

Sussex & Brighton | Strategic Authority

a Combined County Authority

The Strategic Authority Board		Agenda Item 4	
Title:		Governance of the Sussex & Brighton Strategic Authority	
Date		15 April 2026	
Accountable Chief Officer:		Jodie Townsend Strategic Governance and Assurance Lead	
Accountable Employee:		Jodie Townsend Strategic Governance and Assurance Lead	
Public Report	Yes X	No	The Strategic Authority is committed to transparency and accountability. Accordingly, reports and associated documentation will ordinarily be published and made publicly accessible.
Voting Arrangements:		The Board will work to progress decisions via consensus, if a vote is required then it is by simple majority	
Recommendation(s)			
The Strategic Authority is recommended to:			
A	Approve the draft constitution at Appendix A		
B	Adopt the Local Assurance Framework at Appendix B		
C	Delegate to the Interim Monitoring Officer: <ol style="list-style-type: none"> i. The establishment and convening of an Independent Remuneration Panel in alignment with paragraphs 3.23 and 3.24 ii. To advertise and make recommendations for the appointment of the independent members of the Audit & Governance Committee in alignment with paragraph 3.28 iii. To advertise and make recommendations for the appointment of two Independent Persons under S28 of the Localism Act 2011 for standards 		

1. Purpose

- 1.1 The purpose of this report is to seek the Board's approval for the key governance documents needed to enable the Strategic Authority to operate effectively from its inception. These documents set the foundations for how decisions will be made, how the Strategic Authority will be held to account, and how statutory and ethical responsibilities will be met.
- 1.2 The report also asks the Board to delegate a number of technical but important responsibilities to the Interim Monitoring Officer. These actions are required to ensure that the Strategic Authority can establish the independent roles needed for remuneration, audit, governance, and standards. Completing these steps early will help the Strategic Authority meet its legal duties and ensure transparent and robust oversight arrangements are in place.

2. Executive Summary

- 2.1 This report sets out the key governance arrangements the Strategic Authority needs in order to begin operating effectively from day one. It presents two core documents for approval:
- the draft initial Constitution and
 - the initial Local Assurance Framework.

Together, these documents explain how the Strategic Authority will make decisions, demonstrate transparency, manage risk, and ensure accountability in line with expected public standards.

- 2.2 The adoption of the draft Constitution and the Local Assurance Framework is essential to formally “stand up” the Strategic Authority and enabling it to operate. These documents provide the legal, governance, and decision-making foundations the organisation needs in order to function effectively. Without them, the Authority would not have the statutory framework, processes, or assurance arrangements required to make decisions, manage resources, or discharge its responsibilities.
- 2.3 Approving these core documents now ensures the Strategic Authority can move from planning into full operation with clarity, legitimacy, and the structures required to deliver its functions.
- 2.4 The report also asks the Board to delegate several important responsibilities to the Interim Monitoring Officer. These delegated actions will allow the Strategic Authority to put in place the required independent roles for remuneration, audit, governance, and standards. This includes establishing an Independent Remuneration Panel (IRP) and beginning recruitment processes for Independent Persons who will support the Audit & Governance Committee and the Authority's standards arrangements.
- 2.5 Approving these documents and delegations now will ensure the Authority meets its legal duties, has appropriate oversight mechanisms in place, and is able to operate with clarity, independence, and confidence from its inception.

3. Strategic Authority Governance

- 3.1 This report asks the Board to adopt the Constitution and the Local Assurance Framework for the new Strategic Authority. These documents contain the minimum statutory requirements needed to formally “stand up” the organisation and enable it to begin operating.
- 3.2 As this meeting is taking place during the pre-election period for the upcoming County Council elections, the report focuses only on the essential governance arrangements that must be in place at this stage. Adopting these items ensures the Strategic Authority can be legally established and can function

appropriately, while avoiding any decisions that could be considered discretionary or sensitive during the pre-election period.

- 3.3 Further governance documents and wider policy matters will be brought to the Board after the election period, once it is appropriate to do so.

The Constitution

- 3.4 The Constitution sets out how the Strategic Authority will operate. It brings together the key rules, procedures, and decision-making arrangements that guide how the organisation conducts its business. In simple terms, it explains who can make which decisions, how meetings will work, how transparency will be maintained, and the standards the Strategic Authority must follow in carrying out its duties.
- 3.5 This draft Constitution has been developed using recognised best practice from across local government and from existing combined authorities. The approach has been to ensure the document is clear, consistent, and aligned with statutory requirements, while remaining practical for day today use.
- 3.6 The drafting has also been informed by engagement with Monitoring Officers from the constituent councils. Their input has helped ensure the Constitution reflects local needs, supports effective joint working, and provides an appropriate governance framework for the early stages of the Strategic Authority's operation.
- 3.7 The constitutional articles are one of the most important parts of the Combined Authority's governance framework. They provide the high-level description of what the organisation is for, the powers it holds, and how those powers are exercised. Setting out these articles clearly at this early stage is essential because they act as the foundation for all other parts of the Constitution and give clarity to partners, Government, and the public about the role and purpose of the new Strategic Authority.
- 3.8 At this point, the articles and functions describe the powers the Strategic Authority must have in order to be legally established and begin operating but do not refer to the arrangements to be put in place during the Pre-Mayoral Period, this element will form Article 3 and will be agreed outside of the pre-election period.
- 3.9 The Strategic Authority is being created at a time when national policy is shifting, with the English Devolution Bill and the Community Empowerment Bill expected to introduce new powers, duties, and flexibilities for strategic authorities. Once these Bills are enacted, the Strategic Authority will take on an expanded set of functions in areas such as economic development, place-based decision making, skills, transport, and potentially elements of local growth funding. The Constitution acknowledges the future direction of travel in Part 3 which sets out its powers, now and in the future, so that the governance framework can adapt smoothly when the legislation comes into force.
- 3.10 The Constitution also recognises the powers the Strategic Authority will have once a mayor is in place following the first mayoral election in May 2028. A Mayor brings additional, directly conferred functions, often including leadership of the strategic vision, chairing of the authority, certain transport and housing powers, and decision-making responsibilities that differ from those held by a nonmayoral Combined Authority.
- 3.11 The Board should note that the following sections of the Constitution have not been included due to the pre-election period and will be developed for Board consideration at its first meeting post elections:
- Article 3 – The Pre-Mayoral Period, this includes the approach to chairing the Strategic Authority before the election of a Mayor
 - Strategic Authority wider governance arrangements such as terms of reference for Committees and Advisory Boards

- Overview & Scrutiny Procedure Rules
- Business Board recruitment and appointment procedure

3.12 The Board should note that the following sections of the Constitution can be developed for Board consideration once it has been stood up and is in operation:

- Statutory Consents protocol
- Non-Constituent Members protocol
- Associate Members protocol
- Specific protocols to sit within the Member Code of Conduct
- The Public Code of Conduct
- The complaints procedure
- The Management Structure
- Key Policy

3.13 The Board is asked to consider and approve the Constitution attached at **Appendix A**.

The Local Assurance Framework

3.14 The Local Assurance Framework sets out how the Strategic Authority will manage public money, make investment decisions, and ensure strong standards of transparency, accountability, and value for money. In simple terms, it explains the checks and balances that must be in place to give government, partners, and the public confidence that decisions are made properly and that funding is used responsibly.

3.15 This draft Local Assurance Framework has been developed using national guidance and established best practice from other combined authorities. It provides the arrangements required for the organisation to operate in line with government expectations and ensures that all decisions are made in a clear, consistent, and well governed way.

3.16 The Local Assurance Framework has already been cleared by each Constituent Council, it has also been approved by the required government departments, those being the Department for Transport (DfT), the Department for Work and pensions (DWP) and the Ministry for Housing, Communities and local Government (MHCLG).

3.17 The Board is asked to formally adopt the Local Assurance Framework attached at **Appendix B**.

Independent Remuneration Panel

3.18 The *Sussex and Brighton Combined County Authority Regulations 2026* establish the statutory framework for the remuneration of Members and the payment of allowances; it provides the authority for the Board to establish an Independent Remuneration Panel to determine recommendations for its Member Allowances Scheme.

3.19 The regulations state that no remuneration or allowances are to be payable by the Strategic Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme approved by the Strategic Authority. It also states that an allowance is only payable to:

- Members of the Overview and Scrutiny Committee
- Members of the Audit and Governance Committee

3.20 In order to agree an allowances scheme the Strategic Authority must establish an Independent Remuneration Panel, consider a report from that Panel and pay no allowances that exceed the amount recommended by that Panel.

- 3.21 The English Devolution and Community Empowerment Bill includes within it proposals to enable the payment of allowances to members of the Board who have special responsibilities, it is proposed that this is considered as part of the scope of the Independent Remuneration Panel review.
- 3.22 The Board is requested to provide the Interim Monitoring Officer the authority to set up an Independent Remuneration Panel. This delegation is needed so the Panel can be created as soon as possible and can prepare recommendations for a Members' Allowances Scheme, which will then be brought back to the Board at the earliest opportunity.
- 3.23 If the delegation is provided the Interim Monitoring Officer will:
- look to establish an IRP that consists of the chairs of the IRPs of each constituent council, if they are not available then they will look to utilise other council IRP members
 - agree an allowance for IRP members for undertaking the review in consultation with the Chair and Vice Chairs of the Board
 - seek to convene the Panel at the earliest opportunity to support it reported to Board at the earliest opportunity
- 3.24 Additionally, the Interim Monitoring Officer will set the Panel a term of reference for their review that focuses on:
- member expenses scheme
 - allowances for Regulatory Committee members including special responsibilities such as chairing
 - allowances for Independent Persons for standards matters
 - allowances for Independent Person of the Audit & Governance Committee
 - eligibility and allowances for Business Board members
 - eligibility and allowances for wider Advisory Board roles
 - implications of the English Devolution & Community Empowerment Bill

Independent member of the Audit and Governance Committee

- 3.25 CIPFA guidance states that audit committees of local authorities should include co-opted independent members in accordance with the appropriate legislation. Where there is no legislative direction to include co-opted independent members, CIPFA recommends that each authority audit committee should include at least two co-opted independent members to provide appropriate technical expertise.
- 3.26 Independent members are not elected councillors. Their presence helps reinforce the committee's independence from political influence, ensuring a more impartial approach to governance, risk management, and audit matters. They can also strengthen the audit, governance, risk, and financial oversight of a council by bringing expertise, neutrality, and continuity.
- 3.27 Paragraph 14 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (as amended) states that the Strategic Authority must appoint to its Audit & Governance Committee at least one independent member and that such persons can only be appointed after the vacancy has been advertised in such manner as the Strategic Authority considers is likely to bring to the attention of the public and that person's appointment has been approved by a majority of the members of the Strategic Authority.
- 3.28 If the delegation is provided the Interim Monitoring Officer will:
- create a role profile for the roles, using best practice comparison
 - advertise for the roles, utilising Constituent Council approaches
 - undertake interviews and make a recommendation to the Board on appointment at the earliest opportunity

Independent Persons under S28 of the Localism Act for standards

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

4. Background

- 4.1 Work to establish the governance arrangements for the Strategic Authority has been underway since the Constituent Councils agreed in principle to progress the creation of the organisation. This has included the development of the draft Constitution and the Local Assurance Framework, both of which are statutory requirements for formally standing up the Authority.
- 4.2 Initial drafting began in late 2025, informed by national guidance, relevant legislation, and best practice from existing combined authorities. Engagement has taken place throughout this period with Monitoring Officers from each Constituent Council.

5. Partnership & Engagement

- 5.1 The development of the Strategic Authority's constitution and assurance arrangements has been shaped by extensive engagement across the partnership. Central to this work has been the Monitoring Officer Group, whose collective professional expertise and constructive challenge have ensured that the draft Constitution, Local Assurance Framework, and associated governance proposals are legally robust, locally appropriate, and aligned with best practice. Their regular oversight has provided continuity and assurance throughout the drafting process, enabling issues to be identified and resolved at an early stage.
- 5.2 The Governance and Assurance workstream has carried out a wide-ranging programme of engagement to inform the proposals presented in this report. This has included iterative discussions with officers from each constituent council, targeted engagement with key partners and stakeholders, and dedicated sessions to test the practical operation of proposed content. Feedback gathered through these conversations has shaped both the structure and content of the governance documents, ensuring they are clear, proportionate, and reflective of local priorities.
- 5.3 Progress has been subject to consistent strategic oversight by the Programme Board, which has monitored the development of the governance and assurance workstream and provided direction on areas requiring escalation, alignment, or refinement. In parallel, Council Leaders have maintained political oversight of the emerging arrangements, ensuring that the proposals support the collective ambitions of the constituent authorities and reflect the strategic intent of the devolution programme

6. Appendices

- 6.1 Appendix A – Draft Constitution
- 6.2 Appendix B – Local Assurance Framework
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Board is requested to consider the following identified implications:					
7. Financial Implications					
7.1	The approval of the Constitution, which includes Financial Regulations and Contract Procedure Rules for the Strategic Authority, and of the Local Assurance Framework, which provides a robust process to prioritise and deliver projects, are important steps to ensure that the Strategic Authority can demonstrate its duty of Best Value.				
7.2	The recommendations of the Independent Remuneration Panel, and the remuneration for appointed independent members and Independent Persons, will create a cost for the Strategic Authority. As this cost has not yet been established it has not been included in the proposed budget for 2026-27, however the budget includes a contingency sum and any costs relating to these recommendations would be drawn from that sum.				
8. Legal Implications					
8.1	This report outlines the decisions required by the Authority at its inaugural meeting to comply with the legislative requirements of the 2026 Regulations that brought the Strategic Authority into being.				
9. Equality & Diversity Implications					
9.1	There are no negative equality or diversity implications arising directly from the recommendations in this report.				
10. Other Significant Implications (Tick other implications provided and provide detail in box below)					
Risk		Assurance Framework		Procurement	
Improvement		Environment		HR & IT	
10.1	No other significant implications are identified within the contents of this report.				