies, functions and investment work will lead to lack of ownership and 'buy-in' as well as poor narrative. It will also risk a lack of engagement in the shaping and influence of early priorities and investments.	PM	2	4	6	Open	Revised priorities for C&W plan agreed with the Board. Additional, specialist capacity/ resourcing, including maternity cover, has been mobilised.	1	3	4	DW/SR	Open	Regular reporting on comms delivery to Board. Backfill arrangements now complete.
R003	The pace of 'set up mobilisation' and a fast-track approach to analysis and appraisal, increases the risk of not fully understanding all operational implications – leading to confusion and potential failure of delivery.	PM	4	4	8	Open	Prioritisation of those competencies critical for year 1 transition. PM have requested full transition plans by end of January 2026 for prioritised functions. This will drive set-up actions and ensure business case requirements for any additional resourcing. Recruitment in process which will help mitigate.	2	4	6	SR	Open	Integrate identified priorities in detailed transition plans.
R004	Content: Fast-tracking the work to fully develop content – and specifically how the CWCA will undertake its operations – increases the risk of failure to pass Government due diligence resulting in the CWCA not being able to function effectively in its first year.	PM	4	4	8	Open	Due diligence will be conducted by relevant Whitehall Departments who are devolving programmes (e.g. DfE, MHCLG and DfT). It should be noted that there is also likely to be a significant performance management requirement, at least in the early years of the CWCA. Latest timetable front ends basic governance with detail on content to follow late 2025 and into 2026 whilst EDB goes through parliament. This will give additional time for set-up. Proposal to extend election gives additional time for set-up and assurance. Note the importance of the Local Assurance Framework initialisation to underpin all development work across devolution arrangements. LAF HMG sign-off due March 2026. Initial drafts submitted and HMG response to date is positive.	2	4	6	SR/PJ/VW	Open	Work in progress - note Assurance Framework progress.

R005	Finance: The costs of set-up in both 2025/6 and in the first year of operations (2026/7) goes beyond the capacity funding budget set by HMG meaning that there would be a call on other local resources.	PM	4	4	8	Open	Full budget plan in place (latest agreed by Board on 28/10/25 with further update for 30/01/26). Utilise EZ surplus and LGA grant for 2025/6. Letter of confirmation for development costs now received from MHCLG across 4 financial years. First tranche (£1m) received in December 2025. Further tranche now expected before end of 2025/6 financial year (£500k). Financial modelling in progress as part of TOM work. Confirmation received that Mayoral Election costs borne by CA. Requires Board-led process to confirm MIF resourcing for year 1. Note impact of CFO recruitment.	1	3	4	PJ/SW	Open	All year 0 (set up) costs anticipated to be within headroom ensuring no call on other local resources.
R006	C&W capacity/resource: Given the limited time for transition to the CWCA, the current capacity in place programme management will not be able to support the breadth of activity needed. This could result in delay or additional burden on council and ECW staff beyond their core work.	PM	3	4	7	Open	Interim recruitment in progress. Interim Team expected to be in place early 2026, focus on statutory posts. Ensuring engagement of unions. Note: Mitigation for lack of interest or failure to secure internal secondment is via external agency (now in place). PM Team will need to be in place longer than expected into quarter 4 2025/6. This has been accounted for in agreed budget. Note mitigation for risk R0003 - transition plans to include capacity impacts. There remains capacity constraint for council officers - report to Board (30/01) seeking to increase budget line for additional PM support, e.g. on MIF pipeline development work.	2	3	5	GH	Open	Recruitment process now live. Proposed budget update to account for some delay and on-going requirements for transition and MIF.
R007	MHCLG capacity/Resource: MHCLG have a challenging timeline to meet requirements across supporting all 6 DPP areas towards 'go live' and additional functions via the devolution bill. Timelines may slip resulting in delays to go live - and to the smooth transition to Strategic Authorities with additional powers and functions.	PM	4	4	8	Open	Order has now been laid before Parliament. Changes to DPP x 6 timeline has given more focus to immediate timeline for both C&W and Cumbria. MHCLG support increased via newly established 'oversight' team.	3	4	7	SR/DC	Open	MHCLG supporting alignment to other Departments - in particular DfT and DfE.
R008	Consistent internal communications across all four organisations: Inconsistent, confusing or lack of clear messages coming out of and across all four organisations could result in mis-communication, confusion and lack of clarity leading to concerns and potential staff retention issues.	PM	2	4	5	Open	See mitigation for risk R002. Ensuring staff communications prioritised as part of plan delivery.	2	3	6	CO	Open	Newsletter and staff FAQs to be distributed regularly. Note other info platforms such as CWaC Coffee Conversations which have had high staff engagement numbers.
R009	Whitehall Departmental capacity/resource: Ensuring effective engagement and working with Departments beyond MHCLG (e.g. DfT, DfE and DBT) which have devolved programmes in first year of CWCA operation is challenging across the timeline to meet requirements for CWCA - including input to Local Assurance Framework and understanding additional functional requirements via the devolution bill. Timelines may slip resulting in delays to go live - and to the smooth transition to Strategic Authorities with additional powers and functions.	PM	4	4	8	Open	Working with MHCLG Teams to ensure Departmental input to LAF. Escalated need for direct meetings with relevant officials to ensure all priority arrangements in place for go live. Working to programme of engagement across first year of operation. Dedicated staff in CWCA from March will ensure additional capacity and lead contact status to mitigate risk.	2	4	6	PM	Open	Meetings planned with Depts and relevant officers during 02/26



Cheshire and Warrington Shadow Board

Date of meeting:	30 th January 2026
Report of:	Cllr Michael Gorman, Deputy Leader, Cheshire East Council
Report Lead Officer:	Gemma Davies, Devolution Steering Group
Title:	Cheshire and Warrington Joint Devolution Task Group

1. Purpose of Report

- 1.1. To update the Board on the focus and discussions at the most recent Cheshire and Warrington Joint Devolution Task Group.

2. Decision Required

- 2.1. Cheshire and Warrington Combined Authority Shadow Board is recommended to note the discussion and consider the feedback from the cross-council, cross-party Joint Devolution Task Group which has been established to ensure regular wider member engagement ahead of the formal creation of the statutory committee under the Cheshire and Warrington Combined Authority (CWCA).

3. Report Details

- 3.1. The January meeting of the Joint Cheshire and Warrington Joint Devolution Task Group considered two key areas of focus.
- 3.2. Input to shape the draft constitution ahead of sharing with the Board:
 - Discussion focused on the size of the **CWCA Overview and Scrutiny Committee**, it was recognised that this does not need to be set out in the constitution but can remain flexible, there was support for the statutory position that the chair should be from a different party to the Mayor and agreement that there should be the potential to build in a review of effectiveness. Consideration was given around whether this should be after six months, twelve months, or timed so that a completed review could be presented to the newly elected Mayor.

- A general, but not unanimous, agreement for support for increasing the number of scrutiny members from nine to twelve – four from each constituent council. Counter-suggestion that twelve would be too many for the first year but more likely to be appropriate once the Elected Mayor is in place.
- There was general support that the Scrutiny Committee chair should be an elected Councillor and should be elected annually by the committee.
- Discussion on the **Audit and Governance Committee** focused on the role of the ‘independent person’ as providing technical expertise, how they might be appointed, and how to ensure that they are truly independent.
- Agreement that the independent person should be appointed through a clear process that sets out a skills framework and considers political independence, rather than being a named appointment by the CWCA Board.
- General preference that the Chair is an elected member, with that democratic mandate, but recognition that the chair should be the decision of the committee and under some circumstances the independent person may be the committee’s preferred candidate.
- Suggestion that the committee should be made up of nine elected members and one independent person, rather than the six proposed.
- There was also general agreement that it is the responsibility of substitutes on either committee to remain well-informed of the work of committees that they are the subs for, through reviewing webcasts, meeting papers and briefings with those they are subbing for.

3.3. General overview and update on programme progress:

- Members recognised progress across the devolution programme to date.
- It was suggested that transport devolution should be a focus of the next Joint Devolution Task Group on 11 February, with the Mayoral Investment Fund being a key item for the following meeting.

4. What will it cost?

- ### 4.1. Members of committees are entitled to both allowances and to expenses for attending meetings. Decisions are yet to be taken on the level at which these will be set (via a Combined Authority remuneration committee, yet to be established).

5. What are the Legal aspects?

- ### 5.1. There are no specific legal implications arising from the discussions held at the January meeting of the Joint Devolution Task Group. Issues discussed by the group will be considered by the Board and, subject to decision, be incorporated into the Local Constitution.

6. What risks are there and how can these be reduced?

6.1. There are no specific risks arising from the discussions held at the January meeting of the Joint Devolution Task Group.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

7.1. There are no specific risks arising from the discussions held at the January meeting of the Joint Devolution Task Group.

8. What are the implications of the decision on Climate Change?

8.1. There are no specific risks arising from the discussions held at the January meeting of the Joint Devolution Task Group.

9. What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

9.1. There are no specific implications arising from the discussions held at the January meeting of the Joint Devolution Task Group.

10. Are there any other options?

10.1. The Joint Devolution Task Group has identified a number of alternative approaches to proposals on developing initial approaches to both the Scrutiny Committee and the Audit and Governance Committees of the Combined Authority.

For further information:

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Background Documents:

NA

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Cheshire and Warrington Shadow Board

Date of meeting:	30 January 2026
Report of:	Cllr Hans Mundry Leader, Warrington Borough Council
Report Lead Officer:	Vanessa Whiting, Chair of the Devolution Governance Workstream
Title:	Governance Update

1. Purpose of Report

- 1.1. This report provides an update on the key constitutional and framework documents underpinning the governance of the Cheshire and Warrington Combined Authority (CWCA).
- 1.2. The draft Local Constitution is attached at Appendix A. This draft remains a working document which will be refined for final adoption at the inaugural meeting of the CWCA Board. Many of the core provisions are as set out in the draft, some of which are identified in more detail in this report.
- 1.3. This report is seeking an in-principle agreement to the core structure and general content of the Local Constitution, recognising this remains subject to further adaption and change before final adoption.

2. Decision Required

2.1. The Shadow Board is recommended to:

- agree, in principle, the core structure and general content of the Local Constitution for the CWCA in anticipation of final adoption at the inaugural meeting of the CWCA Board
- agree, in principle, the process for the appointment of non-constituent and associate members to the CWCA Board
- note the process for the appointment of members and substitute members to the formally established CWCA Board in line with the constitutional councils' governance routes
audit

3. Report Details

Cheshire and Warrington Combined Authority Order 2026

- 3.1. The Cheshire and Warrington Combined Authority Order 2026 (the Order) has been laid before parliament for approval. The Order will establish the Cheshire and Warrington Combined Authority.
- 3.2. The Order provides for certain functions to be conferred on CWCA (initially local transport planning and regeneration), and for certain specified functions of CWCA to be exercisable only by the mayor, once elected in May 2027. Some powers will run concurrently with the constituent councils for the first year.

Statutory Constitution

- 3.3. The Schedule to the Order sets out the statutory constitution of CWCA, which is fixed in law and cannot be changed by any local constitutional arrangements for the CWCA. The statutory constitution sets out the membership, quoracy, voting arrangements and payments of allowances for members of the CWCA.
- 3.4. It provides that each constituent council must appoint two of its elected members to be members of the CWCA, and two elected members to act substitutes. Please see below for further detail on the election process for this membership.
- 3.5. The quoracy requirements differ for the pre-mayor and post-mayor period. Pre-mayor, the quoracy is the chair/vice chair and 3 members of the constituent councils. Post mayor, the quoracy is the mayor/deputy mayor and 4 members of the constituent councils. Via successful collaborative working, the constituent councils can facilitate representation of all constituent councils at CWCA Board meetings.

The Local Constitution

- 3.6. The Order provides that the CWCA may make provision about its constitution, provided it is consistent with the Statutory Constitution.
- 3.7. A Local Constitution has been drafted for the CWCA to set out further detail on how the CWCA is governed and how this works in practice. A copy of the constitution is attached as Appendix 1. This is a working draft which will be refined for final adoption at the inaugural meeting of the CWCA Board.
- 3.8. The appended draft Local Constitution sets out the core structure and general content of the constitution for members to agree in principle, in anticipation of the final adoption by the CWCA Board.
- 3.9. The broad structure of the Local Constitution is as follows:
 - Articles – the principles underpinning the legal framework
 - Functions – setting out who is responsible for exercising each function of the CWCA

- Decision making
 - Board/Committees/Mayoral (from 2027) procedure rules
 - Ethical Standards – including codes of conduct for members and officers of the CWCA, and protocols relating to conduct, conflicts of interest and relationships between officers and members.
 - Finance and Contract procedure rules – governing how the CWCA and its decision makers operate
 - Member allowances - setting 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 CWCA
 - Management structure - setting out the senior officer management structure of the CWCA
- 3.10. The Local Constitution is drafted to provide flexibility for the devolution of all powers and functions in the devolution framework to the CWCA following the enactment of the English Devolution and Community Empowerment Bill. It will also be regularly monitored and reviewed, at least annually, to ensure it remains up to date and fit for purpose as the CWCA evolves.
- 3.11. Legislation governs the content of much of the Local Constitution but there are areas where the local region can shape and design the governance structure. This includes the size and structure of the statutory committees, being the Oversight and Scrutiny Committee and Audit and Governance Committee.
- 3.12. The cross-council, cross-party devolution task group has been engaged on the statutory committee models and has provided input into the proposed structure set out below. A summary of their comments has been provided at item 6 on this agenda.

Overview and Scrutiny Committee

- 3.13. On the establishment of CWCA, there will initially be one Overview and Scrutiny Committee (O&S Committee), the minimum required by legislation, to scrutinise the decisions taken by the CWCA Board and, in due course, the Mayor. The number of O&S Committees/sub-committees can change as the CWCA evolves.
- 3.14. The membership of the O&S Committee must be predominantly made up of members of the constituent councils and, where practically possible, should reflect the political proportionality in effect across the CWCA authority when taken together. As such, the membership of the O&S Committee will change as and when there is any variance in the balance of the political parties.
- 3.15. The O&S membership should be proportionate in terms of the functions of the O&S Committee for the first year, being the pre-mayoral period when the CWCA will be in its infancy. During this first year, it is forecast that the O&S Committee will be responsible for scrutiny of decisions including the Mayoral Investment Fund, transport, and adult skills funding.

- 3.16. The proposed structure for this initial O&S Committee will be simple and agile with flexibility to evolve and grow over time as the mayor is elected, and more powers are devolved via the English Devolution and Community Empowerment Bill.
- 3.17. Taking account of this approach for the first year, the structure for the O&S Committee for the initial period of the CWCA is proposed to be one O&S Committee with 4 members appointed from each constituent council reflecting political balance. The chair will be elected annually and be an elected Councillor of a different party to the majority of councillors in the area. The O&S Committee members will serve for a one-year term.
- 3.18. There will be regular review of the O&S Committee structure and terms of reference and the Local Constitution is drafted to facilitate the flexibility to adapt and change.
- 3.19. Members of the Overview and Scrutiny Committee can request a call-in of a decision, if so requested in writing by two thirds of the membership. Any decision can be called-in, with exception of any decision resolved as urgent or improving or amending governance arrangements

Audit and Governance Committee

- 3.20. This statutory committee will review CWCA's financial affairs, risk management and internal controls.
- 3.21. The appointment of membership of the A&G Committee must ensure 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.
- 3.22. The statutory requirements are for the CA to appoint at least one independent person. It is expected that the independent person should have technical expertise to support the functions and membership of the A&G Committee and appointment should be via a clear process setting out a skills framework and taking account of political independence.
- 3.23. For the purposes of political balance considerations, the members of the committee "as a whole" refers to the voting members of the Committee with the exception of the independent member.
- 3.24. The proposed structure for the A&G Committee is 3 representatives from each constituent council, plus the independent person. The Local Constitution is drafted to facilitate the flexibility to adapt and change.
- 3.25. The A&G Committee shall appoint a chair. Any matters that are to be decided by the Committee are to be decided by consensus of the Committee where possible.

Business Advisory Board (BAB)

- 3.26. Although there is no statutory duty to establish a BAB, this is considered good practice. The Local Government Association's guidance on 'Good Governance for Combined Authorities' emphasises that combined authorities must build governance structures that support stakeholder engagement, strategic input, and robust decision making. Whilst not prescribing specific committees or boards, it highlights the need for governance arrangements that reflect local objectives and provide mechanisms for external expertise.
- 3.27. The governance relating to the BAB is being developed to ensure that the BAB can provide advice to the CWCA Board on issues of business and economy. The BAB will have no decision-making power but it is anticipated that the chair of the BAB may be appointed as an Associate Member of the CWCA Board to represent the views of businesses.

Appointment of CWCA Board Members and Substitutes

- 3.28. As explained above, the Statutory Constitution provides that each constituent council must appoint two of its elected members to be members of the CWCA Board, and two elected members to act as substitutes.
- 3.29. The membership of the CWCA Board will be nominated and recommended for approval by the respective Cabinet of Cheshire West and Chester Council (on 11 February 2026) and Warrington Borough Council (on 18 February 2026) and the Full Council of Cheshire East Council (on 25 February 2026) (reflecting Cheshire East's committee system).

Non Constituent and Associate Members – Process of Appointment

- 3.30. As provided for in the statutory constitution, the CWCA Board may appoint up to six non-constituent and associate members in total.
- 3.31. Non-constituent members are representatives of nominating bodies and will be non-voting unless the CWCA Board resolves otherwise.
- 3.32. An associate member is an individual appointed to be a member of the CWCA Board and will be non-voting.
- 3.33. The process for appointing non-constituent members is set out in the Local Constitution at Section 5.2 and summarised below:
- CWCA designates (with the Nominating Body's consent) and approves the body as a Nominating Body
 - CWCA agrees the number of Nominating Bodies that may be designated by the CWCA
 - CWCA agrees the number of non-constituent members that may be nominated by the Nominating Body of the CWCA

- 3.34. The appointment of a non-constituent and/or associate members or substitute will only take effect when the nomination is approved by the CWCA Board. The term of office will be 2 years.

Local Assurance Framework Update (LAF)

- 3.35. The LAF sets out how CWCA will ensure it uses public money responsibly, transparently and accountably to achieve best value for money for the benefit of the Cheshire and Warrington region. It sets out the processes, roles and governance structures that CWCA will put in place to ensure that devolved funds are managed responsibly and effectively providing assurance to central government and to the businesses and residents across the region.
- 3.36. While the primary focus is on devolved government funding, the LAF will apply to all decisions, approvals, funding bids and projects undertaken by the CWCA. It sits alongside the Local Constitution, the CWCA Contract and Finance Procedure Rules and the Order as part of the suite of core governance documents.
- 3.37. A draft of the LAF was submitted to the Ministry for Housing, Communities and Local Government (MHCLG) in December for review and feedback. It is currently being reviewed by wider government departments including the Department for Transport and Department for Education. There is likely to be a short iterative process for the draft LAF to be finalised, reflecting the feedback received and any updates required as the Combined Authority takes shape.
- 3.38. The resulting documents will need to be signed off by MHCLG in time for formal adoption by the Combined Authority Board in March 2026, which will provide assurance for the provision of the Mayoral Investment Fund and other 2026-27 expenditure. Devolved funds will not be released to the Combined Authority until the LAF has been approved.
- 3.39. The resulting document will continue to need to be updated as the roles and scope of CWCA change and grow over time, with a requirement that the latest version of the LAF is approved by MHCLG on an annual basis.

4. What will it cost?

- 4.1. There are minimal direct costs associated with the drafting of the Local Constitution, Local Assurance Framework or any related governance aspects set out in this report. The Statutory Constitution sets out remuneration provisions, which cannot be amended at a regional level.
- 4.2. The documents being prepared will be key to helping ensure that the future expenditure of the Combined Authority is managed effectively, and that funds are managed in a transparent and accountable manner.

5. What are the Legal aspects?

- 5.1. The Cheshire and Warrington Combined Authority Order 2026, once enacted, will establish the CWCA and the provisions of the Order set out the functions and key constitutional arrangements for the CWCA.
- 5.2. The constituent council's legal teams have drafted a Local Constitution for the CWCA, which adhere to the relevant legislation, where necessary, but also provide for local shaping, as appropriate. The Local Constitution will be reviewed annually but must align with the Order (and the Statutory Constitution).
- 5.3. In accordance with legislative requirements, the appointment of the members and substitutes to the CWCA Board will be approved by the respective Council/Cabinet of Cheshire East, Cheshire West and Chester and Warrington Borough Councils.

6. What risks are there and how can these be reduced?

- 6.1. The constitution is legally required on the establishment of the CWCA and must be agreed at the inaugural meeting of the CWCA Board. If the constitution is not agreed, there is a risk that the CWCA will not have a transparent and clear governance framework from the outset, which risks poor governance and decision making and reputational challenge from the outset. Agreeing the constitution in principle at this stage helps to mitigate this risk.
- 6.2. The constitution is drafted in a flexible way to ensure that it can evolve and change alongside the CWCA as more powers and functions are devolved and the CWCA infrastructure increases.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

- 7.1. There is no impact of the decision on health inequalities and equality and diversity issues

8. What are the implications of the decision on Climate Change?

- 8.1. There are no implications of the decision on Climate Change

9. Are there any other options?

- 9.1. The Local Constitution is legally required document for the governance framework of a Combined Authority so there is no option not to adopt a constitution.
- 9.2. The Local Constitution could be rejected in this forum but this exposes the new CWCA, on establishment, to the risk set out in Section 6 above.

For further information:

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Background Documents:

Appendix A: Draft Local Constitution of Cheshire and Warrington Combined Authority

Cheshire and Warrington Combined Authority Constitution



DRAFT ONLY - JAN 2026

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Part 1: Introduction

1. Background

- 1.1 The Cheshire and Warrington Combined Authority (the Combined Authority) was established pursuant to the Cheshire and Warrington Combined Authority Order (“the CWCA Order”) on **XX MONTH YEAR** in order to bring together the three councils of Cheshire East, Cheshire West and Chester and Warrington, working collaboratively with business and partners to champion the interests of the Cheshire and Warrington nationally and internationally.
- 1.2 The Constituent Members of the Combined Authority are:
 - Cheshire East Borough Council
 - Cheshire West and Chester Borough Council
 - Warrington Borough Council
- 1.3 The Non-Constituent Members of the Combined Authority are:
- 1.4 The Associate Members of the Combined Authority are:
- 1.5 Elections are due to be held in May 2027 to elect the Mayor, at which point the Mayor will become the Chair of the Combined Authority and will be responsible for all Mayoral Functions.
- 1.6 The Combined Authority will be responsible for a range of functions across Cheshire and Warrington, with powers being gradually transferred to the Combined Authority from inception and through enactment of legislation such as the English Devolution and Community Empowerment Act.
- 1.7 The functions of the Combined Authority are those functions conferred or imposed on it by the CWCA Order or any other 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.

2. The Constitution

- 2.1 This Constitution sets out how the Combined Authority works, makes decisions, and the procedures the Combined Authority will follow to make sure its work is efficient, and effective, and is both transparent and accountable to local people. Some of these procedures are set by law, while others are ones the Combined Authority has chosen to follow.
- 2.2 The Constitution has 7 parts, plus several appendices. These are outlined below as follows:

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 and signpost readers to relevant aspects throughout the Constitution.

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, including:

- formal meetings of the Combined Authority and its committees,
- how to access information, and
- procedures relating to finance and contracts.

Part 5: Ethical Standards including codes of conduct for Members and officers of the Combined Authority, and protocols relating to conduct, conflicts of interest and relationships between officers and members.

Part 6: Member 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.

Part 7: Management structure which sets out the senior officer management structure of the Cheshire and Warrington Combined Authority.

- 2.3 The purpose of the Constitution is to:
- enable the Combined Authority to provide leadership to the community in partnership with councils, citizens, businesses, and other organisations.
 - support the involvement of citizens in the process of local decision-making.
 - enable decisions to be taken efficiently and effectively.
 - provide ways to hold decision-makers to public account.
 - ensure that no one reviews or scrutinises a decision in which they have been directly involved.
 - clarify who takes decisions and ensure that decision-makers explain the reasons for decision, and
 - help deliver the Combined Authority's vision of a more prosperous Cheshire and Warrington Combined Authority area.
- 2.4 The Monitoring Officer will regularly monitor and review the operation of the Constitution, this will include an annual review to ensure that it remains fit for purpose.
- 2.5 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) where required to remove any inconsistency, ambiguity, or typographical error;
 - (d) where required to put into effect any decision of the Mayor or Committee, sub-Committee or officer exercising delegated powers;
 - (e) where required to reflect any changes to job or role titles; or
 - (f) where required to insert or update terms of reference for any Committee or sub-

Committee of the CWCA, once agreed by the CWCA Board.

Any such amendments must be reported retrospectively to the CWCA Board for noting where not as a result of a decision of the Mayor or the CWCA Board.

- 2.6 A majority of the Combined Authority Constituent members can propose a review of the Constitution, without the majority needed to include the Mayor. Any amendments or changes proposed by such a review require a simple majority vote which does include the Mayor. An appropriate person may also carry out a review of the Constitution where the CWCA consents (in accordance with s104D of the 2009 Act).
- 2.7 Changes to the Constitution will only be approved by the CWCA Board save for those matters covered by the Monitoring Officer's powers, listed in paragraph 2.5 above.
- 2.8 The Chief Finance Officer shall be responsible for monitoring and keeping under review the Financial Regulations set out in the Constitution.
- 2.9 The Monitoring Officer shall make any final decision regarding the application or interpretation of the Constitution.
- 2.10 Any references to the Mayor or Mayoral Functions in this constitution are effective following the election of the Mayor in 2027.

3. Definitions

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

‘the 2009 Act’	the Local Democracy, Economic Development and Construction Act 2009, as amended
‘the 2026 Act’	the English Devolution and Community Empowerment Act 2026
‘Associate Member’	an associate member is an individual appointed to be a member of the CWCA in accordance with section 104B of the 2009 Act
‘Chair’	the elected Mayor of the Cheshire and Warrington Combined Authority area or, before the election of the Mayor, as appointed in accordance with the CWCA Order, chairing the CWCA
‘the Combined Authority’ or ‘CWCA’ or ‘the Authority’	the Cheshire and Warrington Combined Authority
‘Combined Authority Board’ or ‘CWCA Board’	the Mayor, Constituent Council Members and Non-Constituent Members
‘Concurrent Function’	any function of the Combined Authority (including a function exercisable by the Mayor) conferred by the CWCA Order which is exercisable concurrently with the Constituent Councils of the CWCA area. That is, both the CWCA and Constituent Councils of the CWCA may exercise the function independently of one another
‘the Constituent Councils’	Cheshire East Borough Council, Cheshire West and Chester Council, Warrington Borough Council
‘the CWCA Order’	the Cheshire and Warrington Combined Authority Order 2026
‘the Deputy Mayor’	the member of the CWCA appointed by the Mayor to be the Mayor’s deputy pursuant to section 107C of the 2009 Act
‘Local Auditor’	the body appointed pursuant to section 7 of the Local Audit and Accountability Act 2014 to audit the CWCA’s accounts
‘the Mayor’	the person elected as mayor by the local government electors for the area of the Combined Authority
‘Mayoral Functions’	any function of the CWCA which is exercisable only by the Mayor (or the Mayor’s delegate) by virtue of the CWCA Order or any other enactment (whenever passed or made)
‘Member’	the elected Mayor (including any Deputy Mayor and/or substitutes) or any member of the authority appointed in accordance with Schedule 1 of the CWCA Order and this Constitution (and shall also include substitute members where appropriate)
‘Nominating Body’	a body which is asked to nominate a member of the Combined Authority under paragraph 3 (2) of Schedule 1 of the CWCA Order

'Non-Constituent Member'	a non-constituent member is an individual nominated as a representative by a Nominating Body in accordance section 104A of the 2009 Act
'Non-Mayoral Functions'	a function of the Combined Authority which is not a Mayoral Function
'Officer'	any officer of the Cheshire and Warrington Combined Authority
'Standing Orders'	the procedure standing orders, the contractual standing orders, the financial regulations of the Authority and any other procedures, protocols, rules, policies and governance arrangements from time to time adopted by the Authority and designated as standing orders of the Authority
'Substitute Member'	a substitute member from each Constituent Council appointed under paragraph 1 of Schedule 1 of the CWCA Order who may act in the absence of a Combined Authority Member. For Non-constituent and Associate Members, this means a substitute appointed under paragraph 3(2) and 3(3) of Schedule 1 of the CWCA Order.
'Vice-Chair'	The Deputy Mayor appointed by the Mayor to the Cheshire and Warrington Combined Authority area.

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Part 2: Articles

The Articles of the Constitution set out the underpinning legal framework of the Combined Authority and signpost readers to relevant aspects throughout the Constitution.

Article 1. The Cheshire and Warrington Combined Authority (CWCA)

- 1.1 CWCA was established pursuant to the CWCA Order on XXXXX as the Combined Authority.
- 1.2 The Mayor (once elected) and the Combined Authority Board, and its supporting governance framework will work together in collaboration, in the interests of the people of Cheshire and Warrington. This Constitution sets out arrangements to ensure the effective conduct of the Combined Authority's business, in this spirit of collaboration, mutual respect and transparency.
- 1.3 All members will strive to work based on 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 (Board), and in partnership with all relevant stakeholders wherever possible.

1. Membership of the Combined Authority (CWCA)

- 1.5 The Combined Authority comprises six Constituent members in addition to the Mayor (once elected), who is a member of the Combined Authority by virtue of that office.
- 1.6 Each of the Constituent Councils will appoint two of its elected members to be a Member of the Combined Authority.
- 1.7 Each Constituent Council must appoint one named elected Member ("Substitute Member") for each Member appointed by that council under Article 1.6, either of whom may act as a member of the Combined Authority in the absence of a member appointed under Article 1.6.
- 1.8 The Mayor must appoint one of the Constituent Members of the Combined Authority to be the Mayor's deputy (the Deputy Mayor).
- 1.9 Except to the extent that various functions are to be exercised only by the Mayor (or may be exercised by the Mayor's delegate) all Members will:
 - (a) collectively be the ultimate policy makers of Combined Authority
 - (b) bring views of their communities into the Combined Authority decision- making process; and

(c) maintain the highest standards of conduct and ethics

- 1.10 Members will at all times observe the Code of Conduct for Members set out in Part 5 of this Constitution.
- 1.11 A person will cease to be a Member or a Substitute Member of the Combined Authority if they cease to be a Member of the Constituent Councils that appointed them. The Constituent Councils shall appoint a replacement as soon as possible.
- 1.12 A person may resign as a Member or Substitute Member of the Combined Authority by written notice served on the proper officer of the Constituent Council that appointed them, and the resignation takes effect on receipt of the notice by the proper officer of the council.
- 1.13 Where a Member or Substitute Member of the Combined Authority's appointment ceases by virtue of 1.11 or 1.12 above the Constituent Council that made the appointment must, as soon as practicable, give written notice of that fact to the Combined Authority and appoint another of its elected members in that person's place.
- 1.14 A Constituent Council may at any time terminate the appointment of a member or substitute member appointed by it to the Combined Authority and appoint another one of its elected members in that person's place.
- 1.15 Where a Constituent Council exercises its power under sub-paragraph 1.14 above, it must give written notice of the new appointment and the termination of the previous appointment to the Combined Authority and the new appointment takes effect and the previous appointment terminates at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.
- 1.16 The Combined Authority Board must have no more than 6 Non-Constituent and Associate Members in total.
- 1.17 Each Nominating Body of the Combined Authority must nominate another person to act as the Member of the Combined Authority in the absence of the member appointed under section 104A(3) of the 2009 Act (non-constituent members of a CA).
- 1.18 An Associate Member appointed under section 104B of the 2009 Act (Associate Members of a CA) must nominate another person to act as a member of the Combined Authority in their absence.

2. Chair of the Combined Authority

- 2.1 Before the election for the return of the mayor, the Combined Authority must appoint a chair and a vice chair from amongst its members and these appointments are to be the first business transacted after the appointment of members of the Combined Authority, at the first meeting of the Combined Authority.

- 2.2 If a vacancy arises in the office of chair or vice chair, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Combined Authority or, if that meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting.
- 2.3 The vice-chair must act in place of the chair if for any reason
- (a) the chair is unable to act, or
 - (b) the office of chair is vacant.
- 2.4 If for any reason
- (a) the chair is unable to act or the office of chair is vacant, and
 - (b) the vice-chair is unable to act or the office of vice-chair is vacant,
- no meeting of the Combined Authority may take place.
- 2.5 The chair of the Combined Authority ceases to hold office, and the office of vice chair is abolished, at the end of the day before the first mayor's term of office begins(a).
- 2.6 Once elected, the Mayor is the Chair of the Combined Authority by virtue of s107A 2009 Act.

3. Meetings and Procedure

- 3.1 The Combined Authority will usually meet bi-monthly (once every 2 months), but additional meetings may take place within the period should the need arise.
- 3.2 There are three types of Combined Authority meeting:
- (a) the annual meeting;
 - (b) ordinary meetings; and
 - (c) extraordinary meetings.

They will be conducted in accordance with the Combined Authority Rules of Procedure set out in Part 4 of this Constitution.

4. Responsibility for Functions

- 4.1 Only the Combined Authority will exercise CWCA functions set out in Part 3.1 of this Constitution.
- 4.2 Only the Mayor will exercise mayoral functions set out in Part 3.2 of this Constitution.

- 4.3 The Combined Authority may delegate the discharge of its functions which are not reserved to the Combined Authority to committees, sub-committees, officers, joint committees, or other local authorities, pursuant to section 101 of the Local Government Act 1972.
- 4.4 The Mayor may delegate the discharge of mayoral general functions (which are not reserved to the Mayor) to the Deputy Mayor or any member or officer of the Combined Authority provided that the Mayor's political adviser is not to be treated as an officer for the purpose of this Article.
- 4.5 The Combined Authority has delegated the discharge of the Combined Authority functions to committees and officers in accordance with the scheme of delegation contained in Part 3, Section 6 of this constitution.
- 4.6 The Mayor has delegated the discharge of mayoral general functions in accordance with the scheme of delegation contained in Part 3, Section 6 of this constitution.
- 4.7 The Combined Authority and the Mayor will review their scheme of delegation regularly.

5. Committees of the Combined Authority

- 5.1 The Combined Authority is required to appoint an audit committee and one or more overview and scrutiny committees. These are statutory committees – see **Part 3** for relevant terms of reference
- 5.2 The Combined Authority may establish such other committees as it thinks fit to discharge its functions or to advise the Combined Authority on any matter relating to the exercise of functions of the Combined Authority.
- 5.3 The functions which a committee may exercise are set out in the committee's terms of reference – see further **Part 3** of the Constitution

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Article 2. The Mayor

1. Election of a Mayor

- 1.1 The Mayor is elected by the local government electors for the Combined Authority's Area.
- 1.2 The first election for the return of a Mayor for the Area will take place on 6th May 2027.
- 1.3 Subsequent elections for the return of a mayor for the Area are to take place:
 - (a) on the ordinary day of election in 2031, and
 - (b) in every fourth year thereafter on the same day as the ordinary day of election.
- 1.4 The term of office of the Mayor returned in each subsequent fourth year:
 - (a) begins with the fourth day after the day of the poll at the election for the return of the Mayor for the Area; and
 - (b) ends with the third day after the day of the poll at the next election for the return of the Mayor for the Area

2. General

- 2.1 The Mayor is the Chair of the Combined Authority.

3. Deputy Mayor

- 3.1 The Mayor must appoint one of the Constituent Members of the Combined Authority to be the Mayor's deputy (the Deputy Mayor).
- 3.2 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.

4. Incapacity or Vacancy of the Mayor

- 4.1 The Deputy Mayor must act in place of the Mayor if for any reason:
 - the Mayor is unable to act, or
 - the office of Mayor is vacant.
- 4.2 If for any reason:
 - the Mayor is unable to act, or the office of Mayor is vacant, and
 - 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

5. Mayoral Functions

- 5.1 The Mayoral Functions of the Combined Authority are functions of the Combined Authority exercisable only by the Mayor.
- 5.2 For the purposes of the exercise of the Mayoral Functions, the Mayor has the general powers of the CWCA set out in section 113A 2009 Act. The Mayor may exercise the general functions exercisable only by the Mayor as set out in paragraph 12 of the CWCA Order.
- 5.3 The Mayor may exercise the general powers and functions referenced in 5.2 above subject to the restrictions which apply to the exercise of that power and after having due regard to advice from the Monitoring Officer and Chief Finance Officer.

6. Mayoral Decision-Making

- 6.1 The Mayor must comply with the Mayoral Procedure Rules in **Part 4** and make decisions in accordance with the principles of decision-making set out in Article 8 (Decision- making).

7. Conduct

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

8. Remuneration

- 8.1 Any allowance payable to the Mayor shall not exceed a sum determined by the Independent Remuneration Panel. The Mayor's allowance is set out in the Members' Allowances Scheme in **Part 6** of this Constitution.

9. Budget and Finance

- 9.1 The Mayor must comply with the **Part 4** of this Constitution including Budget and Policy Procedure Rules, Contracts Standing Orders and Financial Regulations; see further also Article 9 (Finance, Contracts and Legal matters).

10. Mayoral Political Adviser

- 10.1 The Mayor may appoint one person as the Mayor's political adviser. Any such appointment is an appointment as an employee of the Combined Authority.

- 10.2 No appointment under paragraph 10.1 above may extend beyond:
- (a) the term of office for which the Mayor who made the appointment was elected; or
 - (b) 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.
- 10.3 A person appointed under 10.1 above is to be regarded for the purposes of Part 1 of the Local Government and Housing Act 1989 (political restriction of officers and staff) as holding a politically restricted post under a local authority.
- 10.4 Section 9(1), (3), (4) to (4C), (8), (9) and (11) of the Local Government and Housing Act 1989 Act (assistants for political groups) applies in relation to an appointment under 10.1 as if—
- (a) any appointment to that post were the appointment of a person in pursuance of that section, and
 - (b) the Combined Authority were a relevant authority for the purposes of that section.
- 10.5 Subsection (3) of section 9 of the Local Government and Housing Act 1989 Act applies in relation to an appointment under 10.1 as if the words from “and that the appointment terminates” to the end of that subsection were omitted.

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Article 3. Citizens and the Combined Authority

1. Voting

- 1.1 Local government electors for the Combined Authority's Area have the right to vote directly for the Mayor on the ordinary polling day every fourth year from 2027.

2. Information

- 2.1 The Access to Information Rules in **Part 4** of the Constitution set out the public's rights 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), 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.
 - to inspect the Forward Plan to find out about:
 - any Key Decision to be made by the Combined Authority, and
 - any request to be made to 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,
 - to inspect written records of decisions made by the Mayor and others authorised to make decisions under arrangements agreed by the Mayor,
 - to inspect written records of decisions made by officers,
 - to access information generally held by the Combined Authority
 - to inspect a list of Combined Authority Members

3. Consultation

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

4. Petitions

- 4.1 The Combined Authority does not operate a Petitions Scheme.

5. Complaints

- 5.1 Citizens have the right to complain to the Combined Authority under its complaints scheme, or the Local Government and Social Care Ombudsman.
- 5.2 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.

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Article 4. Joint Arrangements

- 1.1 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 functions jointly.
- 1.2 Such arrangements may involve the discharge of those functions by a joint committee of such authorities or by an officer of one of them.
- 1.3 The Mayor may enter into arrangements jointly with the Combined Authority and with the Constituent Councils and other local authorities in accordance with Section 101(5) of the Local Government Act 1972 for the discharge of Mayoral Functions listed in article 12 of the CWCA Order.
- 1.4 Where a joint transport committee is established in accordance with 1.3 above the members of the joint committee must be appointed in accordance with the following requirements:
- (a) The members appointed by the Combined Authority must be members or substitute members of the Combined Authority
 - (b) The members appointed by the Constituent Councils must be members of those councils.
 - (c) The members appointed by the Mayor must be members of the Combined Authority or of the Constituent Councils.
 - (d) In appointing members to the joint transport committee, the Combined Authority and the Constituent Councils must ensure that the members of the committee appointed from among the members of the Combined Authority and the Constituent Councils, and any substitute committee members acting in place of those members, 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.
 - (e) Questions relating to the apportionment of membership under 1.4(d) require a unanimous vote in favour by all members, or substitute members acting in place of those members, of the Combined Authority to be carried.
- 1.5 Where a joint transport committee is established in accordance with 1.3:
- (a) the Mayor must in each year appoint the chair of the joint transport committee from among the members of that committee; and
 - (b) if a vacancy arises in the office of the chair, the Mayor must make an appointment to fill the vacancy at the next ordinary meeting of the joint transport committee, or, if that meeting is to be held within the period of 14 days beginning with the day on which the vacancy arose, at the meeting following that meeting.

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Article 5. Officers

1. Statutory Officers

- 1.1 The Combined Authority is required to appoint or designate the following statutory officers:
- Head of Paid Service
 - Monitoring Officer, and
 - Section 73 Chief Finance Officer
- 1.2 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.

2. Chief Officers

- 2.1 Chief Officers for the purposes of **Part 3** (Scheme of Delegation of Functions to Chief Officers) of this Constitution means the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer (Section 73 Officer),.

Head of Paid Service (Chief Executive) – Statutory Functions

- 2.2 The Head of Paid Service, where the Head of Paid Services considers it appropriate, must prepare a report to the Combined Authority setting out their proposals in relation to:
- the manner in which the discharge by the Combined Authority of its different functions is coordinated,
 - the number and grades of staff required by the Combined Authority for discharging its functions,
 - the organisation of the Combined Authority's staff, and
 - the appointment and proper management of the Combined Authority's staff.
- 2.3 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.
- 2.4 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

- 2.5 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 Combined Authority 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 Officer – Statutory Functions

- 2.6 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.
- 2.7 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:
- has made or is about to make a decision which involves or will involve incurring unlawful expenditure, or
 - 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
 - is about to enter an item of account unlawfully.
- 2.8 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.
- 2.9 The Section 73 Chief Finance Officer must send a copy of any such report to the Local Auditor and to each Combined Authority 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 Local Auditor must be notified of the meeting and as soon as practicable, any decision taken at the meeting.

3. Statutory Scrutiny & Democratic Services Officer

- 3.1 The Combined Authority must designate one of its officers as the Statutory Scrutiny Officer, whose responsibilities and functions are set out in the Overview and Scrutiny Procedural Rules of this constitution. They must not be an officer of a Constituent Council.

4. Data Protection Officer

- 4.1 The Combined Authority must appoint a Data Protection Officer in accordance with the UK General Data Protection Regulations.

5. Head of Internal Audit

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

6. General

- 6.1 The Combined Authority may engage such staff (referred to as officers), in whatever manner as it considers necessary to carry out its functions.
- 6.2 Officers will comply with the Code of Conduct for Officers.

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Article 6. Decision-Making

1. Responsibility for Decision-Making

- 1.1 The Combined Authority and the Mayor will issue and keep up to date a record of what part of the Combined Authority or which individual has responsibility for particular types of decisions or decisions relating to particular functions. This record is set out in **Part 3** of this Constitution.

2. Principles of Decision-Making

- 2.1 All decisions of the Combined Authority should be made in accordance with the following principles:
- (a) due regard to all relevant and material considerations and without regard to any irrelevant considerations;
 - (b) where appropriate, the realistic evaluation of alternatives;
 - (c) proportionality (i.e., the action must be proportionate to the desired outcome);
 - (d) due consultation and the taking of professional advice from officers;
 - (e) respect for human rights and equalities;
 - (f) a presumption in favour of openness and transparency;
 - (g) clarity of aims and desired outcomes; and
 - (h) reasons being given for the decision, as appropriate.

3. Key Decisions

- 3.1 A “key decision” means a decision of decision-maker, which in the view of the Overview and Scrutiny Committee is likely to: in the exercise of Non-Mayoral or Mayoral Functions that is likely to
- (a) result in the Combined Authority or the Mayor spending or saving a significant amount, having regard to the budget for the service or function the decision relates to; or
 - (b) have a significant effect on communities living or working in an area made up of two or more electoral divisions in the area.
- 3.2 When assessing whether or not a decision is a key decision, Members must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will not generally be considered to be a key decision if that amount is less than £1million.
- 3.3 A decision-maker may only make a Key Decision in accordance with the requirements of the:
- Access to Information Rules, and
 - Combined Authority Procedure Standing Orders, or
 - Mayoral Procedure Rules
- 3.4 Any Key Decision may be reviewed or scrutinised by an Overview and Scrutiny committee in line with the appropriate procedure rules.

4. Types of Decision

(a) 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 Rules of Procedure set out in Part 4 of this Constitution when considering any matter.

(b) 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.

(c) 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 Rules of Procedure set out in Part 4 of this Constitution as apply to them.

(d) 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.

5. Recording Decisions

- 5.1 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 in Part 4 of this Constitution.

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Article 7. Finance, Contracts and Legal Matters

1. Financial Management

- 1.1 The management of the Combined Authority's financial affairs will be conducted in accordance with the Financial Procedures set out in **Part 4** of the Constitution.

2. Legal Proceedings

- 2.1 The Monitoring Officer is authorised to institute, settle, defend, or participate in any legal or quasi-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's interests.

3. Authentication of Documents

- (a) 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.
- (b) Any contract with a value exceeding £500,000 entered into by the Combined Authority shall be made under the Common Seal of the Combined Authority, attested by an authorised officer. Any other 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, otherwise contracts may be executed by an authorised signatory in line with any delegations in this Constitution or Officer schemes of delegation.

4. Common Seal of the Combined Authority

- 4.1 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.

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Part 3: Responsibility for Functions

1. Introduction

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

DETAIL TO BE INSERTED to sections 3.1 – 3.3 below – this will reflect the functions for Day One with flexibility for including additional functions on the enactment of the English Devolution and Community Empowerment Bill

3.1 Combined Authority (CA) (Board) Functions

3.2 Combined Authority Functions

3.3 Mayoral Functions

3.4 Terms of Reference

There are some regulatory committees of the Combined Authority which the Combined Authority must have by law. The Terms of Reference for these committees are set out in this section:

Regulatory Committees:

Audit and Governance Committee

Overview and Scrutiny Committee

3.4.1 Combined Authority Board (Reserved Functions) Terms of Reference

To be inserted

3.4.2 Audit & Governance Committee

This is a regulatory committee to the Combined Authority; these are Committees that the Combined Authority must have by law.

The function of the Audit & Governance Committee is to:

- 1) review and scrutinise the Combined Authority's financial affairs
- 2) review and assess the Combined Authority's risk management, internal control and corporate governance arrangements
- 3) review and assess the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions
- 4) make reports and recommendations to the Combined Authority in relation to reviews conducted under the above
- 5) implement the obligation to ensure high standards of conduct amongst Members.

The Combined Authority must appoint an Audit Committee whose proceedings shall operate in accordance with these terms of reference and the Scrutiny Standing Orders detailed in **Part 4** of the Constitution.

Membership

The membership of the Audit Committee shall consist of:

- Independent Person
- Minimum of 2 representatives from each Constituent Council

In appointing members to the Audit and Governance Committee the Combined Authority must ensure 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.

For the purposes of political balance considerations, the members of the committee as a whole refer to the voting members of the Committee with the exception of the Independent Chair.

Chairing the Committee

The Combined Authority will appoint a Chair of the Committee, who can be an Independent Person.

The Committee will appoint a Vice-Chair from amongst its membership.

In the absence of the appointed Chair and Vice-Chair, the Committee will appoint a Chair for the meeting.

Quorum

The quorum will be two thirds of voting members of the Committee

Voting

Any matters that are to be decided by the Committee are to be decided by consensus of the Committee where possible.

When a vote is required, only voting members of the Committee will be entitled to vote at meetings and the Chair does not exercise a casting vote.

Frequency

There will be a minimum of four Audit & Governance Committee meetings each municipal year, meetings shall be held in public with provision for Public Forum.

Functions

The Audit and Governance Committee shall undertake the following for the Combined Authority:

Accounts

- Approve the annual statement of accounts.
- Review the Annual Governance Statement prior to approval to ensure it properly reflects the risk environment and supporting assurances.
- Recommend Treasury Management Policy to Board for approval
- Recommend Procurement Policy to Board for approval

Governance

- Provide oversight to the Monitoring Officer on matters of governance and assurance
- Review corporate governance arrangements against the good governance framework.
- Review the Annual Governance Statement prior to approval to ensure it properly reflects the risk environment and supporting assurances.
- Annually review the assurance framework to ensure it adequately addresses risks and priorities including governance arrangements of significant partnerships.
- Monitor the Combined Authority's risk and performance management arrangements including reviewing the risk register, progress with mitigating actions and assurances.
- Monitor the anti-fraud and whistle blowing policies and the complaint process.
- Support the Monitoring Officer as required in amending the constitution.

Internal Audit

- The Combined Authority must appoint a Local Auditor to audit its accounts for a financial year not later than 31 December in the preceding financial year.
- Provide assurances over the effectiveness of internal audit functions and assuring the internal control environments of key partners.
- Review internal audit requirements undertaken by the Combined Authority
- Approve the internal audit plan.
- Consider reports and assurances from the Chief Finance Officer in relation to:
 - i. Internal Audit performance;
 - ii. Annual Assurance Opinion on the adequacy and effectiveness of the framework of governance, risk management and control;
 - iii. Risk management and assurance mapping arrangement;
 - iv. Progress to implement recommendations including concerns or where managers have accepted risks that the Authority may find unacceptable.

External Audit

- The Combined Authority must appoint a Local Auditor to audit its accounts for a financial year not later than 31 December in the preceding financial year.
- Review the annual accounts.
- Consider the annual external audit of the Combined Authority's accounts, including the Annual Audit Letter and assessing the implications and monitoring managers' response to concerns.

Financial Reporting

- Consider whether accounting policies were appropriately followed and any need to report concerns to the Combined Authority Board.
- Consider any issues arising from External Auditor's audit of the account.
- Ensure there is effective scrutiny of the treasury management strategy and policies in accordance with [CIPFA's Code of Practice](#).
- Maintain an overview of the Combined Authority's Constitution in respect of contract procedure rules, financial regulations and standards of conduct and make recommendations to the Chief Finance Officer and Monitoring Officer where necessary.

Code of Conduct

- Recommend Member and Officer Code of Conducts to Board for approval
- Ensure the Combined Authority has effective policies and processes in place to ensure high standards of conduct by its Members and co-opted Members.
- Assisting the Members and co-opted Members to observe the Code of Conduct.
- Advising the Combined Authority on the adoption or revision of the Code of Conduct and monitor its operation.
- Advising on training and overseeing the effectiveness of any training for Members and co-opted Members on matters relating to the Code of Conduct.

General

- To review any issue referred to the Committee by the Chief Executive, Directors, s73 Officer, the Monitoring Officer or any Combined Authority Member.
 - Report and make recommendations to the Combined Authority in relation to the above.
- The Committee may appoint one or more sub-committees for the purpose of discharging any of the Committee's functions.

Review

The terms of reference are to be reviewed on an annual basis by the Audit & Governance Committee

The role and arrangements of the Audit & Governance Committee will be reviewed on an annual basis by the Combined Authority

3.4.3 Overview & Scrutiny Committee

The Overview & Scrutiny Committee shall, within the scope of its remit, exercise the overview and scrutiny functions set out in Schedule 5A of the 2009 Act and the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017, as amended, and in particular shall have the following powers and responsibilities (to be exercised in accordance with the Scrutiny Standing Orders set out in Part 4 of this Constitution):

- 1) to review or scrutinise any decision made, or other action taken, in connection with any Non-Mayoral Function or Mayoral Function of the Combined Authority;
- 2) to make reports or recommendations to the Combined Authority, with respect to the discharge of any Non-Mayoral Function of the Combined Authority;
- 3) to make reports or recommendations to the Mayor, with respect to the discharge of any Mayoral Function of the Combined Authority;
- 4) to make reports or recommendations to the Combined Authority or the Mayor on any matter that affects the Combined Authority's Area or the inhabitants of the Combined Authority's Area

The Combined Authority must appoint one or more overview and scrutiny committees whose proceedings shall operate in accordance with these terms of reference and the Scrutiny Standing Orders detailed in Part 4 of the Constitution.

The Committee may appoint one or more sub-committees for the purpose of discharging any of the Committee's functions.

Membership

The membership of the Overview & Scrutiny Committee shall consist of an equal number of representatives from each Constituent Council, but never less than two

In appointing members to the Overview and Scrutiny Committee the Combined Authority must ensure 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.

For the purposes of political balance considerations, the members of the committee as a whole refer to the voting members of the Committee.

Neither the Mayor, nor any other Combined Authority Member may be a member of the overview and scrutiny committee or sub-committee.

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

Chairing the Committee

The Combined Authority will appoint the Chair of the Committee (tba).

The Chair will be an ‘appropriate person’ in line with regulation 5 of the amended Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

In the absence of the appointed Chair, the Committee will appoint a Chair for the meeting.

Quorum

The quorum will be two thirds of voting members of the Committee

Voting

Any matters that are to be decided by the Committee are to be decided by consensus of the Committee where possible.

Each member of the overview and scrutiny committee, or sub-committee, appointed from a Constituent Council, has one vote.

Any member of an overview and scrutiny committee not from a Constituent Council is non-voting unless the Combined Authority has resolved to give such a member voting rights

A simple majority of the members present and voting is required to determine any question, and no member has a casting vote. If a vote is tied it is deemed not to have been carried.

Functions

The Overview & Scrutiny Committee has the following key tasks to deliver in fulfilling its functions:

- hold the Mayor and the Combined Authority Board to account for the delivery of priority objectives
- hold the Mayor to account for delivery of Mayoral Priorities
- undertake pre-scrutiny of Board decision-making
- utilise the call-in power if decisions have not been taken in accordance with the principles of decision-making set out in the Constitution
- contribute to policy development in respect of high profile, complex issues affecting the Area
- undertake Strategic Performance Review of Corporate KPIs
- hold focused meetings on cross-cutting matters and/or issues of significant concern
- undertake focused budget scrutiny
- undertake deep dives or establish scrutiny task and finish or working groups as and when required

The terms of reference are to be reviewed on an annual basis by the Overview & Scrutiny Committee

The role and arrangements of the Overview & Scrutiny Committee will be reviewed on an annual basis by the Combined Authority

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3.5 Joint Committees

The terms of reference for any Joint Committees created by the Combined Authority will subsequently be detailed in this section of the constitution.

3.6 Scheme of Delegation of Functions to Chief Officers and Schedule of Proper

1. Introduction

General roles and responsibilities of Officers

- 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.
- 1.2 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.
- 1.3 Officers must comply with **Article 6 (Decision-making)** in **Part 2** of the Constitution when exercising authority delegated to them.
- 1.4 Decision-making by officers is subject to other control measures. These include:
 - Standing Orders including the Contracts Standing Orders and Financial Regulations in **Part 4** of the Constitution
 - Officers' Codes of Conduct, gifts and hospitality policy and the Conflicts of Interest Policy and Protocols in **Part 5** of the Constitution
 - Identified organisational values
 - an anti-fraud, bribery, and corruption policy, and
 - internal audit and risk management arrangements.
- 1.5 When exercising their delegated authority, an officer must:
 - ensure that the decision conforms with and furthers strategies and policies approved or endorsed by the Combined Authority and the Mayor, and
 - follow approved practices and procedures of the Combined Authority including the Cheshire and Warrington Combined Authority Assurance Framework, relevant Government guidance and industry/professional best practice.

Delegation to Officers

- 1.6 This Officer Delegation Scheme sets out:
 - Non-Mayoral Functions delegated to officers by the Combined Authority , and
 - Mayoral Functions delegated to officers by the Mayor.
- 1.7 The Combined Authority or the Mayor may also delegate decisions outside of this Scheme to a Combined Authority officer in relation to any specific matter, subject to statutory restrictions.
- 1.8 The Combined Authority's Standing Orders in **Part 4** of the Constitution including Contracts Standing Orders and Financial Regulations also delegate to specified officers or post-holders.

- 1.9 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.
- 1.10 The Combined Authority (or a committee) or the Mayor may continue to exercise any function which it has delegated to an officer.

Sub-Delegations

- 1.11 Unless required by law or expressly indicated in the Scheme, an officer is not required to discharge their delegated authority personally (although they will remain responsible for any decision taken on their behalf). Such an officer (in their absence) may arrange for another officer of suitable experience and seniority to exercise the delegated authority on their behalf.

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

- 1.12 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 Board or a relevant committee

Referral of Matters to the Mayor – Mayoral Functions

- 1.13 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 Mayor.

Key Decisions

- 1.14 The Access to Information Rules in **Part 4** of the constitution apply where an officer exercises their delegated authority to take a Key Decision.
- 1.15 A Key Decision is defined in **Article 6: Decision-Making** in **Part 2** of the Constitution.

Call-in of Officer Decision

- 1.16 Any Key Decision taken by an officer under delegated authority is open to call-in, in accordance with the Overview & Scrutiny Standing Orders in **Part 4** of the constitution.

Recording Officer Decisions

- 1.17 An officer is required to complete a written record of their decision in accordance with the Access to Information Rules in **Part 4** of the Constitution. All reports and officer decisions shall be held by the Monitoring Officer or a nominated delegate.

Concurrent Functions

- 1.18 An officer proposing to exercise their delegated authority in respect of any Concurrent Function must follow any Protocol agreed by the Combined Authority with Constituent Councils relating to Concurrent Functions, including in relation to consultation.

Statutory Consents

- 1.19 No officer may exercise their delegated authority in relation to any function which requires a Statutory Consent.
- 1.20 An officer should exercise their delegated authority in relation to any function in respect of which a Statutory Consent has been given, in accordance with the terms of that Statutory Consent.

2. Officer Delegation Scheme: Delegations

- 2.1 The Chief Executive may direct an Officer not to exercise their authority delegated under this Scheme in respect of a particular matter and to refer the matter for determination:
- in respect of any Non-Mayoral Function to a relevant committee to the Combined Authority, or (where the delegated authority is of a general delegation) to the Chief Executive, or
 - in respect of any Mayoral Function to the Mayor.

General Delegations (Non-Mayoral Functions) to the Chief Executive or Chief Officers

- 2.2 Each Officer is authorised to carry into effect without reference to the Combined Authority or to any of its committees, matters of day-to-day management and administration in relation to functions within their remit. This includes the following:

(a) Expenditure

- 2.2.1 To incur expenditure within the agreed revenue budget in accordance with the Financial Regulations and Contracts Standing Orders in **Part 4** of the Constitution within the following approval limits (tba):

No.	Authority to incur expenditure	Approver
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- | | | |
|---|-----------------------|---|
| 1 | Above £1m | The Chief Executive or the Section 73 Officer in consultation with the Mayor provided it is within budget |
| 2 | Between £0.5m and £1m | Chief Executive or Section 73 Officer provided it is within budget |
| 3 | Up to £0.5m | Executive Directors (and statutory officers) in consultation with the Section 73 Officer provided it is within budget |

- 2.2.2 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 Cheshire and Warrington Combined Authority Assurance Framework.

(b) Human Resources

- 2.2.3 To appoint officers within the approved funded staffing structure in accordance with the Combined Authority 's Recruitment Policy.
- 2.2.4 To appoint officers on a temporary basis to provide cover for absences within approved budgets.
- 2.2.5 With the exception of:
- granting voluntary redundancy requests,
 - releasing preserved pension benefits on ill health grounds, and
 - payments to any officer for loss or damage to property arising out of their employment with the Combined Authority

to determine any employment issue arising in respect of an individual officer in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements, following consultation with the section 73 Officer and Monitoring Officer.

Proper Officer Functions

- 2.2.6 Each Executive Director is appointed the Proper Officer for any function within their remit.

Miscellaneous

- 2.2.7 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. equality and diversity; and
 - g. safeguarding

3. Chief Executive

- 3.1 The Chief Executive is designated the Head of Paid Service of the Combined Authority and is authorised to exercise the functions of the Head of Paid Service as set out in Section 4 of the Local Government and Housing Act 1989.

- 3.2 With the exception of any matter which the Mayor has directed should be referred to the Combined Authority for determination, the Chief Executive 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, always provided that:
 - I. exercising this authority to approve any economic development loan is subject to the conditions set out below and in consultation with the Section 73 Officer, and
 - II. any decision in respect of an application for a loan or grant from a business where a potential conflict of interest arises from the involvement with that business of any person representing the Business Voice or of non- constituent member of the Combined Authority is taken in accordance with the Conflicts of Interest Protocol
- 3.3 The Chief Executive 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.
- 3.4 The Chief Executive, 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 Combined Authority 's approved budget. Prior to exercising this delegation, the Chief Executive must consult the Mayor, and the Portfolio Lead Member, and following the decision, must publish an Officer Decision Notice.
- 3.5 In order to exercise 3.4 above, the business case or procurement must be approved by the Combined Authority Board within the Medium Term Financial Plan (MTFP) and, in the case of a tender or quotation, must be approved in accordance with the Combined Authority 's Contracts Procedure Rules, i.e.:
- the decision relates to the delivery of the agreed business plan for that business area.
 - the decision accords with any officer decision making guidance issued to officers.
 - once the decision has been made the officer complies with the transparency requirements of [The Openness of Local Government Bodies Regulations 2014](#).

- decisions taken will be reported to the next available Combined Authority Board as part of a Delegated Authority report

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. Chief Finance Officer (the Section 73 Officer)

4.1 The Section 73 Chief Finance Officer (CFO) of the Combined Authority exercises any statutory function of the Chief Finance Officer, including making arrangements for the proper administration of the Combined Authority 's financial affairs, as well as any powers and responsibilities set out in this Constitution.

4.2 The Chief Finance Officer is authorised to exercise the following Non-Mayoral Functions with the exception of any matter:

- expressly reserved to the Combined Authority ,
- expressly within the terms of reference of a Combined Authority committee or
- which the Chief Executive has directed the Chief Finance Officer to refer to the Combined Authority or any Committee for determination

to carry out any function in relation to:

- i. Finance
- ii. Commercial and Procurement
- iii. Audit and Risk
- iv. Funding Plan & Investment portfolio
- v. Commercial and Procurement
- vi. HR, OD and Learning
- vii. Digital and Technology
- viii. Corporate Services
- ix. Corporate Development
- x. Strategic Facilities and Asset Management
- xi. Equalities and Inclusion
- xii. Marketing
- xiii. Communications and External Affairs

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

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

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

5. The Monitoring Officer

- 5.1 The Monitoring Officer for the Combined Authority exercises any statutory function available to the Monitoring Officer plus any rights and responsibilities conferred in this Constitution.

- 5.2 With the exception of any matter:

- expressly reserved to the Combined Authority or
- which the Chief Executive has directed the Director, Legal, Governance and Compliance to refer to the Combined Authority or any Committee for determination

to carry out the following functions:

(a) Legal Proceedings and Settlements

- 5.2.1 To take any legal action to implement a decision of the Combined Authority.
- 5.2.2 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.
- 5.2.3 To make payments or provide other benefits in cases of maladministration
- 5.2.4 To defend and settle all actual and prospective claims made against the Combined Authority up to £500,000
- 5.2.5 To authorise the affixing of the seal of the Combined Authority (and to authorise any other Solicitor of the Combined Authority to authorise the affixing of the seal) and hold a register kept for the purpose that contains a consecutively numbered entry of every sealing initialled by the person who has authorised the affixing of the seal.
- 5.2.6 Make orders or take any other steps in relation to any legislation when instructed by the officer with the relevant area of responsibility
- 5.2.7 To authorise officers possessing such qualifications as may be required by law or in accordance with the Combined Authority's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Combined Authority (however described) and to issue any necessary certificates of authority.

(b) Governance

- 5.2.8 To discharge secretarial and other functions in relation to meetings of the Combined Authority and its committees

- 5.2.9 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
- 5.2.10 To make any changes to the Cheshire and Warrington 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
- 5.2.11 To make any change to the membership of any committee of the Combined Authority , provided that the appointment has no impact on the political balance for the committee and only in accordance with any nomination by the designated Nominating Body.

(c) Members Allowances

- 5.2.12 To administer the Members' Allowances Scheme in **Part 6** of the constitution.

(d) Interests in Land

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

(e) Other

- 5.2.14 To act as the Combined Authority Senior Information Risk Officer (S.I.R.O)
- 5.2.15 With the exception of any matter:
- expressly reserved to the Combined Authority, or
 - which the Chief Executive has directed the Section 73 Officer or the Monitoring Officer to refer to the Combined Authority or the Governance and Audit Committee for determination

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Part 4: Procedure Rules

4.1 Combined Authority Procedure Rules

1. Annual Meetings

- 1.1 In a year when there is an ordinary mayoral election, the annual meeting of the Combined Authority Board shall take place within 21 days from the retirement of the outgoing Mayor. In any other year, the annual meeting shall take place on such day between 1st March and 30th June in line with Schedule 12, paragraph 6A of the Local Government Act 1972.
- 1.2 At the Annual meeting the Combined Authority Board will:
- (a) Note the Mayor and Constituent Council members and substitute members.
 - (b) Receive apologies for absence.
 - (c) Receive any declarations of interest from Members.
 - (d) Approve the minutes of the last meeting.
 - (e) Receive any announcements from the Mayor or the Chief Executive.
 - (f) Receive details of the Mayor's appointments of the Deputy Mayor and arrangements in respect of Mayoral General Functions.
 - (g) Appoint non-constituent members and associate members and their substitutes.
 - (h) Approve a programme of ordinary meetings of the Combined Authority for the year.
 - (i) Approve committee arrangements and appointments to committees including appointing at least one Overview and Scrutiny Committee, and an Audit and Governance Committee and such other committees and advisory boards as required.
 - (j) Receive nominations and appoint Members to serve on outside bodies.
 - (k) Consider any other business set out in the notice convening the meeting.
 - (l) Consider any business that the Mayor believes to be urgent, in that the 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. Ordinary Meetings

- 2.1 Ordinary meetings of the Combined Authority shall take place in accordance with a programme decided at the Combined Authority's Annual meeting. Ordinary meetings will:
- (a) Receive apologies for absence.
 - (b) Approve the minutes of the last meeting.
 - (c) Receive any declarations of interest.
 - (d) Receive any announcements from the Mayor or the Chief Executive.
 - (e) Deal with any business adjourned from the last Combined Authority meeting.
 - (f) Respond to any questions from members of the public.
 - (g) Consider reports and recommendations from any Committee or Advisory Board of the Combined Authority .
 - (h) Consider reports and recommendations from any Officer of the Combined Authority .
 - (i) Seek any Statutory Consent required in relation to the exercise of a Concurrent Function,
 - (j) Consider motions on notice.
 - (k) Consider any other business specified in the summons to the meeting, and for

debate.

3. Extraordinary Meetings

- 3.1 The Monitoring Officer, Chief Financial Officer and Head of Paid Services may call, and those listed below may require the Monitoring Officer to call, Extraordinary Combined Authority Board meetings in addition to Ordinary meetings:
- (a) The Combined Authority .
 - (b) The Mayor (by resolution in their capacity as the Chair of the Combined Authority).
 - (c) Any five Combined Authority Members who have signed requisition which has been presented to the Mayor and the Mayor has refused to call a meeting or has failed to call a meeting within 5 clear working days of the presentation of the request.

Only business specified in the summons may be transacted at an Extraordinary Combined Authority Board meeting.

4. Chair

The Mayor, or in their absence the Deputy Mayor (who will have the same powers and duties as the Mayor), will preside at meetings of the Combined Authority Board.

- 4.1 Where the Deputy Mayor is acting in place of the Mayor they cannot also act in their capacity as a Combined Authority Member. The substitute member for the Deputy Mayor may act in the place of the Deputy Mayor in their capacity as a Combined Authority Member.
- 4.2 If for any reason the Mayor is unable to act or the office of Mayor is vacant and the Deputy Mayor is unable to act or the office of Deputy Mayor is vacant, the other members of the Combined Authority must act together in the place of the Mayor, taking decisions by a simple majority. In such circumstances the Combined Authority (Board) will elect a Member, other than a Non-Constituent or Associate Member, to chair the meeting as its first item of business.

5. Quorum

- 5.1 Before the first mayor's term of office begins, 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 three of the members appointed by the constituent councils are present.
- 5.2 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 four members appointed by the constituent councils are present.
- 5.3 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.
- 5.4 If at the time for which a meeting is called, and for 15 minutes thereafter, a quorum is not present, then no meeting shall take place with the agreement of the Chair or Mayor as appropriate.

- 5.5 If during any meeting the Chair or Mayor as appropriate, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned to a time fixed by the Chair. If there is no quorum and the Chair does not fix a time for the reconvened meeting, the meeting shall stand adjourned to the next ordinary meeting of the Combined Authority.

6. Time, Place and Duration of Meetings

- 6.1 Combined Authority meetings are held at any place within or outside the Combined Authority Area as the Combined Authority directs during daytime unless the Combined Authority or the Mayor decides otherwise. Any changes to the date, time and place of meetings or cancellation of meetings will be determined by the Chief Executive in consultation with the Mayor
- 6.2 The Mayor shall interrupt proceedings where any meeting has lasted for three hours, whereupon all Members shall stop speaking. The Mayor shall, without discussion, take a vote on whether or not the Members wish the meeting to continue.
- 6.3 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.

7. Suspension, variation, revocation, and interpretation of Procedure Rules

- 7.1 Any motion to vary or revoke these Procedure Rules shall, when proposed and seconded, stand adjourned without discussion to the next Ordinary meeting of the Combined Authority Board.
- 7.2 Procedure Rules may be suspended in respect of any business at a meeting of the Combined Authority Board where its suspension is moved and seconded, except where this would be in contravention of statute.
- 7.3 A motion to suspend Procedure Rules shall not be moved without notice unless there are present at least three of the Members of the Combined Authority appointed by Constituent Councils or Substitute Members acting in their place.
- 7.4 The ruling of the Mayor as to the construction or application of Procedure Rules, or as to any proceedings of the Combined Authority, shall not be challenged. The Mayor may consult with the Monitoring Officer or their nominee on any question of interpretation.

8. Items of Business

- 8.1 No item of business may be considered at any meeting except:
- The business set out in the Summons,
 - Business required by law to be transacted at the annual meeting, or
 - Business brought before the meeting as a matter of urgency by reason of special circumstances, which shall be specified in the minutes, and the Mayor is of the

opinion that the item should be considered at the meeting as a matter of urgency.

9. Order of Business

- 9.1 Business shall be dealt with in the order in which it is set out in the agenda unless the Mayor decides otherwise.

10. Record of Attendance

- 10.1 The Monitoring Officer will ensure that the name of any Member present during the whole or part of a meeting is recorded.

11. Confirmation of minutes and declarations of interest

- 11.1 Minutes of the last Combined Authority meeting shall be confirmed at the next Ordinary meeting of the Combined Authority .
- 11.2 Only matters relating to the accuracy of the minutes can be raised, which must be done by way of a motion which is proposed, seconded, and voted upon. Where no issues are raised, or after the motion has been dealt with, the Mayor shall initial each page and sign the minutes.
- 11.3 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.
- 11.4 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, if required to do so under the Members' Code of Conduct.

12. Motions on Notice

- 12.1 **Notice.** Except for Procedural Motions which can be moved without notice, written notice of every motion, signed by at least one Member, must be delivered to the Monitoring Officer, not later than midday, at least seven clear working days before the date of the meeting.
- 12.2 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, that they propose to move it to a later meeting or withdraw it.
- 12.3 No more than one motion may be proposed by any individual Member for each meeting.
- 12.4 **Scope.** Each motion must:
- (a) clearly and succinctly identify the matter to be debated.
 - (b) be capable of being passed as a formal resolution; and
 - (c) be about matters for which the Combined Authority has a responsibility, or which specifically affect the Combined Authority area.
- 12.5 The Monitoring Officer may, reject a motion which, in their opinion:

- (a) is irrelevant, defamatory, frivolous, offensive, vexatious, unlawful, or otherwise improper.
- (b) refers to legal proceedings taken or anticipated by or against the Combined Authority.
- (c) requires the disclosure of confidential or exempt information.
- (d) names or identifies specific service users, members of staff or members of staff of partner organisations without the mover demonstrating they have provided consent.
- (e) relates to the Member's own personal circumstances.
- (f) 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.

- 12.6 **Alteration.** A proposer may alter a motion on which they have given notice 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 may be made.
- 12.7 **Withdrawal.** 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.
- 12.8 **Motions not moved.** 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.
- 12.9 **Rescission of earlier resolutions.** No motion or amendment may be proposed to rescind any resolution of the Combined Authority passed within the preceding six months, or which is to the same effect 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 one third of the total number of members who include members from more than one political group.

13. Amendments

- 13.1 An amendment to a motion must:
- (a) Be relevant to the motion.
 - (b) Add and/or delete a word or words.
 - (c) Not introduce a new topic.
 - (d) Not negate the motion.
 - (e) Be worded so that, if it is agreed by the Combined Authority, it can be passed as a valid resolution.
- 13.2 The Mayor, following consultation with the Monitoring Officer, may reject an amendment on the grounds set out in Rule 12.5 or 13.1. An amendment will not be accepted if it is substantially the same as a motion or amendment which has already been submitted to the same meeting of the Combined Authority Board.
- 13.3 **Number of Amendments.** Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been

disposed of.

- 13.4 **Status of Amendments.** If an amendment is lost, another amendment may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 13.5 After all amendments have been considered and determined there shall be an opportunity for further debate on the original motion, as amended or otherwise as the case may be, prior to the taking of a vote.

14. Public Questions

- 14.1 At Ordinary meetings of the Combined Authority, questions may be asked by members of the public of the Mayor, Combined Authority Members and/ or Committee Chairs.
- 14.2 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.
- 14.3 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 organisation.
- 14.4 Questions must be submitted in writing at least seven clear working days 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.
- 14.5 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.
 - (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.

- 14.6 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 may decide to group similar questions together).
- 14.7 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.
- 14.8 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.

15. Motions and Amendments that may be moved without Notice

- 15.1 **Procedural motions.** The following motions and amendments may be moved without notice for consideration when a Chair is in place for the meeting:
- (a) Relating to the accuracy of the minutes of the Combined Authority , a committee or sub-committee.
 - (b) For a change in the order of business.
 - (c) Extending the time limit for speeches.
 - (d) That the meeting proceeds to the next business.
 - (e) That the question be now put.
 - (f) That the debate be now adjourned.
 - (g) That the meeting does now adjourn.
 - (h) To suspend Procedure Rules.
 - (i) Giving consent where consent of the Combined Authority is required by the Procedure Rules.
 - (j) Reference of a matter to a committee or sub-committee.
 - (k) Appointment of or appointment to committees or sub-committees occasioned by an item mentioned in the summons to the meeting.
 - (l) That a Member should not be heard further or should leave the meeting.
 - (m) Adoption of recommendations of committees and subcommittees and any consequent resolutions.
 - (n) That leave is given to withdraw a motion.
 - (o) That leave is given to alter a motion by the mover of that motion.
 - (p) Receipt of reports of officers and any consequent resolutions.
 - (q) Amendment to reports of which notification has been included within the summons of the meeting but where the reports were circulated at a later date than the summons.
 - (r) Authorising the sealing of documents.
 - (s) To exclude the press and public.
- 15.2 **Closure motions.** Motions designed to close a debate, e.g. (e)-(h) above, may be moved provided no-one else is speaking at the time. Closure 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.

- 15.3 When one of the following motions has been seconded, the Mayor shall proceed as follows:
- (a) **On a motion to proceed to next business** - unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion the right of reply, and then put to the vote the motion to proceed to next business.
 - (b) **On a motion that the question, be now put** - unless in their opinion the matter before the meeting has been insufficiently discussed, they shall put to the vote the motion that the question be now put and, if it is passed, give the mover of the original motion the right of reply before putting the motion to the vote.
 - (c) **On a motion to adjourn the debate or the meeting** - if in their opinion the matter before the meeting has been insufficiently discussed on that occasion, they shall put the adjournment motion to the vote without giving the mover of the original motion the right of reply on that occasion .
 - (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 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 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.

16. Rules of Debate

- 16.1 **Motions and Amendments.** No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Mayor, motions or amendments shall be put in writing and handed to the Mayor before they are further debated or put to the meeting.
- 16.2 **Seconders' Speech.** When seconding a motion or amendment, a Member may advise the Mayor that they will reserve their right to speak until a later period in the debate.
- 16.3 **Content and length of speeches.** A Member will confine their speech to the question under discussion, a personal explanation, or a point of order. All speeches shall not exceed five minutes.
- 16.4 **When a Member may speak again.** A Member who has spoken on any motion shall 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).
- (f) By way of personal explanation.

17. Points of Order and Personal Explanations

- 17.1 A Member may raise on a point of order or in personal explanation and shall be entitled to be heard immediately. A Member raising a point of order must specify a Procedure Rule or statutory provision and the way in which they consider it has been breached.
- 17.2 A personal explanation shall be confined to some material part of a former speech by them which may appear to have been misunderstood or misquoted in the current debate.
- 17.3 The Mayor 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 may consult on any question of interpretation with the Monitoring Officer or their nominee prior to making a ruling. The ruling of the Mayor on the matter shall not be open to discussion and will be final.

18. Voting

- 18.1 Subject to the following Standing Order, any question that is to be decided by the Combined Authority Board is to be decided by:
 - (a) a vote of the members of the Combined Authority , and any substitute members acting in place of members of the Combined Authority , and the Mayor or the deputy mayor acting in place of the Mayor present and voting on that question at a meeting of the Combined Authority , and
 - (b) a majority of those voting that includes the Mayor, or the deputy Mayor acting in place of the Mayor.
- 18.2 The Mayor, and each Member of the Combined Authority appointed by a Constituent Council, or substitute Member acting in that Member's place, is to have one vote.
- 18.3 A non-constituent member will not be entitled to vote unless a resolution is passed pursuant to 18.1 above resolving to give voting rights to non-constituent members on individual matters within meetings. Any such resolution will provide voting rights for the duration of one meeting only.
- 18.4 Associate members are not entitled to vote.
- 18.5 Neither the Mayor, Deputy Mayor nor any member or substitute member is to have a casting vote.
- 18.6 If a vote is tied on any matter, it is deemed not to have been carried.

- 18.7 For questions relating to the following matters, the majority under Standing Order 18.1(b) must include all lead members designated by the Constituent Councils or, where any substitute members are acting in place of lead members, all lead members and all such substitute members:
- (a) approval or amendment of a budget.
 - (b) the setting of any transport levy under section 74 of the Local Government Finance Act 1988 and in accordance with regulations made thereunder; and
 - (c) such other plans and strategies as may be determined by the Combined Authority and set out in its standing orders.
- 18.8 For questions relating to the following matters, the majority under Standing Order 18.1(b) must include the lead member for any Constituent Council whose area contains any part of the land subject to the proposed compulsory acquisition, or a substitute member acting in place of such a lead member:
- The exercise of the functions by the Combined Authority conferred by regulations 7, 8 and 12 of the Cheshire and Warrington Combined Authority Regulations 2024 in section 17(3) of the Housing Act 1985 (insofar as this function is exercised for the compulsory purchase of land), section 9(2) of the Housing and Regeneration Act 2008, section 226 of the Town and Country Planning Act 1990 and section 197(1) of the Localism Act 2011.
- 18.9 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.
- 18.10 Any exercise by the Mayor of the general functions mentioned in regulation 26(1) of the Cheshire and Warrington Combined Authority Regulations 2024 which results in a financial liability falling on a Constituent Council requires the consent of the lead member of that Constituent Council. Such consent is to be given at a meeting of the Combined Authority .
- 18.11 Any exercise by the Mayor of the functions corresponding to the functions contained in section 199(1) of the Localism Act 2011 (exclusion of land from Mayoral development areas) in respect of any Mayoral development area requires the consent of each member of the Combined Authority whose local government area contains any part of the area to be excluded from a Mayoral development area or substitute members acting in place of those members. Such consent is to be given at a meeting of the Combined Authority .
- 18.12 Any exercise by the Mayor of the functions corresponding to the functions contained in section 202(2) to (4) of the Localism Act 2011 (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of the lead members of the Combined Authority whose local government area contains any part of the area to be designated as a Mayoral development area or substitute members acting in place

of those members. Such consent is to be given at a meeting of the Combined Authority . (These powers also require the consent of the district council and the Peak District National Park if the functions are to be exercised within their areas).

18.13 Any exercise by the Mayor of the functions conferred by sections 108, 109 and 112 of the Transport Act 2000 requires them to consult with the Combined Authority and the members of the Combined Authority may amend plans made pursuant to sections 108, 109 and 112 of the 2000 Act if agreed 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.

18.14 **Offices and appointments.** If on a vote no person receives more than half of the votes cast, the name of the person with the fewest number of votes will be withdrawn. Further votes will be held until one person receives a clear majority.

19. Method of Voting

19.1 Whenever a vote is taken at meetings of the Combined Authority it shall be by a show of hands.

19.2 On the requisition of any Member of the Combined Authority eligible to vote, supported by two other Members (also eligible to vote) who signify their support by rising in their places, and before the vote is taken, the voting on any question shall be recorded so as to show whether each Member present gave their vote for or against or abstained from voting.

20. Matters affecting Officers

20.1 If any question arises at a meeting at which the public are in attendance as to the appointment, promotion, dismissal, remuneration, pension matters, conditions of service or conduct of any person employed by the Combined Authority , such question shall not be the subject of discussion until the Combined Authority has decided whether or not to exclude the public.

21. Conduct at meetings

21.1 Whenever the Mayor rises during a debate at a Combined Authority meeting, the meeting shall be silent.

21.2 Mobile phones and other electronic devices must be switched to 'silent' during meetings.

21.3 Filming or recording of any meeting of the Combined Authority is permitted, subject to the following:

- (a) Filming or recording is done openly.
- (b) That the Mayor has been notified at the commencement of the meeting.
- (c) That anybody attending the meeting, with the exception of Members and officers, may request not to be filmed or recorded.
- (d) Filming or recording may only take place when members of the public are entitled to attend in person.

21.4 Placards are not permitted during meetings.

21.5 **Member not to be heard further.** If a Member persistently disregards the ruling of the Mayor by continued irrelevance or repetitions, by behaving improperly or offensively, or by wilfully obstructing the business of the Combined Authority , the Mayor may direct the Member to stop speaking. If, following a direction from the Mayor 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 Mayor shall put the motion to the vote without discussion and if passed, the Member shall not be permitted to speak on the same matter again during the meeting.

21.6 **Member to leave the meeting.** If a Member persistently disregards the ruling of the Mayor by continued irrelevance or repetitions, by behaving improperly or offensively, or by wilfully obstructing the business of the Combined Authority , the Mayor may request them to leave for the remainder of the meeting or for any lesser period. If following a request to leave the meeting, the offending Member does not leave, the Mayor (or any other Member) may move that the Member named leave the meeting. The motion shall be put and, if seconded, voted upon without discussion. If carried, the Mayor shall give directions for the removal of the Member and such other directions as are necessary for restoring order to the proceedings.

21.7 **Removal of member of the public.** If a member of the public interrupt's proceedings, causes a disturbance or behaves improperly, offensively, or wilfully obstructs the business of the Combined Authority , the Mayor will warn the person concerned. If the member of the public, having been warned, continues their conduct, the Mayor may order their removal from the meeting room.

21.8 **General disturbance.** If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as they think necessary.

22. Substitute Members

22.1 A substitute member may only act for the Combined Authority Member for whom they are the designated substitute.

22.2 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.

22.3 A substitute member may not exercise any special powers or duties exercisable by the Member for whom they are substituting.

23. Attendance at meetings

23.1 The Mayor may invite the Chair of any advisory committee, committee, or sub- committee of the Combined Authority to attend and speak at any meeting of the Combined Authority to;

- Present any reports or recommendations of the committee or sub-committee.
- Answer questions about any matter in the minutes of that committee or sub-committee, or

- Contribute to the discussions about any matter which is relevant to the functions discharged by the committee or sub-committee of which they are chair.

23.2 The Mayor may invite any person to attend and speak at meetings. In such circumstance the Mayor is required to notify the Monitoring Officer at the earliest opportunity providing the details of the person(s) invited to speak and the agenda item they have been invited to speak in relation to.

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4.2 Mayoral Procedure Rules (effective from May 2027)

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 decision-maker should make decisions in accordance with the principles set out in Article 6 (Decision-making) in **Part 2** of the Constitution
- 1.3 The decision-maker must comply with any applicable Code or Protocol set out in **Part 5** of 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 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 Combined Authority 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 any relevant overview and scrutiny committee that the making of the Key Decision is urgent and cannot be deferred.

Other Decisions

- 2.3 The decision-maker may take any decision which is not a Key Decision nor a Statutory Consent outside of a meeting of the Combined Authority, subject to the requirements below in relation to recording and publishing decisions.

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4.3 Budget and Policy Rules

1. General

- 1.1 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.
- 1.2 Decision-makers should consider whether any consultation is required in respect of their proposals, in addition to the statutory requirements specified in these rules.
- 1.3 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.
- 1.4 When approving budgets or policies, decision-makers must comply with the provisions relating to Key Decisions in the Access to Information Rules in **Part 4** of the Constitution.

2. Mayor's General Budget

- 2.1 The Mayor must prepare a draft budget for the Mayoral Functions by 1 February each year. 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 majority of the Combined Authority Members present and voting, such majority to include the Mayor and Lead Member from each Constituent Council (or their substitute).
- 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.
- 2.4 The Mayor's draft budget shall be deemed to be approved by the Combined Authority , unless the Combined Authority makes such a 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 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, provide a copy of the revised 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 Mayor's draft budget, or the revised draft budget; or
 - veto the Mayor's draft budget (or revised draft budget) and approve the Mayor's draft budget incorporating the Combined Authority's recommendations contained in the report to the Mayor.
- 2.8 The Mayor's draft budget (or the revised draft budget) shall be deemed to be approved unless vetoed within 5 working days beginning with the day after the date on which the period specified for the Mayor to consider the Combined Authority's report commences.

3. Approval of policy – Non-Mayoral Functions

- 3.1 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 2024 Order, approval of that policy requires the support of the Mayor.

4. Approval of policy – Mayoral Functions

- 4.1 Preparing and reviewing a Local Transport Plan under section 108 of the Transport Act 2000 is a Mayoral General Function, (that is, exercisable by the Mayor), subject to paragraph 4.4 below. The Mayor must have regard to any relevant statutory guidance when discharging this function.
- 4.2 In preparing and keeping the Local Transport Plan under review, the Mayor must consult:
- each local traffic authority for the Combined Authority's Area,
 - the Secretary of State in relation to functions which the Secretary of State has as highway authority and traffic authority, and
 - each county council and district council in the area of the Combined Authority
- 4.3 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 railway's services in the Combined Authority's Area,
 - operators or providers of other transport services in the Combined Authority's Area, or representative organisations,
 - organisations appearing to the Mayor to represent the interests of users of transport services and facilities in the Combined Authority's Area, and
 - other persons whom they consider appropriate.
- 4.4 In the transition period the Local Transport Plan must be approved by the Combined Authority by a budget setting vote. After the end of the transition period, by a 2/3 majority vote, the Combined Authority may amend any Local Transport Plan made by the Mayor. The Combined Authority must have regard to any relevant statutory guidance when discharging this function.
- 4.5 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.

4.6 The Mayor will approve any other policy in relation to Mayoral General Functions, unless authority to do this has been delegated under the Mayor's arrangements.

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4.4 Access to Information Rules

Rights to attend meetings, inspect documents and record proceedings

Part 1: Rights of the Public: Non-Mayoral and Mayoral General Functions

References to meetings of the Combined Authority include meetings of any ordinary or statutory committee or sub-committee appointed by the Combined Authority . These provisions do not affect any other rights to information arising under any standing orders of the Combined Authority , or by law.

1. Public Access to a Combined Authority Meeting

- 1.1 Any meeting of the Combined Authority shall be open to the public except where the public is excluded (during the whole or part of the proceedings) in accordance with the following:

A Confidential Information

- 1.2 The 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.

- 1.3 Confidential information means:

- information given to the Combined Authority by a Government department on terms which forbid its public disclosure, or
- information the public disclosure of which is prohibited by or under an Act or Court Order.

B Exempt Information

- 1.4 The Combined Authority may resolve to exclude the public from a meeting during an item whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed to the public if the public were present during the item.
- 1.5 Exempt information means information falling within one of the following descriptions (as set out in Part 1 of Schedule 12A of the Local Government Act 1972):

Description

Paragraph 1	Information relating to any individual .
Paragraph 2	Information which is likely to reveal the identity of an individual .
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the Combined Authority holding that information), except information which must be registered under various statutes, such as the Companies Acts or the Charities Act 2011. "Financial or business affairs" includes contemplated, as well as past or current, activities.
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any

labour relations matter arising between the Combined Authority or a Minister of the Crown and employees of, or officer- holders under the Combined Authority

Paragraph 5

Information in respect of which a claim to legal professional privilege could be maintained in **legal proceedings**.

Paragraph 6

Information which reveals that the Combined Authority proposes:

(a) to give under any enactment **a notice** under or by virtue of which requirements are imposed on a person, or

to make an **order or direction** under any enactment.

Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of **crime**.

- 1.6 Information falling within any of these descriptions is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.
- 1.7 Information falling within any of these descriptions may only be exempt 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.
- 1.8 A resolution to exclude the public from a meeting must:
- identify the proceedings, or the part of the proceedings, to which it applies,
 - state the description of the exempt information giving rise to the exclusion of the public, and
 - confirm (by referring to reasons in a relevant report or otherwise) that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

C General Disturbance

- 1.9 Procedure Standing Order 21.7 in Part 4.1 of the Constitution provides for the public to be excluded from a meeting where general disturbance arises.

2. Public Access to Agenda and Reports of a Combined Authority Meeting

- 2.1 The Monitoring Officer shall make the following open to public inspection, at the offices of the Combined Authority in accordance with the Combined Authority 's Procedure Standing Orders in **Part 4** of the Constitution:

- copies of the agenda for a meeting of the Combined Authority , and
- copies of any report for the meeting open to the public

3. Public Access to copies at a Combined Authority Meeting

- 3.1 The Monitoring Officer will make available for the use of members of the public present at a meeting a reasonable number of copies of:
- the agenda, and
 - those reports open to the public

4. Public Access to documents at a Combined Authority Meeting

- 4.1 The Monitoring Officer will make available for inspection copies of the following for six years after a meeting:
- the minutes of the meeting (excluding any part of the minutes when the meeting was not open to the public or which disclose exempt or confidential information),
 - a written summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record,
 - the agenda for the meeting, and reports relating to items when the meeting was open to the public.

5. Public Access to background papers at a Combined Authority Meeting

- 5.1 The author of any report will set out in the report a list of the background papers relating to the subject matter of the report which in the author's opinion:
- disclose any facts or matters on which the report or an important part of the report is based, and
 - have been relied on to a material extent in preparing the report.

This requirement does not extend to:

- published works, or
- papers which disclose exempt or confidential information.

- 5.2 The Monitoring Officer will:
- 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
 - make a copy of each available to the public at the offices of the Combined Authority, on payment of a reasonable fee
- .
- 5.3 The Monitoring Officer will make available for public inspection one copy of each of the documents on the list of background papers, for four years after the date of the meeting.

6. Reporting and recording a Combined Authority Meeting

- 6.1 The Combined Authority will provide so far as practicable, reasonable facilities to any person attending a meeting for the purpose of reporting on the meeting.
- 6.2 A person attending a meeting for the purpose of reporting on it may use any communication method, including the internet, to publish, post or otherwise share the results of the person's reporting activities.
- 6.3 Publication and dissemination may take place at the time of the meeting or occur after the meeting.
- 6.4 Any person reporting on a meeting is expected to comply with the attached Code of Practice.
- 6.5 Meetings of the Combined Authority may be recorded and made available for public viewing on the intranet. The Chair of a meeting may restrict the recording of meetings where an external participant in the meeting objects to being recorded and the Chair considers that the public interest in upholding their objection outweighs the public interest

in allowing the recording to continue. The Chair will ask those reporting to respect the wishes of the external participant.

7. Forward Plan: Non-Mayoral and Mayoral General Functions

A Definition of a Key Decision

- 7.1 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.
- 7.2 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 **£1 million** or more in any financial year.
- 7.3 For the purposes of (i) and (ii) above, the following shall not be treated as a Key Decision:
- any decision which is a direct consequence of implementing a previous Key Decision,
 - 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,
 - a Treasury Management decision in relation to the making, payment or borrowing of a loan,
 - a decision by an officer under delegated authority to vary any document for updating or clarification purposes only, or
 - the urgent settlement of proceedings to which the Combined Authority is a party.
 - any decision relating to the acceptance of funding

B Notice Provisions

- 7.4 Except where impracticable, a Key Decision cannot be made unless until a notice has been published which states:
- that a Key Decision is to be made in relation to the discharge of functions which are the Combined Authority's responsibility,
 - the matter in respect of which the decision is to be made,
 - the decision maker's name and title if any,
 - the date on which, or the period within which, the decision is to be made,
 - a list of documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made,
 - the address from which, subject to any prohibition or restriction on their disclosure, copies of or extracts from, any document listed is available,
 - that other documents relevant to those matters may be submitted to the decision maker, and
 - the procedure for requesting details of those documents (if any) as they become available.

7.5 The Monitoring Officer will publish any such notice on the Forward Plan on the Combined Authority 's website at least 28 clear days before the Key Decision is made and make it available for public inspection at the Offices of the Combined Authority (subject to C and D below).

7.6 Where in relation to any matter:

- the public may be excluded under section 100A of the Local Government Act 1972 from the meeting at which the matter is to be discussed, or
- documents relating to the decision need not (because of confidential information) be disclosed to the public,
- the notice must contain particulars of the matter but may not contain any confidential information or exempt information or particulars of the advice of a political adviser.

C General Exception

7.7 Subject to cases of special urgency, where it is impracticable to publish a notice of a Key Decision at least 28 clear days before the Key Decision is to be made, the decision may only be made:

- where the Monitoring Officer has informed the Chair of any relevant overview and scrutiny committee by notice in writing of the matter about which the decision is to be made,
- where the Monitoring Officer has published the notice on the Combined Authority 's website and made the notice available for public inspection at the Combined Authority 's offices, and
- after 5 clear days have elapsed following the day on which the Monitoring Officer made the copy of the notice available.

7.8 As soon as reasonably practicable after the Monitoring Officer has served a notice on the Chair, published the notice and made it available to the public, the Monitoring Officer must make available to the public and publish a notice setting out the reasons why it was impracticable to publish the notice of a Key Decision at least 28 days before the Key Decision was to be made.

D Cases of Special Urgency

7.9 Where the date by which a Key Decision must be made makes it impracticable to comply with the general exception provision above, the Key Decision may only be made where the decision maker has obtained agreement from the Chair of any relevant overview and scrutiny committee that the making of the Key Decision is urgent and cannot reasonably be deferred.

7.10 As soon as reasonably practicable after the decision maker has obtained the necessary agreement that the Key Decision is urgent and cannot reasonably be deferred, the decision maker must make available to the public at the Combined Authority 's offices a notice setting out the reasons why the Key Decision is urgent and cannot reasonably be deferred; and publish that notice on the Combined Authority 's website.

E Requests for Statutory Consents – Non-Mayoral and Mayoral General Functions

- 7.11 The CWCA Order provides that the exercise of some Concurrent Functions are subject to a consent provision, (“Statutory Consent”), to safeguard the Constituent Councils’ role in local decision-making and delivery – see functions tables in **Part 3** of the constitution.

8. Public Access to Written Records of Decisions Made by Officers: Non-Mayoral and Mayoral General Functions

- 8.1 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:
- under a specific express authorisation, or
 - under the Officer Delegation Scheme where the effect of the decision is to:
 - (a) grant a permission or license,
 - (b) affect the rights of an individual, or
 - (c) award a contract or incur expenditure which, in either case, materially affects the Combined Authority ’s financial position.
- 8.2 For the purposes of c) above, any award of a contract or expenditure of £500,000 or over will be deemed to materially affect the Combined Authority ’s financial position.
- 8.3 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.
- 8.4 An Officer must also record and publish any decision that incurs expenditure over £50,000 through an Officer Decision Notice
- 8.5 An Officer may also,
- (a) record, or
 - (b) record and publish, any other decision outside of 8.1, if they consider this to be in the public interest
- 8.6 As soon as reasonably practicable after an officer has made a written record in accordance with 8.1 or 8.5 b, the Monitoring Officer shall make any written record and any background papers
- available for inspection by the public:
 - at all reasonable hours, at the offices of the Combined Authority ,
 - on the Combined Authority ’s website, and
 - by such other means that the Combined Authority considers appropriate.
- 8.7 On request the Monitoring Officer will provide:
- a copy of the written record, and
 - a copy of any background papers.
- 8.8 The Combined Authority will retain each written record and make it available for public inspection for 6 years beginning with the date on which the decision was made.
- 8.9 The Combined Authority will retain any background papers and make them available for public inspection for 4 years beginning with the date on which the decision was made.

9. Public Access to Written Records of Decisions Made by the Mayor (Mayoral General Functions)

- 9.1 Any decision taken at a meeting of the Combined Authority will be recorded in the minutes of the meeting.
- 9.2 Where a decision has been taken outside of a Combined Authority meeting:
- any Key Decision taken by the Mayor or a Combined Authority 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, and
 - any decision taken by an Officer will be recorded as a written record of their decision in accordance with the Access to Information Rule 8 above.

Part 2: Press Access to a Combined County Authority Meeting

- 10.1 The Monitoring Officer shall supply on request for any newspaper:
- a copy of the agenda and those reports open to the public,
 - any further statements necessary to indicate the nature of the items on the agenda, and
 - if the Monitoring Officer thinks fit, copies of any other documents supplied to Combined Authority Members in connection with the item.
- 10.2 Procedure Standing Order 45 and rights relating to recording proceedings set out above apply to members of the press, in the same way as they apply to the public.

Part 3: Freedom of Information (FOI) and the Local Government Transparency Code

- 11.1 The Freedom of Information Act 2000 and Environmental Information Regulations 2004 apply to the Combined Authority, which therefore publishes information under a Publication Scheme. The Scheme specifies:
- the classes of information which the Combined Authority publishes or intends to publish,
 - how information in each class is, or is intended to be, published, and
 - whether the material is, or is intended to be, available to the public free of charge or on payment.
- 11.2 The public also has a general right of access to information held by the Combined Authority, but this is subject to exemptions
- 11.3 A request for information must be submitted to and dealt with by the Monitoring Officer.
- 11.4 A request for information under the FOIA must:
- be in writing
 - state the name of the applicant
 - state an address for correspondence, and
 - describe the information requested.

- 11.5 A request for information under the EIR must state a name and address for written correspondence, however the request can be made verbally or in writing.
- 11.6 The Combined Authority publishes information as required by the Local Government Transparency Code 2015, which includes but is not limited to the following:
- spending and expenditure including grants,
 - procurement information including contracts,
 - organisation chart detailing senior management personnel, and
 - land and assets

Part 4: Members' Access

1. General

- 12.1 Any member of the Combined Authority is entitled to inspect any document which:
- is in the possession of or under the control of the Combined Authority , and
 - contains material relating to any business to be transacted at a meeting of the Combined Authority .
- 12.2 Unless it appears to the Monitoring Officer that it discloses information falling within any of the descriptions of exempt information (set out in Part 1 of Schedule 12A of the Local Government Act 1972 as listed under section 1B above), other than the following (which will be open for inspection by members):
- (a) Information relating to the financial or business affairs of any particular person including the Combined Authority (except to the extent that the information relates to any terms proposed or to be proposed by or to the Combined Authority in the course of negotiations for a contract), or
 - (b) Information which reveals that the Combined Authority proposes:
 - to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or
 - to make an order or direction under any enactment
- 12.3 These rights are in addition to any other rights the member may have (such as those arising from a member's need to know at common law).
- 12.4 The accounts of the Combined Authority shall be open to the inspection of any member and any such member may make a copy of or extract from the accounts.

2. Additional Rights of Access to Documents for Members of Any Overview and Scrutiny Committee or Sub-Committee

- 13.1 Subject to the exceptions outlined below, a member of an overview and scrutiny committee or sub-committee is 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 .

- 13.2 The document must be provided as soon as reasonably practicable and, in any case, no later than 10 clear days after the Monitoring Officer receives the request.
- 13.3 No member of an overview and scrutiny committee or sub-committee is entitled to a copy of any such document or part of a document as contains exempt or confidential information, unless that information is relevant to:
- an action or decision that the member is reviewing or scrutinising, or
 - any review contained in any programme of work of the committee or sub-committee.
- 13.4 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.

Part 5: List of Members

- 1.1 The Monitoring Officer will publish a list stating:
- the name and address of all current members of the Combined Authority and the constituent or non-Constituent Council they represent, and
 - the name and address of all current members of the other Committees and any sub-committees.
- 1.2 A member of the public may inspect the list.

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4.5 Overview and Scrutiny Procedural Rules

1. The Combined Authority must appoint one or more overview and scrutiny committees whose proceedings shall operate in accordance with the Terms of Reference (Overview and Scrutiny) in **Part 3** of the Constitution.

2. Membership

- 2.1 Members of an overview and scrutiny committee are appointed in accordance with the Terms of Reference (Overview and Scrutiny) in **Part 3** of the Constitution.
- 2.2 The Combined Authority shall appoint at least two elected members of each Constituent Council to each overview and scrutiny committee.
- 2.3 The majority of members of any overview and scrutiny committee or sub-committee must be elected members of the Constituent Councils.
- 2.4 Neither the Mayor nor any other Combined Authority Member or substitute member may be a member of an overview and scrutiny committee or sub-committee.
- 2.5 Within 28 days of any appointment to any overview and scrutiny committee, the Combined Authority Monitoring Officer will publish a notice about the appointment on the Combined Authority website setting out:
 - that it has made an appointment,
 - identifying each member of the committee who has been appointed
 - specifying the period for which the members of the committee have been appointed.
- 2.6 The Combined Authority has determined that it shall have a single Overview and Scrutiny Committee which shall be appointed by the Combined Authority and shall have equal representation from each Constituent Council. These will be the voting members of the Committee.
- 2.7 In appointing members to the Overview and Scrutiny Committee the Combined Authority must ensure 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.

3. Remuneration

- 3.1 The Combined Authority may (subject to the consideration of recommendations of an independent remuneration panel) agree to pay allowances to members of the overview and scrutiny committee/s.

4. Chairing

- 4.1 The Combined Authority will appoint the Chair of the Committee. In the absence of the appointed Chair, the Committee will appoint a Chair for the meeting.
- 4.2 The Chair (and any Vice 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).

5. Quorum

- 5.1 For business to be transacted at a meeting, two thirds of the total number of voting members of the committee or sub-committee must be present.

6. Voting

- 6.1 Each member of the Overview and Scrutiny Committee has one vote.
- 6.2 Any member of an Overview and Scrutiny Committee (or sub-committee) not from a Constituent Council is non-voting unless the Combined Authority has resolved to give such a member voting rights.
- 6.3 A simple majority of the members present and voting is required to determine any question, and no member has a casting vote. If a vote is tied it is deemed not to have been carried.

7. Conflicts of Interest

- 7.1 No member of an overview and scrutiny committee nor of a sub-committee may scrutinise a decision (whether or not implemented) in which they were directly involved as a member of the committee or sub-committee which made the decision.
- 7.2 Such a member may only attend the overview and scrutiny committee or sub-committee to:
- make representations,
 - answer questions, or
 - give evidence about the decision.

8. Working Groups (Deep Dives)

- 7.1 An overview and scrutiny committee or sub-committee may appoint a working group to contribute to and inform the scrutiny process, including by making recommendations

9. Work Programme and referral of matters to an Overview and Scrutiny Committee or Sub-Committee

- 9.1 Each overview and scrutiny committee or sub-committee will set its own work programme.
- 9.2 The Combined Authority , any of its committees or the Mayor may ask an 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 Scrutiny Officer, who will ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee or sub-committee.

- 9.3 The following matters may be referred to an overview and scrutiny committee:
- (a) A member of an overview and scrutiny committee may refer to the committee any matter which is relevant to the functions of the committee,
 - (b) A member of an overview and scrutiny sub-committee may refer to a sub-committee any matter which is relevant to the functions of the sub-committee,
 - (c) A Combined Authority Member may refer to an overview and scrutiny committee any matter which is relevant to the function of the committee and is not an excluded matter; and
 - (d) any member of a Constituent Council or the Non-Constituent Council may refer to an overview and scrutiny committee any matter which is relevant to the functions of the committee and is not an excluded matter.
- 9.4 Where a matter is referred to an overview and scrutiny committee by any member under Standing Order 8.3 (c) 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.
- 9.5 An 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 under Standing Order 8.3 (c) or (d) above.

10. Meetings

- 10.1 Overview and scrutiny committees will schedule regular meetings and meet as often as required to effectively discharge their functions.
- 10.2 An extraordinary meeting of an overview and scrutiny committee may be called by:
- the Chair of the committee, or
 - any five members of the committee from at least two different Constituent Councils.

11. Attendees

- 11.1 An overview and scrutiny committee or sub-committee may require the Mayor or any other Combined Authority Member or an officer of the Combined Authority to attend before it to answer questions or to provide information about any matter within its terms of reference.

- 11.2 Where a committee or sub-committee requires the Mayor or any other Combined Authority Member or officer to attend, the Scrutiny Officer shall inform that person 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 for the committee.
- 11.3 The Mayor, any other Combined Authority Member, or officer must comply with any notice they are given.
- 11.4 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.
- 11.5 An overview and scrutiny committee or sub-committee may invite other people to attend any meeting to:
- address it, provide information,
 - discuss issues of local concern, and/or
 - answer questions.
- 11.6 Each member of an overview and scrutiny committee or sub-committee will be given the opportunity to ask attendees questions, contribute and speak.
- 11.7 Attendees assisting the committee must be treated with respect and courtesy.

12. Reports and Recommendations

- 11.1 An overview and scrutiny committee or sub-committee may make reports or recommendations to the Combined Authority or the Mayor.
- 11.2 If an overview and scrutiny committee or sub-committee cannot agree a final report, a minority report may be prepared and submitted as an appendix to the majority report.
- 11.3 An overview and scrutiny committee or sub-committee may publish any report or recommendations, subject to Standing Order 14.
- 11.4 Where in the opinion of an overview and scrutiny committee, any report or recommendation is of particular significance to any Constituent Council or the Non- Constituent Council over and above any other Council, the report or recommendation shall also be submitted to that Council for consideration. Any response of that Council shall be reported back to the overview and scrutiny committee or sub-committee which made the report or recommendation.

13. Notice

- 13.1 An overview and scrutiny committee or sub-committee may by notice require the Combined Authority or the Mayor 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 or sub-committee indicating what (if any) action the Combined Authority or the Mayor proposes to take,
- publish the response, if the overview or scrutiny committee or sub-committee has published the report or recommendations, subject to Standing Order 14 below.

13.2 The Combined Authority or the Mayor must respond to a report or recommendations made by an overview and scrutiny committee or a sub-committee, within 2 months beginning with the date on which the Combined Authority or Mayor received the notice, and subject to Standing Order 14 below.

14. Publishing a Document: Confidential and Exempt Information

14.1 Standing Order 14.2 applies to the publication of any document comprising a report or recommendations of an overview and scrutiny committee or sub-committee, or a response of the Combined Authority or the Mayor to any such report or recommendations.

14.2 In publishing the document, the overview and scrutiny committee, sub-committee, the Combined Authority or the Mayor must exclude any confidential information and may exclude any relevant exempt information.

14.3 When providing a copy of a document, the overview and scrutiny committee, sub-committee, the Combined Authority, or the Mayor may exclude any confidential information or relevant exempt information.

14.4 Where information is excluded, the overview and scrutiny committee, sub-committee, the Combined Authority or Mayor:

- 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.

15. Call-in of decisions

15.1 The power of an overview and scrutiny committee to review or scrutinise a decision made but not implemented includes power to call-in a decision; that is to:

- direct that a decision is not to be implemented while it is under review or scrutiny by the overview and scrutiny committee, and
- recommend that the decision be reconsidered

15.2 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, other Combined Authority Member (on behalf of the Mayor) or an officer.

with the exception of:

- any decision which the decision-maker has resolved is urgent
- any decision relating to approving or amending governance arrangements.

15.3 Two thirds of the voting members of the overview and scrutiny committee **to include at least one member from two different Constituent Councils (TBA)** may call-in a decision eligible

for call-in by notifying the Monitoring Officer or the Statutory Scrutiny Officer by 4pm on the fifth working day following publication under Standing Order **15.4 or 15.5**.

- 15.4 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.
- 15.5 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 6 (Decision Making) in **Part 2**, and the Access to Information Rules in **Part 4** of the Constitution.
- 15.6 When submitting a request for a call-in Members must set out the reasons for the call-in, such as how the decision has not been taken in line with the Combined Authority decision-making principles set out in Article 6 of **Part 2** of the constitution.

Implementing call-in of eligible decisions

- 15.7 An urgent decision may be implemented immediately.
- 15.8 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 after midday of the sixth clear working day after the publication of the decision, unless it is called in.
- 15.9 On receipt of a call-in request, the Statutory Scrutiny Officer shall:
- notify the decision-maker of the call-in,
 - consult with the Chair of the relevant overview and scrutiny committee about whether to issue a direction under Standing Order 15.10 below,
 - and
 - call a meeting of the overview and scrutiny committee, to scrutinise the decision
- 15.10 Where a decision is called-in, the Scrutiny Officer, in consultation with the Chair of the relevant overview and scrutiny committee, may direct that the decision is not to be implemented while it is under review or scrutiny by an overview and scrutiny committee, for a period not exceeding 14 days from the date on which the direction is issued.
- 15.11 An overview and scrutiny committee must scrutinise the decision within 14 days of the Monitoring Officer or Statutory Scrutiny Officer receiving the request for call-in, or before the expiry of any direction, if earlier.
- 15.12 Where an 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 Standing Order is of effect, except in accordance with Standing Order 15.13 below.
- 15.13 The Statutory 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.

- 15.14 The decision-maker must reconsider any decision not later than 10 days after the date on which the recommendations of an overview and scrutiny committee are received.
- 15.15 The Chair of the overview and scrutiny committee or their nominee may attend any meeting which is re-considering the decision, to present the report or recommendations.
- 15.16 The decision-maker may confirm, amend, or rescind the decision. Their response should be published in accordance with Standing Order 13.
- 15.17 A decision which has been confirmed or amended by the decision-maker may be implemented immediately.
- 15.18 An urgent decision may be implemented immediately.

16. Guidance of the Secretary of State

- 16.1 An overview and scrutiny committee or sub-committee must have regard to any guidance issued by the Secretary of State.

17. Statutory Scrutiny Officer

- 17.1 Any references in these Standing Orders to the Statutory Scrutiny Officer are to the officer designated as such by the Combined Authority, see further **Article 5** (Officers) at **Part 2** of this Constitution.
- 17.2 The Combined Authority shall not designate an officer of any Constituent Council as Scrutiny Officer for the Combined Authority.
- 17.3 The statutory functions of the Statutory Scrutiny Officer are:
- to promote the role of any overview and scrutiny committee or sub-committee,
 - to provide support and guidance to any overview and scrutiny committee or sub-committee and its members, and
 - to provide support and guidance to members of the Combined Authority in relation to the functions of any overview and scrutiny committee or sub-committee.

18. Additional Rights of Access to Documents

- 18.1 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.

19. Interpretation

- 19.1 The Chair of an overview and scrutiny committee meeting or sub-committee, in consultation with the Monitoring Officer (or their representative) and the Statutory Scrutiny Officer (or their representative) shall make any final decision at that meeting about:
- how the Scrutiny Standing Orders should be interpreted with respect to the conduct of the meeting, or
 - any question of procedure not provided for by the Scrutiny Standing Orders.
- 19.2 The Monitoring Officer shall make any final decision about how to interpret any

Scrutiny Standing Order outside of a formal committee or sub-committee meeting.

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4.6 Officer Employment Procedural Rules

1. General

- 1.1 The Officer Employment Rules of Procedure set out the Authority's governance arrangements for the recruitment and dismissal of, and the taking of disciplinary action against, officers.
- 1.2 The functions of appointment and dismissal of, and taking disciplinary action against, officers below the level of Chief Officer must be discharged by the Head of Paid Service, on behalf of the Authority, or by an officer nominated by them.
- 1.3 The functions of appointment and dismissal of and taking disciplinary action against Chief Officers must be discharged by the Combined Authority .
- 1.4 This section should be read in conjunction with the Scheme of Delegation of Functions to Chief Officers
- 1.5 The Combined Authority Chief Officers are, in accordance with the Local Government and Housing Act 1989, defined as follows:
 - a. a statutory chief officer (e.g., the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer);
 - b. a non-statutory chief officer (e.g., an officer who reports directly to the Head of Paid Service)

2. Recruitment and Appointment

- 2.1 The Authority will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Member or officer, or of the partner of such persons.
- 2.2 No candidate so related to a Member, or an officer will be appointed without the authority of the Head of Paid Service, or an officer nominated by them.
- 2.3 The Authority will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Authority. The content of this paragraph will be included in any recruitment information.
- 2.4 No Member will seek support for any person for any appointment with the Authority.
- 2.5 Nothing in the above paragraphs precludes a Member from giving a written reference for a candidate for submission with an application for employment.

3. Appointments

- 3.1 Where the Combined Authority proposes to appoint a Head of Paid Service (Chief Executive), Monitoring Officer, an officer with the responsibilities set out in Section 73 (1)

of the Local Government Act 1985 (Chief Finance Officer) or Chief Officer, the Combined Authority will appoint an Appointments Panel.

- 3.2 The Appointments Panel will draw up a statement specifying:
- the pay range for the post.
 - the duties of the Officer concerned; and
 - any qualifications or qualities to be sought in the person to be appointed.
- 3.3 The Combined Authority will:
- make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - make arrangements for a copy of the written statement mentioned above to be sent to any person on request.
- 3.4 The appointment of any other officer is a matter for the Head of Paid Service. When appointing to interim Chief Officer positions, the Head of Paid Service must consult with the Appointments Panel before making such appointment. The Head of Paid Service must also update the Appointments Panel every six months on the position with recruiting to Chief Officer roles when an interim is in place.
- 3.5 The Appointments Panel will conduct a competitive interview process and determine appointment when appointing Chief Officers, that Appointments Panel consists of:
- The Mayor (or their nominee) (to apply if a Mayor is in place)
 - The Lead Constituent Council representative for each Constituent Council
- 3.6 The Appointments Panel will undertake the following only when a Mayor is in place:
- Interview all qualified applicants for the post, or
 - Select a shortlist of such qualified applicants and interview those included on the shortlist.
- 3.7 Upon completion of this process the Appointments Panel will make a recommendation to the Combined Authority for confirmation.
- 3.8 Prior to a final appointment offer being made to the successful applicant, all Members of the Combined Authority must be informed of the details of the intended appointee, and have raised no objection within the specified period, (2 clear working days). Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.
- 3.9 The Combined Authority will, following the recommendation of such an appointment by the Appointments Panel, approve the appointment of:
- Chief Executive (Head of Paid Service)
 - Chief Finance Officer (S.73 Officer)
 - Monitoring Officer
 - Executive Director Place
 - Executive Director Inclusive Growth
- 3.10 Where no qualified person has applied, the Combined Authority shall make further arrangements for advertisement in accordance with Rule 3.3 (a)

4. Disciplinary Action

- 4.1 The Head of Paid Service, the Monitoring Officer or Chief Finance Officer, and any other Chief Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.
- 4.2 No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by an independent person designated and acting in accordance with Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.
- 4.3 Members will not be involved in the disciplinary action against any officer below Chief Officer level except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Authority's disciplinary, capability and related procedures.

5. Dismissal

- 5.1 Members will not be involved in the dismissal of any officer below Chief Officer level except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Authority's disciplinary, capability and related procedures.

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Document approved by:	CWCA Board
To be effective from:	XX MONTH YEAR

4.7 Financial Procedural Rules

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Document approved by:	CWCA Board
To be effective from:	XX MONTH YEAR

4.8 Procurement Procedure Rules

1 Basic Principles

- 1.1 The aims of the Contracts Procedure Rules (“Rules”) are to:
 - a) ensure compliance with all legal requirements;
 - b) achieve Best Value and maximise public benefit;
 - c) ensure transparency, openness, non-discrimination and fair competition;
 - d) demonstrate probity, consistency, accountability and integrity;
 - e) support the CWCA’s corporate aims of value for money, best practice and leadership; and
 - f) ensure compliance with the Applicable Public Procurement Legislation and internal strategy.
- 1.2 The Applicable Public Procurement Legislation sets out a series of objectives which procurements must have regard to. These are:
 - a) delivering value for money;
 - b) maximising public benefit;
 - c) sharing information for the purposes of allowing suppliers and others to understand the CWCA’s policies and decisions;
 - d) acting, and being seen to act, with integrity.
- 1.3 Procurements must also have regard to the National Procurement Policy Statement (NPPS) which sets out national priorities for procurement:
 - a) Delivering Value for Money
 - b) Driving Economic Growth
 - c) Delivering Social and Economic Value
 - d) Building commercial capability to deliver value for money and stronger outcomes
- 1.4 It is important that procurements support the delivery of the CWCA’s strategic objectives. To ensure delivery of this, all procurements must be carried out within a specific legal framework and based on principles of equal treatment, transparency and non-discrimination.
- 1.5 The Rules apply to all procurement activity, including the spending of income received by the CWCA from external sources.
- 1.6 Where these Rules provide for a decision to be made by an Officer, the decision may be delegated in writing by the relevant Officer to another Officer.

2 Applicable Legislation

- 2.1 The CWCA must comply with various statutes when purchasing goods, services or works, and when managing procured contracts. These include the Procurement Act 2023, the Procurement Regulations 2024, the Provider Selection Regime as part of the Health and Care Act 2022, and other relevant procurement legislation in force from time to time ("Applicable Public Procurement Legislation"). Nothing in these Rules is intended to override national legislation.

3 Compliance

- 3.1 These Rules apply to the following undertaken by or on behalf of the CWCA:
- a) the purchase of goods, services or works;
 - b) concession contracts (where the supplier is not paid to provide a service or works, but generates a return through other means, such as charges paid by users); and
 - c) in circumstances where the CWCA is procuring goods, services or works on behalf of a collaborative working arrangement.
- 3.2 Officers and third parties must ensure that any Conflicts of Interest are avoided. Any Conflict of Interest must be declared to appropriate line managers as set out in the Officer Code of Conduct. Legal advice must be obtained by Officers where any Conflict of Interest has potential to impact on contractual relationships. For all contracts above the UK Procurement Threshold, a Conflict Assessment must also be prepared by Procurement Officers, under the Procurement Act 2023, to identify and mitigate any conflicts of interest prior to, and during a procurement process. The Conflicts Assessment is a live document and must be kept up to date throughout the life cycle of an awarded public contract by the awarding department.
- 3.3 Corruption is a criminal offence. All Officers who commission, award or manage contracts must act in accordance with the highest standards of propriety and ensure adequate records are kept.
- 3.4 Differences in the interpretation of these Rules will be resolved by the Monitoring Officer in consultation with the s73 Chief Finance Officer (CFO).
- 3.5 These Rules do not apply to contracts that are classified as excluded/exempted, as defined by the Applicable Public Procurement Legislation but legal advice should be taken to ensure the exemptions apply and to ensure any other procedural requirements are followed.

4 Consequence of Breach

- 4.1 Failure to comply with any of these Rules may be considered a breach of the Officer Code of Conduct and may result in disciplinary action and legal proceedings against the Officer or third parties concerned. No Officer shall take any steps or fail to take steps to knowingly or recklessly seek to avoid the application of the Rules.
- 4.2 Any Officer who fails to follow the Rules may lose the protection of the indemnity given to Officers by the CWCA and therefore may have personal liability for a contract or any losses.

5 Review

- 5.1 The Monitoring Officer will keep the Rules under review and shall have authority to make minor amendments and updates as required, to give effect to legislation or to implement any decisions of the CWCA board.

6 Frameworks, Open Frameworks and Dynamic Markets

- 6.1 Officers must ensure that they obtain advice of procurement/legal professionals as to the rules applicable to any framework which sets out how individual contracts can be called off.
- 6.2 A decision to establish a new Framework, Open Framework or a Dynamic Market must be documented in writing, following the decision making processes at [X].

7 Connected suppliers

- 7.1 Various goods, works or services may be provided by or obtained from the Constituent Councils, or entities controlled by them. Legal and procurement advice will be needed on these arrangements and any decisions must be recorded in writing.

8 Authority to Proceed

- 8.1 Before commencing a procurement, Officers are responsible for ensuring that the appropriate authority and budget is in place. The form of the authority will depend on the value, strategic importance of the proposed contract, budget implications and legal and financial risks.
- 8.2 Officers must consider whether the decision to procure is a Key Decision and if so, ensure that details are entered into the Forward Plan.

9 Insurance

- 9.1 Officers are responsible for checking that all selected suppliers provide written evidence of adequate insurance to cover public liability, employers liability, and where

appropriate professional indemnity and such other insurance as the contract requires for the full duration of the contract term and longer as required.

9.2 Indemnity levels must reflect the risk to the CWCA which will vary on the type and value of the individual contract:

- a) £10m for public liability;
- b) £10m for employer's liability;
- c) £1m to £5m for professional indemnity (where required);

9.3 The specific levels required may be reduced following the written approval of the CFO either as a one off in respect of a particular contract or, where other arrangements have been agreed, for particular types of contract.

10 Form of Contract

10.1 The CWCA's standard form of contract must be used unless there is reason for the supplier's terms and conditions to be used, and only after consultation with the Monitoring Officer.

10.2 A change or variation to a contract, such as an extension of the contract period (in excess of any extension period included in the original awarded contract), or to any of the contract terms or scope of the goods, services or works, is referred to as a modification of the contract. When drafting the associated tender documents, it is necessary to future proof contracts as far as possible and provide unambiguous detail of any foreseeable modifications, so that that modifications made are not substantial or remain below threshold. For example, the Tender Notice and Associated Tender Documents may state additional goods, services or works will be required under the contract in the future, or there will be option to extend the contract period.

10.3 Contracts may be extended where:

- a) there is unambiguous provision in the contract as awarded, Tender or Transparency Notice and the modification would not change the overall nature of the contract; and
- b) there is budgetary provision; and
- c) value for money can be clearly evidenced.

10.4 Where a contract extension would take the value of the contract over the relevant UK Procurement Threshold, advice must be sought from procurement and legal, before any action is taken.

10.5 If the contract is valued over the relevant UK Procurement Threshold, advice from procurement and legal should be sought before a substantial modification is made. A substantial modification is one which would:

- a) increase or decrease the term of the contract by more than 10% of the maximum term provided for on award,
 - b) materially change the scope of the contract, or
 - c) materially change the economic value of the contract in favour of the supplier.
- 10.6 Before modifying a contract valued over the relevant UK Procurement Threshold or when a modification takes the value over the relevant UK Procurement Threshold, a Contract Change Notice must be published on the Central Digital Platform, except where:
 - a) the modification increases or decreases the estimated value of the contract in the case of goods or services by less than 10% or in the case of works by less than 15%, or
 - b) the modification increases or decreases the term of the contract by less than 10%.
- 10.7 If the value of the contract is over £5m a redacted copy of the modified contract must be published via an updated Contract Details Notice on the Central Digital Platform.
- 10.8 Advice must be sought from legal before assignments or novations of contracts are entered into.
- 10.9 Modifications of contracts shall be recorded in writing and shall be authorised by the Monitoring Officer so long as appropriate budget approvals are in place.
- 10.10 For procurements remaining below the UK Procurement Threshold, Officers should consider whether the modification results in the contract becoming a “convertible contract” under the Procurement Act 2023, in which case 10.6 shall apply.
- 10.11 In all cases, any modification shall be agreed between the parties to the contract and as a minimum shall be recorded in writing and signed by the parties.
- 10.12 Contracts must be effectively monitored throughout the period of the contract and appropriate records kept after the expiry of the contract for either 7 years or 13 years depending on the nature of the agreement (13 years for a Deed, 7 years for all other contract agreements)).
- 12.17 Contracts shall not permit payment in advance except with the written approval of the Director of Service and Director of Finance, or in one of the following cases:
 - a) software licences, hardware or software support;
 - b) hire purchase (HP) leases;
 - c) deposits;
 - d) warranties; and

- e) new or additional water, electricity and gas connections, instigated by a new build or refurbishment project.

11 Performance Bond and Guarantees

- 11.1 A performance bond and/or a parent company guarantee will be considered where:
- a) there is concern about the financial performance of the supplier due to the nature, value and length of the contract; or
 - b) it is proposed to make stage or other payments in advance of receiving the whole of the subject matter of the contract; or
 - c) there is concern about the stability of the supplier no matter what the value.
- 11.2 The decision as to whether a performance bond or guarantee is required shall be made by CFO, who may also provide advice as to the form of guarantee.
- 11.3 Where the contractor is a limited company which is part of a larger group, the ultimate holding company may be required to provide a parent company guarantee in addition to or instead of a performance bond or other security.

12 Procurements of Goods, Services or Works below UK Procurement Threshold

- 12.1 Where the estimated costs of any goods, services or works contract is less than the Procurement Threshold (inclusive of VAT), quotes shall be invited as outlined in the following table

Level	Value of Contract	Procurement Process
Low	Less than £50,000	One quotation. Best practice to receive a written quotation. Officers should seek to buy from local suppliers (where available), to maximise the impact of spending in the local economy.
Intermediate	£50,000 to UK Procurement Threshold for goods and services/works	A minimum of three electronic Request for Quotations (RFQ) to be sought from the market.

	and Light Touch Threshold	
High	Greater than UK Procurement Threshold for goods, services (regular or Light Touch) or works.	A full Tender process must be undertaken in compliance with Applicable Public Procurement Legislation

13 Procurement of Goods, Services or Works above the UK Procurement Threshold

- 13.1 Procurement advice shall be taken from as to the most appropriate type of procurement procedure to suit the requirements, set out in Applicable Public Procurement Legislation.
- 13.2 Procurements over UK Procurement Threshold can take a minimum of 4 months and sometimes over 18 months to complete depending on complexity of the contract.

14 Procurement General

- 14.1 The relevant Officer is responsible for drafting a clear and robust specification for any procurement activity. The specification must set out exactly what the CWCA requires and timescales for delivery.
- 14.2 Lots must be considered where appropriate and the potential benefit of working with (local) Small and Medium Sized Enterprises (SMEs) suppliers and procurement will advise on the best use of lots or engaging with SMEs.
- 14.3 The associated tender documentation must state (among other things) that the CWCA is not bound to accept the lowest or any tender, how errors will be dealt with and that

by submitting a tender, the supplier agrees to the advertised contract terms and conditions

14.4 Clear written records must be kept of the evaluation and moderation process. For procurements above the UK Procurement Threshold written records will be retained until the expiry of the contract term.

14.5 If less than three tenders are received, consideration should be given as to whether continuing with the process will achieve a competitive price, value for money and quality of services. Before abandonment or recommencement of an above threshold procurement, there shall be consultation with the Monitoring Officer to ensure appropriate procedure and risk management.

15 Signing/Sealing

15.1 All contracts with a value of £500,000 or over will be sealed as a Deed on behalf of the CWCA by an authorised signatory, unless authority has been granted to the contrary by the Monitoring Officer. Contracts below £500,000 may be signed by an authorised signatory in accordance with the officer scheme of delegation.

15.2 Contracts must be sealed or signed before work is started to ensure incorporation of terms. Making payments before the contract is sealed or signed may be a breach of the Rules and may result in disciplinary action.

15.3 Relevant Officers must ensure that a copy of all executed contracts is sent to procurement who will record the contract to the Contract Register (with physical copies of contracts executed as a deed stored securely).

16 Waivers/ Exemptions

16.1 Where an Officer intends to seek an exemption to these Rules, the Officer shall arrange for approval to be obtained as set out below:

£25,001 to £100,000	£100,001 up to UK Procurement Threshold* (including VAT)	UK Procurement Threshold* (including VAT) and above
Approval of XI	Approval of the relevant Director of Service in consultation with CFO in consultation with the Monitoring Officer	Only contracts which are covered by Section 41 and Schedule 5 of the Procurement Act, 2023 require prior approval from the Monitoring Officer

**The Procurement Threshold figure is inclusive of VAT, as per Schedule 1 of the Procurement Act 2023*

16.2 Requests to waive these Rules for below threshold contracts below £25,000 (excluding VAT) may be authorised in the following circumstances following a robust review:

- a) competitive pricing can be evidenced;
- b) utilise local supply/ local branch;
- c) single supplier (i.e. no other suppliers are available);
- d) minimal risk to the CWCA
- e) social value added benefit;
- f) unforeseen emergency which involves immediate risk of injury or damage or to prevent serious disruption to services.

16.3 Requests to waive these Rules for below threshold contracts between £25,000 (excluding VAT) and the UK Procurement Threshold may be authorised in the following circumstances following a robust review:

- a) goods, services or works contracts are obtainable only from a single supplier and there is no reasonably satisfactory alternative; or
- b) compatibility issues such that procurement from another source would be uneconomic given the investment in previous infrastructure; or
- c) a waiver of the Rules would be in the interest of the efficient management of the goods or service; or
- d) where there is a legal requirement to contract with a particular supplier.

16.4 Where services are exempt under Schedule 2, paragraph 14 of the Procurement Act 2023, direct award without competitive process is permitted.

16.5 All such exemptions shall be evidenced in writing and signed by the signatories identified in 16.1. Other than in exceptional circumstances, there shall be no retrospective approval of an exemption.

17 Payment of Undisputed Invoices

17.1 The terms and conditions of any contract awarded by the CWCA (including below-threshold contracts) must include a 30-day payment term unless otherwise approved by the CFO.

17.2 There is a duty on the CWCA under the Applicable Public Procurement Legislation for every Public Contract (above the UK Procurement Threshold) to publish a Payments Compliance Notice every six months setting out specified information about compliance with the requirement to pay suppliers within 30 days of receipt of invoice. This needs

to include the average number of days it takes to make payments, the percentage of payments made within 30 days, within 31 to 60 days and 61 days or over.

18 Public Services (Social Value) Act 2012

- 18.1 The CWCA must consider the social value of its approach to procurement, and how added social, environmental or local economic value could be obtained through the procurement.

Appendix 1 - Glossary

	Definition/Interpretation
Applicable Public Procurement Legislation	<ul style="list-style-type: none"> • Public Contracts Regulations 2015 or Concession Contracts Regulations 2016 • Procurement Act 2023, Procurement Regulations 2024 • Provider Services Regime 2023 where the procurement relates to health care services.
Below Threshold Procurement	A procurement which is below the Covered Procurement threshold and not exempt from the Procurement Act 2023.
Best Value	The Best Value Duty relates to the statutory requirement for a local authority as defined in Part 1 of the Local Government Act 1999 to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”.
Code of Conduct	The code of conduct binding on all officers of the CWCA.
Conflict of Interest	<p>The Procurement Act 2023 requires Contracting Authorities to identify and keep under review actual and potential conflicts of interest.</p> <p>Contracting Authorities must also mitigate conflicts of interest and address circumstances which they consider are likely to cause a reasonable person to wrongly believe there to be a conflict or potential conflict of interest ('perceived conflict of interest').</p>
Contract Modification	Following the award of a contract, changes (referred to as modifications in the Procurement Act 2023 (Act)) may need to be made to that contract to ensure it can be successfully fulfilled, as demands and circumstances change throughout its lifetime. Transparency Notice UK 10 (Contract Change Notice) needs to be published before changing a contract's value or term,
Direct Award	The award of a Contract without a competitive process using a ground under Section 41, 42 or 43 Procurement Act.
Financial Regulations	The CWCA rules relating to financial procedures.

Invitation to Tender (ITT)	is a formal procurement document that is issued by the CWCA, inviting suppliers to bid for the contract of goods, services and works they are looking to fulfil.
Light Touch Contracts	These are Contracts/procurements which cover Health, Social Care, Community Service, legal and Education related requirements.
MAT	Most Advantageous Tender – Is the Tender that the Council considers— a. Satisfies the Council's requirements, and b. Best satisfies the Award Criteria when assessed against them
Member	Cheshire and Warrington Combined Authority Member
Public Contract	This is an 'above UK Procurement Threshold' Contract between a Supplier and a public authority.
Specification	The document that sets out the CWCA's specific requirements for a specific contract/project.
SMEs	Small and Medium Enterprises – fewer than 250 employees and annual turnover not exceeding approximately £50 million.
Suppliers	A Supplier or potential Supplier of goods, works and services to the CWCA.
UK Procurement Threshold	The values that determine the available routes to market
Value for Money	The balance of quality and price deemed representative of the Most Advantageous Tender

Grants and other External Funding

In this Section:-

Receiving Grants and External Funding	
	Definition
	Authority to Submit and Accept Bids for External Funding
	Submitting Bids
	Accepting Grants
Giving Grants Out	
	Procurement Considerations
	Policy and Approval of Funding Intentions
	Written Agreements
	Funding Conditions
	Changing Existing Arrangements
	Reporting

Receiving Grants and External Funding

1 Definition

- 1.1 External funds can come from a wide variety of sources including Central Government Departments, the National Lottery, Historic England, private sector companies, charitable bodies, trusts, foundations or individuals etc.
- 1.2 For the purposes of this section “external funding activity” means any plans to seek external funding sources for projects or any funding bids being prepared or planned. Excluded from this section is funding received from Central Government for a ring-fenced purpose. **This is covered in 5.3.**
- 1.3 All external funding bids must be aligned with CWCA’s priorities and have secured all resources necessary for successful delivery of the project.

2 Authority to Submit and Accept Bids for External Funding

- 2.1 The approval process seeks to obtain approval to submit the bid, to accept the bid and to incur the expenditure (if successful) as a single approval process. This would mean no further approval would be required for any separate revenue or capital budget increase once the bid was accepted (provided that the grounds for accepting the bid are reasonable and not substantially different to the grounds upon which the bid was made). When considering whether the offer is substantially different, advice should be sought from the CFO.
- 2.2 The relevant Officer must consider the impact on wider CWCA resources required to compile and submit the bid.
- 2.3 Roles and responsibilities
 - (a) Any external funding activity must have a Bid Lead Officer;
 - (b) Bid Lead Officers must liaise with CFO/CEX to ensure that all necessary permissions are obtained;
 - (c) Bid Lead Officers must work to undertake bid quality assurance and project risk assessments to identify budget implications, together with information on how the additional running costs/maintenance costs are to be funded. Bid Lead Officers must also consult the CFO regarding the financial implications of the bid, including staffing resources;
- 2.4 The CFO will maintain a register of all external funding grant bids.

3 Submitting External Funding Grant bids

- 3.1 Bid submissions must be authorised in line with table 1 prior to submission. Approvals

limits are based on the value of the grant alongside the value of any CWCA contribution required, in order that the full cost implications of such proposals can be considered and approved.

Table 1: Approvals for the submission and acceptance of all external funding grant bids

3.2 The value of CWCA funding is the CWCA contribution required over the lifetime of the project/bid, which could include:

- a) revenue expenditure (within existing budgets);
- b) capital expenditure (within approved programme);
- c) additional costs funded from reserves.

3.3 In addition, the following factors must be considered and reflected in the approval documentation:

- a) the implications, financial or otherwise, of committing existing resources, including staff time, for the duration of the external funding;
- b) capacity to deliver the project for which the grant bid is being submitted;
- c) a clear assessment of the way in which the bid contributes to the priorities of the CWCA; and
- d) the risks to the CWCA in delivering the grant outcomes including delivery mechanisms, accountable body status and claw back provisions.

For the purposes of this section the term “within existing resources” means that there must be money available (uncommitted funding) within existing service area revenue or capital budgets.

3.4 Any bid requiring funding from the General Fund Reserve or Capital Receipts regardless of value, must be approved by the CWCA Board.

4 Accepting Grants

4.1 Approval to accept and utilise grant funding should be sought as part of the original bid process. Should the final offer be for a significantly different amount or reflect significantly different objectives to the original submitted bid, the Bid Lead Officer should seek advice from the CFO as to whether further approval is required.

4.2 Legal advice should be sought on all grant agreements before they are signed. Grant agreements must be signed in accordance with the terms and conditions or by an authorised signatory in the absence of any specific terms.

Allocation of Grants, Donations and Other Discretionary Contributions

5 Approval of Funding Intentions

- 5.1 The CWCA may, on a periodic basis, agree the approach to be taken to the funding of, and investment in groups that further social, environmental or cultural objectives.
- 5.2 Funding intentions of this nature must be approved annually as part of the budget setting process by the CWCA.
- 5.3 Further approval will be required for grants, donations or other discretionary contributions not originally included in the budget report to the CWCA Board as follows:

Approval level	Value of Contribution	Approval Route
Director	Up to £XXXX	
Director in consultation with CFO and Monitoring Officer (or their nominated deputy)	£XXXX to £XXXX	
CWCA Board	Over £XXXX	

6 Written Agreements

- 6.1 All discretionary grants, donations or other discretionary financial contributions, whether contractual in nature or not, must be set out in a written agreement, the content and format of which must be approved by the Monitoring Officer. The written agreement templates will:
- a) Provide a set of standard conditions that apply to all grants, donations or other discretionary financial contributions;
 - b) Allow officers to set out the funding purpose, duration, outputs, performance targets, monitoring and audit requirements, method and timescale for payment, and any specific conditions that need to be applied to the award.
- 6.2 Before using any of the standard templates, legal advice should be sought where any of the following apply:
- a) The agreement has, or may have TUPE implications, in respect of the transferring of staff or services from one organisation to another (including the CWCA);
 - b) The agreement has been brought about by a joint procurement or commissioning process involving parties external to the CWCA;
 - c) All or some of the funding has been sourced from finances external to the CWCA's own budget. i.e. is funded wholly or in part through external funding;
 - d) The funding includes support for capital expenditure as defined by the CWCA's Financial Regulations at the time the support is awarded.

6.3 Written agreements must be signed by the relevant authority as set out below:

Value of the grant given out by CWCA	Authorised Signatory
Up to £250,000	Authorised signatory
Over £250,000	Sealed as a deed

-

7 Funding Conditions

7.1 Where funding for outside bodies is provided by third parties, for example Central Government, Officers must ensure that the funding is used in a way that complies with any conditions attached by the funding provider.

8 Reporting

8.1 In accordance with the 2014 Local Government Transparency Code, the Council is required to publish details of all grants over £500 to voluntary, community and social enterprise organisations on an annual basis.

8.2 Actual payments made will be published on the Council's website by the end of April following the financial year to which they relate.

9 Subsidy Control

9.1 Financial support from a public authority that provides an advantage to a business or organisation may be defined as a subsidy under the Subsidy Control Act 2022 if it:

- a) comes from public resources;
- b) provides an economic advantage;
- c) is specific to a business, sector, or group; and
- d) affects competition or trade.

9.2 In determining whether the financial support constitutes a subsidy in accordance with the Subsidy Control Act 2022, advice should be taken from legal and finance as appropriate. Some subsidies are required to be published.

Collaborative Working

1 General

- 1.1 The term “collaborative working” covers a wide array of joint working arrangements. For the purposes of this section, the term “collaborative working” means working with one or more third parties collectively to achieve a shared objective.
- 1.2 The CWCA’s contribution to collaborative working may be capital, revenue or contributions in kind such as staff time, and contributions of any kind fall within this section.
- 1.3 In any circumstance where the CWCA undertakes procurement in respect of collaborative working, the CWCA’s Finance and Contract Procedure Rules shall apply.
- 1.4 As a measure of best practice, all collaboration agreements should be subject to a complete review at least every 4 years.

2 Written Agreement

- 2.1 All collaborative working arrangements must be recorded in writing, the content and format of which must be approved by the Monitoring Officer. All arrangements which involve the commitment of significant CWCA resources (be they finance, staff, land, buildings or equipment), or where the CWCA acts as an accountable body, must have a formal agreement in place approved by the Monitoring Officer.

3 Accountable Body

- 3.1 Any collaborative working in which the CWCA is to act as Accountable/Responsible Body must be approved by the CFO and recorded in writing.
- 3.2 Where the CWCA does act as the Accountable Body, the full cost of providing any services or functions must be charged to the collaborative working arrangement (including a fair share of corporate overheads or equivalent in kind contribution).

4 Collaborative Working Approval Process

- 4.1 The approval process for participation in a collaborative working arrangement is based on:
 - a) Compliance with and contribution to corporate outcomes
 - b) The scale of the CWCA’s contribution (in financial and non-financial terms)
 - c) The scale of the expenditure for which the CWCA will become accountable.
- 4.2 Any financial contribution of the CWCA which is not already included in the approved budget, will need approval in line with the limits set out in the Finance and Contract

Procedure Rules. The financial contribution of the CWCA should be assessed over the anticipated lifetime of the collaborative working arrangement.

PART 5 – Protocols and Ethical Standards

5.1 Statutory Consent Protocol

Background and Introduction

The Cheshire and Warrington Combined Authority Order 2026 (“the CWCA Order”) provides for the election of a mayor for the area of the Combined Authority (“Mayor”) from May 2027 and specific functions to be conferred on the Combined Authority. These are known as Concurrent Functions. :

Concurrent Functions

The Concurrent Functions are as set out in the CWCA Order

Statutory Consents

Where statutory consent is required, the principles of this protocol shall be adopted.

Aim of this Protocol

The aim of this protocol is to promote:

- **co-operation** and **collaboration** between the Combined Authority and the Constituent Councils in a spirit of partnership,
- **transparency** of roles and processes to engender mutual trust and confidence, and
- the **best use of resources** through co-ordination and reducing duplication between the parties.

The Combined Authority and Constituent Councils have agreed to follow this protocol when exercising any Concurrent Function, and in relation to any Statutory Consent.

The Combined Authority is committed to on-going engagement with Constituent Councils about all aspects of its work. This includes engagement about how the Combined Authority exercises its functions.

This protocol sets out how the Combined Authority and each Constituent Council intend to **work together** to secure that Concurrent Functions are exercised in the best interests of the inhabitants of their areas and for their mutual benefit. The Combined Authority and each Constituent Council acknowledge that, by law, a Concurrent Function may be exercised by the Combined Authority or a Constituent Council acting alone (subject to any Statutory Consent requirement).

- 1.2 The Combined Authority will **consult** Constituent Councils about the exercise of any Concurrent Function in accordance with paragraph 3 below.

- 1.3 The Combined Authority will exercise any Concurrent Function **reasonably** and after **taking all relevant factors or considerations into account**, including how any Constituent Council is exercising or proposes to exercise the Concurrent Function and the potential effect of a decision on any Constituent Council. In exercising any Concurrent Function, the Combined Authority will comply with the public sector equality duty under section 149 of the Equality Act 2010.
- 1.4 The Combined Authority will so far as reasonably practicable exercise any Concurrent Function in such a way as to be **compatible** with and **complementary** to the exercise of the Concurrent Function by any Constituent Council.
- 1.5 Subject to each party complying with requirements relating to data protection and the law of confidentiality, the Combined Authority and each Constituent Council agree to **share any information** as reasonably requested by any other party, to facilitate their exercise or proposed exercise of any Concurrent Function.
- 1.6 The parties will consult with each other before **approving, varying, or revoking any strategy or plan** which is likely to determine or significantly affect how any Concurrent Function is exercised by the Combined Authority or any Constituent Council.
- 1.7 The Combined Authority will so far as reasonably practicable seek to develop and agree with each Constituent Council a common and consistent approach to any **monitoring arrangements** relating to any Concurrent Function exercised by the Combined Authority .
- 1.8 The Combined Authority will so far as reasonably practicable seek to develop and share **best practice** with each Constituent Council in relation to the exercise of any Concurrent Function exercised by the Combined Authority .
- 1.9 It is anticipated that the areas in which it is anticipated that the Combined Authority will exercise concurrent functions will be identified early as part of the Annual Plan. This will enable early engagement and discussion with the Constituent Councils before the formal consultation stage under this protocol.

2. Concurrent Functions: Consultation with Constituent Councils

- 2.1 The Combined Authority will consult the Constituent Councils about any proposal by the Combined Authority to exercise any Concurrent Function, except where the Constituent Councils have agreed that no consultation is required.
- 2.2 The Chief Executive will also notify the relevant Chief Executive (or their nominee) of any proposal to exercise a Concurrent Function which would require a Key Decision by the Combined Authority as soon as practicable, and in any event before any Key Decision notice is published by the Combined Authority in relation to exercising the Concurrent Function, and unless the Chief Executive (or their nominee) agrees that no consultation is required, the Combined Authority will then proceed to consult the relevant Constituent Council in the manner set out in 3.3 and 3.4 below about such proposal.
- 2.3 The Chief Executive will consult the Chief Executive (or their nominee) of any relevant Constituent Council as soon as reasonably practicable about the proposed exercise of any Concurrent Function, including the commencement date/projected timescales and the manner in which it is to be exercised

- 2.4 Such consultation must be fair and carried out with adequate notice for responses which must be conscientiously considered by the Combined Authority with a view to reaching agreement on the exercise of the Concurrent Function.

3. Statutory Consents: Procedure

- 3.1 The CWCA Order requires the consent of each Constituent Council in whose area it is proposed that the functions set out in Part 4, article 8(1)(d) are to be exercised.
- 3.2 Where Statutory Consent is required from a Constituent Council, the Combined Authority will seek that Statutory Consent **in a timely way**. To facilitate this, and to promote transparency, a notice of the request for Statutory Consent (Statutory Consent Request Notice) should be published on the Combined Authority's Forward Plan at least 28 clear days before the Combined Authority meeting at which it is sought, subject to this requirement being waived in exceptional circumstances by any relevant Chief Executive.
- 3.3 To further facilitate the appropriate and timely briefing by the Chief Executive (or their nominee) of the member of the Combined Authority who may provide a Statutory Consent, the Combined Authority's Chief Executive will **notify the Chief Executive** of each relevant Constituent Council (or their nominee) as soon as reasonably practicable of any proposal to seek a Statutory Consent, and at the latest when the Statutory Consent Request Notice is published. The Combined Authority will provide the Chief Executive with details about the proposed exercise of the function, including the commencement date/projected timescales and the manner in which it is to be exercised.

4. Dispute Resolution

- 4.1 The Combined Authority and the Constituent Councils will act at all times in a constructive spirit of mutual cooperation and partnership to resolve disagreements.
- 4.2 Any dispute between the Combined Authority and any Constituent Council about the exercise of a Concurrent Function (whether before or after its exercise) will be referred to the Chief Executive of the Combined Authority and the Chief Executive of the relevant Constituent Council with a view to resolution.
- 4.3 In default of successful resolution between the parties, any dispute will be referred to the Mayor of the Combined Authority and the Leader of any relevant Constituent Council for resolution, provided always that notwithstanding any recommendations made, any Statutory Consent of any Constituent Council will continue to be required in their absolute discretion.

5. Review

The Combined Authority and the Constituent Councils agree to review this protocol **annually**, and before any additional concurrent functions which may be conferred on the Combined Authority in the future by any other Regulations which are exercisable by the Combined Authority

The Combined Authority and the Constituent Councils may revise this protocol from time to time, provided such **revisions** are **agreed in writing** by the Chief Executive of the Combined Authority

and the Chief Executive of each Constituent Council.

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5.2 Arrangements for appointment, disqualification, dismissal of Non-Constituent Members

1. Background and Introduction

- 1.1 The Combined Authority may designate a body, other than a Constituent Council, as a Nominating Body. Such a Nominating Body must consent to the designation. A Nominating Body may nominate a representative of that body for appointment by the Combined Authority as a non-constituent member. The non-constituent members are non-voting members of the Combined Authority , unless the Combined Authority resolves otherwise.
- 1.2 The CWCA Order permits the Combined Authority to appoint up to 6 non-constituent and associate members in total.

2. Appointment

- 2.1 The Combined Authority will:
 - Approve the designation of a Nominating Body
 - Agree the number of nominating bodies that may be designated by the Combined Authority
 - Agree the number of non-constituent members that may be nominated by a Nominating Body of the Combined Authority
- 2.2 A Nominating Body may nominate, in writing to the Monitoring Officer, such representatives of that body for appointment by the Combined Authority as a non-constituent member as determined by the Combined Authority .
- 2.3 A Nominating Body must nominate a substitute member for each non-constituent member nominated.
- 2.4 The appointment of a non-constituent member or substitute will only take effect when the nomination is approved by the Combined Authority.

3. Term of Office

- 3.1 The term of office shall be for a maximum of two years.

4. Disqualification

- 4.1 A person immediately ceases to be a non-constituent member or substitute if they cease to be eligible to be the representative of the Nominating Body that nominated them.

5. Resignation

- 5.1 A person may resign as a non-constituent member or substitute by written notice served on the Monitoring Officer of the Combined Authority and the resignation takes effect on receipt of the notice by the Monitoring Officer.

6. Withdrawal of nomination

- 6.1 A Nominating Body may at any time terminate a nomination and nominate another one of its members in that person's place by written notice to the Monitoring Officer. The termination shall take effect on receipt of the notice by the Monitoring Officer.

7. Dismissal

- 7.1 The Combined Authority may dismiss a non-constituent member if they fail throughout a period of six consecutive months to attend any meeting of the Combined Authority, unless their absence is due to a reason which has previously been approved by the Combined Authority Board.
- 7.2 The Combined Authority may dismiss a non-constituent member or substitute if there is a finding of breach of the Combined Authority Code of Conduct by them.

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5.3 Member Code of Conduct

1. Definitions

- 1.1 For the purposes of this Code of Conduct, a “Member” means a member of the Cheshire and Warrington Combined Authority (“CWCA”) including the directly elected Mayor and 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 sub-committee”.

2. General Principles of Member Conduct

- 2.1 This Code has been adopted under s27 of the Localism Act 2011 and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership, also known as “the Nolan Principles”. The Code sets out general obligations about the standards of conduct expected of Members and co-opted members of the authority, together with provisions about registering and declaring interests.
- 2.2 Building on these principles, the following general principles have been developed specifically for the role of a Member.
- 2.3 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.
- 2.4 In undertaking my role:
- I exercise my responsibilities impartially in the interests of the local community
 - I do not seek to improperly 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 the Combined Authority and my local authority’s requirements and in the public interest.

3. Application of the Code of Conduct

- 3.1 This Code of Conduct applies to Members from the declaration of acceptance of the office of Mayor or the appointment as a Member of the Combined Authority and continues to apply until they cease to hold office or cease to be a Member of the Combined Authority.
- 3.2 This Code of Conduct applies when acting in the capacity as 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

3.3 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
- in electronic and social media communication, posts, statements and comments.

3.4 You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.

3.5 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.

4. Standards of Member Conduct

4.1 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.

4.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

5. General Conduct

Respect

5.1. **As a Member:**

- **I treat other Members and members of the public with respect.**
- **I treat Combined Authority employees, employees and representatives of partner organisations and those volunteering for the Combined Authority with respect and respect the role they play.**

5.2 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.

5.3 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.

5.4 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 Combined Authority, the relevant social media provider

or the police. This also applies to fellow Members, where action could then be taken under the Member Code of Conduct, and Combined Authority employees, where concerns should be raised in line with the Combined Authority's member-officer protocol.

Bullying, harassment, and discrimination

- 5.5 **As a Member:**
- **I do not bully any person.**
 - **I do not harass any person.**
 - **I promote equalities and do not discriminate unlawfully against any person.**
- 5.6 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 emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.
- 5.7 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.
- 5.8 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.
- 5.9 The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the Combined Authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

Impartiality of officers of the Combined Authority

- 5.10 **As a Member:**
- **I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Combined Authority .**
- 5.11 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.

Confidentiality and access to information

- 5.12 **As a Member:**

1. I do not disclose information:

- a. **given to me in confidence by anyone**
- b. **acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. **I have received the consent of a person authorised to give it.**
 - ii. **I am required by law to do so.**
 - iii. **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**
 - iv. **the disclosure is:**
 - 1. **reasonable and in the public interest; and**
 - 2. **made in good faith and in compliance with the reasonable requirements of the Combined Authority ; and**
 - 3. **I have consulted the Monitoring Officer prior to its release.**

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.

3. I do not prevent anyone from getting information that they are entitled to by law.

- 5.13 Combined County 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 CWCA must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

5.14 As a Member:

- **I do not bring my role or the Combined Authority into disrepute.**

- 5.15 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 Members and/or the Combined Authority and may lower the public's confidence in your or the Combined Authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Combined Authority into disrepute.

- 5.16 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 Code of Conduct.

Use of Position

- 5.17 **As a Member:**
- **I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**
- 5.18 Your position as a Member of the Combined Authority 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.

Use of Combined Authority resources and facilities

- 5.19 **As a Member:**
- **I do not misuse Combined Authority resources.**
 - **I will, when using the resources of the Combined Authority or authorising their use by others:**
 - (a) **act in accordance with the Combined Authority 's requirements; and**
 - (b) **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Combined Authority or of the office to which I have been elected or appointed.**
- 5.20 You may be provided with resources and facilities by the Combined Authority to assist you in carrying out your duties as a Member.
- 5.21 Examples include:
- office support
 - stationery
 - equipment such as phones, and computers
 - transport
 - access and use of Combined Authority buildings and rooms.
- 5.22 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.

Complying with the Code of Conduct

- 5.23 **As a Member:**
- I undertake Code of Conduct training provided by the Combined Authority .
 - I cooperate with any Code of Conduct investigation and/or determination.
 - I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
 - I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.
- 5.23 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.

6. Protecting your reputation and the reputation of the Combined Authority

Interests

6.1 As a Member:

- **I register and disclose my interests.**

6.2 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

6.3 You need to register your interests so that the public, Combined 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.

6.4 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.

6.5 **Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

Gifts and Hospitality

6.6 As a Member:

- **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.**
- **I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- **I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

6.7 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.

Appendices

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.

B Registering Interests

- 1 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)**.

- 2 **"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.
- 3 **"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.

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 unless you have been granted a dispensation. 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 a Cabinet 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 Registerable Interests

- 6 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), 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 and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable 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.
- 8 You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

- 9 Where a matter arises at a meeting which **affects** –
- your own financial interest or well-being.
 - a financial interest or well-being of a relative or close associate; or
 - a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
- 10 Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest
- 11 You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.
- 12 If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
- 13 Where a matter (referred to in paragraph 12 above) affects the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest
- 14 You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.
- 15 If it is a 'sensitive interest', you do not have to disclose the nature of the 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	<p>Any payment or provision of any other financial benefit (other than from the Combined Authority) 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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>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 authority</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the Combined Authority .</p> <p>‘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.</p>
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Combined Authority for a month or longer

* ‘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 must register as an Other Registerable Interest:

- a) any unpaid directorships;

b) any body of which you are a member or are in a position of 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. 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.

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5.4 Member – Officer Protocol

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The purpose of this Protocol is to guide Members and officers of the Cheshire and Warrington Combined Authority (CWCA) in their relations with one another

Introduction

1. This Protocol applies to Combined Authority Members and Non-Constituent, Associate and co-opted Members¹ as well as those on any working group or committee created by the Combined Authority or the Mayor (together referred to, for the purposes of this Protocol, as “Members”).
2. It also applies to Officers of the Combined Authority.
3. The Protocol is not prescriptive, and it may not cover all situations. However, it does provide guidance on some of the issues that most commonly arise. The approach to these issues will

serve as a guide to dealing with other issues.

4. The Protocol is a written statement of current practice and convention. It seeks to promote greater clarity and certainty.
5. It also seeks to reflect the principles underlying the respective rules of conduct that apply to Members and officers. Its purpose, therefore, is to enhance and maintain the integrity (real and perceived) of local government.
6. Members and officers are servants of the public and they depend on each other in carrying out the work of the Combined Authority . Members who are elected are responsible to the electorate. All Members serve only so long as their term of office or co-option lasts, while officers are accountable to the Combined Authority as their employer. Their job is to give advice to the Combined Authority , as well as to individual Members, and to carry out the Combined Authority 's work under the direction and control of the Combined Authority and the Mayor.
7. Mutual respect between Members and officers is essential to good local government. However, close personal familiarity between individual Members and officers can damage this relationship and prove embarrassing to other Members and officers.
8. 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 officers can legitimately provide to Members. The Protocol seeks to set a framework that assists the working relationships between Members and officers

Roles Of Members

9. Members undertake many different roles. Broadly these include:
 - expressing political values and supporting the policies of the party or group to which they belong (if any) – see further the section entitled “Political Activity” at paragraph 46 onwards,
 - representing their area and advocating for the citizens who live in the area,
 - participation in active partnerships with other organisations as community leaders,
 - contributing to the decision-making by the Combined Authority , or any joint committees, outside bodies and partnership organisations to which the Member has been appointed,
 - developing and reviewing policy and strategy, and
 - monitoring and reviewing policy implementation and service quality

Roles Of Officers

10. Briefly, officers have the following main roles:
 - ensuring that the Combined Authority always acts in a lawful manner,
 - implementing agreed policy,
 - managing and providing the services for which the Combined Authority has given them responsibility and being accountable for the efficiency and effectiveness of those services,
 - providing advice to the Combined Authority and to individual Members in respect of the services provided (see further the section entitled “Provision of Advice and

Information to Members” from paragraph 21 onwards below and the section entitled “Confidentiality” from paragraph 35 onwards), and

- initiating policy proposals.

Respect and Courtesy

11. For the effective conduct of the Combined Authority business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Members and officers. This plays a very important part in the Combined Authority 's reputation and how it is seen in public. It is very important that both Members and officers remember their respective obligations to enhance the CWCA’s reputation and to do what they can to avoid criticism of other Members, or other officers, in public places.

Undue Pressure

12. It is important in any dealings between Members and officers that neither should seek to take unfair advantage of their position.
13. In their dealings with officers (especially junior officers) Members need to be aware that it is easy for them to be overawed and feel at a disadvantage. Such feelings can be intensified where Members hold senior and/or political office. Certain statutory officers – the Head of Paid Service, the Section 73 Chief Finance Officer and the Monitoring Officer - have specific roles which Members must understand and respect. Members should have particular regard to any advice given by them.
14. A Member should not apply undue pressure on an officer either to do anything that they are not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Combined Authority property and services.
15. Similarly, an officer must neither seek to use undue influence on an individual Member to decide in their favour, nor raise personal matters to do with their job, nor make claims or allegations about other officers

Familiarity

16. Close personal familiarity between individual Members and officers can damage the principle of mutual respect. It could also, intentionally, or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details.
17. Such familiarity could also cause embarrassment to other Members and/or other officers and even give rise to suspicions of favouritism.
18. For these reasons close personal familiarity must be avoided, and Members and officers should address each other formally in public (whether in person or in writing).

Breach of Protocol

19. If a Member considers that they have not been treated with proper respect or courtesy, they may raise the issue with the officer's line manager. If direct discussion with the manager does not resolve the complaint it should be referred to the Head of Service or Director responsible for the officer concerned. Breach of the Protocol may give rise to disciplinary proceedings against an officer if the circumstances warrant it.
20. If an officer considers that a Member has contravened the Protocol, they should consult their line manager who will, if necessary, involve the Head of Service or Director. In certain circumstances breach of the Protocol may also constitute a breach of the Members' Code of Conduct. If the breach is sufficiently serious this may warrant a formal reference to the Monitoring Officer as a complaint. Many complaints will be capable of informal resolution. The Monitoring Officer or the Head of Paid Service will assist in this process if necessary. Nothing in this Protocol shall prevent an officer expressing a relevant concern under the Combined Authority 's Whistleblowing Policy.*(add link once policy is approved)*

Provision of Advice and Information to Members

21. Members are free to approach officers of the Combined Authority to provide them with such information and advice as they may reasonably need in order to assist them in discharging their role as Member. This can range from a request for general information about some aspect of Combined Authority 's activities to a request for specific advice on a matter.

Information

22. Officers should always endeavour to respond to requests for information promptly and should in any event inform the Member if there is likely to be any appreciable delay in dealing with an enquiry.
23. The legal rights of Members to inspect Combined Authority documents are covered partly by statute and partly by common law. The Access to Information Rules in Part 4 of the Constitution explain the position with regard to access to papers relating to the business of the Combined Authority.
24. 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.
25. The information sought by a Member should only be provided by officers as long as it is within the limits of the resources available. For their part, Members should seek to act reasonably in the number and content of the requests they make.
26. 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 area that they represent. Members should be informed about proposals that affect their area and should also be invited to attend Combined Authority initiated events within their area.
27. Members may be entitled under the Freedom of Information (FOI) Act 2000 to receive information which falls outside their common law rights based on the "need to know". Officers are encouraged to supply documents to Members without the need for a formal FOI request if it is apparent from the Member's enquiry that any individual would be entitled to receive such

documentation. The Combined Authority's Data Protection Officer will be able to advise in consultation, if necessary, with the Monitoring Officer on whether any request would fall within the Freedom of Information Act 2000.

Advice

28. Officers are responsible for the provision of professional expertise to the Combined Authority and Members are entitled to ask relevant questions and seek advice on available courses of action as they discharge their role as a Member. The response of an officer to a Member would not usually be shared with other Members without specific agreement, however Members should remember that the officer's primary duty is to the Combined Authority as a whole and officers will therefore share their advice if they consider it appropriate to do so.
29. Sometimes officers will need to advise Members that a certain course of action cannot be carried out. Members sometimes assume that this is a case of officers deliberately obstructing the wishes of politicians. In fact, this is never the case. Officers are employed to give unbiased professional advice even if it is not what Members want to hear. They do this as much for the protection of Members as for any other reason. However, the mark of an effective officer is that if they do have to give negative advice, this will be accompanied by suggestions as to how Members might achieve some or all of their objectives in other ways. Such officers are invaluable to the Combined Authority.

Members with Special Responsibilities

30. Combined Authority Members and other Members who hold additional responsibilities (such as the Mayor, Committee Chairs and those with a portfolio of responsibility) will receive additional information from senior officers to help them discharge their responsibilities. This is likely to take the form of briefings on service issues, proposals and policy development. The frequency of briefings will depend on the issues concerned and the requirements of the Member involved, and the content of the informal briefing will remain confidential between the officers and Member concerned.
31. Senior officers will always be fully responsible for the contents of any report submitted in their name and reports will be amended only where the amendment reflects the professional judgement of the author of the report.
32. Members who have additional responsibilities are likely to work more closely with officers but must still respect the impartiality of officers. Officers and Members who work closely together must ensure that they do not publicly give the appearance of personal familiarity.

Members of Constituent Councils with Special Responsibilities

33. Officers of the Combined Authority may also be asked to provide information and advice to appropriate Members of Constituent Councils, such as those Members with special responsibility for a portfolio or in relation to a specific project. This is likely to take the form of briefings and the frequency of briefings will depend on the issues concerned and the requirements of the Member involved. If the Combined Authority has assigned a portfolio lead for the subject matter, that Member should be made aware of the information provided.

The Mayor's Political Adviser

34. The Mayor is able to appoint one political adviser⁵. However, the nature of this role is different to that of other officers of the Combined Authority – see further below re political restrictions.

Confidentiality

35. Members are entitled to access information to enable them to discharge their responsibilities. The Access to Information Rules in Part 4 of the Constitution, set out the basis on which information can be accessed by Members and the public generally, but do not affect any other rights to information arising under standing orders or by law. They also set out the difference between confidential information⁶ and exempt information⁷.
36. Members must ensure that they comply with data protection arrangements and not disclose information given to them in confidence by anyone, or information acquired which they believe, or ought reasonably to be aware, is of a confidential nature, except where:-
- they have the consent of a person authorised to give it,
 - they are required by law to do so,
 - the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or
 - the disclosure is –
 - reasonable and in the public interest, and
 - made in good faith and in compliance with the reasonable requirements of the authority.
37. Committee reports which are in the private part of an agenda are to be treated as exempt information unless the relevant committee resolves not to exclude press and public. Members are reminded that the author of the report makes the initial decision as to whether or not the papers are to be treated as exempt from public disclosure. The decision as to whether they remain exempt is for the committee.
38. Information and correspondence about an individual's private or business affairs will normally be classed as exempt or confidential.
39. Officers should make it clear to Members if they are giving them confidential or exempt information. If a Member is not sure whether information is confidential or exempt from disclosure, they should ask the relevant officer, and not disclose the information in the meantime.
40. Any Combined Authority information provided to a Member must only be used by the Member in connection with the proper performance of the Member's duties.
41. If a Member receives exempt or confidential information and considers it should be disclosed to another person because it is reasonable and in the public interest to do so, then they must first consult with the Monitoring Officer and shall not disclose the information without having regard to any advice given by that officer.

Provision of Support Services to Members

42. The only basis on which the Combined Authority can lawfully provide support services (for example stationery, word processing, printing, 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.

Correspondence

43. Official letters on behalf of the Combined Authority should be sent in the name of the appropriate officer, rather than in the name of a Member. There are circumstances where a letter sent in the name of a Member is perfectly appropriate, for example, in response to a letter of enquiry or complaint sent direct to that 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.

Media

44. Communication with the media can be an important part of a Member's workload. In general, Members provide comment and views while officers provide factual information. If a Member is unsure about the circumstances of a particular issue, they should contact the appropriate Director or Head of Service concerned.

The Combined Authority's Role as Employer

45. In their dealings with officers, Members should recognise and have regard to the Combined Authority's role as employer. Members should be aware that officers could rely on inappropriate behaviour of a Member in an employment case against the Combined Authority .

Political Activity

46. There are a number of constraints that apply to an officer who occupies a post that is designated as "politically restricted" under the terms of the Local Government and Housing Act 1989 . However, there are variations in the extent of restrictions applied - for example, the Mayor's political adviser is an employee in a politically restricted post but has freedom to become involved with political issues relevant to the Mayor.
47. In summary, politically restricted officers may be prevented from:
- being a Member of Parliament, European Parliament or local authority,
 - acting as an election agent or sub-agent for a candidate for election as a member of any of those bodies,
 - being an officer of a political party or any branch of a political party or a member of any committee or sub-committee of such a party or branch, if their duties would be likely to require them to:-
 - participate in the general management of the party or branch;
or
 - act on behalf of the party or branch in dealings with persons other than members of the party;
 - canvassing on behalf of a political party or a candidate for election to any of those bodies,
 - speaking to the public with the apparent intent of affecting public support for a political

- party, and
 - publishing any written or artistic work of which they are the author (or one of the authors) or acting in an editorial capacity in relation to such works, or to cause, authorise or permit any other person to publish such work or collection - if the work appears to be intended to affect public support for a political party.
48. It is common for party groups to give preliminary consideration to matters of Combined Authority business in advance of such matters being considered by the relevant decision-making body. Officers may properly be called upon to support and contribute to such deliberations by party groups provided they maintain a stance which is politically impartial. Support may include a range of activities including briefings for Members relating to their roles, for example chairperson or spokesperson. Officers should be required to give information and advice to political groups on Combined Authority business only and not on matters which are purely of a party-political nature. Such advice should be available to all party groups and not solely to the majority group. It is important that the political neutrality of officers is preserved, and that group confidentiality is maintained by officers.
 49. Usually, the only officers involved in attending group meetings will be the Chief Executive, Directors or Heads of Service and they will generally leave the meeting after making their presentation and answering questions.
 50. Officers are employed by the Combined Authority as a whole. They serve the Combined Authority and are responsible to the Chief Executive and their respective Directors and Heads of Service, and not to individual Members, whatever office they might hold.
 51. Both Members and officers are subject to their own Codes of Conduct which can be found in Part 5 of the Constitution. This Protocol provides guidance on working relationships between Members and officers. It is essential that both are familiar with the detailed obligations in their respective Codes of Conduct which will prevail in the event of any conflict between the Codes and this Protocol.

Sanctions

52. Complaints about any breach of this Protocol by a Member may be referred to the Monitoring Officer. It should be noted that certain breaches may also amount to breaches of the Members' Code of Conduct.
53. Complaints about any breach of this Protocol by an officer may be referred to the Chief Executive or the Monitoring Officer.

Conclusion

54. It is hoped that, by following good practice and securing sensible and practical working relationships between members and officers, the CWCA and Mayor will enhance the delivery of high value quality services to the people of the area. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the CWCA, its Members and officers.

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5.5 Officer Code of Conduct

1. Introduction

As a member of the Cheshire and Warrington Combined County (CWCA) team you must have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty, and leadership - in your conduct at all times. These are known as the ‘Nolan principles’. This code is in addition to appropriate statutes, sections of the National Scheme of Conditions of Service, the Financial Procedure Rules and particularly the protocol on Member / Officer Relations. It forms part of the contractual terms and conditions of employment and applies to all employees.

2. Policy Purpose

The public are entitled to expect the highest standards of conduct from all officers. The role of officers is to serve the Combined Authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality, and objectivity. This document sets out the standards expected of all the Combined Authority’s officers. Guidance in relation to the acceptance of gifts and /or hospitality by officers, is detailed in the Gifts and Hospitality Policy which forms part of the Code of Conduct.

3. Objectives of the Code

This code of conduct should:

- provide officers of the Combined Authority with an effective ethical framework within which to work; and give the public confidence that the Combined Authority’s officers are working on their behalf in an appropriate manner; and
- provide guidance to officers on the possible consequences of breaches of this code.

4. Responsibilities

Officers of the Combined Authority

The Combined Authority expects all officers to be accountable for their actions and to act in accordance with the principles set out in this Code, recognising the duty of all public sector officers to discharge public functions reasonably and according to the law.

Line Manager

The role of the manager is to provide support and advice to officers to ensure that the principles of the Code are applied consistently.

Human Resources (HR)

The role of HR is to provide support and advice to managers and officers to ensure that the principles of the Code are applied consistently.

Legal Section

The role of Legal and Governance Services is: -

- to review entries in the registers of personal and prejudicial interests and give advice to officers in relation to any implications.
- to advise officers in relation to the application of this Policy, if requested; and
- to maintain the register of officers' personal and prejudicial interests confidentially and in accordance with relevant legislation.

5. Political Neutrality

The Combined Authority expects officers to follow every policy/procedure of the Combined Authority and not to allow their own personal or political opinions to interfere with their work. Where officers are politically restricted, by reason of the post they hold or the nature of the work they do, they must comply with those restrictions.

6. Personal Relationships with Members of the Combined Authority (Members), the Public and Other Officers

Mutual respect between officers and members is essential to good working relationships at the Combined Authority and each should handle work matters on a professional basis. Officers of the Combined Authority should deal with the public, Members, and other officers sympathetically, efficiently and without bias. The Combined Authority endeavours to avoid a situation where officers are either directly managed by, or responsible for, the recruitment and selection of someone with whom they have a personal relationship, e.g., a member of the same family.

7. Equality & Diversity

All officers and other persons who are acting on behalf of the Combined Authority, including contractors and consultants must comply with the Combined Authority's Equality & Diversity Policy.

8. CWCA Property

Officers must ensure that they use public funds entrusted to them in a responsible and lawful manner and in accordance with standing orders and financial regulations. Officers must not utilise property, vehicles, or other facilities of the Combined Authority for personal use unless authorised to do so.

9. Conflict with Duties

Officers must not allow their private interests or beliefs to conflict with their professional duty. Additionally, officers must not misuse their official position or information acquired in the course of their employment to further their private interest or the interests of others. Officers should abide by the rules of the Combined Authority about the declaration of gifts or hospitality offered to, or received by, them from any person or body seeking to do business with the Combined Authority or which would benefit from a relationship with the Combined Authority . Officers should not accept benefits from a third party unless authorised to do so by a manager at the appropriate level in accordance with the Gifts and Hospitality Policy.

10. Whistleblowing

Where an officer becomes aware of activities which they believe to be illegal, improper, unethical, or otherwise inconsistent with the Code of Conduct for officers, they should report the matter in line with the Combined Authority 's Confidential Reporting ("Whistleblowing") Policy and associated documents. The Whistleblowing Policy reflects the Public Interest Disclosure Act 1998 which protects officers from dismissal or victimisation if they disclose information about wrongdoing by the Combined Authority or colleagues.

11. Treatment of Information

The Combined Authority encourages all officers to be open in the distribution of information and decision making. However, certain information may be confidential or sensitive and therefore not appropriate to a wider audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should be restricted to:

- a Member,
- a relevant Combined Authority officer,
- other persons entitled to receive it, or who need to have access to it for the proper discharge of their functions.

This Code does not override existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

12. Investigations by Monitoring Officer

The role of the Monitoring Officer is a requirement for the Combined Authority. Where the Monitoring Officer is undertaking an investigation in accordance with the Combined Authority's procedure for dealing with allegations, officers must comply with any requirement made by the Monitoring Officer in connection with such an investigation.

13. Compromising the Impartiality of the Combined Authority 's Officers

Officers must not compromise, or attempt to compromise, the impartiality of anyone who works for or on behalf of the Combined Authority, either directly or as a response to pressure from others. An officer should not attempt to force other officers to take action or change advice if doing so would prejudice their professional integrity.

14. Improper Use of Position

Officers must not use, or attempt to use, their position improperly either for their own or anybody else's advantage or disadvantage.

15. Considering Advice Provided

If an officer seeks advice, or advice is offered to them, on aspects of how the Code of Conduct applies, the officer must have regard to this advice.

16. Personal and Prejudicial Interests

The attached guidance in relation to personal and prejudicial interests forms part of this Policy. It explains what these interests are or may be; when and why they must be registered; the internal procedure involved and how the information will be dealt with. Officers must adhere to this guidance.

Registration of any such interest protects the Combined Authority and its officers by giving early warning of any potential areas of conflict of interest. That the Combined Authority has this policy provides assurance to the public that the Combined Authority is acting in the public interest. The Combined Authority requires officers to register personal interests in areas where there are clear grounds for concern, that such an interest could give rise to accusations of bias in decision making and working practice.

An officer may seek to exempt their personal interests from the register if they consider, for instance, that having this information on record might put themselves or others at risk. In such cases, the officer should discuss the matter with the Head of Legal and Governance Services.

In certain circumstances an officer's personal or prejudicial interest may be found to be inappropriate or incompatible with their duties or their role within the Combined Authority. Appropriate steps might be required to be taken. Ultimately, if an officer does not agree to take the appropriate steps required by the Combined Authority, this might result in disciplinary action being taken and could amount to gross misconduct leading to dismissal.

17. Registers of Interests – Legislative Implications

The Combined Authority's registers of officers' personal and prejudicial interests are not matters of public record. The information contained in them will be kept in accordance with the Data Protection Act 2018. However, it is possible that the Combined Authority could be compelled to divulge certain information from the registers under the provisions of the Freedom of Information Act 2000. Officers must advise when their circumstances change to update or remove records from the register. The register will be reviewed annually by the Legal Services to ensure it is up to date and in compliance with the Information Commissioner's requirements.

18. Gifts and Hospitality

Officers must comply with the Combined Authority's Gifts and Hospitality Policy. Please refer to the guidance available on the legal and governance pages on the Intranet [\[link to be inserted here once available\]](#).

19. Equality Impact Assessment

In the creation of this policy, consideration has been given to any possible adverse equality impact for the following groups: disability; gender; gender reassignment; marital status (including civil partnerships); sexual orientation; race; religion or beliefs; age; pregnancy and maternity. The policy is considered to have little or no adverse equality impact.

20. Formal Action

Employees should note that any breaches of this policy may be considered either misconduct or gross misconduct and may lead to action within the Combined Authority's **Disciplinary, Conduct & Capability Policy and Procedure**.

21. Changes to Policy

The Combined Authority reserves the right to amend the details of this policy as required following consultation with recognised trade unions and other relevant parties. This policy will be monitored and reviewed on an annual basis, to ensure that it meets the needs of the Combined Authority and ensure compliance with relevant legislation. A written request can be made to review this policy at any time, by any of the signatories, giving appropriate reasons for requesting the review.

Schedule 1 – Notification of Interests

Notification by an Officer of the Cheshire and Warrington Combined Authority of Financial or Other Interests or an intention to acquire such Interests.

Name of Officer:	
------------------	--

Job title:	
Reports to:	

I [intend to]* have the following financial interests:- (delete as appropriate)* Please complete the following boxes or put “none” or “n/a” as appropriate.

- a. Business or other employment outside the Combined Authority working hours:
- b. (Name(s) of my employer(s)) (Name(s) of firm(s) in which I am a partner) (Names(s) of Company/ies of which I am a paid director) (delete whichever do not apply):
- c. Name(s) of any company or business having a place of business or land in Cheshire and in which I own or have an interest in a class of shares of that body/those bodies that exceeds the nominal value of £25,000, or one hundredth of the total issued share capital of that body/those bodies:
- d. Names of any company or business which carries on business with the Combined Authority , or which may carry on such business or may or is tendering for contracts from the Combined Authority in which I own or have an interest in any shares at all:
- e. Description of any contract for goods, services or works made between the Combined Authority and myself or a firm in which I am a partner, a company of which I am a paid director, or a body of the description specified in (c) above:
- f. Address or other description of any land or buildings other than my own main residence which is in the close vicinity of land or buildings owned by the Combined Authority or another authority or sites where the Combined Authority or that other authority is or may be involved in development relevant to the Combined Authority, such as bus stations, new transport interchanges:
- g. Address or other description of any land or buildings where the landlord is the Combined Authority and I am the tenant, or the tenant is a firm in which I am a partner, a company of which I am a paid director, or a body of the description specified in (d) above:
- h. Address or other description of any land the Combined Authority 's area in which I have a licence (along or jointly with others) to occupy for 28 days or longer:

I [intend to] have the following other interests:

- i. I am a member or hold a position of general control or management of the following body/ies to which I have been appointed or nominated by the Combined Authority as its representative:
- ii. (j) I am a member or hold a position of general control or management of the following public authority/ies or body/ies exercising functions of a public nature:
- (k) I am a member or hold a position of general control or management of the following company/ies, industrial and provident society/ies, charity/ies or body/ies directed to charitable purposes:
- (l) I am a member or hold a position of general control or management of the following body/ies whose principal purposes include the influence of public opinion or policy:

Request for Exemption from Registration if the officer feels there are good reasons for this information not to be kept on record, such as their personal safety or that of others, they should set out the details below:

I request that the details of my financial or other interest be exempt from registration for the following reasons:

Date:

Signed

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5.6 Combined Authority Complaints Procedure

The complaints procedure is in development

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PART 6 – Allowances

This Scheme may be cited as the Cheshire and Warrington Combined Authority Members' Allowances Scheme and shall have effect for the municipal year 2026/27. It shall continue in force, as amended from time to time, until revoked.

In this Scheme the following definitions apply:

'the 2009 act'	the Local Democracy, Economic Development and Construction Act 2009
'Associate Member'	an associate member is an individual appointed to be a member of the CWCA in accordance with section 104B of the 2009 Act
'the Constituent Councils'	Cheshire East Borough Council, Cheshire West and Chester Borough Council, Warrington Borough Council
'CWCA', 'the Combined Authority', 'the Board'	the Cheshire and Warrington Combined Authority
'the CWCA Order'	the Cheshire and Warrington Combined Authority Order 2026
'the Deputy Mayor'	the member of the CWCA appointed by the Mayor to be the Mayor's deputy pursuant to section 107C of the 2009 Act
'the Mayor'	the person elected as mayor by the local government electors for the Combined Authority Area
'Mayoral functions'	any function of the CWCA which is exercisable only by the Mayor (or the Mayor's delegate) by virtue of the CWCA Regulations or any other enactment (whenever passed or made)
'Nominating Body'	a body which is asked to nominate a member of the Combined Authority under paragraph 3 (2) of Schedule 1 of the CWCA Order
'Non-Constituent Member'	a non-constituent member is an individual nominated as a representative by a Nominating Body in accordance section 104A of the 2009 Act

1. Introduction

- 1.1 This scheme sets out the entitlement of:
- ☐ The Mayor
 - ☐ Combined Authority Members
 - ☐ Combined Authority Committee Members
 - ☐ Non-Constituent Members
 - ☐ Associate Members

2. Allowances

- 2.1 The Cheshire and Warrington Combined Authority Order 2026 sets out requirements for the determination of allowable allowances and expenses, being clear that 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.
- 2.2 The Combined Authority must establish an independent remuneration panel (“IRP”) 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
 - c) members of the overview and scrutiny committee and members of the audit committee (or sub-committees of those committees).

2.3 An IRP 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 a member of a district council; or
- b) is disqualified from being or becoming a member of the Combined Authority

The Allowance for the Mayor

- 2.4 The IRP will recommend an allowance for the Mayor, details of which will be set out in Schedule A which will be approved by the Combined Authority and be index linked to the National Joint Committee for Local Government Employees (NJC) index (the percentage annual cost of living salary increase as applied each year to staff). The increase to be applied annually reflecting the date of appointment of the Mayor.

Other Allowances

2.5 The IRP has recommended an allowance for:

- INSERT ONCE AGREED

The details of this allowance are set out in Schedule A.

2.6 With the exception of those listed in 2.5 any Combined Authority Member is only entitled to expenses and subsistence and no other allowances under this scheme.

2.7 An individual can only receive one allowance from the Combined Authority.

3. Travel, Subsistence and Care Allowance Expenses

3.1 Subject to any exceptions or requirements set out in this Scheme, a Member engaged in any of the Approved Duties set out in Schedule B, as applicable, may reclaim any travel, subsistence or care allowance costs they incur, in accordance with Schedule C.

4. Implementation and Backdating of Recommendations

4.1 The allowances are implemented from the date of the Annual Meeting and paragraph 5 (Part Year Entitlements) applies.

5. Part Year Entitlements

5.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to allowances where, in the course of a year, this Scheme is amended or that Member becomes, or ceases to be, a Member, or accepts or relinquishes the responsibilities of a role for which an allowance is payable.

5.2 If an amendment to this Scheme changes the amount to which a Member is entitled, then in relation to each of the periods:

- a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
- b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

5.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, the entitlement of that Member to any allowance shall be to the payment of such part of the allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.

- 5.4 Where this Scheme is amended as mentioned in paragraph 5.2, and the term of office of a Member does not subsist throughout the whole, or any period mentioned in sub- paragraph 5.2(a), the entitlement of any such Member to an allowance shall be to the payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which their term of office as a member subsists bears to the number of days in that period.

6. Renunciation of Entitlement to Allowances or Expenses

- 6.1 Any Member may give written notice to the Monitoring Officer to forego all or any part of their entitlement to any expenses under this scheme.

7. Claims and Payments

- 7.1 A claim for travelling, subsistence or care allowance expenses under this Scheme shall be made in writing within three months of the date of the duty in respect of which the entitlement to the allowance arises.
- 7.2 A claim for all expenses under this Scheme or any expense under any other provisions shall include, or be accompanied by, a statement signed by the claimant that:
- a) the claimant has incurred the expenditure shown on the claim; and
 - b) the claimant has not made and will not make any other claim either under this scheme or to any other body or organisation in respect of the matter to which their claim relates.
- 7.3 No expenses will be paid under this Scheme without a dated receipt (except in relation to car mileage claims) and the amount being in line with the requirements and restrictions set out in Schedule C.
- 7.4 In the case of car mileage claims, it must be the case that no suitable alternative public transport was available (claimant to provide explanation) or there were special circumstances (to be specified by claimant, it was not reasonable for the claimant to have travelled with another Member or Officer (claimant to provide explanation), and that the Monitoring Officer has agreed this in advance where reasonably practicable, before being approved.
- 7.5 Subject to any external timing constraints, payments shall be made:
- a) in respect of allowances and remuneration payable to those listed in 2.5 in instalments of one- twelfth of the amount specified in this Scheme each month.
 - b) in respect of travelling, subsistence, childcare/dependent carers' expenses, in each month for all fully completed claims received by the end of the previous week; and
 - c) in respect of a large expense claim, suitable arrangements will be made where specially requested by the claimant concerned.
- 7.6 Where a payment of one-twelfth of the amount specified in this Scheme in respect of an allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 5 (Part Year Entitlements), they are entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which they are entitled.

8. Duplication of allowances and expenses claims

- 8.1 No Member may receive an allowance or expenses from more than one authority in respect of the same duties.

9. Information Technology Provision

- 9.1 The Mayor will be provided with IT equipment to enable the discharge of their functions. No other Member will be provided with IT equipment.

10. Publishing remuneration and expenses paid

- 10.1 This Scheme will be published on the Combined Authority 's website, along with a summary of remuneration and expenses paid under this Scheme each year.

Schedule A – Allowance Amounts

Role	Remuneration per annum
The Mayor	
Deputy Mayor	
Chair of Overview & Scrutiny Committee	
Members of Overview & Scrutiny Committee	
Chair of Audit Committee	
Members of Audit Committee	
Independent Person(s)	

Schedule B: Approved Duties

The following are specified as an approved duty for purpose of the payment of travelling and subsistence expenses and dependents carers allowance:

- (i) A meeting of the Combined Authority , any committee or sub-committee of the Combined Authority or of any other body to which the Combined Authority and/or the Mayor makes appointments or nominations, or of any committee or sub-committee of such body.
- (ii) Any other meeting, the holding of which is authorised by the Combined Authority, provided that it is a meeting to which members of at least two political groups have been invited.
- (iii) Meetings of a non-commercial, non-political and non-party political nature, (including with Ministers, Members of Parliament, European Members of Parliament, representatives of Government Departments and representatives of major companies who have an involvement in any matter relevant to functions of the Combined Authority attended by:
 - a) a Combined Authority Member, or
 - b) any Non-Constituent or Associate Member who is the Chair or Deputy Chair of a relevant committee, or
 - c) any Non-Constituent or Associate Member who is a nominee of (a) or (b) above

in their capacity as a representative of the Combined Authority, for the purpose of discussing matters which relate to the functions of the Combined Authority.

- (iv) Conferences, seminars and study courses, only where the Monitoring Officer is satisfied that they represent value for money and are being held for the purpose of discussing non-political matters which relate to the functions of the Combined Authority.
- (v) At representative functions, official functions, responding to invitations to meet and/or address voluntary and other organisations, site visits and meetings with officers subject to the prior agreement of the Monitoring Officer.

	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and Vans	45P	25P
Motorcycles	24P	24P
Bicycles	20P	20P

1. Passenger Rates

Where a Member carries a passenger, they can claim the HMRC approved passenger mileage rate of 5p per passenger mile, in addition to the applicable mileage rates for motor cars.

2. Taxi Travel

In rare circumstances (for example, cases of urgency or where no alternative mode of public transport is reasonably available), it may be necessary to travel by taxi. In such circumstances, the amount of the fare paid is reimbursable on production of a valid receipt. Where reasonably practicable, agreement should be sought in advance from the Monitoring Officer.

3. General Travel Expenses

To reduce costs to the Combined Authority, a Member should not travel independently where it would be possible to travel with another Member or Officer. A Member may claim specific reimbursement for expenditure incurred on tolls, ferries, or parking fees as these are deemed to be additional to the basic car allowance rates.

4. Subsistence Expenses

Day subsistence rates are based on 'meals' taken with eligibility based on the time of the day the meal is taken and time away from home as set out below. Expenses cannot be claimed where a free meal has been provided.

In each instance only the actual cost incurred may be claimed with the following being the maximum rates claimable:

Day Subsistence Rates		
Breakfast Allowance	£8.28	More than 4 hours away from normal place of residence before 11am.
Lunch Allowance	£11.28	More than 4 hours away from normal place of residence including the period between 12 noon and 2pm.
Tea Allowance	£4.54	More than 4 hours away from normal place of residence including the period between 3pm to 6pm.
Evening Meal Allowance	£14.09	More than 4 hours away from the Normal place of residence after 7pm.

Note: The current total daily maximum subsistence claimable (£38.19) should not be disaggregated and applied to specific meals but a 24-hour maximum claimable to be spent upon subsistence as required.

5. Overnight stays

All overnight accommodation should be booked and paid for directly through the Combined Authority taking advantage of any corporate rates and offers to seek out the most reasonably priced accommodation available, thus avoiding any claims for reimbursement. Where, exceptionally, this is not possible, actual costs will only be reimbursed where they are supported by receipts.

6. Overseas Travel

Members are entitled to claim reasonable expenses in relation to their journey and stay, reimbursable upon production of receipts. It is expected that the necessary travel and accommodation arrangements would be booked in advance through the Combined Authority in advance to take advantage of special rates and offers.

For both types of care, there is a monthly cap of £100, regardless of type or number of dependents and receipts must be provided.

Document version control	
Version:	1.0
Date:	XXX
Document approved by:	CWCA Board
To be effective from:	XX MONTH YEAR

PART 7 – Management Structure

7.1 The Cheshire and Warrington Combined Authority Management Structure

Interim Management Structure

- 1.1 The Shadow Board agreed an interim management structure on 30 October 2025 to support the operation of the Combined Authority as it moved through the process of permanent recruitment to Chief Officer posts.

Management Structure

- 1.2 The permanent management structure agreed by the Appointments Panel to be recruited to is set out below:

- TO BE INSERTED ONCE AGREED



Cheshire and Warrington Shadow Board

Date of meeting:	30 January 2026
Report of:	Cllr Michael Gorman Deputy Leader, Cheshire East Council
Report Lead Officer:	Gemma Davies, Chair of Cheshire and Warrington Growth Directors
Title:	Strategic Economic Update

1. Purpose of Report

- 1.1. To provide members with an update on progress with delivery of the sub-regional vision set out in the Sustainable and Inclusive Economic Strategy that Cheshire and Warrington will be the healthiest, most sustainable, inclusive and growing place in the country by 2045.

2. Decision Required

The Cheshire and Warrington Combined Authority Shadow Board is recommended

- 2.1. to delegate authority to the constituent council Growth Directors in consultation with the appropriate Section 151 and legal officers and Cllr Gorman on behalf of the Shadow Combined Authority Board, to approve a bid to the Local Innovation Partnerships Fund (LIPF)

2.2. to note:

- the progress being made with the net zero Regional Skills Pilot (RSP);
- the bid Warrington and Vale Royal College are planning to submit to the Department for Education to lead a North West Clean Energy Technical Excellence College
- that officers will seek approval from a future Shadow Board to accept a grant offer from the Government for the 2026/7 Skills Bootcamp following a full assessment of the offer by officers and ECW staff;
- progress on work to reduce the number of young people who are not in employment, education or training (NEET);
- that officers propose to work with the private sector to develop investable propositions that can be promoted at the Northern Growth Summit in May and to the Government's new Northern Growth Envoy;

- the Government's confirmation it intends to build a new railway from Liverpool to Manchester via Warrington as part of Northern Powerhouse Rail.

3. Report Details

- 3.1. This report summarises progress being made on a number of aspects of the delivery of the SIES.

Delivering the SIES – Skills

Regional Skills Pilot

- 3.2. Enterprise Cheshire and Warrington (ECW) has received £900k to deliver a Regional Skills Pilot on behalf of the Department of Energy Security and Net Zero (DESNZ) to pilot ways of providing clean energy skills training to help facilitate a just transition from fossil fuels to sustainable energy. The pilot includes provision of short conversion courses for existing employees and a pilot apprenticeship support programme.
- 3.3. Good progress is being made with the delivery of both. Against a target of 150 places for short courses the pilot is likely to deliver 180. Following discussions with employers the Apprenticeship Support part of the pilot is focussing on significantly increasing engagement of small and medium enterprises (SME) with apprenticeships and providing support for 25 new apprentices with the objective of exploring better ways of expanding the pool of skilled local clean energy talent.
- 3.4. The Pilot is also providing valuable insights into the current provision of training for the clean energy industry and some of the challenges employers face. These include uncertainty about the pace of development of the clean energy industry (and therefore the skills they will need) as a result of the Government's approach to decision making on the net zero programme. All of these insights will be fed back into DESNZ's evaluation of the programme in April.

Clean Energy Technical Excellence College (CETEC)

- 3.5. The Government is establishing 19 Technical Excellence Colleges across the country from April 2026. Four of these will be focussed on Clean Energy, with bids due to be submitted by 16 February. The Department for Education (DfE) expects the colleges to adopt a "hub and spoke" approach with teaching taking place at a number of different centres. Warrington and Vale Royal College is putting together a bid to act as the hub for a North West CETEC which it is discussing with a wide range of partners including Cheshire College South and West, the Lakes College in Cumbria, Net Zero North West (the private sector body co-ordinating the North West industrial decarbonisation programme) and the Engineering and Construction Industry Training Board. The bid will draw on learning from the Regional Skills Pilot.

Skills Bootcamps

- 3.6. Officers are discussing next year's more general Skills Bootcamps programme with the Department for Education (DfE) and Department for Work and Pensions (DWP). DfE/DWP's approach for 2026/7 appears to be to offer much lower headline grant totals to Bootcamp areas alongside offers of increases in funding later in 2026/7 dependent on performance and further funding that will allow additional courses in the remainder of 2025/6. Officers will seek approval to accept the grant offer from the Shadow Board once we have a clearer assessment of the scale of the programme that can be delivered with the funding available.

Young People Not In Employment, Education or Training (NEET)

- 3.7. A key objective of the SIES is to reduce the number of young people who become NEET. Local authorities, schools, colleges, DWP and ECW have been working together on this and the Integrated Care Board has funded some pilot work in three schools in Crewe.
- 3.8. The pilot is due to end on 28th February 2026, but has already identified a significant number of opportunities for partners to work together in a way that is smarter more collaborative. The 42 young people who have been identified by the pilot as most at risk of dropping out have received coordinated support to help them transition successfully from school to college which has had a positive impact on the them, helping to identify ways in which the public sector agencies can work better together to tackle the problem.

Delivering the SIES – Innovation

- 3.9. UKRI are inviting bids from non-city areas for up to £20 million over five years from the Local Innovation Partnership Fund (LIPF) to support the development of high potential innovation clusters. Expressions of interest from "triple helix" partnerships between civic leadership institutions, businesses and universities must be submitted by 12 February.
- 3.10. Officers have awarded a small contract to a team of three people from Alex Cousins Consulting to help put the bid together. The team comprises Alex Cousins herself, who has submitted successful bids for an earlier iteration of the LIPF, Sam Markey, who, like Alex has track record of delivering successful bids for innovation funding, and Andrea Stott, formerly the Chief Operating Officer for the Medicines Discovery Catapult. Andrea is also a member of the Business Advisory Board (BAB) and will step back from any work it does on innovation whilst she is working on this bid.
- 3.11. The bid is likely to focus on innovation in the sub-region's net zero programme and will be overseen by a small steering group comprising colleagues from ECW, the local authorities, business representatives from the clean energy sector, including Hynet, and university representatives from Chester, Manchester and Liverpool.
- 3.12. The Shadow Board is asked to note that the bid steering group will need to evolve into a more formal innovation board. It is also asked to agree to delegate authority to Growth Directors, Section 151 and legal officers to approve the bid in

consultation with Cllr Gorman on behalf of the Shadow Combined Authority Board.

Delivering the SIES – Delivery Dashboard

- 3.13. A proposed delivery dashboard for the SIES will be submitted to the Shadow Board for approval at the end of February, enabling the Board to monitor progress with the delivery of the strategy's objectives.

Delivering the SIES - Seizing Our Growth Opportunities

- 3.14. At its meeting in November, the Shadow Board discussed the importance the Government attaches to building on transformational business sectors, clusters, and innovation assets to drive sustainable growth. It was also briefed on a comprehensive study that will help to highlight Cheshire and Warrington's sector strengths. Officers are currently assessing the bids received for this work.
- 3.15. Since the Shadow Board's meeting in November, the Government has appointed Tom Riordan as the Chancellor's Northern Growth Envoy. He is taking a lot of interest in investable propositions that will promote Growth in the North of England, particularly those that can be promoted at the Northern Investment Summit in Leeds in May. Officers propose to work with private sector colleagues on investment proposals focussed on the sector strengths likely to be identified by the sector work referred to above and will also discuss the proposals with Tom Riordan to identify the role he can play in helping them to be delivered.

Northern Powerhouse Rail (NPR)

- 3.16. The Government announced its plans for taking forward Northern Powerhouse Rail on 14 January, including, in phase 2, a new route from Manchester to Liverpool via new stations at Manchester Airport and Warrington Bank Quay, in line with the key proposals from the Liverpool – Manchester Railway Board. Phase 1 of NPR will focus on schemes to the east of the Pennines, with the main construction for phase 2 in the "2030s and beyond".
- 3.17. The new station at Warrington Bank Quay will act as a catalyst for the large-scale regeneration of that part of Warrington and is expected to deliver over 4000 new homes plus substantial commercial investment around the new low level station and significant public realm improvements.
- 3.18. Communities in North Wales will benefit from better connectivity through Chester to the North's largest cities, and to Manchester Airport. This will better tie the communities of North Wales into the northern economy, driving growth by creating more opportunities for people and businesses. The government will additionally look at the potential to extend NPR services beyond Chester to North Wales, further maximising these benefits.
- 3.19. Alongside the announcement about NPR, the Government also set out its ambition to deliver a new North-South line between Birmingham and Manchester,

to be built once NPR is complete, probably in the 2040s. The Government is planning to retain land bought for HS2 between the West Midlands and Crewe until it has made decisions about the route and specification of the new railway.

4. What will it cost?

- 4.1. There are no further direct cost implications in this report, which is for noting only. All of the work reported is included within existing subregional budgets held by ECW as part of its agreed business plan for 2025/26. If the bid to the LIPF is successful, Cheshire and Warrington will receive £20 million, probably in the Autumn of 2026 which can be used to help fund innovation projects. The bid must include proposals from private sector partners for projects they would be interested in pursuing as part of the LIPF programme and the amount of the funding they will provide to match with the money coming from UKRI. No match funding is required from the CWCA and Councils.

5. What are the Legal aspects?

- 5.1. This report has no direct legal implications. Any legal implications as part of the bidding process will be considered by the appropriate officers and escalated if required.

6. What risks are there and how can these be reduced?

- 6.1. This report summarises progress with achieving the subregional vision. Failure to pursue the work described here would risk the loss of investment opportunities and missing the subregion's other targets, including reaching net zero by 2045.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

- 7.1. Successful delivery of the Sustainable and Inclusive Economic Strategy will close health inequalities in Cheshire and Warrington and improve equality, diversity and inclusion.

8. What are the implications of the decision on Climate Change?

- 8.1. Reaching net zero by 2045 is an essential element of the subregional vision and the work described in this report.

9. What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

- 9.1. This report summarises progress with the delivery of the Sustainable and Inclusive Economic Strategy.

10. Are there any other options?

10.1. This is a progress report on which members of the Shadow Board are invited to comment. Alternative options for delivering the subregional vision will be discussed with members in reports on individual elements of the work described above.

For further information:

Officer: Gemma Davies, Chair of Cheshire and Warrington Growth Directors

Email: Gemma.Davies@cheshirewestandchester.gov.uk

Background Documents:

NA



Cheshire and Warrington Shadow Board

Date of meeting: 30th January 2026

Report of: Cllr Karen Shore, Deputy Leader, Cheshire West and Chester Council

Report Lead Officer: Gemma Davies, Director Economy and Housing, Cheshire West and Chester Council

Title: Connect to Work in Cheshire and Warrington

1. Purpose of Report

- 1.1 This report provides an update on the Connect to Work Programme. This programme supports economic development across Cheshire and Warrington and will be co-ordinated and delivered in line with and in preparation for devolution. It is one of the ten employment and skills functions listed in the Government's English Devolution and Community Empowerment White Paper (published in December 2024).
- 1.2 This report follows on from the paper discussed at the Cheshire and Warrington Joint Committee meeting on 11 November 2024.

2. Decision Required

- 1 The Cheshire and Warrington Combined Authority Shadow Board is recommended to:
- 2 acknowledge this report and approve the delivery approach to be taken for Connect to Work in the sub-region. This will include both in-house and commissioned activity.
- 3 agree that the Skills and Employment Board will provide the required governance oversight for the programme.¹

3. Report Details

- 3.1 The aim of the Connect to Work Programme is to enable people who are disabled, with a long-term health condition or experiencing complex barriers to seek and find sustainable work. It will better connect local work with health and skills support and

¹ Membership of this Board to be agreed during this transition phase and in line with DWP guidance.

will be a key part of the Government's "Get Britain Working Strategy". The programme will be a key delivery mechanism for the Get Cheshire and Warrington Working Plan.

- 3.2 The Connect to Work Programme will attract an additional £16.2m and support approximately 4,213 Cheshire and Warrington residents by 31st March 2030.
- 3.3 Since the Joint Committee paper on Connect to Work, which was tabled in November 2024, officers in the three local authorities have been jointly developing a delivery plan for the programme for the sub-region. The Plan has been informed by the pre-cursor programmes that had been delivered in Cheshire West and Chester since November 2023 which had supported 1277 residents and facilitated 523 to gain or maintain employment.
- 3.4 This locally shaped Plan was assessed by DWP to ensure it met the national requirements of the programme, including the anticipated funding model. This has proved problematic, given the assumption was that all areas would be starting delivery at zero. This is not the case in Cheshire and Warrington, as Councils have worked hard to train and develop delivery teams through the pre-cursor programmes and generate a pipeline of potential beneficiaries through UK Shared Prosperity funded projects. This had been encouraged by DWP.
- 3.5 On 25 November 2025, the Cheshire and Warrington Connect to Work Delivery Plan was finally approved by DWP.
- 3.6 The delivery approach to be adopted by the sub-region is largely based on an in-house Council delivery model, building on the extensive experience of Cheshire West and Chester. Not only does this safe-guard existing and effective staff, but it also provides a level of efficiency which in turn ensures more funding is available to support residents who require a bespoke employment support offer to find and sustain work.
- 3.7 There will be some variation of delivery models however adopted by the three local authorities, with the expectation that some commissioned activity will be brought in to support delivery in Cheshire East and Warrington in year 3 of the programme.
- 3.8 The proposed timeline for Connect to Work activity is as follows:

Activity	Timescale
Delivery Plan approved by DWP	November 2025
Grant Funding Agreement signed	December 2025
MoU/Contracts in place with Cheshire East and Warrington	January 2026
Performance Management Team in place, along with the necessary paperwork and systems	From December 2025
Governance structure in place – in line with evolving devolved arrangements	January 2026

Stakeholder engagement sessions – targeting referral organisations	From January 2026
Soft launch of the Connect to Work Programme	January 2026
Hard launch of the Connect to Work Programme	April 2026
Engagement activity with potential delivery partners	Spring 2026 onwards
Launch of procurement for external delivery partners	Autumn 2026
Award of contracts with external delivery partners in Cheshire East and Warrington	March 2027
Peak performance/delivery reached	September 2027

- 3.9 Some activity commenced in October 2025, via the pre-cursor programmes. Delivery teams involved in this activity will transfer to and be funded by the new Connect to Work programme automatically.
- 3.10 The Connect to Work Programme will be part of the suite of activity that will eventually become devolved, therefore, the Governance structure adopted should be in line with the assurance framework being developed for other devolved functions. There will also need to be a decision made as to whether the accountable body role is to remain with Cheshire West and Chester or transfer to the Strategic Authority once this body becomes fully operational.
- 3.11 Connect to Work will be one delivery mechanism for some of the priorities identified within the Get Cheshire and Warrington Working Plan². This document was approved at the Shadow Board on the 28 November 2025.

4 What will it cost?

- 4.1 The Connect to Work Programme will bring in an additional revenue budget of £16.2m to support delivery from 2025-2030. The maximum that the sub-region can claim for our first full year of delivery will be £3,685,581, aimed at supporting activity from 1 April 2026 to 31 March 2027. This funding profile rises to £4,960,907 at peak (2027-28) before reducing to £2,007,162 at the end of the programme (2029-30).
- 4.2 This is a new national flagship programme and therefore funding should be guaranteed for at least this period of time, however this will be dependent on the outcome of future spending reviews.
- 4.3 This funding is a grant allocation, not subject to a competitive bidding process and there is no requirement of any match funding. However, given that funding levels are only confirmed up to 2030, the Shadow Board and accountable body need to consider how activity would be funded or reduced should funding levels change, e.g. could some activity be funded through the devolved Adult Skills Fund.

² [GCWWP Plan Final 28 November 2025](#)

- 4 At this stage, the report is making the Board aware of the situation and the approach that is being followed. There is no decision required with regards to committing future funding, following additional powers being made available to the sub-region following devolution.

5 What are the Legal aspects?

- 5.1 Under its terms of reference, the Shadow Board has the power to make decisions on any funding that is awarded prior to the formal establishment of the Cheshire and Warrington Combined Authority.
- 5.2 Cheshire West and Chester Council as Accountable Body will be responsible for ensuring the spend and activity supported is in line with the Grant Funding Agreement awarded by DWP. This will involve the establishment of systems and processes to ensure eligibility and suitability rules are adhered to and that no fraudulent activity occurs. This will apply to direct and commissioned activity across the whole of the sub-region.
- 5.3 Cheshire West and Chester will be responsible for the procurement and contract management of delivery partners operating in Cheshire East and Warrington.
- 5.4 There is a need to identify an appropriate governance structure for this piece of work, and this should reflect the planned governance arrangements agreed for devolution in the sub-region, likely to be the formation of a Skills and Employment Board.

6 What risks are there and how can these be reduced?

- 6.1 A detailed risk register will be developed as part of the programme and will be monitored by the accountable body closely. Mitigating actions will be identified and followed up. Should further escalation be needed, these would be taken to the Governance Board for agreement.
- 6.2 Break clauses will be written into contracts to ensure that all Connect to Work delivery meets the eligibility criteria as specified in the Grant Funding Agreement and programme management activity will take place to avoid the risk of fraudulent behaviour. Should either occur, contracts will be withdrawn and alternative delivery partners sought.

7 What is the impact of the decision on health inequalities and equality and diversity issues?

- 7.1 An Equality Impact Assessment will be carried out on this programme. The programme will have a positive impact on many priority groups who are currently unable to access support or employment.

8 What are the implications of the decision on Climate Change?

- 8.1 There are no direct impacts on Climate Change.

9 Are there any other options?

9.1 No – it is a requirement for all Combined Authority areas to develop and deliver a locally led Connect to Work programme.

10 What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

10.1 Connect to Work directly supports the Sustainable and Inclusive Economic Strategy as it will help to enable residents to access job opportunities, having a positive impact on the local economy and improving their health and that of their families. It will aim to ensure a consistent approach to employment support across the sub-region regardless of geography and is intended to help to reduce the number of children currently living in poverty in Cheshire and Warrington.

For further information:

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Cheshire and Warrington Shadow Board

Date of meeting:	30 January 2026
Report of:	Cllr Jean Flaherty, Deputy Leader, Warrington Borough Council
Report Lead Officer	Dr Matthew Atkinson Consultant in Public Health, Cheshire East Council
Title:	2026 Work Plan of the Cheshire and Warrington All Together Fairer Working Group

1. Purpose of Report

- 1.1 To inform the board and other relevant stakeholders of the activities that the Cheshire and Warrington All Together Fairer Working Group will undertake during the 2026 calendar year.
- 1.2 Following the in-principle approval of the Cheshire and Warrington Combined Authority Shadow Board in adopting Marmot status at its meeting in November 2025, the All Together Fairer Working Group has drafted an outline work plan for 2026/7. Delivery of the work plan will be dependent on sufficient resourcing, to be developed as part of the business and budget planning of the Cheshire and Warrington Combined Authority (CWCA) for the first year of its operation. It is anticipated that this will be overseen by a cross-sector Cheshire and Warrington All Together Fairer Board.
- 1.3 The draft work plan will support the alignment of the strategic priorities and actions in the Sustainable and Inclusive Economic Strategy (SIES)¹ with established Marmot principles to reduce health and socio-economic inequalities across Cheshire and Warrington. These principles are already embedded in the Cheshire and Merseyside Health and Care Partnership 5-year strategy 'All Together Fairer: Our Health and Care Partnership Plan'². Cheshire East³, Cheshire West and Chester⁴, and Warrington Borough Councils⁵ are fully committed to this strategy.

2. Decision Required

¹ [Cheshire and Warrington - Sustainable and Inclusive Economic Strategy](#)

² [Cheshire and Merseyside HCP 5-Year Strategy - All Together Fairer](#)

³ [Cheshire East - Joint Local Health and Wellbeing Strategy 2023-2028](#)

⁴ [Cheshire West and Chester - Draft Health and Wellbeing Strategy 2026-2031](#)

⁵ [Warrington - Living Well in Warrington Health and Wellbeing Strategy 2024-2028](#)

The Cheshire and Warrington Combined Authority Shadow Board is recommended to

- 2.1. review and approve in principle the draft work plan of the Cheshire and Warrington All Together Fairer Working Group.
- 2.2. agree in principle to support appropriate resourcing arrangements as this plan is developed in detail and aligned to the future business plan and budget of the CWCA for 2026/7.

3. Report Details

- 3.1 The Cheshire and Warrington All Together Fairer Working Group grew out of a partnership between the Public Health departments of Cheshire East Council, Cheshire West and Chester Council, and Warrington Borough Council, and was established to coordinate health equity work across the new devolution footprint. The group is convened and chaired by the lead Director of Public Health for Cheshire and Warrington Devolution and the DPH for Cheshire West and Chester. In addition to the three Public Health teams, membership includes representatives from the Cheshire and Merseyside Public Health Collaborative (CHAMPS); NHS Cheshire and Merseyside Integrated Care Board; and Enterprise Cheshire and Warrington. Early discussions are in progress regarding how the Voluntary and Community Sector can play a pivotal role in the work of this group.
- 3.2 The planned work of the Cheshire and Warrington All Together Fairer Working Group aims to embed health equity into all aspects of our journey to becoming a Combined Authority, including economic growth, transport, housing, education, training and employment. This reflects our commitment to place-based health equity, where local governance structures take proactive roles in shaping fairer communities and neighbourhoods. This will enable us to position the CWCA as a national leader in sustainable and inclusive growth and ensure that the authority is ready to meet its statutory responsibility to address health inequality once the English Devolution and Community Empowerment Bill content comes into legislation.
- 3.3 The Shadow Board approved in principle the proposal for Cheshire and Warrington to become a Marmot devolution area in November 2025, recognising the role that the wider determinants or building blocks of health play in shaping health outcomes and life chances.
- 3.4 Reducing health and other inequalities is a critical enabling factor in delivering sustainable economic growth across the Cheshire and Warrington CA. The Cheshire and Warrington All Together Fairer Working Group will, therefore, support the vision of the Cheshire and Warrington Sustainable and Inclusive Economic Strategy “To be the healthiest, most sustainable, inclusive, and fastest-growing place in the UK by 2045”.
- 3.5 The vision of the Cheshire and Warrington SIES, and its public commitment to adopting a ‘Health in All Policies’ approach aligns with the Cheshire and Merseyside ‘All Together Fairer Programme’. This began in September 2019, when health and care leaders from across Cheshire and Merseyside agreed that the subregion would become a Marmot Community. The Programme brings

together public, private and third sector organisations with one shared aim: build a fairer, healthier Cheshire and Merseyside. The landmark report 'All Together Fairer: Health Equity and the Social Determinants of Health in Cheshire and Merseyside'⁶ was published and successfully launched in May 2022. The highly successful and nationally acclaimed programme deliberately and specifically focuses on the socioeconomic determinants of health.

3.6 Supporting the Combined Authority to address the wider determinants of health through a Health in All Policies approach is likely to require dedicated resourcing and the establishment of a population health analytics function. The work programme for 2026 begins with specifying and securing these resources for 2026/27. Once in place, the Working Group will support the development of baseline population analysis and begin the work of embedding health equity into the structures and functions of the CWCA (through delivery of training and the development of templates and toolkits). The year will conclude with the first annual Health Equity Report for Cheshire and Warrington. This work plan will ensure that all relevant CWCA policy, strategy and investment levers move towards delivering the SIES outcomes for health and inclusion.

3.7 The draft work programme is included in Table 1.

⁶ [Cheshire and Merseyside All Together Fairer Report](#)

Table 1 - Draft 2026 All Together Fairer Working Group Work Plan

No.	Activity	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	Draft action plan for C&W ATF Working Group	Present work plan to Shadow Board 30/1/2026												
2	Health and Care Partnerships recommendation	Options paper with recommendations on HCP (C&M partnership will be abolished)												
3	Support development of analytics function	Ensure the developments of a CA business intelligence function include adequate population health analytics capacity												
4	Establish C&W ATF Board	Create and resource a multi-sector board to oversee this work programme												
5	Resource ATF Working Group	Determine and agree resources needed to deliver ATF Working Group work programme. Begin recruitment as required.												
6	Agree All Together Fairer Principles and develop a CWCA HiAP Policy & Charter	Draft and agree a set of Marmot principles against which all decisions of the Shadow Board and Combined Authority can be assessed. Develop a policy and charter to embed Health in All Policies in CMCA decision making.												
7	Specify a C&W Health Equity Dashboard	Design a useful dashboard incorporating Marmot Beacon indicators												
8	Health in All Policies and Health Impact Assessment training	Design and deliver HiAP and HIA training to Shadow Board, key officers and stakeholders												
9	Anchor institutions	Review, update and strengthen anchor pledges for all partner organisations within C&W												
10	Health Impact Assessments	Advise on and support drafting of HIAs on major strategies (eg housing, transport, growth)												
11	Build national profile	Highlight C&W approach and achievements in embedding health equity in CA. Identify fora, conferences etc for submission												
12	Draft annual Health Equity Report	Assess and report on progress towards improving health equity across C&W												

4 What will it cost?

- 4.1 At this stage, the costs attached to delivering the work plan have not been finalised. Delivery of the full work plan would be dependent on resources being made available for programme support, additional staff capacity and dedicated population health analytics. This would support strategic planning, working across the core competencies

to support embedding Marmot principles and a Health in All Policies approach. These investments would be expected to be offset by long-term savings in health, social care, and economic growth.

5 What are the Legal aspects?

- 5.1 Combined Authorities are likely to have specific statutory health duties under the English Devolution and Community Empowerment Bill, requiring them to address health inequalities and embed a “Health in All Policies” approach.

6 What risks are there and how can these be reduced?

Risk	Mitigation
Lack of capacity and resources to deliver the 2026 work plan	Phased implementation plan with resourced support. Resources to be identified and allocated.
Resistance from stakeholders	Engagement strategy with clear benefits and case studies. Early engagement and involvement of Health and Wellbeing Boards
Measurement challenges/data limitations	Use of existing public health data and Marmot (Beacon) indicators, which will support regional and national benchmarking. Lack of granular data could hinder effective targeting and evaluation – need to identify approach and resource.

7 What is the impact of the decision on health inequalities and equality and diversity issues?

- 7.1 Delivery of this work programme supports the decision to be a Marmot devolution area, which is aligned with the Cheshire and Warrington Sustainable and Inclusive Economic Strategy and the Cheshire and Merseyside All Together Fairer Programme. This status will add value to the core competencies work programmes, supporting inclusive and sustainable economic growth whilst simultaneously addressing inequalities in health and the socioeconomic determinants of health.
- 7.2 Priority 7 of the Marmot Principles is to “tackle racism, discrimination, and their outcomes: Addressing systemic inequalities and promoting inclusivity to ensure that all individuals have equal opportunities for health”.
- 7.3 The Equality Act 2010 Public Sector Equality Duty (PSED) applies to Combined Authorities. Policies and decisions will be considered that affect people with protected characteristics to avoid indirect discrimination when implementing Marmot principles.

8 What are the implications of the decision on Climate Change?

- 8.1 Priority 8 of the Marmot Principles is to “pursue environmental sustainability and health equity together: Recognising the interconnectedness of environmental health and social equity and working towards solutions that benefit both”. This aligns with the Cheshire and Warrington Sustainable and Inclusive Strategy and will add value to the core competencies work programmes.
- 8.2 Health equity and climate are interlinked - climate change disproportionately affects disadvantaged communities (e.g., through poor housing, air pollution, and flood risk). Marmot’s approach addresses these vulnerabilities by improving housing quality, transport, and green infrastructure, which also reduces carbon emissions. Actions to reduce health inequalities (e.g., improving air quality, promoting active transport) also mitigate climate change.

9 What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

- 9.1 The vision of the Cheshire and Warrington SIES, and its public commitment to adopting a ‘Health in All Policies’ approach aligns with the Cheshire and Merseyside ‘All Together Fairer Programme’. It will be important to ensure clear alignment in the final SIES with these Marmot priorities.

10 Are there any other options?

- 10.1 The Shadow Board could agree to not support this work programme or to not resource the Working Group appropriately. This would conflict with the commitment to Marmot principles and becoming a Marmot devolution area and would increase the risk of widening health inequalities and long term social and economic costs through entrenched poverty, poor health, increased public service costs and stalled life expectancy. It would also put at risk the ability of the CWCA to adhere to the forthcoming statutory responsibility around tackling health inequality.

For further information:

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Background Documents:

1. Cheshire and Warrington Sustainable and Inclusive Economic Strategy
[Cheshire and Warrington - Sustainable and Inclusive Economic Strategy](#)
2. Cheshire and Merseyside – All Together Fairer: Our Health and Care Partnership Plan
[Cheshire and Merseyside HCP 5-Year Strategy - All Together Fairer](#)
3. The Joint Local Health and Wellbeing Strategy for the population of Cheshire East
[Cheshire East - Joint Local Health and Wellbeing Strategy 2023-2028](#)
4. Cheshire West and Chester Draft Health & Wellbeing Strategy – Our Place Plan for the Borough 2026-2031
[Cheshire West and Chester - Draft Health and Wellbeing Strategy 2026-2031](#)
5. Living Well in Warrington – Health and Wellbeing Strategy 2024-2028
[Warrington - Living Well in Warrington Health and Wellbeing Strategy 2024-2028](#)

6. All Together Fairer: Health Equity and the Social Determinants of Health in Cheshire and Merseyside
[Cheshire and Merseyside All Together Fairer Report](#)

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Cheshire and Warrington Shadow Board

Date of meeting: 30 January 2026

Report of: Steve Purdham, Chair of Business Advisory Board

Title: Summary of Business Advisory Board

1. Purpose of Report

- 1.1. To provide members of the Shadow Board with an update on recent work by the Business Advisory Board (BAB).

2. Decision Required

- 2.1. Members are invited to note the recent work the BAB has been undertaking.

3. Report Details

- 3.1. The role of the BAB is to ensure the views and priorities of the business sector voice are understood and highlighted. Since the last meeting of the Shadow Board it has provided advice on a number of issues as outlined.

Governance and Leadership Support

- 3.2. Members of the BAB participated in stakeholder panels for key appointments leading up to the appointment of the new interim Chief Executive and Strategic Communications Lead for the Cheshire and Warrington Combined Authority (CWCA). In its' view two excellent appointments have been made which set the foundations for a capable and visionary leadership team.

Innovation and Growth

- 3.3. BAB members have been providing advice on a number of innovation and growth proposals:

- 3.4. One of Cheshire and Warrington's (C&W) strengths is that it has the highest level of private sector research and development (R&D) spend in the North of England. The BAB has therefore been providing advice on a proposed bid to the Local Innovation Partnerships Fund to become one of the areas supported by the Fund to establish an innovation cluster with up to £20 million of funding. The BAB also provided a letter of support for proposals being put forward by Warrington Borough Council and the Police and Crime Commissioner to run a trial of autonomous vehicles in Warrington.
- 3.5. It is acknowledged nationally that there is a lack of loan and equity funding to help small enterprises to scale up. Liverpool and Manchester have addressed this by creating their own network of Business Angels (high net worth individuals prepared to invest between £50k and £1 million into start-up companies). The BAB's view is that Cheshire and Warrington needs a similar network and is working with Enterprise Cheshire and Warrington (ECW) on how this can be created and potentially aligned to the future Investment Strategy of the CWCA.
- 3.6. Along with the Marketing Cheshire Advisory Board, the BAB thinks there is a strong case for producing sub-region wide branding and messaging to provide a strong narrative on why people should invest, live and work in the sub-region. It has been feeding its views into a specification Marketing Cheshire is preparing for some potential work by external place story consultants to produce a narrative of this type to feed into the preparations for the UK Real Estate Investment and Infrastructure Forum (UKREiIF) event due to take place in May.
- 3.7. The BAB also had a presentation from the developers behind the proposed Adlington New Town during which, while expressing support for the principle of strategic growth, members raised concerns about infrastructure readiness and delivery timelines associated with the Adlington project.

Mayoral Investment Fund (MIF)

- 3.8. Once the Combined Authority is established it will have access to £10.7 million from the Mayoral Investment fund in its first year of operation. The BAB is keen to see this spent on visible, high-impact short-term projects to demonstrate delivery capability and unlock future funding. It also thinks the MIF could be used as seed/stake capital to catalyse further investment in priority areas including digital connectivity; skills and workforce transport. Members of the BAB also get regular feedback from the business community about the importance of speeding up the planning system and would be interested in exploring innovative ways of achieving this in Cheshire and Warrington in advance of the new Planning Act coming into full operation.

Engagement and Representation

3.9. Members of the BAB have actively engaged with Cheshire businesses, business networks and representative bodies including the North West Business Leadership Team (NWBLT), the Confederation of British Industry (CBI) and Cheshire Business Leaders (CBL), ensuring the voice of business is embedded in regional positioning. In addition via the national Business Board Network, members of the BAB have been talking and comparing experience with equivalent bodies from across England alongside meetings with ministers and senior officials from a number of Whitehall departments.

4. What will it cost?

4.1. This report is for information only and there are no direct cost implications.

5. What are the Legal aspects?

5.1. There are no legal aspects to this report.

6. What risks are there and how can these be reduced?

6.1. This report is for information only.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

7.1. This report is for information only.

8. What are the implications of the decision on Climate Change?

8.1. This report is for information only.

9. Are there any other options?

9.1. This report is for information only.

For further information:

Officer: Steve Purdham, Chair of the Business Advisory Board
Email: Steve@Purdham.com

Background Documents:

NA



Cheshire and Warrington Shadow Board

Date of meeting:	30 th January 2026
Report of:	Gary Cliffe, Cheshire and Warrington VCFSE (Voluntary Community Faith and Social Enterprise) Infrastructure Partnership (CWIP).
Title:	Voluntary, Community, Faith and Social Enterprise Update

1. Purpose of Report

- 1.1. To update the Board on Voluntary Community Faith and Social Enterprise (VCFSE) progress. Highlighting how the VCFSE is actively involved in the devolution process, through the effective representation of the Cheshire and Warrington Infrastructure Partnership (CWIP).
- 1.2. To highlight the role that the VCFSE plays in supporting devolution delivery that offers real benefits to the people and communities of Cheshire and Warrington, recognising that the VCFSE has the expertise, innovation, and resilience needed to shape meaningful change across Cheshire and Warrington.

2. Decision Required

The Cheshire and Warrington Combined Authority Shadow Board is recommended to

- 2.1. note the report and acknowledge the need for VCFSE equity across the devolution agenda.
- 2.2. support in principle the development of a VCFSE compact / covenant to formalise partnership principles with the new Cheshire and Warrington Combined Authority (CWCA) by December 2026.

3. Report Details

- 3.1. Progress is being made through the work of CWIP to deliver meaningful engagement to inform and consult on the devolution

process as it evolves, and the role the sector, communities and people can play.

- 3.2. The VCFSE Cheshire and Warrington manifesto has now been launched. It was co-developed with the sector, articulating the sector's priorities and potential contributions to the success of devolution. The sector is central to support devolution through its extensive reach into people, communities and neighbourhoods. In particular, at a hyper local level, connecting to those seldom heard, marginalised and excluded. This reach comes with trust and long-standing relationships effectively connecting with people and communities that other sectors cannot reach.
- 3.3. CWIP members are in discussion to formalise a collaborative partnership in preparation to design and deliver any future commissioned services or programmes of work agreed by the CWCA. This would align with the strategic focus for the sector and the CWCA, prioritising health, inclusion and communities, and ensuring the Marmot principles are embedded across all activity.
- 3.4. The [VCFSE State of the Sector report](#) undertaken in 2023 highlights statistics and insights into the VCFSE sector across Cheshire and Warrington. Through analysis of findings from our region-wide survey and external data, the report evidences the size, scale and scope of the sector. In Cheshire and Warrington there are over **8,000 VCFSE organisations** working to support those in need, committed to building thriving neighbourhoods, communities, towns, and cities. Alongside a combined workforce of over **14,500 employees and 135,500 volunteers**, the VCFSE sector contributes over **£416 million to the Cheshire and Warrington economy** each year. The report identifies key opportunities to build upon to further unlock the potential of the sector through effective partnership working across the combined authority, enabling the sector to be ambitious in tackling health inequalities across Cheshire and Warrington.
- 3.5. CWIP have initiated discussions to develop and co-produce a VCFSE compact or covenant with the CWCA to formalise future partnership principles. The compact or covenant would set out how the combined authority, local authorities and other public bodies, including NHS, would work as strategic partners with the sector to achieve shared goals. It will ensure clarity and mutual accountability and include a commitment to recognising the strengths and role of the sector. The compact or covenant will take into account and align as appropriate with local compacts across the sub-region. It is expected that this will evolve alongside the emerging CWCA governance arrangements. The aim is to have a compact or covenant agreed and finalised by December 2026.
- 3.6. CWIP are working to increase engagement with the private sector, building on current relationships and programmes of activity within each local authority, alongside strategic working with Enterprise

Cheshire and Warrington and the Business Advisory Board. The sector is particularly keen to have greater involvement with the Business Advisory Board, taking into account the sector's role as employers and the number of social enterprise organisations that make up the sectors demographics.

3.7. The VCFSE are already involved in Skills and Employment initiatives working on a multi-agency approach to the regions Get Britain Working to tackle economic activity.

4. What will it cost?

4.1. There are no immediate financial implications.

5. What are the Legal aspects?

5.1. There are no legal implications. Any future work on a compact or covenant would come back to the CA Board for a formal decision, aligned to the CWCA Local Constitution.

6. What risks are there and how can these be reduced?

6.1. There are no specific risks associated to VCFSE equity. Ensuring that VCFSE input is embedded in devolution developments is paramount. This is an opportunity for the sector not just to be delivering services, but helping set the strategic direction from the start as an equal partner.

7. What is the impact of the decision on health inequalities and equality and diversity issues?

7.1. The VCFSE sector is an invaluable partner that plays an important role in supporting the wellbeing and health of people and communities across Cheshire and Warrington. It brings diversity, connection and reach into communities through trusted and well-established relationships. The 2023 State of the Sector highlighted that the second most common area of work for the sector relates to tackling community inequalities.

8. What are the implications of the decision on Climate Change?

8.1. There are no impacts on Climate Change.

9. What are the implications of the decision on the Sustainable and Inclusive Economic Strategy?

9.1. The VCSFE Sector Manifesto is aligned to the strategic vision with a particular focus on promoting inclusion, sustainability, health and equitable growth.

10. Are there any other options?

- 10.1. The implications of not engaging with the sector are far reaching, from disengagement and negativity and limitations in widely engaging with people and communities who should be involved in shaping future direction. The VCFSE is the only sector that can effectively access those harder to reach in our communities, without the sector, the CA would find it difficult to address inequalities across neighbourhoods and communities. Other options would not utilise the sectors specialism's, flexibility and ability to lever in additional investment.

For further information:

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Background Documents:

Appendix A: Sector Manifesto for Devolution

VCFSE sector devolution manifesto

page 203

Coordinated by

Cheshire & Warrington

Infrastructure Partnership

CWIP members



10 manifesto themes

1. Working together as equal partners

2. Supporting health and wellbeing

3. Tackling poverty and the cost of living

4. Skills, jobs and volunteering

5. Climate and environment

6. Giving communities a voice

7. Promoting equality, diversity and inclusion

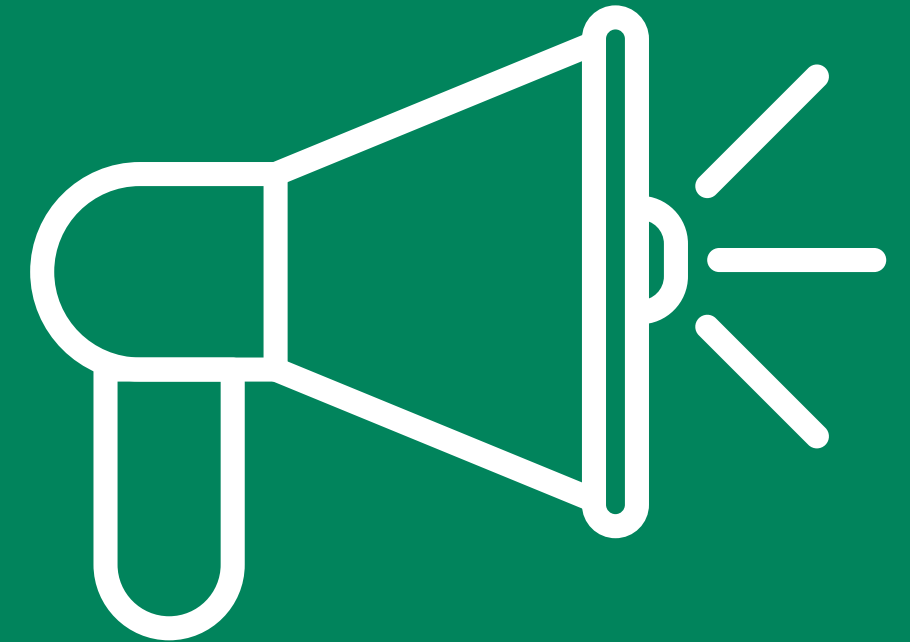
8. Fair and equitable funding and commissioning

9. Arts, culture and physical activity

10. Building stronger communities

1. Working together as equal partners

- VCFSE organisations will have a **real voice** in how decisions are made
- Create an agreement between the VCFSE sector and Combined Authority to ensure **genuine partnership working**
- The vital contribution the VCFSE sector makes to local communities will be **truly recognised and valued**



2. Supporting health and wellbeing

- VCFSE groups play a key role in helping people **stay healthy and tackling health inequalities**
- Secure **long-term funding** for services that prevent ill health and support people early on



3. Tackling poverty and the cost of living

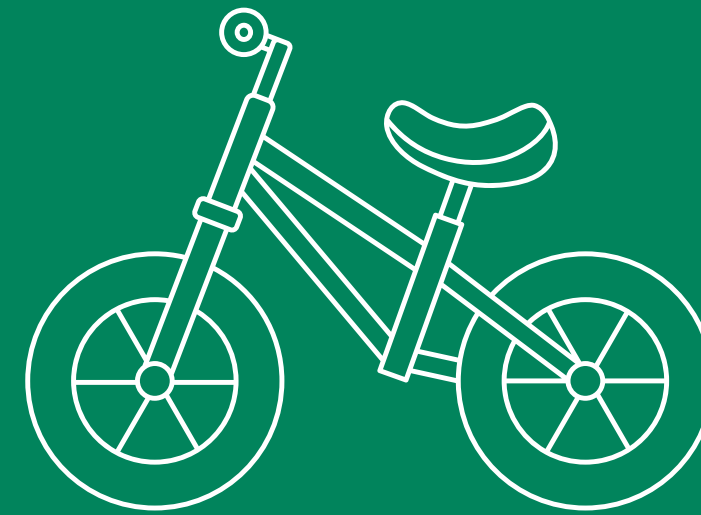
- Setting up a regional **Poverty Truth Commission**, with strong VCFSE involvement, to help tackle poverty across Cheshire and Warrington
- Together, we must **address key issues** such as child and family poverty, food insecurity, fuel poverty and digital exclusion
- We will contribute our sector's **deep understanding of issues** around poverty, housing and health to local strategies

4. Skills, jobs and volunteering

- VCFSE organisations are recognised as partners in helping people **develop skills and find employment**
- **Volunteering** should be supported as a valuable way for people to gain skills and move towards work
- Our sector is involved in planning and delivering relevant local **training and employment programmes**

5. Climate and environment

- More support for **community-led projects** that tackle the climate emergency
- **Local green transport and active travel initiatives** will be developed with community input



6. Giving communities a voice

- Local people, especially those with **lived and living experience** of issues such as poverty and poor health, will help shape services and policies
- **Invest** in community buildings, groups and local economies
- **Neighbourhood-level partnerships** supported to give communities more say



7. Promoting equality, diversity and inclusion

- All services should be inclusive and fair to everyone
- Work alongside national and local networks that support marginalised and disadvantaged group



8. Fair and equitable funding and commissioning

- The way local authorities fund services should be **fair, transparent and sustainable**
- The VCFSE sector is properly involved when **funding priorities** are being set
- A **commitment to investment** from all public sector partners to help VCFSE organisations grow and thrive

9. Arts, culture and physical activity

- **Community-led arts, cultural and physical activity initiatives** should be funded as they bring people together and improve wellbeing
- **Everyone should have access** to cultural activities, regardless of background or income
- Culture and creativity should play a central role in **regenerating communities and improving health**

10. Building stronger communities

- Funding to help keep **community buildings open, safe, welcoming and suitable** for local groups and activities
- Support projects that **bring people from different backgrounds together** and promote understanding, community spirit and community cohesion



Key contacts in LIOs

- Cheshire Community Action (CCA) – John Heselwood
- Cheshire West Voluntary Action (CWVA) – Ryan Gould
- Community and Voluntary Services (CVS) Cheshire East – Kate Little
- Warrington Voluntary Action (WVA) – Naz Ghodrati

CWIP contact details: cwip@vsnw.org.uk

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Shadow Board Forward Plan

March 2026
Joint Devolution Task Group Feedback
Devolution Programme Update (including Workforce Engagement Board)
Strategic Economic Update
Business Advisory Board – Update
CWIP (VCFSE) – Update
Draft Corporate/Business Plan 2026/27
Transport Transition arrangements
Mayoral Investment Fund Next Steps

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