

Written statement of a non-key decision
Marches Enterprise Joint Committee

Title	Future of the Marches Enterprise Joint Committee (MEJC)
Decision maker	Marches Enterprise Joint Committee Information about Marches Enterprise Joint Committee, including the names of the members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=873
Date of decision	19 March 2019
Report exemption class	Open
Purpose	To brief the MEJC on changes that must be made to the governance of the Marches Local Enterprise Partnership and to consider the future of the MEJC in light of these changes.
Decision	THAT: (a) subject to confirmation of the Marches LEP Board support for the new governance arrangements required by government agreement is given to: <ul style="list-style-type: none"> • the establishment of the Marches LEP as a private company limited by guarantee; and • the Marches Joint Executive Committee ceasing to operate with effect from 31 March 2019
Reason for the decision	As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50029982
Options considered	<ol style="list-style-type: none"> 1. There are no alternative options. 2. As set out in the report “Strengthened Local Enterprises” issued in July 2018 by the Ministry of Housing, Communities and Local Government (MHCLG) Government required that every LEP adopt a legal personality. See Appendix 1. It also stated that LEPs must abide by the laws and regulations that apply to the legal entity that it adopts. Because of this the LEP Board proposed to MHCLG in October 2018 that it become a Company Ltd by Guarantee by 1 April 2019 at the latest, which most other LEPs have either already adopted or will be doing so by the given deadline. MHCLG have agreed to this approach and

	<p>the LEP has appointed a solicitor who is drawing up the Articles of Association for the new company and registered the LEP company with Companies House on 12 February 2019.</p> <p>3. MHCLG issued to all LEPs and Mayoral Combined Authorities in January 2019 a new National Assurance Framework, which sets out in detail the new governance requirements that LEPs must comply with. In this document it states” The LEP Board is the LEP’s ultimate decision-making authority”. This document also states “The LEP should ensure that there are Local Authority representatives on the LEP Board to ensure democratic accountability and provide local intelligence.”</p> <p>4. The Marches LEP draft Articles of Association which will be considered at the LEP Board on 19 March 2019 state that the three local authorities will, as per the current LEP Board Terms of Reference, each have a seat on the Board of the new company (as Members and Directors) and that the quorum for the transaction of business at a meeting of directors is any seven Eligible Directors, which must include five Private Sector Directors and two Public Sector Directors. It is also proposed that there is a clause in the Articles that requires the LEP to consult the three local authorities on strategic issues. This matter is being considered at the LEP Board on 19 March 2019.</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	<p>Herefordshire Council: 25 March 2019</p> <p>Telford & Wrekin Council: 22 March 2019</p> <p>Shropshire Council: 26 March 2019</p>

<p>Councillor:</p> <p>Councillor S Davies, Chairman of the Marches Enterprise Joint Committee</p>	<p>Date 19 March 2019</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority’s head of paid service.