

Appendix B

Cheshire & Warrington Combined Authority Shadow Board

Terms of Reference

The purpose of the Cheshire and Warrington Combined Authority Shadow Board is to provide a strategic direction and a forum to make arrangements in the best interest of the establishment of the new Cheshire & Warrington Combined Authority.

1. Interpretation

In these Terms of Reference:

“Constituent Councils” means Cheshire East Borough Council, Cheshire West and Chester Borough Council and Warrington Borough Council

“Constituent Member” means the elected members of the constituent councils appointed to the Shadow Board as set out in these Terms of Reference including Substitutes where relevant.

“Cheshire and Warrington Combined Authority Board” means the formal board for the newly created Cheshire and Warrington Combined Authority on its commencement

“Shadow Board” means this joint committee for the shadow arrangement for the future Cheshire and Warrington Combined Authority

2. Constituent Membership

2.1. Membership of the Shadow Board will be the following elected members from the Constituent Councils:

- Leader and Deputy Leader of Cheshire East Borough Council
- Leader and Deputy Leader of Cheshire West and Chester Borough Council
- Leader and Deputy Leader of Warrington Borough Council

3. Substitutes

3.1. A substitute may be nominated to attend the meeting in place of a Constituent Member and the substitute member shall have full voting rights where the member for whom they are substituting does not attend.

3.2. The substitute must be nominated in accordance with the constitutional arrangements operated by each body represented on the Shadow Board, and the details notified to the clerk 2 clear working days in advance of the meeting, where possible.

4. Non-constituent members and Associate members

4.1. The Shadow Board may appoint by majority agreement other members onto the Shadow Board as they see fit to achieve the business of the Shadow Board.

4.2. Non-constituent members and associate members shall have no voting rights.

5. Chairing

5.1. The Shadow Board will appoint a Chair and a Vice Chair of the Shadow Board to conduct the meetings.

6. Decision making

6.1. The Shadow Board has decision-making powers to the extent delegated from the Constituent Councils in accordance with their own processes and as set out in these Terms of Reference for the purpose of establishing the Cheshire and Warrington Combined Authority and providing strategic direction for devolution in Cheshire and Warrington.

6.2. No business is to be transacted at a meeting of the Shadow Board unless the Chair or Vice-Chair acting in place of the Chair and three Constituent Members appointed by the Constituent Councils are present.

6.3. Matters are to be decided by simple majority, with each of the Constituent Members having one vote.

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

7. Meeting frequency and location

7.1. Meetings will be monthly, or as otherwise agreed by the Shadow Board.

7.2. Meetings will take place at the offices of one of the Constituent Councils, or a location agreed by the Shadow Board. If a meeting is non-decision making, it may be held as a virtual meeting.

7.3. Agendas will be published 5 clear working days before the meeting, but if matters need to be urgently referred to the Shadow Board this requirement may be waived by agreement of the Chair.

7.4. The meeting will be open to the public in accordance with s100A Local Government Act 1972 and administered accordingly.

7.5. The public may be excluded from a meeting during an item whenever it is likely, in view of the nature of the item that, if members of the public were present during that item, confidential information as defined in section 100A(4) of the Local Government Act 1972 or exempt information as defined in Sch12A of the Local Government Act 1972 would be disclosed to them.

8. Officers

8.1. The Shadow Board will be supported by the Chief Executives of the Constituent Councils, and/or their representatives, as appropriate.

8.2. Meeting support and administration will be provided by Cheshire West Borough Council.

9. Roles & functions

9.1. The role of the Shadow Board is to act in the best interests of the new Cheshire and Warrington Combined Authority and, in so doing,:

9.1.1. to oversee the development and creation of the Cheshire and Warrington Combined Authority;

9.1.2. to develop proposals and arrangements to deliver effective devolution in Cheshire as part of central government's Devolution Priority Programme and to engage with central government on matters related to devolution;

9.1.3. to engage with stakeholders in accordance with the Cheshire and Warrington devolution programme engagement plan;

9.1.4. to propose any governance structure, local constitutional arrangements, and assurance framework for the new Cheshire and Warrington Combined Authority and either obtain relevant approval in principle of the same from the Constituent Councils or, where appropriate, recommend to the newly established Cheshire and Warrington Combined Authority Board for approval on its commencement;

- 9.1.5. to ensure that interim staffing arrangements are in place for the commencement of the Cheshire and Warrington Combined Authority to meet any statutory requirements;
- 9.1.6. to agree the Combined Authority Returning Officer and related election arrangements and recommend to the Cheshire and Warrington Combined Authority Board for approval on its commencement;
- 9.1.7. to make decisions on any funding that may be awarded prior to the formal establishment of the Cheshire and Warrington Combined Authority;
- 9.1.8. to provide a coherent single position on major strategic issues across the region;
- 9.1.9. to receive reports from the Business Advisory Board and Devolution Steering Group;
- 9.1.10. to oversee the delivery of the in-year capital schemes agreed with central government within the devolution deal;
- 9.1.11. to review, agree and effect proposed changes to the functions of the Shadow Board where appropriate;
- 9.1.12. any other such functions as are necessary to meet the statutory requirements to establish the Cheshire and Warrington Combined Authority in accordance with the legislation and central government's Devolution Priority Programme.