

# AGENDA

## Marches Enterprise Joint Committee

Date: **Tuesday 31 May 2016**

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Time: **10.00 am**

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Place: **Craven Arms Community Centre, Newington Way,  
Craven Arms, Shropshire SY7 9PS**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

**Governance Services**

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# Agenda for the Meeting of the Marches Enterprise Joint Committee

## Members:

Councillor AW Johnson  
Councillor M Pate  
Councillor KS Sahota

Herefordshire Council  
Shropshire Council  
Telford and Wrekin Council

## Non Voting Member

Mr G Wynn OBE

Chairman of the Local Enterprise Partnership

## AGENDA

	Pages
<p><b>1. ELECTION OF CHAIRMAN</b> To elect a Chairman.</p>	
<p><b>2. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.</p>	
<p><b>3. NAMED SUBSTITUTES (IF ANY)</b> To receive details of any Executive Member nominated to attend the meeting in place of the voting Member representing their Authority.</p>	
<p><b>4. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by members of the Committee in respect of items on the agenda.</p>	
<p><b>5. MINUTES</b> To approve and sign the Minutes of the meeting held on 15 February, 2016.</p>	5 - 6
<p><b>6. MARCHES ACCOUNTABILITY AND ASSURANCE FRAMEWORK</b> To approve the Marches Accountability and Assurance Framework.</p>	7 - 80
<p><b>7. ANNUAL REPORT OF THE MARCHES ENTERPRISE JOINT COMMITTEE</b> To approve an annual report of the first year of activity of the Marches Enterprise Joint Committee.</p>	81 - 84
<p><b>8. FUNDING SUBMISSION TO DFT LOCAL TRANSPORT MAJORS FUND</b> To approve submission of one or more bids to the Local Transport Majors Fund.</p>	85 - 90
<b>EXCLUSION OF PUBLIC AND PRESS</b>	
<p><b>RECOMMENDATION:</b>            that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business during any discussion of the appendix to the report on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	
<p><b>3 Information relating to the financial or business affairs of any particular person</b></p>	
<p><b>9. THE MARCHES LEP MANUFACTURING SKILLS CAPITAL PROJECT</b> To grant preferred bidder status to three organisations and agree arrangements toward contracts for funding under the Marches Growth Deal skills capital fund.</p>	91 - 102



HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Marches Enterprise Joint Committee held at Craven Arms Community Centre, Newington Way, Craven Arms, Shropshire SY7 9PS on Monday 15 February 2016 at 10.00 am**

**Present:** Councillor AW Johnson (Chairman)

**Councillors:** Councillor KS Sahota, and Councillor S Charmley

**Non-Voting Member:** Mr G Wynn OBE

**Officers:** Jacqui Casey (Marches LEP Partnership Manager), Caroline Cattle (Marches LEP Project Officer), Gill Hamer (Marches LEP Director), Claire Cox (Business Relationship Manager for Economic Growth, Shropshire Council), Geoff Hughes (Director for Economy, Communities and Corporate, Herefordshire Council), Kathy Mulholland (Inward Investment and Business Support Delivery Manager, Telford and Wrekin Council), and Claire Ward (Solicitor to the Council – People and Regulatory, Herefordshire Council).

**1. ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor AW Johnson be elected Chairman of the Committee for the remainder of the ensuing year.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor M Pate.

**3. NAMED SUBSTITUTES**

Councillor S Charmley substituted for Councillor M Pate.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**5. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 19 March 2015 be confirmed as a correct record and signed by the Chairman.

**6. MARCHES INVESTMENT FUND ALLOCATIONS**

The Committee considered allocating Marches investment funding against a loan application received by the Marches local enterprise partnership (LEP).

The Marches LEP Project Officer presented the report.

The Chairman of the LEP Board reported that the LEP Board had considered the application and supported it.

**RESOLVED: That a loan of £720,000 (5.04% interest rate) to Dicentra LLP be approved.**

## **7. GROWTH DEAL SKILLS CAPITAL PROJECTS**

The Committee was asked to approve the allocation of funds to four projects that had successfully completed a due diligence appraisal by the Skills Funding Agency (SFA) for funding under the Marches Growth Deal Skills Capital fund.

The Marches LEP Director presented the report. She highlighted paragraph 3 of the report with regard to the project from SBC Training. This noted that the SFA had recommended that the grant for the capital equipment element of £10,000 for this application was approved at this stage but that the element for fit out (£40,000) be conditional on provision of satisfactory detailed figures. She confirmed that this information was expected to be available before the end of March 2016. The Marches LEP board had recommended approval of the balance of the grant once they had been satisfied that the capital works met the SFA requirements.

The Chairman of the LEP Board reported that the Board had considered and supported the allocations.

**RESOLVED: That the following skills capital allocations be approved:**

**(a) Hereford and Ludlow College - £197,400;**

**(b) Herefordshire Group Training Association - £158,200;**

**(c) SBC Training Ltd - £50,000 (of which £40,000 conditional on SFA confirmation of satisfactory receipt of further information as set out at paragraph 3 of the report); and**

**(d) Derwen College - £56,000.**

## **8. FUTURE MEETINGS**

The Committee referred to the discussion at its previous meeting about making effective use of the time of Members and officers in discharging the Committee's role.

The Solicitor reported that a scheme of delegation was to be submitted to the Committee in April seeking to address this point.

The meeting ended at 10.15 am

**CHAIRMAN**



<b>Marches enterprise joint committee</b>	
<b>Meeting date:</b>	<b>31 May 2016</b>
<b>Title of report:</b>	<b>Marches accountability and assurance framework</b>

## Classification

Open

## Key decision

This is not a key decision.

## Purpose

To approve the Marches Accountability and Assurance Framework.

## Recommendation(s)

THAT:

- (a) the Marches Accountability and Assurance Framework attached at appendix 1 of this report be approved.

## Reason for recommendations

1. To maintain clear and accountable governance arrangements.

## Summary

2. The role and responsibilities of local enterprise partnerships (LEPs) have developed considerably over the past five years, since their inception. The government is passing funding, powers and responsibilities to LEPs to promote economic growth. LEPs are required to take on the role which government has traditionally undertaken in administering any funds and managing processes that come with these new local responsibilities. LEPs have needed to keep pace, ensuring that their systems and processes are fit for the job they have been asked to perform.
3. A key area of work for the LEP in early 2015, was the development of a draft accountability and assurance framework (the framework), in accordance with the national guidelines. The framework sets out, in a clear and transparent way, how the Marches LEP operates in terms of its decision-making, reporting & monitoring and management of public funds. The LEP secretariat had the support of finance and monitoring officers of the three councils in drafting this and in March 2015 the joint committee approved the draft as a working document for submission, noting that a

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Further information on the subject of this report is available from  
Jacqui Casey, Marches LEP Partnership Manager, email: [Jacqui.casey@marcheslep.org.uk](mailto:Jacqui.casey@marcheslep.org.uk)

number of elements required further clarification and that a scheme of delegation was to be developed. This is a public-facing document and is published on the LEP website.

4. The government requires LEPs to undertake an annual review of the framework as a minimum. Over the past few months, the LEP Board has been reviewing and updating the document in respect of the following:
  - Updating the terms of reference for the board and each of its sub groups, to bring these in line with the framework. These are appended to the framework.
  - Providing greater clarity on the relationship between the LEP Board and the joint committee and, specifically, the circumstances under which the joint committee would not approve a recommendation of the LEP Board and how this would be dealt with. This is set out in paragraph 2.4.5 of the framework.
  - Following the discontinuation of the formal role of local transport bodies, the LEP Board updated the section of the framework that deals with appraisal and value for money scrutiny of transport projects to ensure that Department for Transport requirements are met. These revisions are set out in section 6 of the framework.
  - Some minor updates such as reflecting the small increase in capacity in the LEP's core team, this is set out in section 2.3.2 and in diagram 2 of the framework.
5. The framework will continue to be regularly reviewed by the LEP's performance risk and monitoring committee, and any proposed changes reported to the LEP Board and joint committee for approval.
6. The updates referred to above are now included in the framework attached at appendix 1. The LEP Board considered these proposed changes at its meetings on 18 May 2015, 21 July 2015, 24 November 2015 and 26 January 2016 and recommends the framework to the joint committee for approval. Subject to approval, the updated framework will be published on the LEP website.
7. The outstanding piece of work is any scheme of delegation. The Board are considering what type of scheme they might recommend on 24 May when a draft scheme can then be drafted and recommended to the joint committee.

## **Alternative options**

8. The development of an accountability and assurance framework was a government-required area of preparation which LEPs undertook prior to the arrival of funding in April 2015.

## **Financial implications**

9. The section 151 officers of the partnership's three councils assisted in the development of the framework and ensured the required checks are in place in the management of public funding.

## **Legal implications**

10. The monitoring officers of the partnership's three councils assisted in the development of the framework and ensured the framework complies with necessary legal and

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Further information on the subject of this report is available from  
Jacqui Casey, Marches LEP Partnership Manager, email: [Jacqui.casey@marcheslep.org.uk](mailto:Jacqui.casey@marcheslep.org.uk)

governance requirements.

## **Risks, opportunities and impacts**

11. If the framework is not in place or if the partnership does not implement the framework, there is a risk that funds could be delayed or lost and requested additional responsibilities could be withheld. The implementation of the framework in 2015 was a key milestone in moving the Marches LEP to annual payments from government. Shropshire Council, in its role as accountable body for LEP finance is, through its Responsible Finance (S151) Officer, accountable for ensuring that grant income received, payments out and any applicable repayments are accounted for and administered correctly in line with relevant statute and guidance Individual projects led by any of the LEP's partner Local Authorities are subject to their own relevant approval and reporting arrangements and are in line with relevant statute and guidance.

## **Additional information**

12. None.

## **Appendices**

Appendix 1 – Marches LEP Accountability & Assurance Framework May 2016.

## **Background papers**

None identified





Marches LEP

# Accountability and Assurance Framework

May 2016

This is an iterative document and is reviewed annually as a minimum and updated by the Marches LEP Partnership Board and Finance S151 Officer.

Document Ref: 160511 V.11

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## **1.0 Introduction**

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This document sets out, in a single assurance framework, the key practices and standards of the Marches Local Enterprise Partnership (LEP) in managing growth in the Marches, in decision-making around agreed priorities and in ensuring decisions over funding are proper and value for money is achieved.

Building upon the local government system of financial management, the document provides details which have been agreed by the Marches LEP concerning its own governance practices and standards and highlights strong local authority support, transparency of decision-making, financial accountability and value for money. This document will be reviewed a minimum of once a year by the Marches LEP Board, the Marches Enterprise Joint Committee and the Finance Section 151 (S151) Officer.

## **2.0 LEP Governance and Decision Making**

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2.0.1 The Marches LEP operates as an informal partnership of private and public sector leaders, with a slim-line structure developed in the interests of: minimising bureaucracy, cost and duplication; achieving speedy decision making and delivery; and sharing expertise and resources.

2.0.2 As a young Partnership operating across a new economic geography, formal arrangements have been put in place to ensure fast and effective decision-making together with democratic accountability for the substantial public funds that are required to deliver the Marches Strategic Economic Plan (SEP) and Growth Programme, including European Structural and Investment Funds (ESIF) and Single Local Growth Funds. The single governance structure set out below will oversee the delivery of the Growth Programme for the LEP.

2.0.3 The Marches LEP has worked with the Government's Local Growth Team, Managing Authority Departments (Department for Communities and Local Government (DCLG), Department for Work and Pensions (DWP) and the Department for Environment Food and Rural Affairs (DEFRA), along with BIS Local (Department for Business, Innovation and Skills), in developing the detailed design for strong LEP governance that combines transparency in decision-making and sound financial management.

### **2.1 Accountability for Public Funding**

2.1.1 As the amount of public funding flowing through LEPs has increased, it has become necessary to strengthen the robustness and accountability of LEPs. Both the National Audit Office and the Public Accounts Committee of the Commons have raised concerns regarding the arrangements for the coordination, accountability and transparency of local growth programmes, as well as the management and monitoring and evaluation of funding for local economic growth. Additionally, concerns have also been raised about arrangements for accountability. This "Accountability and Assurance Framework" seeks to provide assurance to Government and Parliament (as well as the residents, businesses and other stakeholders of the Marches), that there are robust local systems in place which ensure resources are spent with regularity, propriety and value for money.

2.1.2 Consequently, all of England's 39 Local Enterprise Partnerships have an accountable body which is a single local authority or a combination of local authorities (in the form of a 'Combined Authority'). The accountable body for the Marches LEP is Shropshire Council and it is the Head of Finance, Governance and Assurance (known as a Finance (Section 151) Officer) who has responsibility for ensuring that a local assurance framework is in place and that decisions are made in accordance with this local assurance framework.

### **2.2 Marches LEP Organisational Structure**

The Partnership Group Structure is set out in Diagram 1 of this document (p.5). The membership, roles and responsibilities of the Marches LEP Partnership Board and each of its Sub Groups are detailed in the Appendices to this document. The Terms of Reference for each detail the way in which each group operates, including how recommendations are made and decisions taken and fed back to the LEP Partnership Board and Marches Enterprise Joint Committee.

### 2.2.1 Marches LEP Partnership Board

The Marches LEP Partnership Board is responsible for setting strategic direction for the Partnership. This Private Sector led Board has fifteen members and provides the strategic lead for the Partnership, setting the overall strategy for growth including making recommendations on: the development of the SEP strategic priorities; oversight, endorsement and prioritisation of strategic projects; the allocation of budget; and monitoring expenditure and output performance for the SEP Growth Programme.

### 2.2.2 Private Sector Area Business Boards

The Marches area has three Private Sector Area Business Boards covering Herefordshire, Shropshire, and Telford and Wrekin, which support strong communication with the business base. The Chair of each Board sits on the LEP Partnership Board. The Area Business Boards have cross-sector strategic business representation, also including: the relevant Chamber of Commerce; the Federation of Small Businesses; other business sector networks; the voluntary, community and Social Enterprise Sector; the Asian Business Community; and the Rural Farming Network.

These Area Business Boards are not LEP Sub Groups, they have their own independent function and remit to provide a strategic role in supporting growth across their areas. The inclusion of the Area Board Chairs is aimed at providing strong, two way communications on business needs with the business community; informing strategy development and adding to other direct communication undertaken by the LEP with the wider business base.

### 2.2.3 Marches Enterprise Joint Committee

The Marches Enterprise Joint Committee, which is a formal joint committee of the three local authority leaders (established for the purposes of Part VI of the Local Government Act 1972 and Part 1, Chapter 2 of the Local Government Act 2000), provides democratic accountability for LEP Partnership Board recommendations, ensuring that decisions meet with government public finance and accountability requirements. Through delegation it also enables partners to work together in a variety of ways in the delivery and management of the work programme and enables opportunity to pool/align efforts and resources of the three councils on the Marches economic development priorities. Decisions of the Joint Committee are subject to scrutiny by the three local authority scrutiny committees, (Herefordshire Council General Overview and Scrutiny Committee, Shropshire Council Enterprise Growth and Scrutiny Committee and Telford and Wrekin Council Customer, Community and Partnership Scrutiny Committee).

### 2.2.4 Marches Sub Groups

The LEP Partnership Board has eight main Sub Groups, chaired by a Private Sector Lead, LEP Partnership Board Member, or Local Authority Elected Senior Councillor and supported by Local Authority or University-based technical officers. These Sub Groups comprise of businesses and other stakeholders and include:

- Performance, Risk and Monitoring Committee;
- Agri-Food Working Group;
- Marches Transport Sub Group;
- Growth Hub Steering Group;
- Marches Skills Board;
- Hereford Enterprise Zone Board;
- Planning and Housing Partnership;

- Telford Land Deal Board.

The Sub Groups have specific and separate responsibilities detailed in their Terms of Reference relating to areas such as:

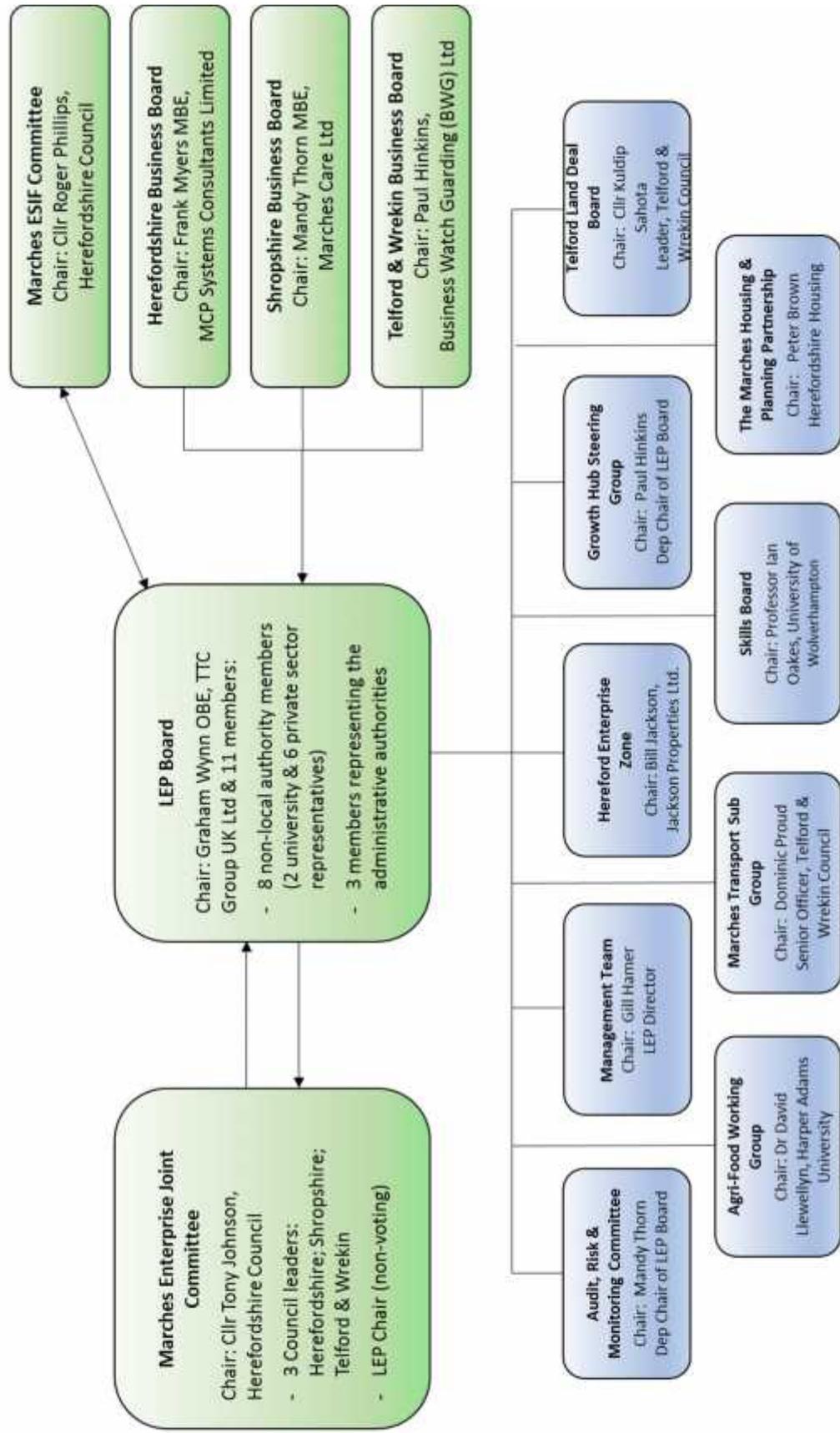
- Provision of advice and expertise to the Board on policy and priorities around areas such as housing, skills, transportation and sector needs;
- Development and commissioning of the work programme against the LEP Partnership Board's identified priorities and required outcomes via LEP Commissioning Groups;
- Delivering projects and programmes through procured private, public and Voluntary, Community and Social Enterprise (VCSE) deliverers and, for example, the Local Transport Authorities and Hereford Enterprise Zone Board.

#### 2.2.5 Marches European Structural and Investment Fund (ESIF) Committee

The Marches ESIF Strategy 2014 - 2020 sets out a high level rationale for investment in the area and was endorsed by the Marches LEP Board on 27<sup>th</sup> January 2014; it combines the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the European Agricultural Fund for Rural Development (EAFRD).

The ESIF Sub Committee operates separately from the LEP structure, with a remit to consider whether projects seeking funding from the Marches EU ring-fenced Fund meet the strategic priorities of the Marches ESIF Strategy. This Committee makes recommendations to the Managing Authority Departments on matters of local fit, in relation to the projects seeking funds from the Marches allocation, and performance, to inform the decision-making processes within the three ESIF Managing Authorities, DCLG, DWP and DEFRA. The ESIF Committee has eighteen members, with cross-sector representation and the LEP Board has one seat on this Committee.

**Diagram 1: Marches Local Enterprise Partnership (LEP) Group Structure**



## **2.3 LEP Delivery Capacity**

2.3.1 The LEP Core Team is responsible for supporting LEP Partnership Board in strategy development, coordinating the management of the SEP Work Programme and the day to day administration of the Partnership including internal and external communications.

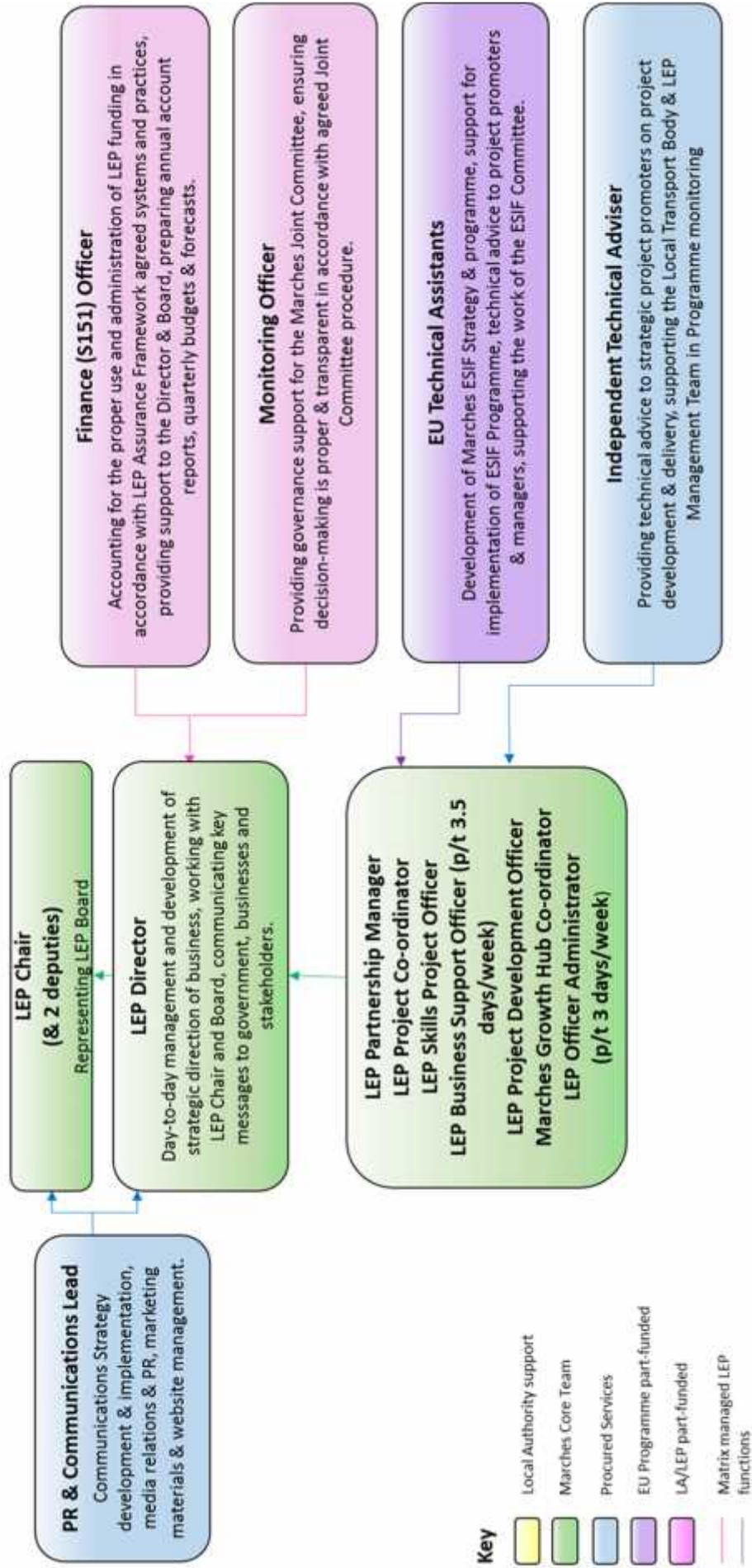
2.3.2 The LEP Core Team, led by the full-time (F/T) LEP Director, includes 7.5 full time equivalent (FTE) staff. Essential support is provided by the Finance Section 151 (S151) Officer from Shropshire Council, who provides the accountable body function for LEP financial governance, and the Monitoring Officer from Herefordshire Council who oversees the development, operational support and governance arrangements of the Marches Enterprise Joint Committee. The Core Team and the time of the Finance (S151) Officer and Monitoring Officer are supported through LEP Core Funding.

2.3.3 The LEP's Communications and Public Relations Lead is provided by a private company, procured via an open tender exercise. An Independent Technical Evaluator, procured via an open tender exercise, provides support to the LEP Core Team in appraising projects and programmes that might support delivery of the Strategic Economic Plan.

2.3.4 Further essential support to increase the capacity of the LEP Core Team and work programme delivery is provided as required by three local authority partners via Director-level and Service Head-level officers' input. These Senior Officers have responsibility for growth-related services including economic development, housing and planning and transportation; and for aligning public resources (staff time and funds) against delivery of identified Board priorities.

2.2.5 Through the LEP Management Team function, the work of the Core Team is integrated with the work of key staff from relevant service areas within the three local authorities. This ensures that resources are used to maximum effect and expertise available within the partner authorities is utilised and not duplicated within the Core Team. Importantly, it also ensures that opportunities for joint local authority working, arising from both Joint Committee decisions and LEP Partnership Board recommendations, is co-ordinated at an appropriate level. Further details of local authority partnership working across the LEP are set out in Section 3. The LEP Management Team structure is set out in Diagram 2 (p.8).

**Diagram 2: Marches LEP Management Team Structure**



## **2.4 Governance Framework for Decision Making**

2.4.1 The role of the key groups that are central to LEP governance arrangements are set out in Diagram 3 (p.10) and in Sections 4 - 6 of this document, with each group operating in line with an agreed Terms of Reference, conduct protocols and in strict accordance with delegations agreed by the Marches Enterprise Joint Committee. The structure provides the required expertise and essential capacity to: develop/procure projects and programmes to address identified Board priorities; oversee the development and delivery of those projects; and provide day-to-day management and co-ordination of the delivery programme, including supporting the monitoring and evaluation of projects and programmes.

2.4.2 The proposed governance structure recognises that the three most significant sources of funding for promoting economic growth currently in the Marches are the Single Local Growth Fund, the European Union (EU) Funding Programme (2014 - 2020) and the Marches Investment Fund. The latter will be 'fed' from funding sources such as the Enterprise Zone business rate uplift, the Growing Places Fund and LEP/Homes and Communities Agency (HCA) stewardship arrangements. The governance structure recognises other sources of funding which the LEP either has responsibility for allocating (including core funds and LEP Capacity Funds), or plays a role in supporting others to access (such as former Regional Growth Funds) and that further funding opportunities will emerge.

2.4.3 The Governance arrangements are designed to ensure that: the LEP Partnership Board has an overview of all LEP-related activity; funding is being allocated in a transparent and coordinated manner which provides value for money; and assurance is provided through the accountable body Finance (S151) Officer on the proper use and administration of public funds.

2.4.4 With the approval of the Marches Enterprise Joint Committee, the LEP Partnership Board may delegate specific functions, within agreed parameters, to the LEP Director, Finance (S151) Officer, or Performance Risk and Monitoring Committee, as required for the timely and efficient operation of the Partnership. However, the LEP Partnership Board will retain overall responsibility for these functions even when they delegate responsibility for delivery or project/programme monitoring.

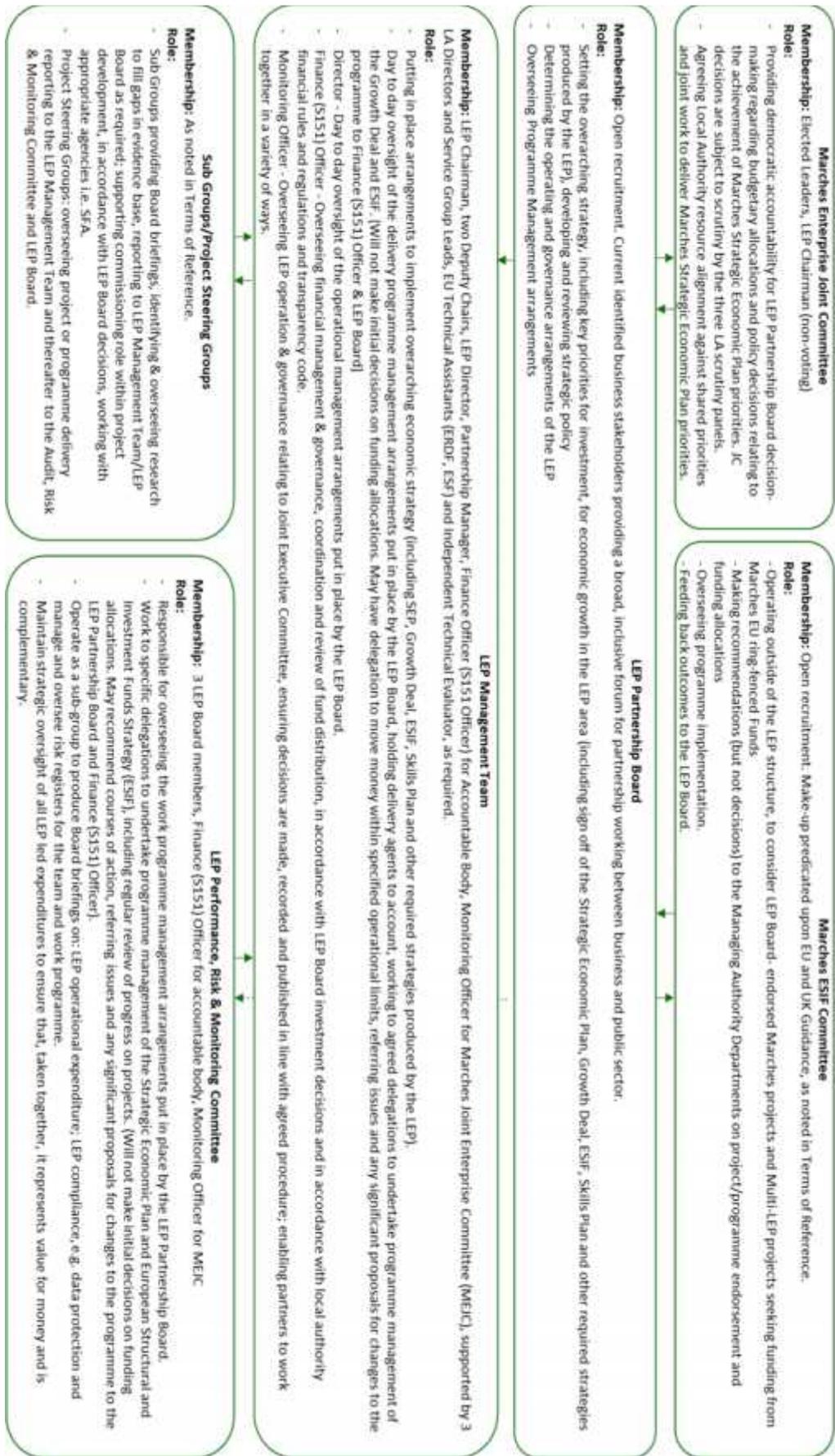
2.4.5 The LEP Partnership Board makes its recommendations to the Marches Enterprise Joint Committee (MEJC). In reaching a decision, the MEJC may adopt the board's proposals, or refer them back to the board for further consideration. The MEJC may refer a decision back to the board if the board's proposal is:

- Not in accordance with the principles of good decision making as set out in the MEJC terms of reference; **or**
- Not in line with agreed policies or strategies of the Marches LEP; **or**
- Not within existing budgetary provision for the Marches LEP.

2.4.6 When decisions are made, they are translated into action by the LEP Management Team, working with the Marches partners to deliver LEP Partnership Board priorities and desired outcomes set out as a programme of work.

2.4.7 The LEP Core Team has worked with the Finance (S151) Officer to develop a Performance Management Framework against which the work programme can be monitored by the LEP Partnership Board. The LEP Partnership Board will monitor programme finance and output metrics and will receive other essential information on individual project performance and management of risk through exception reports, the detail of which will be managed and overseen by the Performance, Risk and Monitoring Committee (PRMC), supported by the LEP Core Team. The PRMC will monitor the detail of programme performance, finance and output metrics for the SEP Growth Deal and other projects. The PRMC will undertake this role working in strict accordance with agreed change management delegations, reporting to the LEP Partnership Board.

Diagram 3 – Marches LEP Governance Structure



## 2.5 Cross LEP Working

2.5.1 The Marches LEP has a proven track record of working closely with local and national partners to streamline the local business support landscape. The LEPs' individual Strategic Economic Plans provide more detailed reference to cross-LEP strategy development and project and programme working. The Chairs of the six West Midland LEPs (Black Country, Marches, Stoke & Staffordshire, Worcestershire, Greater Birmingham & Solihull, and the Coventry & Warwickshire LEPs) meet on a formal and quarterly basis, with the Chair of the Greater Birmingham and Solihull LEP chairing the group. The LEP Secretariats meet in support, chaired by the Black Country LEP's Chief Executive. These arrangements enable formal and co-ordinated responses to a range of LEP issues pertinent to the area, particularly around collaboration in relation to transport, access to finance and support for the business supply chain with our West Midlands LEP partners. The Chair of the Marches LEP currently represents the West Midlands LEPs on the national LEP Network.

2.5.2 Where collaboration relates to project/programme development and delivery, one local authority partner takes a lead in overseeing governance and financial arrangements, for example, the Marches and Worcestershire Redundant Building Grant Programme, where Herefordshire Council takes accountable body lead for both LEPs.

2.5.3 The Marches LEP will continue to work with other LEP partners, in particular with the Black Country, Worcestershire and Stoke and Staffordshire to identify opportunities for cross LEP business support activity with a view to achieving economies of scale and also to further simplify the business support landscape across the region. The LEPs participate in regular cross LEP engagement and are working jointly to deliver a regional loan funding vehicle.

2.5.4 The Marches LEP will also bring together key players including the Chambers of Commerce, the FSB, UKTI, the local Universities, FE colleges and local enterprise agencies. The LEP will be engaging with all of these partners in both the development and the delivery of the Growth Hub (see 4.5 below) through its Business Growth Hub Steering Group which will report into the main LEP Board and its regular partner meetings which will aim to improve communications between the business support delivery partners and Hub.

### 2.5.5 The Midlands Engine

The Marches LEP is one of 11 LEPs and 26 local authorities that are working together as partners within the Midlands Engine which covers an area from Wales to the Wash. The Midlands Engine for Growth provides a mechanism for regional stakeholders to work together more closely to achieve greater regional economic growth and productivity improvement and to use the Midlands Engine brand to promote itself to investors and trade partners. Part of the programme of work is the development of a Strategy for Transportation by 2017, called 'Midlands Connect'. The Marches LEP Chair currently represents the West Midlands LEP Chairs on both the Midlands Engine Strategic Leadership Group and the Midlands Connect Steering Group.

### **3.0 Local Authority Partnership Working Across the LEP**

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3.1 The Marches three local authority partners are committed to working collaboratively to promote economic growth through the LEP. Within the new governance structure, they have made a significant resource commitment to the successful development of the partnership and delivery of the SEP, working together within each stage in the management process, moving to 'area led' approaches on delivery across the area, and aligning finance against common objectives.

3.2 Collaborative input includes:

- Through the Marches Enterprise Joint Committee structure to ensure swift decision making and alignment around use of public funds.
- At the strategic leadership level through the partnership commitment at the LEP Partnership Board.
- At LEP Management Team level by ensuring adequate resource is aligned to delivery of Board priorities, working with the LEP Core Team.
- At the Sub Group level, where essential technical officer support is provided by the three local authorities, working together:
  - Through the Commissioning Groups in supporting the design of the tender specifications to deliver against Board priorities; and
  - Working to Private Sector Sub Group Chairs, to support the work of the key sub groups with responsibility for advising the LEP Partnership Board on strategic policy direction, including the Skills Board, Marches Transport Sub Group, Planning and Housing Partnership and Growth Hub Steering Group.
- At project and programme delivery level as required, for example through the PRMC, the Hereford Enterprise Zone and SEP Growth Deal projects.
- Through the financial commitment of the local authority partners to aligning funds against the revolving Marches Investment Fund.
- The LEP Core Team is also part-funded by local authority contributions, matched with Central Government funding.

3.3 The local authority partners are working to extend joint working opportunities through the government's devolution agenda.

## 4.0 Accountable and Transparent Decision-Making

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4.1 The Marches LEP employs a number of methods in communicating with businesses and stakeholders about LEP policies, decisions and work programme progress and for seeking their input on the same. The LEP seeks to comply with the Local Government Transparency Code 2015 in all of these procedures.

4.2 The Marches LEP has an agreed Communications Strategy which sets out how the LEP will engage and communicate messages and news. At its most basic level, the strategy seeks to ensure the Partnership can:

- Acknowledge and reach, in an appropriate manner, all of the Marches key audiences, partners and stakeholders;
- Provide interesting, relevant and useful updates on its work and successes;
- Develop a position of thoughtful leadership across the issues that matter to the LEP; and
- Provide the LEP's information in a variety of formats, across different platforms to ensure its reach.

4.3 Above all else, a priority is to communicate and support the vision of the Marches LEP: *“A strong, diverse and enterprising Marches business base, operating in an exceptional and connected environment, where the transfer of technology and skills foster innovation, investment and economic growth.”*

4.4 The Marches LEP dedicated website provides a central communication tool for partners, businesses and stakeholders. Among other information, the website includes details of:

- LEP meeting dates (including LEP Partnership Board and Joint Committee), agendas and decisions, and a forward plan, in line with existing local authority rules and regulations (access to information, Schedule 12A of the Local Government Act 1972);
- Details of Board Members, including Board Member roles and responsibilities, declarations of interest and Sub Group membership;
- Key LEP documents including the SEP, ESIF Strategy, Skills Plans and supporting information on the evidence base for the economy;
- An events calendar providing details of meetings/areas of work in which businesses and stakeholders can get involved;
- Contact telephone and email addresses which businesses and stakeholders can use to raise queries or seek more information on any issue;
- Any tender commissions or project calls, together with details of criteria against which projects will be appraised and prioritised;
- Details of progression projects and programmes under delivery; and

- The LEP Equality and Diversity Policy, Conflicts of Interest Policy and Enquiries, Comments, Compliments and Complaints Policy.

4.5 The LEP Team has created a new and integrated approach to business support that, through a bespoke growth hub model, addresses the key issues of entrepreneurship, business growth (especially amongst high growth local businesses) and innovation. The main focus of the Marches Business Growth Hub is the virtual hub - a first class business friendly website with information and links to both national and local business support services and training. It also holds information on training and best practise events for new and existing businesses with an online booking facility. Our Growth Hub website is fully aligned with the Business is Great Campaign including all branding of the website and marketing collateral.

4.6 There are now also three physical hubs in Hereford, Telford and Shrewsbury where local business support providers can hold clinics/meet with clients, hold business networking and best practice events and allow hot desking facilities for local and national business support providers, including UKTI, Innovate UK and the Intellectual Property Office.

4.7 The virtual Growth Hub was developed and is managed by the LEP Core Team and the three local authorities manage the physical growth hubs in their areas on behalf of the LEP. Two of these physical hubs are hosted by the University of Wolverhampton.

4.8 While the LEP is not subject to the Freedom of Information Act 2000, some of its partner organisations are and the partnership seeks to ensure that Freedom of Information and Environmental Information Regulation requests are dealt with in line with relevant legislation.

4.9 The LEP Team produces a 6-8 weekly e-newsletter that is sent to approximately 4,000 businesses and stakeholders, our MPs and MEPs providing latest information on LEP news and events and on current progress on projects in delivery, commissions and projects promoted through the SEP and ESIF. A website link enables businesses, residents and stakeholders to sign up for this. A separate e-newsletter has now been launched for the detailed EU work, to keep stakeholders and interested parties up to date with latest developments with the new programme. In addition to these, the ongoing media relations include briefings, press releases, commentary and analysis resulting in weekly coverage, plus daily updates on both the Marches LEP twitter feed (@marcheslep) and Marches Enterprise Zone twitter feed (@herefordezone).

4.10 The LEP holds an annual conference which is used to inform businesses and stakeholders of progress on the SEP and ESIF Strategy, the pipeline of projects and to discuss forward planning. Stakeholder events are held across the area to provide engagement on the detail of individual projects, in keeping with the agreed work programmes of those projects. Going forward, the LEP will produce an Annual Report which will also be used to highlight progress of the individual projects and overall programme.

## 5.0 Democratic and Financial Accountability

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5.1 Local Growth Fund resources are paid (by the Department for Communities and Local Government (DCLG) and the Department for Transport (DfT)) via a Section 31 Grant Determination to Shropshire Council as the LEP accountable body. The proper use and administration of this funding will be set out through the grant funding letter/agreement, and this assurance framework. Other funding received by the LEP will also be accompanied by a relevant grant funding letter/agreement and Shropshire Council will administer in line with any terms and conditions laid out in these agreements.

5.2 Shropshire Council (through its Responsible Finance (S151) Officer) is accountable for ensuring that grant income received, payments out and any applicable repayments are accounted for and administered correctly (which will fall under the annual audit of Shropshire Council's accounts). The Marches LEP will have a vital leadership role to play. It will be responsible for developing and maintaining the Strategic Economic Plan and determining the key funding priorities to which Local Growth Fund (LGF) and other resources should be directed. Democratic accountability for the decisions made by the LEP is provided through the Marches Enterprise Joint Committee (noting the inclusion of three local authorities on the LEP Partnership Board, in a representative capacity), with accountability to the business community flowing through the business leaders.

5.3 The complementary roles of both parties – the financial responsibilities of the lead Finance (S151) Officer and the leadership role and accountabilities of the LEP – will be supported by a set of agreed systems and practices. These practices/systems will support both the Finance (S151) Officer role in ensuring proper, transparent decisions which deliver value for money but also support timely, informed decision making by the LEP.

5.4 Therefore the Marches LEP's Accountability and Assurance Framework confirms:

- Shropshire Council will be the accountable body for the Single Local Growth Fund and other funding sources received from Government;
- Use of resources will be in accordance with Shropshire Council's established processes including financial regulations and contract regulations;
- Shropshire Council will be responsible for ensuring that the following requirements are adhered to, including:
  - Ensuring decisions and activities of the Marches LEP conform with legal requirements with regard to equalities, social value, environment, State Aid, procurement etc. The LEP Core Team will retain an oversight of these issues.
  - Ensuring that the funds are used appropriately, and in a manner that is consistent with the contents of the offer letter from government.
  - Ensuring that the Marches LEP Accountability and Assurance Framework is adhered to.
  - Holding copies of all relevant LEP documents relating to LGF funding.

5.5 Shropshire Council will be the accountable body for the Marches LEP. As the accountable body, Shropshire Council will:

- Hold the devolved major scheme funding and make payments in accordance with the recommendations made by the LEP Partnership Board and ratified by the Joint Committee;

- Account for these funds in such a way that they are separately identifiable from the accountable body's own funds and provide financial statements to the LEP Partnership Board as required;
- Record the decisions of the LEP in approving schemes (for example if subjected to legal challenge);
- Supply protocol and guidance in relation to transparency and audit for the LEP to adhere to.

5.6 Appropriate legal agreements will be implemented to define the responsibilities that LEP partners have to one another and to facilitate the undertaking of the responsibilities detailed above by the accountable body.

5.7 Regular independent (external) audit and assurance checks will be commissioned and undertaken to verify that the LEP is operating effectively within the terms of its agreed assurance framework. The LEP will be responsible for taking the necessary action to remedy any shortcomings identified within any such audit. The Performance Risk and Monitoring Committee, which is sub-committee of the LEP Partnership Board, will be responsible for overseeing: LEP operational expenditure; LEP compliance, e.g. data protection and manage and oversee risk registers for the team and work programme on an ongoing basis. This Committee will maintain strategic oversight of all LEP led expenditures to ensure that, taken together, it represents value for money and is complementary.

5.8 Decisions of the Marches Enterprise Joint Committee are subject to scrutiny call-in by the three local authority scrutiny committees. The Joint Committee will also provide an annual report to the three councils on the activities of the Joint Committee.

## **6.0 Ensuring Value for Money: Prioritisation, Appraisal, Business Case Development and Risk Management**

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### **6.1 Options Appraisal and Prioritisation**

6.1.1 The LEP Partnership Board, supported in some areas by the Sub Groups, sets the strategic priorities for the SEP Work Programme, identifying issues to be addressed and the outcomes to be achieved through programme delivery. These decisions are used by the LEP Management Team to oversee the development of projects and programmes to achieve the Board's desired outcomes. Projects may be commissioned through an open call/tender process or, in the case of a public infrastructure project, a project promoter may be identified to develop the proposal, e.g. the Local Transport Authority will identify a project manager and take responsibility for procuring contractors through open tender or established frameworks

### **6.2 Project/Programme Commissioning**

6.2.1 Project development work is undertaken by groups of public, private and VCSE Sector local and national partners with knowledge and expertise around the issues and areas of work to be addressed. They are brought together as a 'Commissioning Group' to design a project/tender specification for the area of work and criteria against which tender responses will be judged. The make-up of a Commissioning Group varies according to the issue and expertise required. A Group member would have no subsequent involvement in the area of work. Criteria to be evaluated as part of any appraisal will be specified in the tender brief.

### **6.3 Project Appraisal and Prioritisation**

6.3.1 Tenders received through open calls are appraised against criteria set by the Commissioning Group. The criteria will reflect LEP Partnership Board requirements around delivery of SEP strategic priorities/cross cutting themes, economic growth potential (including jobs, housing and Private Sector leverage), and relevant Treasury or other Government departmental requirements. It will also include a project delivery options analysis, an assessment of deliverability on the preferred delivery option and an assessment of value for money.

6.3.2 The project appraisal process is overseen by the LEP Core Team, using set conduct protocols, and undertaken by an Independent Technical Evaluator (ITE), with no prior or subsequent involvement in delivery of the area of work. In the case of transport infrastructure schemes. Use of WebTAG for value for money and assurance is mandatory but does not preclude use of other assessments or dictate the weighting given to WebTAG or any other assessments used by the ITE or decision makers. Recommendations are made to the LEP Partnership Board which agrees the projects to be supported.

6.3.3 The LEP Partnership Board will consider all proposed projects and programmes developed through the SEP and is required by Government to prioritise these proposed activities. In arriving at a prioritised list, the LEP Board will consider each scheme in terms of: the evidence base supporting the needs for intervention; the strategic economic impact of all proposed interventions and outcomes (including jobs, houses, private leverage); an options and value for money analysis; and deliverability. The Board will consider the performance of the proposed project against the five case model (see para. 6.5.1 – 6.5.6) and the achievable numbers of jobs, houses and private investment.

6.3.4 This project development, appraisal and approval process, is streamlined and transparent, providing essential rigour in determining use of funds.

6.3.5 In the case of the ESIF Strategy-related projects, the Marches ESIF Committee will be required to input detail of local area needs to the national calls for projects. The Managing Authorities will also seek the views of the ESIF Committee on whether projects and programmes received through those calls (at outline and full application stages), align with the strategic priorities in the ESIF Strategy. The Managing Authorities will use the views received from the ESIF Committees within their appraisal of projects and in determining which projects are approved for EU funding.

#### **6.4 Value for Money and Business Case Development for Prioritised/Funded Proposals**

6.4.1 The delivery of projects can be complex, requiring a robust LEP governance structure. The Marches LEP recognises this and has ensured that a strong structure is in place which provides a robust and accountable process for assessing and prioritising transport schemes. The principles of this approach have been adopted by the LEP Partnership Board and integrated into the LEP governance structure, in considering the wider range of LEP projects coming through the Marches SEP.

6.4.2 The framework provides a clear decision-making process, supporting the development of integrated investment packages that contribute directly to the delivery of the SEP's economic objectives/targets. It also ensures a robust risk management process which will continue to ensure accountability, deliverability and value for money.

#### **6.5 The Five Case Model**

6.5.1 There are five cases which should be included when developing the Business Case for a project:

1. **Strategic Case** – Why is the scheme needed?
2. **Economic Case** – Is the scheme good value for money?
3. **Financial Case** – Is the scheme affordable and financially sustainable?
4. **Commercial Case** – Can the scheme be procured and constructed?
5. **Management Case** – Is the scheme deliverable?

6.5.2 The Strategic Case determines whether or not an investment is needed, either now or in the future. It should demonstrate the case for change – that is, a clear rationale for making the investment; and strategic fit, how an investment will address existing problems and further the aims/objectives of an organisation and its customers. The strategic case provides the greatest emphasis for going ahead with a scheme at an early stage. If a preferred scheme is not obvious, the Strategic Case should provide a shortlist of options at the Strategic Outline Case stage.

6.5.3 The Economic Case assesses scheme options to identify all their impacts, and the resulting value for money, to fulfil the LEP's requirements for appraisal and demonstrating value for money in the use of taxpayers' money. The impacts considered are not limited to those directly impacting on the measured economy, nor to those which can be expressed in monetary terms. The economic, environmental, social and distributional impacts of a proposal are all examined, using qualitative, quantitative and monetised information. In assessing value for money, all of these impacts are consolidated to determine the extent to which a proposal's benefits outweigh its costs.

6.5.4 The Financial Case concentrates on the affordability of the proposal, its funding arrangements and technical accounting issues. It presents the financial profile of the

different options and the impact of the proposed deal on the accounts of the organisation which will become responsible for future maintenance of the asset created by the scheme.

6.5.5 The Commercial Case provides evidence on the commercial viability of a proposal and the procurement strategy that will be used to engage the market. It should clearly set out the financial implications of the proposed procurement strategy. It presents evidence on risk allocation and transfer, contract timescales and implementation timescale as well as details of the capability and skills of the team delivering the scheme and any personnel implications arising from the proposal.

6.5.6 The Management Case assesses whether a scheme is deliverable. It tests the scheme planning, governance structure, risk management, communications and stakeholder management, benefits realisation and assurance (for example potentially a Gateway Review to ensure that the scheme is still likely to deliver value for money). There should be a clear and agreed understanding of what needs to be done, why, when and how, with measures in place to identify and manage any risks. The Management Case sets out a plan to ensure that the benefits set out in the Economic Case are realised and will include measures to assess and evaluate this. All schemes and programmes are expected to have a risk management plan proportionate to their scale.

6.5.7 The business cases, design, procurement and project delivery work for individual schemes are progressed by the individual project leads e.g. Local Transport Authority scheme promoters or commissioned Private/Public/Voluntary Sector delivery agents.

- Each LEP Partnership Board-approved project is progressed by a **named project manager** with responsibility for day-to-day management of project delivery and mitigation of risks and reporting and will report to the LEP Core Team on any changes to scheme value for money, risks, delivery timescales and capital costs. Individual scheme promoters will be responsible for the preparation of individual business cases, including scheme specific stakeholder and public consultation, scheme management and procurement, third party funding, statutory processes, delivery, monitoring processes etc. The LEP Board is supported in its role by the procured services of an Independent Technical Evaluator (ITE) who provides a technical challenge and sign off role, ultimately providing the LEP Partnership Board with confidence that there has been a suitably robust assessment of the Business Case and therefore deliverability of priority projects.
- The **Marches EU Technical Assistant** undertakes the technical checking and oversight on day-to-day monitoring and management function for the ESIF Strategy work programme, reporting to the ESIF Committee.
- The **LEP Core Team** provides a strategic role in overseeing technical checking and monitoring and in making recommendations to the Performance Risk and Monitoring Committee (PRMC) on the status of projects. The LEP Core Team will have overall responsibility for day-to-day monitoring and management of the SEP work programme (which includes all projects supported through the Single Local Growth Fund and ESIF Strategy) and will report to the PRMC on any changes to scheme value for money, risks, delivery timescales and capital costs who will report on to the LEP Partnership Board on the status of the work programme.

- The **PRMC** monitors the performance of projects and programmes within the work programme. The Committee determines courses of action to be taken in relation to performance of individual projects and programmes, in order to ensure the LEP work programme performs according to timetable and meets or exceeds targets.
- The **Marches LEP Partnership Board** recommends which schemes will be supported and brought forward and has responsibility for monitoring delivery and performance of the SEP work programme.
- The **Marches Enterprise Joint Committee** agrees and provides democratic accountability for LEP Partnership Board recommendations, ensuring resources are spent with regularity, propriety, and value for money.

## 6.6 Transport Infrastructure Projects

6.6.1 Scheme promoters will be required to conduct business case appraisals and value for money assessments using the DfT's WebTAG tool kit. For transport infrastructure projects value for money will ultimately be determined through the Benefit Cost Ratio (BCR) of the scheme. Estimates of the schemes wider economic benefits should also be evidenced together with an analysis of the social and distributional impacts of the scheme.

6.6.2 It is expected that value for money assessments will, at the prioritisation stage, be based on a mixture of quantitative and qualitative evidence. On the qualitative side, schemes which affect busier/congested parts of the highway network or larger areas of population may receive a higher value for money score. Qualitative information may point to benefits for certain target areas or populations; and could also use evidence of the success of similar schemes elsewhere. The important issue is that key assumptions are made explicit and subject to robust challenge. Any existing scheme-specific cost benefit estimates based on transport modelling or spreadsheet assessment should be provided if readily available.

6.6.3 Unless agreed otherwise, the Value for Money Statement (VfMS) will provide an overall Benefit Cost Ratio (BCR) which will compare monetised impacts (such as those in relation to journey time savings and the reduction in accidents) with costs. In purely monetised economic terms, the value for money of a scheme will be categorised as follows:

- Very High – BCR greater than 4:1.
- High – BCR between 2:1 and 4:1.
- Medium – BCR between 1.5:1 and 2:1.
- Low – BCR between 1:1 and 1.5:1.

Schemes with at least a “high” value for money assessment (greater than 2:1) will have the best chance of being funded; but this will not exclude schemes in the “medium” and “low” categories where there are other significant non-monetised benefits. Therefore, the VfMS will not only consider the directly monetised costs and benefits, as measured by the BCR, but will also consider wider appraisal evidence in relation to:

- Wider economic benefits.
- Environmental impacts.
- Social/distributional impacts.

This means that a scheme with low or medium monetised benefits could still be considered for funding if this wider appraisal evidence provides a compelling case for investment.

Where appropriate, the DfT value for money advice will be used to adjust the BCR, using available quantitative and qualitative information in relation to the impact on the environment, wider economy or particular social groups. It will be for the Independent Technical Evaluator (ITE) to work with project managers to understand qualitative benefits and ensure that these are reflected in the VfMS. Where there is a conflict between a scheme's BCR and wider (positive or negative) qualitative impacts, these will be reported in the VfMS before any approval recommendations are made. It may also be necessary to consult with key stakeholders, such as the Statutory Environmental Bodies, to ensure that they are in agreement with the technical aspects of the appraisal. The project managers will also consider commissioning independent advice from relevant subject experts if necessary.

The ITE will recommend approval or amendment of the business case to the LEP, based on the VfMS.

6.6.4 Highways England and Network Rail will need to be consulted on any schemes that are located on strategic road or rail networks so that their views on deliverability and impact on the wider network can be considered and taken into account. In cases where schemes have any impact on train services the views of relevant Train Operating Companies (TOCs) and DfT (rail) should also be sought.

6.6.5 The business case process will ensure that the time and resources invested in making a decision are proportionate to the size of the investment or intervention. The approach will be tailored to suit the individual project, reflecting the particular investment approach or mode of travel e.g. road, rail, etc. Scheme promoters will be required to use the DfT's Transport Business Case and Value for Money guidance.

## **6.7 Risk Management**

6.7.1 The principal governance and risk management arrangements for the Marches LEP are set out in Diagram 3 (p.11).

6.7.2 The role of the named project managers is to provide detailed risk assessments and proposed mitigation strategies. The role of the Marches Independent Technical Evaluator and EU Technical Assistants will be to ensure that each Project Manager retains a proactive role in identifying, anticipating and mitigating risks. The LEP Core Team will maintain an up-to-date Risk Register, with regular input from the Performance, Risk and Monitoring Committee, on behalf of the LEP Partnership Board. The LEP Partnership Board will review the Risk Register as part of its monitoring role. The overall governance and risk management model is set out in Diagram 4 (p.23) and noted below.

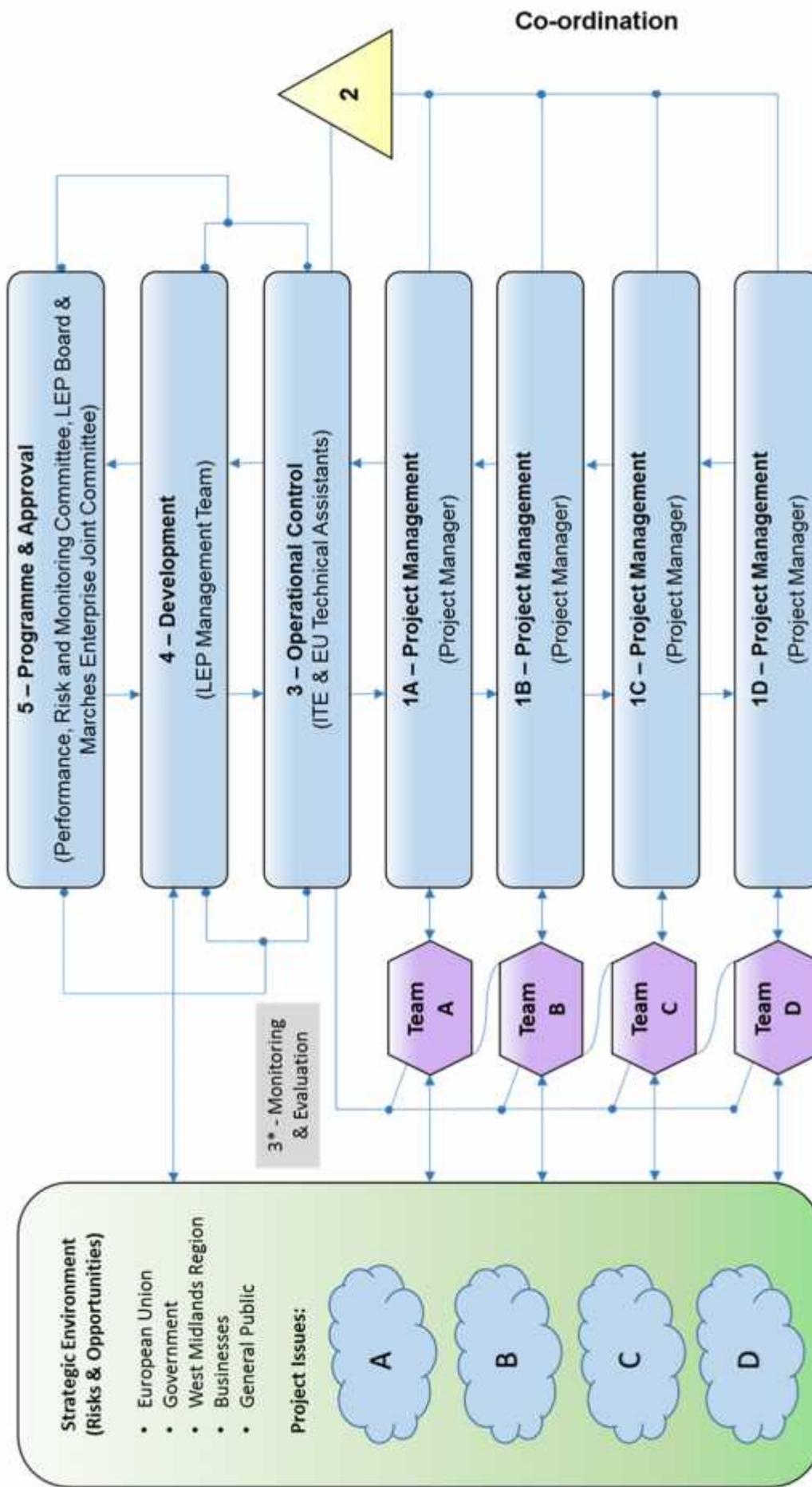
- **Level 1 (Project management)** – The primary activity of the programme is to deliver schemes and packages which meet the wider outcomes and impacts that the Strategic Economic Plan (SEP) wishes to deliver. Each project will employ a Project Manager, together with any required additional support, to undertake the practical tasks - business cases, design, statutory processes, consultation and delivery/construction. Information from Level 1

provides other parts of the governance structure with essential information of what is happening “on the ground”.

- **Level 2 (Co-ordination)** – Ensures that the overall programme of Level 1 projects is co-ordinated so that there is no conflict or inconsistency between the resource requirements of the teams. Typical co-ordination mechanisms include the setting up of protocols (e.g. communications, reporting and programming). A common language and shared culture (based around a clear understanding of purpose), will be developed.
- **Level 3 (Operational control)** – Provides the technical and management processes necessary to ensure that the operations activities in Level 1 are delivered and contribute to something that is much greater than the sum of their parts. This will be the role of the Independent Technical Evaluator and Marches EU Technical Assistants. An important technical task will be the provision of advice and guidance to the Level 1 project teams, and to act on information received. The Performance, Risk and Monitoring Committee and LEP Partnership Board at Level 5 is also highly reliant on this information, so that high level strategy can be adjusted to meet the “on the ground” conditions.
- **Level 3\* (Monitoring and evaluation)** – Enables Levels 3 and 5 to have the information so that they know what is going on – both in terms of day-to-day progress and longer term delivery of strategic objectives through transport scheme investment. Monitoring and evaluation will also give scheme promoters confidence that the LEP is aware of the issues that they are facing. The LEP Core Team is working with the ITE and Technical Assistants to develop Key Capability Measures (KCMs) to measure the delivery of both the schemes themselves and the wider purpose of the investment.
- **Level 4 (Development)** – The governance structure needs to combine its day-to-day focus with looking into the future at how the policy and planning environment is changing – thereby anticipating threats and opportunities before they happen. Typical activities may include research, forward planning and scenario planning. All other levels of the structure are highly reliant on the information gained; but this level is often neglected or completely ignored within many traditional governance structures. The LEP Management Team will fulfil this role, with findings reported to the LEP Partnership Board for consideration.
- **Level 5 (Programme Board)** – Strategic policy decisions and approvals of scheme spending are ultimately taken at this level, based on a clear understanding of the information received from all the other levels. The challenge is to understand both the day-to-day picture, whilst looking forward and anticipating new challenges and opportunities in the future.

6.7.3 The individual project managers will address risk as part of the project management of the scheme. This will accord with the requirements of the Assurance Framework and be overseen/supported by the Independent Technical Evaluator, the Marches EU Technical Assistants (on EU-related projects) and LEP Core Team officers, ensuring this process is robust and accords with LEP Partnership Board requirements.

**Diagram 4: Governance and Risk Management Model**



## **7.0 Appendices – Terms of Reference**

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Appendix 1 – The Marches Enterprise Joint Committee Constitution

Appendix 2 – The Marches LEP Partnership Board Terms of Reference

Appendix 3 – The Marches LEP Management Team Terms of Reference

Appendix 4 – The Marches LEP Performance, Risk and Monitoring Committee

Appendix 5 – The Marches Growth Hub Steering Group Terms of Reference

Appendix 6 – The Marches Skills Board Terms of Reference

Appendix 7 – Hereford Enterprise Zone

Appendix 8 – The Agri-Food Working Group Terms of Reference

Appendix 9 - The Marches Planning and Housing Partnership (MPHP)

Appendix 10 – The Marches European Structural Investment Funds (ESIF) Committee

Appendix 11 – The Marches Transport Sub Group

Appendix 12 – Telford Land Deal Board Terms of Reference

Appendix 13 - The Marches LEP Enquiries, Comments, Compliments & Complaints Policy

Appendix 14 – The Marches LEP Equality and Diversity Policy

Appendix 15 – Glossary of Terms

**Appendix 1 – The Marches Enterprise Joint Committee Constitution**

**Purpose of the Committee**

- Herefordshire Council, Shropshire Council and Telford and Wrekin Council have established an executive committee, known as the Marches Enterprise Joint Committee (MEJC), for the purpose of discharging the functions set out in the paragraph on roles and responsibilities below.
- MEJC is a joint committee of the executive for the purposes of Part VI of the Local Government Act 1972 and Part 1, Chapter 2 of the Local Government Act 2000 and the provisions applicable to joint committees of the executive shall apply to MEJC.
- MEJC will take decisions in accordance with the principles of good decision-making namely:
  - Giving consideration to all options available;
  - Having regard to due consultation;
  - Giving consideration to professional advice from officers;
  - Having clarity of aims and desired outcomes;
  - The action proposed must be proportionate to the desired outcome;
  - Having respect and regard for human rights;
  - A presumption for openness, transparency and accountability;
  - Only relevant matters being taken into account;
  - Due weight to all material considerations (including opportunities and risks);
  - Proper procedures being followed.

**Committee Membership and Voting**

<b>Membership Organisation</b>	<b>Member</b>	<b>Alternate</b>
Herefordshire Council	Cllr Tony Johnson (Chair)	Cllr Roger Phillips
Shropshire Council	Cllr Malcolm Pate	Cllr Steve Charmley
Telford and Wrekin Council	Cllr Kuldip Sahota	Cllr Shaun Davies
Marches LEP	Graham Wynn OBE	Mandy Thorn MBE/ Paul Hinkins

- MEJC shall comprise four members as follows: three voting members, each council being entitled to appoint one voting member who shall be a member of that council’s Cabinet; and one non-voting member, being the Marches LEP Partnership Board Chair. In the event of a voting member of the MEJC ceasing to be a member or executive member of their appointing council, that council shall appoint another voting member in their place. Only a voting member is entitled to be Chair or Vice Chair of MEJC.
- Each council may appoint members of its executive as named substitutes for voting members to attend meetings in the absence of a voting member appointed as above. The secretary of MEJC shall be notified of any named substitutes before commencement of the meeting.
- For the avoidance of doubt, it is a matter for the respective councils’ executives to appoint their voting members/substitutes.

- The MEJC shall, at its annual meeting, elect a Chair and Vice Chair from among its voting members; or may choose to adopt for that year a rotating Chair. In the event of an elected Chair and Vice Chair not being present the MEJC shall elect a Chair for the meeting from the voting members present.
- Two voting members shall constitute a quorum. Unless the law provides otherwise all matters shall be decided by a majority of the votes of the voting members present; if there are equal numbers of votes for and against, the Chair shall exercise a second, casting vote.

### **Meeting Arrangements**

- Herefordshire Council will act as secretariat to MEJC and provide all necessary governance support.
- MEJC shall meet at least annually and otherwise as may be determined by the Chair, or at the written (electronically or otherwise) request of any two voting members; any such request should be forwarded to the secretariat who will convene a meeting within 28 working days of receiving the request.
- The secretariat will give notice of time, date and venue for the meetings in accordance with the provisions of the access to information requirements of the Local Government Act 2000 as amended and ensure compliance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
- Unless explicitly provided for within this constitution; the relevant standing orders for MEJC are those of Herefordshire Council.

### **Roles and Responsibilities**

- MEJC shall fulfil the following executive functions, at all times having regard to the duty to co-operate and the views of the Marches LEP Partnership Board:
  - a) Set, monitor and review objectives and priorities for strategic economic investment across the Marches LEP area.
  - b) Agree allocation of Marches LEP revenue and capital spend that is under the control of the LEP Partnership Board and relating to the delivery of the LEP Strategic Economic Plan.
  - c) Agree Marches LEP capital expenditure programmes relating to the delivery of the LEP Strategic Economic Plan, and ensure policy and programmes are delivered effectively.
  - d) Agree Major Transport Scheme funding allocation in line with the LEP Strategic Economic Plan.
  - e) Ensure alignment between decision making regarding achievement of the Marches Strategic Economic Plan and decisions on other related areas of policy such as land use, transportation and wider community and economic regeneration.

- f) Influence and align government and public investment in order to boost economic growth within the Marches LEP area.
- g) Provide an annual report on the activities of MEJC to the three partner councils.
- h) Agree lead or accountable body status for any particular issue as necessary.
- i) Review and (where all three Leaders are present) amend the Terms of Reference of the MEJC.

*These Terms of Reference were last reviewed in March 2015. The membership table was last updated in March 2016.*

## Appendix 2 – The Marches LEP Partnership Board Terms of Reference

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### **Roles and Responsibilities**

- Set the overarching vision and strategy for economic growth in the Local Enterprise Partnership (LEP) area, including key priorities for investment, and develop and review strategic policy.
- Agree the Marches LEP Strategic Economic Plan and ESIF Strategy, Growth Deal, Skills Plan and other required strategies produced by the LEP.
- Determine the operating structure and governance arrangements of the LEP including making appointments to the Board and relevant LEP sub-groups.
- Oversee LEP Programme Management including information monitoring arrangements.
- Allocate LEP revenue and capital spend relating to the delivery of the LEP Economic Plan.
- Champion the Marches as a business investment location.
- The Board may delegate specific functions (or parts of functions) to other groups or individuals. However, the Board will retain overall responsibility for these functions even when they delegate responsibility for delivery.

### **Board Membership**

- The Board should have up to fifteen members: eleven Private Sector members, one Voluntary and Community Sector Member and three Council leaders representing the three administrative authorities within the partnership.
- The business of the partnership shall be conducted by its members sitting as a Board and meeting on a regular basis. The current Board comprises:

<b>Sector</b>	<b>Name</b>	<b>Job Title and Organisation</b>
<b>Private Sector Chair</b>	Graham Wynn OBE	TTC Group Ltd
<b>3 Area Business Board Chairs</b>	Frank Myers MBE	Chair of Herefordshire Business Board
	Mandy Thorn MBE	Chair of Shropshire Business Board
	Paul Hinkins	Chair of Telford Business Board
<b>2 Co-opted Business Champions</b>	Bill Jackson	Chair of Hereford Enterprise Zone
	Dr David Llewellyn	Vice Chancellor of Harper Adams University
<b>Community &amp; Voluntary Sector</b>	Sonia Roberts	Charity Manager, Landau
<b>Financial/Professional Services</b>	Christian Dangerfield	Strategic Corporate Finance Consultant
<b>Housing</b>	Peter Brown	Chief Executive, Herefordshire Housing Ltd
<b>Skills Champion</b>	Prof. Ian Oakes	Deputy Vice Chancellor, University of Wolverhampton
<b>16-18 Skills &amp; Workforce Development Lead</b>	Steve Wain	Principal of Shrewsbury College and Chair of the Association of Colleges
<b>Manufacturing &amp; Large Employer</b>	Duncan Varnes	Site Operations Director - Telford, GKN Auto Structures Ltd
<b>3 Local Authority Leaders</b>	Cllr Tony Johnson	Leader of Herefordshire Council
	Cllr Malcolm Pate	Leader of Shropshire Council
	Cllr Kuldip Sahota	Leader of Telford and Wrekin Council

*Table last updated March 2016*

- The Council Leaders are determined by the three administrative authorities.
- The Chairs of the three Area Business Boards will be elected by their own Business Board Membership in accordance with their constitution/Terms of Reference. They can serve on the LEP Board for a maximum of six years.
- The initial term of office for co-opted Private Sector members (including Business and Skills Champions) is two years. At the end of their two year office, the Chair, in consultation with the Board members, may re-invite the Private Sector members to serve a further two years; they can serve a maximum of six years on the Board.
- The Board may establish Task and Finish groups or committees as may be necessary to facilitate the conduct of its business.
- The Board shall meet bi-monthly in accordance with a timetable of identified dates and/or at such a time and place as the Board may from time to time determine. Meeting dates for the following calendar year will be issued in November of the previous year.
- The Chair may call a meeting of the Board at any time, giving not less than seven days' notice. Such notice shall be in writing and shall be left with, sent by post or emailed to each Member. The notice shall specify brief details of the principal items of business proposed to be transacted at that meeting in addition to the date, time and place of the meeting.
- Where an emergency meeting is called, the notice period may be waived and the reason for doing so will be recorded in the minutes of the meeting.

- In extreme cases of urgency, the Chair, after ascertaining the views of members, shall have the power to act on behalf of the Partnership, providing that in such cases any business is reported to the next meeting of the Board and confirmed in the minutes.

### **Attendance at Meetings**

Meetings will be attended by:

- Board Members (Council Leaders accompanied by one senior officer);
- The LEP Director (accompanied by such members of staff that may be required to support them in this role) and;
- Where expert input is required for a particular discussion item, Department for Business Innovation and Skills (BIS) or Department for Communities and Local Government (DCLG) representatives, local authority senior officers and other advisors/observers/ partners can attend and present information by resolution of the Board or at the request of the Chair.
- If a member is incapacitated by illness or has been absent from meetings of the LEP for more than three meetings in any twelve month period, without the agreed consent of the Board or the Chair, the Board may resolve that the member has vacated the office.

### **Apologies for Absence**

- Members who cannot attend a meeting should give their apologies to the LEP Director.
- Local Authority members who cannot attend a meeting may be represented by a named substitute of no lower than Cabinet Member/Portfolio Holder status.

### **Board Papers**

- Papers for Board meetings will be kept electronically and be made available to members at least four working days before the meeting. Papers will be available for Board members only to access from a secure location on the LEP's website.
- Board Members wishing to place items onto the Board meeting agenda should notify the LEP Director for consideration of inclusion on the agenda, at least ten working days prior to the meeting. The LEP Director shall keep a list of notified items. The Chair will be responsible for managing the size of the agenda for each meeting and will have the final decision on inclusion of notified agenda items.

### **Recruitment of LEP Chair**

- The Private Sector LEP Chair will be recruited by open recruitment.
- The Chair will be selected by an appointments panel, members of which will be agreed by the Board members.
- The Chair's initial appointment will be for two years. At the end of two years in office, the Chair can seek re-election by the LEP Board Members. Election of the Chair shall be undertaken by vote. The Chair can seek re-election only twice, so can serve a maximum of six years.
- A non-local authority Deputy Chair will be appointed to support the Chair and cover for them when not available. The Deputy Chairmanship is not a successive position.
- The Chair shall preside over any meetings of the Board. If the Chair is absent, the Deputy Chair will chair the meeting.

### **Recruitment of Board members**

- Board members will be recruited by open recruitment.

- The Chair will draw together an Appointment Panel from among the Board membership as and when required.

### **Quorum**

- No business will be transacted at a meeting of the Board unless at least eight members of the Board are present, at least five of whom shall be Private Sector members.
- If such a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or to such time and place as may be determined.

### **Voting and Decisions**

- All decisions will be made with a consensus approach. Should a consensus not be reached, a vote will be taken. Only Board members are entitled to vote. In the event that a Board member cannot attend, their named substitute may attend and vote on their behalf. Those in attendance in an ex-officio capacity, invited advisors, or observers will not be entitled to vote. It will be at the Chair's discretion as to whether or not observers/advisors should leave the room when voting takes place. Any decisions put to the vote shall be decided by a majority of the members present and voting at that meeting. In the event of a tie in votes, the Chair of the meeting will have the casting vote.
- Voting shall be by such means as may be agreed by the members present, provided that, before a meeting, the Chairman or any member may request a vote be taken by a show of hands on any resolution or business.
- In order to enable the LEP to progress its business in an efficient manner, the Board can progress its business by using written procedure. This may be used where substantial new information is only made available at a Board meeting or a consultation on Government policy issues where responses are required prior to next meeting. In these cases, the Director will arrange for members to be sent an email notification which identifies the following:
  - The date of the proposal and date that responses are required by;
  - The name of the person making or putting forward the proposal/decision;
  - Details of the proposal.

Two working days after the close of responses, the LEP Director will arrange for members to be notified of:

- Responses received;
- Any mitigating action taken to address members' stated views or concerns;
- The date when any decision reached comes into effect.

If a decision is required, the voting rules are the same as those for a decision taken in a meeting, however, on an electronic vote, a unanimous response will be required to enable a decision to carry. If the vote is not unanimous, the Board will need to be reconvened. Electronic voting will be used sparingly and only at the Chair's discretion.

### **Minutes**

- Minutes of Board meetings will be drawn up and kept electronically. The minutes shall be made available to Board members only in the secure area of the LEP website within five working days of the meeting and be submitted to the next meeting for approval as to their accuracy. The minutes as approved by the Board

shall be received as conclusive evidence of the facts stated therein and that the meeting had been duly convened and validly held.

- The names of the members present at a meeting shall be recorded in the minutes. If any officer or employee of the LEP or any other body or organisation attends the meeting, the name of that officer or employee shall be recorded as being in attendance.

### **Openness of Board Meetings**

- The Board will:
  - a) Share Board approved, non-confidential agendas and minutes via the LEP website;
  - b) Hold an Annual Public Meeting and produce an Annual Report;
  - c) Hold open events for discussion and engagement with the Private Sector and other stakeholders to monitor and discuss aspects of the Work Programme and progress at such time and place as the Board may from time to time determine.
  - d) Share other details of the key practices and standards of the Marches LEP through its Accountability and Assurance Framework published on the Marches LEP website.

### **Confidentiality of Information**

- Notwithstanding the requirements of the Data Protection and Freedom of information Acts, as a general rule, papers received at Board meetings will be non-confidential unless:
  - a) They contain information relating to any individual, likely to reveal the identity of an individual;
  - b) Relate to the financial or business affairs of any particular person or organisation;
  - c) Relate to any consultations, negotiations or legal proceedings in connection with any labour relations matter, or proposed contract, or commercial transaction by or on behalf of the LEP and disclosure would prejudice those consultations, negotiations or legal proceedings.
- Members and officers of the LEP shall treat all information held by the LEP in confidence, except in the case of information contained or included in a public document, or unless the LEP resolves otherwise.

### **Review of this Document**

- These Terms of Reference will be reviewed annually.

### **Code of Conduct for Marches LEP Board Members and Officers**

- The Code of Conduct for Marches LEP Board members and officers has been adopted to show members' commitment to operate in as open a way as is possible, whilst maintaining the highest standards of conduct for such a Partnership.
- The provisions of the Code are detailed below and apply equally to each and every member of the Board; this includes when they are acting as members of a committee or group established by the Board.
- Board members will review the provisions of the Code annually. Changes may be made during the year as and when this is thought to be appropriate.

### **Pecuniary Interests – Conduct of Board Business**

- Members of the Board will:

- a) Support the aims and objectives of the LEP Partnership and promote the interests of the Partnership within their business community.
- b) Work co-operatively with other Board Members, secretariat and officers in the best interests of the Partnership.
- c) Actively support equal opportunities in the work of the Partnership and make provision for it within the Board Plan (The Marches LEP Equality and Diversity Policy is available on the LEP website).
- d) Acknowledge that as an individual member they have no legal authority outside meetings of the LEP Partnership Board and its groups or committees.
- e) Act honestly, diligently and in good faith, noting that to do so may require taking professional advice.
- f) Resist any temptation or outside pressure to use the position of Board Member to benefit themselves or other individuals or agencies.
- g) Not accept offers of money, gifts or hospitality as an inducement or reward for anything you do as a member of the LEP Partnership Board.
- h) Avoid putting themselves in a position where there is a conflict (actual or potential) between their personal interests and those of the LEP Partnership Board (See Board members' conflicts of interest below).
- i) Acknowledge that differences of opinion may arise in discussion but once a decision has been made by the LEP Partnership Board to support the decision.
- j) Base their views on matters before the LEP Partnership Board on an honest assessment of the available facts, unbiased by partisan or representative views.
- k) Understand that an individual member does not have the right to make statements or express opinions on behalf of the LEP Partnership Board unless specifically authorised to do so.
- l) Respect the confidentiality of items of business which the Board decides should remain confidential.
- m) Honour the obligations on all members not to reveal to third parties the views expressed at meetings.
- n) Have regard to the broader responsibilities as a Member of the Board including the need to promote public accountability for the actions and performance of the LEP Partnership Board.
- o) Take or seek opportunities to enhance their effectiveness as a member through participation in training and development programmes and by increasing their knowledge of the Marches economy and its Local Enterprise Partnership.
- p) Give priority, as far as practicable, to attendance at Board meetings and its committees or groups.

### **Board Members' Conduct**

All business of the Partnership will be conducted in accordance with the Nolan Principles of Public Life, as defined by the Committee for Standards in Public Life. They are:

1. **Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
2. **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

3. **Objectivity:** In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merits.
4. **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
6. **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
7. **Leadership:** Holders of public office should promote and support these principles by leadership and example.

### **Declarations of Interest**

- Board Members have a duty to declare their interests (direct or indirect) in transactions or arrangements involving the Marches in the LEP Register of Financial and Other Interests. The information gathered is intended to constitute a standing declaration of interests by Marches LEP Members in respect of any of the matters disclosed in it, which will accordingly be disclosed to the Marches LEP Board for this purpose.
- If a Board Member subsequently becomes interested (directly or indirectly) in a transaction or arrangement with the Marches LEP, and the nature of that interest is not disclosed on this form, it is the responsibility of that Member to ensure that he/she makes a separate and specific declaration of that interest to the Board either prior to the proposed transaction being entered into, or as soon as practicable thereafter.

### **Board Members' conflicts of interests**

- In addition to the duty to declare interests in actual or proposed transactions, Marches LEP Board Members have a duty to avoid a situation whereby their personal or other interests and the interests of the Marches LEP conflict, or have the potential to conflict, unless such conflict or potential conflict of interest is authorised by the other Members. An example might be where a Member of the Marches LEP is also a Board Member of another LEP that is competing for the same funds, or where he/she or his/her spouse or his/her business is in a position to exploit an opportunity that the Marches LEP also wishes to exploit.
- Members whose personal or other interests conflict with those of the Marches LEP must therefore take steps to seek the authorisation of the Board for such conflict.
- The information collected will be placed into a register which the Marches LEP will use to monitor its compliance, and the compliance of the individuals completing it, with the law relating to conflicts of interests.
- The register will be placed on the Marches LEP web site and will be open to inspection by all.

**Public Confidence in the Partnership**

- Any Board member who has or has had an interest in a company liquidation, receivership, or administration of a company, or who has been summonsed or convicted of a criminal charge, or who has been involved in any activity which might undermine public confidence in the LEP shall immediately inform the Chair and LEP Director.

**Bankruptcy**

- If a Board Member becomes bankrupt, or makes arrangements with his/her creditors related to bankruptcy, he/she shall inform the Chair and the LEP Director.

*These Terms of Reference were last updated at the 18 May 2015 LEP Board Meeting.*

## Appendix 3 – The Marches LEP Management Team Terms of Reference

### Purpose of the LEP Management Team

- The LEP Management Team is responsible for supporting the LEP Partnership Board in strategy development, coordinating the management of the Strategic Economic Plan Work Programme and the day to day administration of the Partnership including internal and external communications.

### Membership of the Management Team

	<b>Name</b>	<b>Title</b>	<b>Organisation</b>
<b>Management Team</b>	Graham Wynn, OBE	LEP Chairman	TTC Group
	Mandy Thorn MBE	LEP Deputy Chair	Marches Care Ltd
	Paul Hinkins	LEP Deputy Chair	Business Watch Guarding Ltd
	Gill Hamer	LEP Director	Marches LEP
	James Walton	Finance (S151) Officer	Shropshire Council
	Claire Ward	Monitoring Officer	Herefordshire Council

### Supported by:

	<b>Name</b>	<b>Title</b>	<b>Organisation</b>
<b>LEP Core Team</b>	Jacqui Casey	LEP Partnership Manager	Marches LEP
<b>EU Technical Assistants</b>	Gary Spence	EU Technical Assistant	Marches LEP
<b>Independent Technical Evaluator</b>	Tbc	Independent Technical Evaluator	
<b>PR &amp; Communications</b>	Amy Bould	PR & Communications Lead	Be Bold Media Ltd
<b>Council Directors/ Heads of Service</b>	Geoff Hughes	Director of Economies, Communities & Corporate	Herefordshire Council
	George Candler	Director of Commissioning	Shropshire Council
	Katherine Kynaston	Assistant Director	Telford & Wrekin Council

- This comprises of the LEP Chairman, LEP Director, Finance (S151) Officer, Monitoring Officer, plus support of Core Team, Council Directors/Heads of Service (x 6), Public Relations and Communications Lead, Transport Infrastructure Independent Technical Evaluator (ITE), EU Technical Assistants (x 2).

### Roles and Responsibilities:

- Undertake day-to-day management of LEP business, set within parameters and constraints agreed by the LEP Partnership Board and oversee the operational management arrangements put in place by the Partnership Board.

- Develop proposals for strategies to put forward to the LEP Partnership Board for agreement, including responsibility to ensure the wider engagement of businesses and stakeholders in the development process.
- Develop proposals for the LEP operating structure and any required reviews to put forward to the LEP Partnership Board for agreement.
- Put in place arrangements to implement the overarching economic strategy (including SEP, Growth Deal, ESIF, Skills Plan and other required strategies produced by the LEP), any required Delivery, Monitoring and Evaluation Plans and Annual Reports.
- Day-to-day oversight of the delivery programme management arrangements put in place by the LEP Partnership Board, working to agreed delegations to undertake programme management of the Growth Deal, ESIF and other relevant programmes and reporting quarterly to the LEP Partnership Board; including:
  - Ensuring projects are suitably managed within the accountability and assurance framework agreed by the LEP Partnership Board and Finance (S151) Officer
  - Agreeing targets against which programmes will be managed
  - Holding delivery agents to account
  - Monitoring the ability to deliver the objectives
  - Maintaining and managing a risk register and associated mitigation plan
  - Identifying and actioning solutions to problems related to delivery of the programme
  - Recommending cost re-profiling of projects to the LEP Partnership Board where project costs are increasing beyond budget, or where overspends and underspends are likely.
- Determining strategic communications for all LEP programmes.
- Identifying opportunities and making arrangements to work in partnership with neighbouring LEPs where priorities are shared and could be best implemented jointly.

### **Delegations**

- To deliver the Business Plan and Action Plan and to report back to the LEP Partnership Board on exceptions and key performance indicators agreed by the LEP Partnership Board.
- To control all matters regarding the day-to-day administration of the LEP service, including taking and implementing decisions concerned with maintaining operational effectiveness or matters which fall within a policy decision taken by the Partnership Board.
- To authorise expenditure on office operating costs up to the value of £3,000 (examples might include business events, additional PR or IT requirements, staff travel).
- To make formal responses on behalf of the partnership to Government, EU or other relevant partners on policy documents without reference first to the Board where the timescales do not allow, after consultation with the Chair.

### Programme Management

- To authorise expenditure on work to progress pipeline development projects (i.e. projects prioritised by the Board) up to the value of £20,000 without reference first to the Board where the timescales do not allow, in consultation with the Chair and S151 Officer.
- To authorise a course of action for an individual project, in consultation with the Management Team, where a project is underperforming in relation to key milestones and/or expenditure by up to 10% variance.
- To recommend a course of action to the LEP Partnership Board for their decision, in consultation with the Management Team, where a project is underperforming in relation to key milestones and/or expenditure by over 10%.

### S151 Officer has authority:

- To programme manage movement of funds to meet quarterly spend targets in the light of project performance data provided by the Management team and in response to recommendations of the LEP Director and LEP Partnership Board.

### **Management Team Meetings**

- In the event of absence, a named deputy may attend.
- Members and their nominated deputies will comply with the LEP Code of Conduct included in the Partnerships Terms of Reference (Nolan Principles of Public Life).
- Meetings will take place every month.
- A draft agenda will be circulated three days in advance and papers within two working days of the meeting.
- Papers are circulated electronically by email and actions shared with the LEP Partnership Board.

### **Named Deputies**

<b>Name</b>	<b>Deputy</b>
Gill Hamer	Jacqui Casey
James Walton	Cheryl Williams
Claire Ward	Annie Brookes

### **Reporting**

- The Management Team will report to the Board and will receive regular reports from the task-specific Project Groups E.g. Funding Forum, Housing and Planning Group, outlining progress and raising key issues.

*These Terms of Reference were last updated in March 2015.*

## Appendix 4 – The Marches LEP Performance, Risk and Monitoring Committee

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### **Roles and Responsibilities:**

A sub-group of the LEP Board which will operate under the following delegations from the Board and will be responsible for:

### **Performance Monitoring:**

- Monitoring the delivery, outputs and spend of the projects funded under the Growth Deal Programme or other funding programmes including Marches Investment Fund Loan Programme, Regional Growth Funds (Redundant Building Grant).
- Make recommendations on the annual LEP Core budget and monitoring expenditure (which includes the funding for the LEP Team).
- Making recommendations on courses of action if projects are delayed and/or not spending to profile, referring issues and any significant proposals for change to the above mentioned Programmes to the LEP Board and Accountable Body Finance Section 151 (S151) Officer.
- Maintaining strategic oversight of all LEP led expenditure to ensure that, taken together, it represents value for money.
- Dealing with Stage 2 complaints, as per The Marches LEP Enquiries, Comments, Compliments and Complaints Policy.

### **Governance:**

- Monitoring LEP legal and governance compliance e.g. data protection, health and safety, FOI, complaints, declarations of interest, gifts and hospitality etc. for the LEP team.
- Ensuring the Risk Registers for Growth Deal, Marches Investment Fund and other LEP programmes are reviewed and that all mitigations are up to date/appropriate and, if a project is at risk, this is brought to the attention of the LEP Board with recommendations for action.
- Receiving details of regular independent internal and external audit reports and assurance checks, undertaken or commissioned by the Accountable Body, to verify that the LEP is operating effectively within the terms of its agreed Accountability and Assurance Framework. And, if concerns are identified in any audits, making recommendations to the LEP Board on the actions required to remedy any shortcomings identified within any such audit.

### **Democratic/Financial Accountability:**

This sub-group will:

- Be chaired by a private sector LEP Partnership Board Member and comprise of LEP Board Member only, ensuring geographic balance in its representation.
- Be a Sub-Group of the Board and will present exception reports at the bi-monthly LEP Board meetings, in order for them to fulfil their monitoring programme finance

and output metrics, including other essential information on individual project performance and management of risk.

- Meet bi-monthly between Board meetings and will be deemed quorate if at least 2 Board members attend the meetings.
- The Membership and Chairmanship of the sub-group and its Terms of Reference will be reviewed on an annual basis by the LEP Board (see details of Membership below).
- The sub-group Members will receive meeting papers from the LEP team and other supporting officers 4 working days before a meeting and minutes of the meetings will be circulated 4 working days after every meeting.
- Not make decisions on new funding allocations.

**Membership:**

<b>Sector</b>	<b>Name</b>	<b>Job Title and Organisation</b>
<b>Chair</b>	Mandy Thorn MBE	Chair of Shropshire Business Board
<b>2 Private Sector representatives</b>	Paul Hinkins	Chair of Telford Business Board
	Christian Dangerfield	Strategic Corporate Finance Consultant
<b>Supporting Officers</b>	James Walton	Finance (S151) Officer, Shropshire Council
	Peter Robinson	Finance (S151) Officer, Herefordshire Council
	Ken Clarke	Finance (S151) Officer, Telford & Wrekin Council
	TBC	Independent Technical Evaluator
	Claire Ward	Monitoring Officer, Herefordshire Council
	Gill Hamer	Marches LEP Director
	Jacqui Casey	Marches LEP Partnership Manager
	Tbc	Marches LEP Project Officer

*These Terms of Reference were agreed at the 18 May 2015 LEP Board Meeting.*

## Appendix 5 – Marches Growth Hub Steering Group Terms of Reference

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### **Roles and Responsibilities:**

A sub-group of the LEP Board which will operate under the following delegations from the Board and will be responsible for:

- Setting Key Performance Indicators for the Growth Hub and monitoring progress.
- Receiving and to review activity and performance reports from the LEP Director and Growth Hub Manager and recommending actions, as appropriate.
- Monitoring expenditure to ensure it represents value for money and it is financed in accordance with the funding agreement with BIS (dated 12 March 2015) and the Accountable Body Finance Section 151 (S151) Officer.
- Monitoring and reviewing customer and stakeholder satisfaction surveys.
- Monitoring the demand for the service in relation to volumes of clients via email, website and phone.
- Reviewing and monitoring the number of referrals to local and national business support delivery partners and their feedback/ response rates.
- Monitoring legal compliance e.g. data protection.
- Ensuring the Risk Register is reviewed and that all mitigations are up to date/ appropriate. High risk activity is brought to the attention of the LEP Board with recommendations for action.
- Approving the long-term sustainability business plan for the Growth Hub and review and agree a forward business plan and funding package (post April 2016), referring issues and any significant proposals for change to the LEP Board.
- Ensuring that the Growth Hub is aligned with the LEP's Strategic Economic Plan.
- Approving the annual report (interim Spring 2016) and to undertake and review actions outlined within BIS Business Simplification Review Toolkit, dated 28 March 2015.
- Approving and monitoring the marketing plan to be developed by the procured Marketing and PR agency.
- Agreeing the Memorandum of Understanding and data sharing between the Marches Growth Hub, BIS and National Business Support Helpline.

### **Democratic/Financial Accountability:**

This sub-group will:

- Be a sub-group of the Board and will present exception reports at the bi-monthly LEP Board meetings, in order for them to fulfil their monitoring programme finance and output metrics, including other essential information on the Growth Hub performance and management of risk.
- Meet quarterly and will be deemed quorate if at least 2 LEP Business Board members attend the meetings.
- The Membership and Chairmanship of the sub-group and its Terms of Reference will be reviewed on an annual basis by the LEP Board (see details of membership overleaf).
- Have a geographical balance to its membership.
- The sub-group members will receive meeting papers from the Growth Hub Project Manager and other LEP supporting officers 4 working days before a meeting and minutes of the meetings will be circulated 4 working days after every meeting.

## Membership:

Sector	Name	Job Title and Organisation
<b>Chair (Private Sector)</b>	Paul Hinkins	LEP Board Member and Chair of Telford Business Board
<b>BIS Local</b>	Michelle Nutt	Assistant Director BIS West Midlands
<b>3 Private Sector representatives</b>	Frank Myers	Herefordshire Business Board Representative
	Paul Bennett	Shropshire Business Board Representative – Partner, Aaron and Partners LLP
	Gary Halpin	Telford Business Board Representative – Managing Director of Good2Great
<b>Chamber of Commerce (Business Rep. Non-Secretariat)</b>	Nic Laurens	Chamber Member Manager Director Severn Diamond Ltd
<b>Skills Representative</b>	Paul O'Neill	Director - Marches Skills Provider Networks
<b>Federation of Small Businesses</b>	Ray Hickinbottom	FSB Chair (Shropshire) and Management Consultant
<b>Public Sector Representative (rotating)</b>	Katherine Kynaston	Telford & Wrekin Council - Assistant Director
	Nick Webster	Herefordshire Council - Economic Development Manager
	Claire Cox	Shropshire Council - Service Manager for Business & Enterprise
<b>Marches LEP</b>	Gill Hamer	LEP Director
<b>Supporting Officers</b>	To be confirmed	Growth Hub Project Manager
	Caroline Cattle	LEP Project Officer

*These Terms of Reference were last updated on 16<sup>th</sup> September 2015.*

*Membership table last updated on 9<sup>th</sup> March 2015.*

## Appendix 6 – The Marches Skills Board Terms of Reference

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### **Roles and Responsibilities:**

A sub-group of the LEP Board which will operate under the following delegations from the Board and will be responsible for:

- Ensuring the LEP Skills Plan takes forward the priorities of the Strategic Economic Plan (SEP) and oversees the development and agrees the updates on the skills needs when the SEP is updated.
- Leading the review of the Skills Plan, agreeing priorities for action and monitoring the implementation of the Skills Action Plan.
- Ensuring the Skills Plan reflects the skills needs of employers in the Marches, in particular for the priority sectors - Food and Drink and Agri-Tech, Manufacturing and Advanced Engineering, Defence and Cyber Security, Construction and Environmental Technologies. This will include undertaking primary/secondary research, attending focus groups with employers and identifying the gap between young people's skills and those required by employers.
- Ensuring the Skills Plan reflects the skills development needs of children and young people to ensure that they are able to fulfil the requirements of the raising of the participation age. (To continue in education or training until at least their 18<sup>th</sup> birthday, which could be full time education, work based learning such as an apprenticeship or traineeship, part time education or training combined with employment, self-employment or volunteering).
- Having oversight of the delivery of Traineeships and Apprenticeships including higher and degree level apprenticeships in the Marches and actively working with training providers and colleges to encourage take-up of Apprenticeships.
- Overseeing the selection process and making recommendations to the LEP Board on the projects to be funded with Growth Deal Skills Capital Funding.
- Identifying the activities to be funded under the ESF programme in partnership with the Skills Funding Agency and make recommendations to the LEP Board and the ESIF Committee on the allocation of ESF funds.
- To receive regular reports on the work and the activities of the Growth Hub, in particular the levels of skills support enquiries and providing feedback on the content of skills support on the Growth Hub website.
- Attending on behalf of the LEP skills events and workshops.

### **Democratic/Financial Accountability:**

This sub-group will:

- Be a Sub-Group of the Board and present exception reports at the bi-monthly LEP Board meetings. The reports to include information on Capital Skills projects, spend and outputs.
- Meet quarterly and will be deemed quorate if at least 3 Business Board members attend the meetings.
- The Membership and Chairmanship of the sub-group and its Terms of Reference will be reviewed every two years by the LEP Board (see details of Membership below).
- Have a geographical balance to its membership.

- The sub-group Members will receive meeting papers from the Skills Operational Group and other LEP supporting officers 4 working days before a meeting and minutes of the meetings will be circulated 4 working days after every meeting.
- Members must declare an interest in any agenda items at the start of each meeting and not participate in discussions about either the development of project call specifications that are limited to scope/relate to a project in which they have an interest; or outline and full applications that have been submitted by them or organisations for which they work/by whom that are employed/that they own/that they represent.
- Members will be required to register any organisational and/or personal interests of his or her own or immediate family which might be seen as creating a possible conflict of interest with their position on the Skills Board with regard to the functions set out in the Terms of Reference for the Skills Board. Each Board member will be required to complete and sign a LEP form before joining the Board. These details will be retained by the LEP Secretariat and be logged on the LEP Register of Interests
- All Board members must act in accordance with the “Seven Principles of Public Life” known as the Nolan Principles (see Annex 1).

#### Membership:

Sector	Name	Job Title and Organisation
<b>Chair (Private Sector)</b>	Prof. Ian Oakes	LEP Board Member and Skills Champion
<b>Skills Funding Agency</b>	Sarah Morris	Area Manager
<b>6 Private Sector representatives from Business Boards 1 Large employer – 250 + and one small employer</b>	TBC Frank Myers (interim)	2 x Business Board Representatives: Herefordshire
	Matthew Snelson Lindsay Barton	2 x Business Board Representatives: Shropshire
	Stuart Bishop Daniel Leech	2 x Business Board Representatives: Telford
<b>Higher Education</b>	Andy Jones Paul Kirkbright	Harper Adams University University Centre Shrewsbury
<b>Further Education</b>	Ian Peake	Association of College Principals
<b>Private Sector Training Provider</b>	Clair Schafer Deputy: Paul O’Neill	Marches Skills Provider Network
<b>Local Authority Representative</b>	One of: Alexia Heath, Sue Marston and Janine Vernon	Herefordshire Council, Shropshire Council and Telford & Wrekin Council
<b>Social &amp; Community</b>	Sonia Roberts	Chair of Community & Voluntary Sector Group, Charity Manager - Landau, LEP Board Member
<b>Marches LEP</b>	Gill Hamer	LEP Director
<b>Marches LEP</b>	TBC	LEP Skills Programme Manager

*These Terms of Reference were last updated at the 21 July 2015 LEP Board Meeting. The membership table was updated 31 August 2015.*

## Appendix 7 – Hereford Enterprise Zone

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Landowner members.

The Goodwin Trust and any body or individual who holds freehold title to property within the Enterprise Zone from time to time is eligible to be admitted to the Company as a Landowner Member by the Landowner Board.

Stakeholder members.

A body or individual which the Executive Board considers to have a vested interest in the Enterprise Zone is eligible to be admitted to the Company as a Stakeholder Member by the Executive Board Bodies which the Executive Board may, in its absolute discretion, consider to admit as a Stakeholder member include:

- a) Any local enterprise partnership which represents or is associated with the Enterprise Zone,
- b) Any local authority in addition to Herefordshire Council which is represented by any local enterprise partnership which is a Stakeholder Members,
- c) Any business board or business consortium which represents businesses within the reasonable local geography of the Enterprise Zone,
- d) Any government agency including but not limited to DCLG, and
- e) Such other bodies or individuals as are agreed from time to time to be admitted to the Company as Stakeholder Members by the Executive Board.

Associate members.

A body or individual which the Executive Board considers may be beneficial to the furtherance of the Company's objects but which many not have a direct interest in the Enterprise Zone is eligible to be admitted to the Company as an Associate Member by the Executive Board.

The purpose of the Landowner Board is:

- 1) To resolve any undecided matter,
- 2) To resolve any matter which cannot be agreed upon by the member board, and
- 3) To approve any exceptional matter.

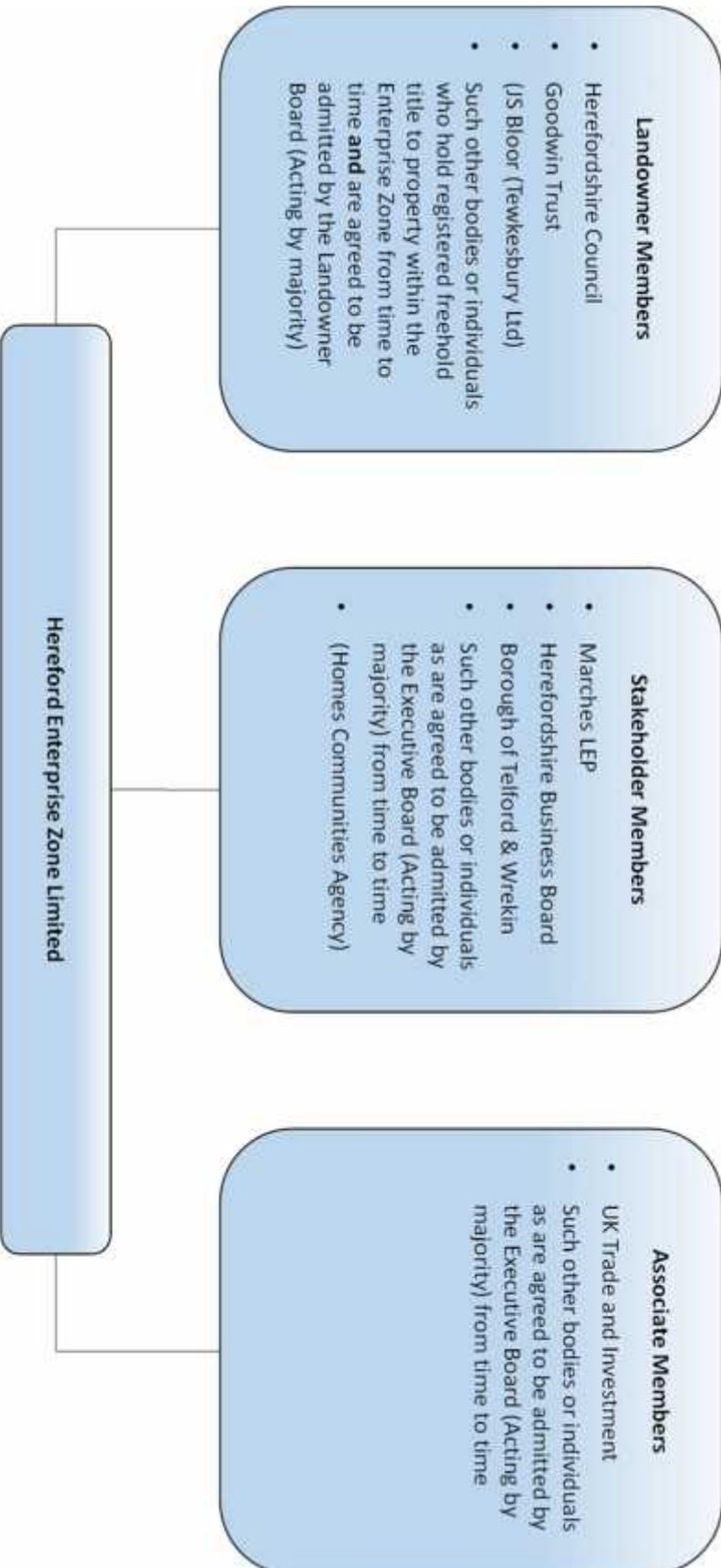
The purpose of the Member Board is:

- 1) To meet approximately every four months to receive the reports and updates of the executive board from the Chairman on the Company's day to day business, and
- 2) To provide an official forum at which the members can discuss the business of the company and give feedback and comments to the executive board.

This text is an extract from the Articles of Association which can be found via this link:

<https://beta.companieshouse.gov.uk/company/08584242/filing-history>

## Members of the Hereford Enterprise Zone Limited



## Hereford Enterprise Zone Members Board

Organisation/position	Current member
Independent Private Sector	Bill Jackson (Chair)
Herefordshire Business Community	Neil Kerr (Vice Chair)
Herefordshire Business Community	Glyn Morgan
Goodwin Trust	Tracey Goodwin
Herefordshire Council – Lead Councillor for the Enterprise Zone	Cllr Graham Powell
Herefordshire Council – Senior Officer for Economic Development and Enterprise Zone	Geoff Hughes
Herefordshire Council – Senior Officer with responsibility for Finance	tbc
Shropshire Business Community/LEP representative	Mandy Thorn
Shropshire Council – Director of Commissioning	George Candler
Telford & Wrekin Business Community/LEP representative	Graham Wynn
Telford & Wrekin Council	Richard Partington

## Hereford Enterprise Zone Executive Board

Organisation/position	Current member
Independent Private Sector	Bill Jackson (Chair)
Herefordshire Business Community	Neil Kerr (Vice Chair)
Herefordshire Business Community	Glyn Morgan
Goodwin Trust	Tracey Goodwin
Herefordshire Council – Lead Councillor for the Enterprise Zone	Cllr Graham Powell
Herefordshire Council – Senior Officer for Economic Development and Enterprise Zone	Geoff Hughes
Enterprise Zone Managing Director	Mark Pearce

## Appendix 8 – The Marches Agri-Food Working Group Terms of Reference

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The Marches Agri-Food Working Group works to support Marches businesses operating across the agri-food chain, from farm production through to food retailers.

### Roles and Responsibilities:

1. Advise the LEP Board on the national policy context for the agri-food industry and how this translates in terms of business impact at the local level.
2. Identify and advise the LEP Board on the essential strategic investment priorities required to meet the growth needs of the Marches agri-food industry
3. Provide advice on how the identified strategic outcomes can be achieved, the resources necessary to deliver and those that might require public sector intervention.
4. Inform revisions to and support delivery of the LEP's Strategic Economic Plan, ensuring that investment priorities for the agri-food industry continue to maximise sustainable business growth opportunities and align with the wider economic growth policy objectives, for example the Marches skills agenda.
5. Build a strong evidence base for the Marches agri-food industry that can underpin the business case for interventions that will have a positive strategic impact on sustainable economic growth of the Marches agri-food industry.
6. Support the LEP Board in lobbying for industry improvements that will positively impact upon business growth and investment.
7. Review, and where appropriate, recommend to the LEP Board a suitable response to consultations on agri-food policy and related strategies.
8. Advise the LEP Board on issues relating to liaison with neighbouring LEPs, DEFRA, Midlands Connect and Welsh Government regarding the development of strategic cross-boundary schemes.
9. Promote strong dialogue with key partners, such as LEPs, DEFRA and the Welsh Government, enabling forward planning for the Programme of Work to be undertaken within a mutual understanding of key priorities and forthcoming opportunities.
10. Advise the LEP Board on opportunities to secure funds to meet Marches agri-food industry priorities.
11. Seek and consider the views of relevant stakeholders as required in developing the programme of work to support the agri-food industry on behalf of the LEP.

**Membership:**

<b>Chair</b>	Dr David Llewellyn	LEP Board Lead
	Steve Thompson	Director, ABP Food Group
	Mark Tweddle	MD, Jupiter Marketing Ltd.
	TBC	
	Helen Thomas	Herefordshire Business Board, Sector Lead
	Dr Catherine Baxter	Shropshire Business Board, Sector Lead
	Prof Ralph Early	Telford Business Board Sector Lead
<b>Supporting Officers</b>	Jacqui Casey	Marches LEP
	Gail Thomas	Marches LEP

These Terms of Reference were agreed at the LEP meeting 26<sup>th</sup> January 2016.

## Appendix 9 – The Marches Planning and Housing Partnership (MPHP)

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### **Purpose:**

The Partnership is the principal vehicle for high level coordination and cooperation in Planning and Housing strategy and delivery at a sub-regional level. Reporting to and acting on behalf of the Marches Local Enterprise Partnership, its purposes are to facilitate regular discussion between elected decision makers, senior housing and planning professionals, sector experts and engaged regional advisors regarding:

- a) The relationships between national funding and local policy and delivery to support the agenda for growth and prosperity
- b) Maximise the role of housing in contributing to economic growth
- c) A strategic overview of Planning and Housing performance in the Marches Area against the terms of the High Level Planning and Housing Statement and the LEP Business plan
- d) Providing leadership on sub-regional strategic Planning and Housing policy decisions for and on behalf of the Marches Local Enterprise Partnership
- e) Sharing best practice and exploring the potential for joint approaches within and across sectors

### **Operation:**

The Planning and Housing Partnership Executive will steer the Partnership and assign work to officer Task and Finish Groups that will report back to the Executive, which in turn will regularly be steered by and update the LEP Board. The Partnership will also organise regular Standing Conferences to widen debate, incubate ideas and share innovation.

Executive Meeting frequency: quarterly.

Venue: a suitable mid-point between Shrewsbury, Telford and Hereford.

The chair of the Executive will be a candidate from one of the three sub areas and other than by agreement rotate on an annual basis (financial year), in alphabetical order (Herefordshire, Shropshire, Telford & Wrekin). The Council area designated to next take the chair will provide the deputy chair.

### **Role of the Partnership:**

The wider Partnership exists, in particular through its Standing Conferences, to bring key players together in ways that facilitate an exchange of ideas and fosters collaborative and partnership working for mutual benefit. To fulfil the Duty to Cooperate.

### **Key players in the Partnership include:**

- Members (providing links to Councils' Cabinets, Public Sector Professionals responsible for developing and deploying policies, in their respective fields (Planning, Homelessness & Housing Options teams, Supporting People teams, Housing Development /Enabling teams))
- Registered Providers (housing associations, community housing trusts)

- Private Sector (Developers, Planning Consultants, landlords, land agents etc.)
- Health and Care Sector (Primary Care Trust (PCT), Health and Wellbeing Board representatives, Joint Commissioning teams, Adult Social Care)
- Economic Development Sector (includes those involved in business development, regeneration, for instance, the Hereford & Shrewsbury Growth Points etc.)
- Government bodies (including the Homes and Communities Agency (HCA))
- Third Sector, including organisations and individuals seeking to support and nurture community led planning and housing initiatives

**Facilitating partnership working through:**

- Quarterly meetings of the Executive
- Biannual Standing Conference for dissemination of best practice, operational debate and feedback with a range of partners
- Herefordshire Housing Partnership (for Registered Social Landlords (RSL) Chief Executives), and the RSL Development Sub-group and RSL partners Management Sub-group
- Shropshire Social Housing Forum (for RSL Chief Executives), and the RSL Development Sub-group and RSL partners Management Sub-group
- Telford & Wrekin housing groups
- Tri-unitary planning officers working group (to be established)
- Task and finish Technical Officer Groups as required.
- The Voluntary and Community Sector
- Development of an annual activity plan and annual review of progress.

**Mutual benefits include:**

- Higher profile for the Marches in funding bids
- Pooling of resources to lower costs
- Coordination, cooperation and collaboration between partners
- Enables contributions by all partners to the evidence base
- Sharing of the evidence base and common understanding of the sub-regional housing market
- Development of shared objectives and strategic policy directions
- Opportunities to identify and share good practice and make better choices.

## Appendix 10 – The Marches European Structural Investment Funds (ESIF) Committee

Terms of reference to be inserted once these have been finalised by Government.

### ESIF Committee Membership

Position	No. of Places	Name of Applicant Selected	Organisation	Sector
Business Partner (3 in total)	1	Angela Fitch	Federation of Small Businesses (FSB)	Private
	1	Steve Hogan	Denios UK	Private
	1	Shaun Carvell	Clicking Mad Ltd	Private
Higher Education	1	Liz Fury	Harper Adams	Public
Local Authority	1	Clr Lee Carter	Telford & Wrekin Council	Public
	1	Clr Cecilia Motley	Shropshire Council	Public
	1	Clr Roger Phillips (Chair)	Herefordshire Council	Public
LEP Board	1	Mandy Thorn MBE	LEP Board	Public
Rural	1	Caroline Bedell	Country Land and Business Association	Private
Education & Skills	1	Clair Schafer	SBC	Private
Environment	1	Vacant	Local Nature Partnership	Public
VCSE Equalities	1	Sonia Roberts	Landau Ltd	Voluntary
VCSE Social Enterprise	1	Jean Jarvis	The Furniture Scheme	Voluntary
Trade Union	1	David Stevens	Unison	Public
<b>Total seats</b>	<b>14</b>			

Government Department	No. of Places	Name of Applicant Selected	Organisation	Sector
DEFRA	1	Roger Allonby/Jo Jury	EAFRD – Managing Authority	Public
BIS	1	Michelle Nutt	BIS Local West Midlands	Public
Skills Funding Agency (SFA)	1	Sarah Morris	SFA	Public
DCLG	1	Stuart Brandrick (Deputy Chair)	DCLG – Managing Authority	Public
<b>Total seats</b>	<b>4</b>			

<b>Overall Total</b>	<b>18</b>
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## Appendix 11 – The Marches Transport Sub Group

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### Roles and Responsibilities:

#### Supporting the Marches LEP Partnership Board:

1. Advise the LEP Partnership Board on transport investment needs to support the delivery of the LEP's Strategic Economic Plan ensuring that major transport investment is closely aligned with the wider policy objectives of both the Local Transport Authorities and The Marches LEP to drive economic growth and reduce carbon emissions.
2. Provide support and guidance to the LEP Partnership Board on the development of policy and strategic priorities in relation to transport management and infrastructure needs within the Marches.
3. Build a strong evidence base for major schemes that will have a positive strategic impact on economic growth and the transport network in the Marches area.
4. Support the LEP Partnership Board in lobbying for inclusion of Marches strategic priority schemes within the Highways England Road Investment Strategy 2020-2025, Network Rail's Strategic Business Plan 2020-2025, Midlands Connect Investment Plans and other key strategies and initiatives.
5. Advise the LEP Partnership Board on opportunities to secure funds to meet transport priorities.
6. Review, and where appropriate, recommend to the LEP Partnership Board a suitable response to consultations on transport policy and strategies.
7. Advise the LEP Partnership Board on issues relating to liaison with neighbouring Local Transport Bodies, LEPs, Network Rail, the Highways Agency, the Welsh Government and Midlands Connect regarding the development of strategic cross-boundary schemes.
8. Recommend the appointment, as required, of specialist consultants, to assist the LEP Partnership Board in additional work where needed.

#### Supporting Strategic Project Development & Delivery:

1. Promote strong ongoing dialogue with key partners, such as Highways England, Network Rail, West Midlands Rail, Sustrans and Midlands Connect, enabling forward planning for the Programme of Work to be undertaken within a mutual understanding of key priorities and forthcoming opportunities
2. Provide a forum of mutual support and guidance to individual scheme promoters, for sharing best practice concerning the development and delivery of Growth Deal and other transport projects, and for strengthening transport scheme business case development,

ensuring the application of the assurance framework in relation to deliverability and value for money issues, in support of the project prioritisation process

3. Advise the LEP Management Team on the implications to the programme of changed circumstances, scheme slippage, alteration, cost variances, etc.
4. Report to the Performance Risk and Monitoring Committee on the use of Local Transport Board funding.
5. Support the work of the Marches Strategic Rail Group as required to achieve the best possible outcomes for passengers.
6. Seek and consider the views of relevant stakeholders as required in developing transport-related policies on behalf of the LEP.

**Membership:**

<b>Delivery Partner/Project Promoters</b>	Dominic Proud (Chair)	Telford & Wrekin Council
	Jeremy Callard	Herefordshire Council
	Matt Johnson	Shropshire Council
	Ann Elias	Ceredigion County Council
<b>LEP</b>	Jacqui Casey	Marches LEP
<b>LEP</b>	Tbc	Marches LEP
<b>Partners (representation as required)</b>		Highways England
	Maria Machancoses	Midlands Connect
		Network Rail
		West Midlands Rail
		SUSTRANS
		Department for Transport
		Welsh Government
<b>Supporting officers</b>	Tbc	Independent Technical Advisor

These Terms of Reference were agreed on 24<sup>th</sup> November 2015.

**Appendix 12 – The Telford Land Deal Board Terms of Reference**

**1. Membership**

1.1. Members of the Board will be:

<b>Member</b>
Executive Director for the Midlands Area; Homes and Communities Agency (HCA)
Midlands Head of Area (HCA)
*Leader of Telford & Wrekin Council (TWC)
TWC Cabinet Member for Council Finance, Partnerships & Commercial Services (TWC)
Chairman of the Marches Local Enterprise Partnership (LEP)
Private Sector Chair of Telford Business Board (TBB)
<i>Managing Director of Telford &amp; Wrekin Council</i> <sup>^</sup>
<i>Chief Financial Officer/S151 Officer (TWC)</i> <sup>^</sup>
<i>Assistant Director for Business, Development &amp; Employment (TWC)</i> <sup>^</sup>
<i>Solicitor for TWC</i> <sup>^</sup>

\*Chair

<sup>^</sup>Non-voting members of the Board

- 1.2. Only members of the Board will have the right to attend. However, other individuals may be invited to any meeting as and when appropriate. Members may nominate a relevant substitute if they are unavailable to attend a meeting.
- 1.3. The quorum for any meeting shall be a minimum of 3 voting members of the Board with at least one voting member from each of HCA, TWC and the private sector (or their substitutes). If the required quorum is not achieved within half an hour of the meeting commencing it shall be adjourned to a time when a quorum is likely to be achieved.
- 1.4. The composition and terms of reference of the Board will be reviewed by the Board every 12 months or as appropriate if more frequently.
- 1.5. The Board will be chaired by the Leader of Telford & Wrekin Council. If the Chair is not present at any of the meetings of the Board then his substitute or the Council’s second voting Member shall chair the meeting.
- 1.6. The Board will have specific responsibility for the following: -
  - Approving and overseeing the implementation of the Investment and Disposal Plan (IDP) (each IDP shall be a rolling three-year plan) to ensure the delivery of the outcomes and outputs of the Telford Land Deal.
  - Providing advice and guidance to the Land Deal Project Team to ensure the objectives of the TLD as laid out in the Funding and Cooperation Agreement (FCA) are met.
  - Unlocking barriers to delivery including determining proposals by the Land Deal Project Team to streamline processes lead by HCA and/or TWC as set out in the Operational Management Agreement (OMA) maintaining an approach that avoids delay and minimises approval stages
  - Determining opportunities for third party funding to be invested into the delivery of the TLD and the application of national HCA programmes in relation to land within the TLD

- Approving the disposal of all sites identified in the IDP with an individual site market value within the delegated authority of the HCA Executive Director, Midlands, noting that this is a decision for the Executive Director alone which is being taken in the forum of the Board and which voting of the Board cannot overrule. For the disposal of sites identified in the IDP with an individual market valuation above the Executive Director's delegation the Board will make recommendations to HCA and/or DCLG, dependent upon the value, for final approval.
- Consider proposals for expenditure of the £2m 'constrained sites' pot on identified sites, monitoring investment and recommending to DCLG proposals for use of the pot in the event it is not required to bring forward 'constrained sites' e.g. because in view of the Board the business case is not sufficiently strong and/or spend is not required to bring sites forward
- Consider implications and opportunities for the Land Deal of inclusion of sites in the Deal, within new Government programmes and make recommendations on the inclusion or not of sites on basis of impact on the overall Programme
- Monitoring and ensuring compliance of all parties with the OMA
- Monitoring and ensuring compliance with and performance against the IDP
- Receiving quarterly financial updates regarding the programme and considering 6 monthly Status Reports to be submitted to DCLG
- Approving and monitoring delivery of schemes in receipt of local profit share by both TWC and the Marches LEP in line with the Assurance Framework
- Agreeing any changes to the IDP if needed part way through delivery and noting minor changes which can be implemented without approval by the board.
- General guidance and strategic direction to the team delivering the Telford Land Deal

## **2.0 Support**

- 2.1 An officer of the Council shall act as administrator for the Board. The officer will take minutes of the meeting and circulate them in draft to the Members of the Board within 2 weeks of the meeting. Minutes will be approved at the following meeting and for audit purposes will be uploaded by HCA onto HCA's internal meetings approval system.
- 2.2 Papers will be sent electronically to the Board members a minimum of 3 working days before each meeting. TWC will explore the potential to use a portal/e team site going forward for papers and information relating to the Board accessible to Board Members.

## **3.0 Frequency of Meetings**

- 3.1 The Board shall meet monthly at the outset of the Land Deal to ensure smooth introduction of the Land Deal and minimise delay in determining decisions on land disposals. The Board will review frequency of meeting and may vary this by agreement of the Board where appropriate including undertaking business virtually.

## **4.0 Decision Making**

- 4.1 Only those members whose roles are not italicised above shall be entitled to vote in relation to any decision to be made. Those members whose roles are in italics shall be entitled to attend each meeting as full participants of the meeting and discussions but shall not be entitled to vote and their attendance shall not count towards the quorum of the meeting.
- 4.2 All decisions will be made with a consensus approach. Should a consensus not be achieved, a vote will be taken, except in cases of land disposals where the HCA's Executive Director is using his/her delegated authority and his/her decision will be final. Only Board Members whose titles are not italicised are entitled to vote, however, should such a Board Member not be able to attend, their named substitute may attend and vote. It will be at the Chair's discretion as to whether non-voting attendees must leave the room whilst a vote is taken. There will be no casting vote.
- 4.3 In order to allow the Board to process its business in an efficient manner the Board can progress its business by using a written procedure. This shall be used by exception and shall

only be utilised where a decision is required urgently but the quorum of Board Members are not available to meet urgently or where information is only made available at the Board but a decision is required before the next scheduled Board Meeting. Full details will be made available to all Members of the Board. If a decision is required, the same rules will apply as for decisions taken in a meeting. A record of the decision will be circulated within 5 working days following the decision.

- 4.4 The Board may choose to delegate specific functions or responsibilities to other groups or individuals. However, the Board will retain ultimate responsibility for any function which it delegates.

## **5.0 Conduct**

- 5.1 The conduct section of these terms of reference has been included and adopted to show members' commitment to operate in as open a way as is possible, whilst maintaining the highest standards of conduct for such a Partnership. It should also be noted that in relation to invited attendees or observers the provisions of these terms of reference relating to Conduct apply in full and any attendees or observers will be provided with a copy of the terms of reference prior to the meeting and will be asked to confirm their acceptance prior to the meeting or part of the meeting commencing.
- 5.2 The provisions of the Code are detailed below and apply equally to each and every member of the Board and any other attendees or observers this includes when they are acting as members of a committee or group established by the Board;
- 5.3 Board members will review the provisions of the Code annually. Changes may be made during the year as and when this is thought to be appropriate.

## **Pecuniary Interests – Conduct of Board Business**

Members of the Board will:

- Support the aims and objectives of the Telford Land Deal Board and promote the interests of the Board within their organisation and/or business community.
- Work co-operatively with other Board Members and officers in the best interests of the Board.
- Actively support equal opportunities in the work of the Board.
- Act honestly, diligently and in good faith, noting that to do so may require taking professional advice.
- Resist any temptation or outside pressure to use the position of Board Member to benefit themselves or other individuals or agencies.
- Not accept offers of money, gifts or hospitality as an inducement or reward for anything you do as a member of the Board.
- Avoid putting themselves in a position where there is a conflict (actual or potential) between their personal interests and those of the Board (See Board members' conflicts of interest below).
- Acknowledge that differences of opinion may arise in discussion but once a decision has been made by the Board to support the decision.
- Base their views on matters before the Board on an honest assessment of the available facts, unbiased by partisan or representative views.
- Have regard to the broader responsibilities as a Member of the Board including the need to promote public accountability for the actions and performance of the Board.
- Give priority, as far as practicable, to attendance at Board meetings

## Confidentiality

- Respect the confidentiality of items of business which the Board decides should remain confidential. This is critical due to the commercial nature of items that are likely to be discussed.
- Honour the obligations on all members not to reveal to third parties the views expressed at meetings.

## Board Members' Conduct

- 5.4 All business of the Board will be conducted in accordance with the Nolan Principles of Public Life, as defined by the Committee for Standards in Public Life. They are:
1. **Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, any business interests they have, their family, or their friends.
  2. **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties. **Objectivity:** In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merits.
  3. **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
  4. **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
  5. **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
  6. **Leadership:** Holders of public office should promote and support these principles by leadership and example.

## Declarations of Interest

- 5.5 Board Members have a duty to declare their interests (direct or indirect) in transactions or arrangements involving the Telford Land Deal in addition to the duty to declare any interests in matters to be discussed at any Board Meeting.
- 5.6 If a Board Member subsequently becomes interested (directly or indirectly) in a transaction or arrangement with the Telford Land Deal, and the nature of that interest has not been disclosed, it is the responsibility of that Member to ensure that he/she makes a separate and specific declaration of that interest to the Board either prior to the proposed transaction being entered into, or as soon as practicable thereafter.

## Board Members' conflicts of interests

- 5.7 In addition to the duty to declare interests in actual or proposed transactions, Board Members have a duty to avoid a situation whereby their personal or other interests and the interests of the Telford Land Deal conflict, or have the potential to conflict, unless such conflict or potential conflict of interest is authorised by the other Members.

5.8 Members whose personal or other interests conflict with those of the Telford Land Deal must therefore take steps to seek the authorisation of the Board for such conflict.

## **6.0 Approvals**

Approved by the Board on 21<sup>st</sup> April 2016.

## Appendix 13 – The Marches LEP Enquiries, Comments, Compliments and Complaints Policy

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### Enquiries, Comments and Compliments

The Marches LEP welcomes all general enquiries. We would also like to hear from you if you have a suggestion on how we can improve, or if you have been particularly happy with any part of the service you received from the Marches LEP.

You can make an enquiry to the Marches LEP using the following contact details:

Tel: 01743 462026

Email: [gill.hamer@marcheslep.org.uk](mailto:gill.hamer@marcheslep.org.uk)

By post: Marches LEP, Cameron House, Knights Court, Archers Way, Battlefield Enterprise Park, Shrewsbury, SY1 3GA

Please note that the Marches LEP receives a large number of emails, letters and phone calls each day. We will try to reply to you as quickly as possible, however, please note that general enquiries, including emails, are dealt with in the order in which they are received.

We will respond to your written enquiry within 5 working days of receipt.

Comments received by the Marches LEP will be logged and reviewed regularly in order to help inform ways in which we can improve. If you have a compliment in relation to the service you have received from the Marches LEP, please include the name of any relevant members of the team in your correspondence so that we can ensure that your feedback reaches them.

### Business, Skills and Support Enquiries

If you are seeking business or skills support to help start or grow your business please contact The Marches Growth Hub: [enquiries@marchesgrowthhub.co.uk](mailto:enquiries@marchesgrowthhub.co.uk), or 0345 6000 727.

### Media Enquiries

Any media enquiries for the Marches LEP should be directed to Amy Bould

Email: [amy@beboldpr.com](mailto:amy@beboldpr.com), Tel: 01952 898121.

### Complaints

We are committed to providing the best possible service to customers for the benefit of the entire Marches region. However, if we get it wrong, we would like to know about it and we will try our best to put things right as quickly as possible.

We endeavour to deal with complaints promptly and fairly and we will try to resolve any mistake or misunderstanding as soon as possible.

If you are not happy with the level of service that you have received from the Marches LEP and wish to complain, we have developed the complaints procedure outlined below.

What should I do if I want to make a complaint to the Marches LEP?

Stage one:

Write to Gill Hamer, Marches LEP Director, by email: [gill.hamer@marcheslep.org.uk](mailto:gill.hamer@marcheslep.org.uk), or letter: Marches LEP, Cameron House, Knights Court, Archers Way, Battlefield Enterprise Park, Shrewsbury, SY1 3GA, explaining the reasons why you are unhappy with the service provided by the Marches LEP.

We can usually resolve mistakes and misunderstandings quickly and informally at this stage. We will acknowledge receipt of your complaint within 5 working days. We will then investigate your complaint and aim to respond within 10 working days. If we are unable to respond within this timeframe, we will contact you to inform you of a date by which you can expect a response, explaining the reason for any delay.

Stage two:

If you are not satisfied with the response provided at stage one, you can escalate your complaint in writing, (by email or letter) to the Chair of the Performance, Risk and Monitoring Committee, Mandy Thorn, c/o Marches LEP, Cameron House, Knights Court, Archers Way, Battlefield Enterprise Park, Shrewsbury, SY1 3GA.

You should include details of which parts of the response at stage one you are not happy with. The Chair of the Performance, Risk and Monitoring Committee will investigate your complaint and aim to respond to you within 15 working days. If the investigation takes longer than this, we will contact you to inform you of a date by which you can expect a response, explaining the reason for any delay.

What we learn from complaints

We keep records of all the complaints that we receive and monitor them regularly with our Performance, Risk and Monitoring Committee. This helps us to identify areas of service delivery where we need to make changes and improvements and to ensure that we are dealing with complaints effectively and consistently.

Freedom of Information

While the LEP is not subject to the Freedom of Information Act 2000, some of its partner organisations are and the partnership seeks to ensure that Freedom of Information and Environmental Information Regulation requests are dealt with in line with relevant legislation.

This Policy will be subject to annual review by the Performance, Risk and Monitoring Committee.

## Appendix 14 – The Marches LEP Equality and Diversity Policy

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The Marches LEP believes and recognises that the diversity of the Marches' communities is a huge asset that should be valued and seen as one of the Marches' great strengths.

The people who live, work, study in, or visit the Marches have diverse backgrounds and circumstances. They are of all ages, races and ethnic backgrounds, disabled and non-disabled, are from faith and non-faith backgrounds, and from lesbian, gay, bi-sexual and transgender communities. People live in a range of different types of household and have access to widely differing levels of income. Within our geographical area there are extremes of wealth and deprivation.

Our diverse community is a great asset to the Marches. However, some communities experience disadvantage and discrimination that has a negative effect on their quality of life. Although this can affect all communities, most often it affects:

- Black and minority ethnic communities;
- Disabled people;
- Lesbians, gay men, bisexual and transgender people;
- Romany and traveller communities;
- Women;
- Young and old people.

The Marches LEP is committed to providing equality of opportunity and tackling discrimination, harassment, intimidation and disadvantage. We are also committed to achieving the highest standards in service delivery, decision-making and employment practice.

When making decisions, in particular those relating to procurement of goods, services and facilities, or to the awarding of contracts, the Marches LEP will pay due regard to the Equality Act 2010.

This policy reinforces the responsibility of our partners under the Equality Act 2010 to ensure equality of opportunity for all sections of the community and our workforce, and in particular our general and specific duties which the LEP will seek to uphold:

### General Duties:

1. Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic under the Act and those who do not.
3. Foster good relations between people who share a protected characteristic under the Act and those who do not.

### Specific Duties:

1. To publish information to demonstrate how we are complying with the Public Sector Equality Duty.
2. To prepare and publish equality objectives.
3. To not tolerate less favourable treatment of anyone on the grounds of their:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation;
- Or any other reason which cannot be shown to be justified.

## Appendix 15 – Glossary of Terms

BCR	Benefit cost ratio
BIS	Department for Business, Innovation and Skills
DCLG	Department for Communities and Local Government
DEFRA	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
DWP	Department for Work and Pensions
EAFRD	European Agricultural Fund for Rural Development
ESIF	European Structural and Investment Funds
EU	European Union
F/T	Full-time
FTE	Full time equivalent
FSB	Federation of Small Businesses
HCA	Homes and Communities Agency
ITE	Independent Technical Evaluator
KCMs	Key Capability Measures
LEP	Local Enterprise Partnership
LGF	Local Growth Fund
Managing Authority Departments	Department for Communities and Local Government (DCLG), Department for Work and Pensions (DWP), Department for Environment Food and Rural Affairs (DEFRA) & Department for Business, Innovation and Skills (BIS)
MEJC	Marches Enterprise Joint Committee
MPHP	Marches Planning and Housing Partnership
P/T	Part-time
PRMC	Performance Risk and Management Committee
PCT	Primary Care Trust
RSL	Registered Social Landlords

S151	Section 151 (Local Authority Finance Officer)
SEP	Strategic Economic Plan
SFA	Skills Funding Agency
TOCS	Train Operating Companies
VCSE	Voluntary, Community and Social Enterprise
VfMS	Value for Money Statement
WebTag	The DfT's web-based guidance on appraising transport projects and proposals.





<b>Marches enterprise joint committee</b>	
<b>Meeting date:</b>	<b>31 May 2016</b>
<b>Title of report:</b>	<b>Annual report of the marches enterprise joint committee</b>

## **Classification**

Open

## **Key decision**

This is not a key decision.

## **Purpose**

To approve an annual report of the first year of activity of the marches enterprise joint committee.

## **Recommendation(s)**

**THAT:**

- (a) the annual report be approved; and**
- (b) the approved report be forwarded to the three partner councils' chief executives for reporting in accordance with their respective councils' constitutions.**

## **Reasons for recommendations**

1. The joint committee constitution requires the committee to provide an annual report on its activities to the three partner councils.

## **Summary**

2. The Marches Enterprise Joint Committee (MEJC), is a formal joint executive committee (established for the purposes of Part VI of the Local Government Act 1972 and Part 1, Chapter 2 of the Local Government Act 2000), formed in 2014 in preparation for the arrival of the first substantial public funds for the Marches LEP in April 2015. The constitution of the committee was approved by cabinets of the three partner councils and include a requirement to provide an annual report on the activities of the joint committee.
3. The MEJC provides democratic accountability for LEP decisions, ensuring that decisions meet with government public finance and accountability requirements. Decisions of the joint committee are subject to scrutiny by the three councils' scrutiny committees,

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Further information on the subject of this report is available from  
Jacqui Casey, Marches LEP Partnership Manager; [Jacqui.casey@marcheslep.org.uk](mailto:Jacqui.casey@marcheslep.org.uk)

(Herefordshire Council General Overview and Scrutiny Committee, Shropshire Council Enterprise and Growth Scrutiny Committee and Telford and Wrekin Council Customer, Community and Partnership Scrutiny Committee).

4. Since its formation in 2014 the joint committee has met on only three occasions. The partnership's strategic economic plan (SEP), agreed by the partner councils' cabinets in March 2014, and the early programme of work, approved by Government in July 2014 against an agreed set of projects, pre-dated the formation of the joint committee; it is envisaged that, as funds now begin to flow the joint committee will be more active.
5. The Marches LEP's annual report, published on 27 April 2016, provides details of the broader range of work currently being undertaken by the LEP and aligned to the SEP. The report is available at:  
  
[http://www.marcheslep.org.uk/download/annual\\_report\\_and\\_annual\\_conference\\_2016/The-Marches-LEP-A4-20pp-Annual-Report-2016-SPREADS.pdf](http://www.marcheslep.org.uk/download/annual_report_and_annual_conference_2016/The-Marches-LEP-A4-20pp-Annual-Report-2016-SPREADS.pdf)
6. During its first year of operation the MEJC has undertaken three key areas of work, as follows:
  - i. Oversight of the development and approval of the Marches Accountability & Assurance Framework. This is the essential governance document for the LEP that sets out, in a clear and transparent way, how the Marches LEP operates in terms of its decision-making, reporting & monitoring and management of public funds. Without this robust governance framework the LEP would be operating at risk.
  - ii. Approving allocation of the LEP's non-ring-fenced funds; specifically this has comprised of Marches Investment Fund (also known as Growing Places) loan allocations and the Skills Capital Funds which formed part of the LEP Growth Deal allocation in July 2014.
  - iii. Approving actions relating to the Telford Land Deal and the Hereford Enterprise Zone, both of which were considered at the MEJC meeting of 11 December 2014.
7. The joint committee complies with the regulations relating to executive decision making by publishing notices of forthcoming key decisions and ensuring that decision of the joint committee are subject to call in. During the period under review one decision (relating to the Marches enterprise zone) was called in by Herefordshire Council's general overview and scrutiny committee and, following thorough scrutiny and all questions having been responded to, the committee endorsed the decision making no further recommendations.

## **Alternative options**

8. There are no alternative options; the committee is required to report on its activities.

## **Financial implications**

9. There are no direct financial implications arising from this report.

## **Legal implications**

10. There are no legal implications arising from this report.

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Further information on the subject of this report is available from  
Jacqui Casey, Marches LEP Partnership Manager; [Jacqui.casey@marcheslep.org.uk](mailto:Jacqui.casey@marcheslep.org.uk)

## **Risks, opportunities and impacts**

11. There are no specific risks or impacts related to the content of this report.

## **Consultation**

12. None

## **Additional Information**

13. None.

## **Appendices**

None

## **Background papers**

None identified





<b>Marches enterprise joint committee</b>	
<b>Meeting date:</b>	<b>31 May 2016</b>
<b>Title of report:</b>	<b>Funding submission to DfT local transport majors fund</b>

## Classification

Open

## Key decision

This is a key decision.

## Purpose

To approve submission of one or more bids to the Local Transport Majors Fund.

## Recommendation(s)

**THAT:**

- (a) the Committee agrees to the submission of one or more bids by the Marches LEP to the local transport majors fund following consideration of the recommendations from the LEP Board meeting to be reported at the joint committee.**

## Reasons for recommendations

1. To maximise funding opportunities for priority projects supporting achievement of the strategic economic plan.

## Summary

2. On 12 April 2016, the Chairman of the Marches LEP received a letter from the Rt Hon Greg Clark MP, Secretary of State for Communities & Local Government, inviting the Marches LEP to submit proposals for the next round of Growth Deal, a competitive process among the 39 LEPs (see appendix 1). A report on the prioritisation of bids for submission in July 2016 for growth deal funding will be scheduled for consideration by the joint committee in July.
3. The letter also referred to an opportunity to submit applications to the local transport majors fund. The aim of the local transport majors scheme is to provide funding for those exceptionally large, potentially transformative local schemes that are too big to be taken forward within regular local growth fund allocations and could not otherwise be funded.
4. The DfT guidance for the scheme states that below a certain financial level major transport schemes should be funded through regular Growth Deal funding. The local transport majors fund is for schemes that are not reasonably affordable for LEPs through the Growth Deal, or

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Further information on the subject of this report is available from  
Jacqui Casey, Marches LEP Partnership Manager; [jacqui.casey@marcheslep.org.uk](mailto:jacqui.casey@marcheslep.org.uk)

any other route. The guidance stipulates financial thresholds which the financial ask from the local transport majors fund would be expected to exceed, for the Marches LEP this threshold is £34m.

5. Bids to the local transport majors fund can be for scheme development costs (for schemes where the local transport majors fund financial contribution to the total scheme implementation is expected to exceed the threshold identified above), or if a business case is already complete, for funding to prepare and construct a scheme.
6. The deadline for bid submissions is 21 July 2016. For schemes that are already at an advanced stage of development and that which wish to seek an award of development funding for 2016/17 the advanced deadline for these submissions is the 31st May 2016.
7. LEP's, not councils, are invited to submit bids for the local transport majors, however any bids will need to have the full support and commitment of the proposed delivery body.
8. Following discussions with council partners the Marches LEP board is being asked to recommend the submission of two schemes for consideration for local transport majors funding towards the development of outline business cases. The two schemes proposed to be put forward are:

<b>Scheme</b>	<b>Delivery Body</b>	<b>Financial ask of local transport majors funding</b>
Hereford bypass	Herefordshire Council	£2,650,000
Shrewsbury north west relief road	Shropshire Council	£893,250

9. The Hereford bypass is being proposed to be submitted for the 31 May, and the Shrewsbury north west relief road for the 21 July. Should either or both bid be successful the schemes will be subject to the normal governance processes of the respective lead delivery partners.
10. It is important to note that the guidance notes included within the scheme application process identified that local transport majors funding is not subject to the requirements of the LEP assurance framework, as all the necessary appraisal will be carried out by DfT.
11. The LEP's independent technical evaluator is reviewing both schemes and will provide comments to the respective councils aimed at strengthening the bid submissions. The ITE will confirm by the respective submission dates, that the bids are likely to be competitive against the criteria outlined in the scheme guidance notes.

## **Alternative options**

12. The local majors funding is a prescribed process set by DfT, if the LEP, in partnership with the respective councils, wishes to gain a funding contribution from the fund towards the cost of developing outline business cases there is no alternative to the recommendation.

## **Financial implications**

13. Council delivery partners will be expected to provide matched funding towards the local transport majors funding, the application form requires the councils to confirm that match funds are in place. The required level of matched funding is not specified within the bid guidance, both Herefordshire Council and Shropshire Council have confirmed that a level of matched funds is in place to support the DfT contribution.

## **Legal implications**

14. The submission of bids to the local transport majors fund does not lead to any contractual commitments for the LEP and, should funding be secured, approval of the individual schemes will be subject to the respective council governance approvals prior to implementation.

## **Risks, opportunities and impacts**

15. There is a risk that DfT decides to fund only one, or neither, bid submission. In mitigation council partners have developed comprehensive bid submissions which the ITE is in the process of independently reviewing to improve the strength of the submission(s).
16. Should funding be secured there will be a variety of risks associated with the development of the outline business cases, these will be identified and mitigated within the outline business case project development.
17. The invitation to bid provides an opportunity to undertake a further stage of delivery of the LEP's strategic economic plan and to secure investment towards economic growth for the Marches area.
18. Should funding be secured to develop an outline business case for either, or both, scheme(s) this would enable the relevant councils to undertake significant development works which would be used to advance the statutory planning and legal processes for their respective transport schemes.

## **Consultation**

- 19 The Marches LEP board are meeting on the 24<sup>th</sup> May to consider the proposed submission of one or more bids to the local transport majors fund, the views of the board will be reported to the committee.

## **Additional Information**

None.

## **Appendices**

Appendix1: letter from Secretary of State for communities and local government - 12 April 2016

## **Background papers**

None identified





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**The Rt Hon Greg Clark MP**  
*Secretary of State for Communities  
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12 April 2016

### **Competing for Growth – Further Growth Deals**

Across the country, Local Enterprise Partnerships have used the existing Growth Deals to build stronger local economies. Every new job created as a result of a Growth Deal makes someone's life better: there's little more important work than this.

I am delighted, therefore, to invite proposals for the **next round of Growth Deals**.

We are looking for even more ambition in this round: the competition is open to every LEP, but no area is entitled to a particular share of funding. We'll make the awards on the basis of the merits of the cases you make, in light of the criteria I outline below. The stronger your proposal, the greater your chance of success - it's that simple.

Here are the criteria we will use in our review:

- You should explain how new funding will help to increase growth in your area, over and above the impact of your existing Growth Deal. What barriers (in transport, skills, housing supply, for example) could be overcome by new investment? **Propose a specific figure** for funding, and describe the purpose to which it would be put. (The e-mail you received from Tony Bray, the BIS Local Deputy Director for the West Midlands, made clear the funding for which everyone is competing). As in previous rounds, I will look for you to provide details on what your proposals will deliver in terms of job creation, investment and housing, as well as what will be required to achieve this in terms of cost and capacity.
- **Strong collaboration between your partnership and the local area** must underpin your proposal. This work must be owned by both political and business leaders in your area.
- The need for **stronger, reformed governance structures** implies that proposals that are aligned with mayoral Combined Authorities (or proposed Combined

Authorities) will have an advantage. You would do well to outline the positive role your partnership is taking in strengthening local governance.

- As your Partnership will be more engaged with local business now than was the case in 2014, your proposal should include **a greater level of private sector investment** than in previous rounds, as well as match funding from other bodies such as universities. My expectation is that LEPs will have SME representation on their Board and I would like to see a proposition on how you will implement this in your proposal.
- Your strategy should **engage with government's key objectives within the wider local context** (such as plans for housing delivery and the area reviews into further education).
- And, of course, the **delivery of existing Growth Deals** will play a part in my consideration of proposals. We expect your proposals to set out the systems in place to ensure value for money and proper use of public money.

Your proposal will also be seen in the context of your bid, should you make one, for Local Transport Majors funding. Local Transport Majors funding allows several areas to fund transport projects beyond that which individual Local Enterprise Partnerships have previously delivered. Ministerial colleagues in the Department for Transport will write to you shortly to explain how that funding will be awarded.

Your new Growth Deal proposal should be submitted by summer recess, and my officials will contact you in due course regarding your challenge session. I intend to announce the winners of this competition around the time of this year's Autumn Statement. BIS Local teams are ready to support you in preparing your proposals — make good use of them.

To support this round of funding, I was pleased to announce continued core funding for LEPs into 2017-18, to enable you to plan for the future with confidence. We will provide further guidance on this in due course.

I hope you share my excitement about this new round of Growth Deals, and look forward to reading your proposals.



**Rt Hon Greg Clark MP**

CC. Gill Hamer, Director Marches LEP



<b>Marches enterprise joint committee</b>	
<b>Meeting date:</b>	<b>31 May 2016</b>
<b>Title of report:</b>	<b>The Marches LEP manufacturing skills capital project</b>

## Classification

Report: Open

Appendix A : Exempt from publication by virtue of paragraph 3 of the Access to Information Procedure Rules set out in the constitution pursuant to Schedule 12A Local Government Act 1972, as amended

## Key decision

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates  
and

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

## Purpose

To grant preferred bidder status to the organisations named in the exempt Appendix A and agree arrangements to award contracts for funding under the Marches Growth Deal skills capital fund.

## Recommendation(s)

**THAT:**

- (a) preferred bidder status be awarded and the detailed recommendations as set out in exempt Appendix A be approved; and**
- (b) authority be delegated to the Marches LEP Director following consultation with the Marches LEP Accountable Section 151 Officer to conclude contract negotiations and award contracts to preferred bidders within the financial envelope set out in the financial implications to this report.**

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Further information on the subject of this report is available from  
Aggie Caesar-Homden, Marches LEP Skills Programme Manager  
skillsprogrammeofficer@marcheslep.org.uk

## **Reason for recommendations**

1. To ensure that funds available to the Marches LEP area are allocated in accordance with government requirements to meet the priorities within the strategic economic plan (SEP) and to agree efficient decision making arrangements to minimise delay in finalising contracts.

## **Summary**

2. As part of the Marches LEP plans to tackle skills issue skills capital funding of £3.3m was allocated to the LEP by DCLG. The LEP issued two calls for expressions of interest (EOI) from further education and private training providers in 2014/15 seeking responses that delivered capital projects (i.e. for equipment and training facilities to address the training needs of key sectors in the Marches SEP). The response was limited and a number of applicants subsequently withdrew mainly due to the shortage of match funding.
3. A further OJEU compliant procurement process has therefore been undertaken based on a detailed tender specification and tender response document to establish a minimum of two advanced manufacturing hubs across the Marches region.
4. The tender sought submissions from organisations that wished to set up and develop advanced manufacturing hubs as regional training centres for advanced manufacturing skills in five key areas where there is currently limited training provision. It was envisaged the hubs will operate on a “hub and spoke” model and will be partnership led, comprising consortia of employers and educational providers including HE, FE and private sector training providers working together. They aim to build on a whole range of collaborative initiatives already in place in the region and will house equipment and deliver training programmes including apprenticeships to meet the identified needs of local businesses. The hubs are planned to commence operation (i.e. delivering training courses and apprenticeships) from April 2017 at the very latest.
5. As a pre-requisite of the tender, it was clearly stated that all funding must be committed and fully expended by bidders by 31 March 2017. Tenders which could not achieve that requirement would not be evaluated.
6. A summary tender evaluation report is provided at appendix A (exempt from publication).

## **Alternative options**

7. Given the value of the funding available, the procurement process had to be fully compliant with the Public Contracts Regulations (2015), therefore there were no alternative options in terms of procuring the project.
8. Final award of contract could be reserved to the joint committee. This is not recommended given the need to progress swiftly to ensure that external funding is not lost to the LEP area.

## **Financial implications**

9. Confirmation has been received from DCLG that the funding for skills capital (£3.3m) is available, of which £461,000 was committed in the last financial year. The balance of that funding (£2.8m) must be allocated and utilised in 2016/17. Due diligence has been undertaken as part of the OJEU procurement process and the assessment of preferred

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Further information on the subject of this report is available from  
Aggie Caesar-Homden, Marches LEP Skills Programme Manager  
skillsprogrammeofficer@marcheslep.org.uk

bidders indicates that they can deliver the outcomes within the £2.8m financial envelope.

## **Legal implications**

10. The LEP team will put in place commercial contracts with the organisations awarded the skills capital funds. The contracts will be drawn up by the Shropshire Council legal team, who are the accountable body.

## **Risks, opportunities and impacts**

11. The £2.8m skills capital funds must be spent in 2016/17 so if there is insufficient officer capacity to progress completion of the contract award and monitoring of spend, this funding may be lost to the area. To mitigate this risk a skills funding officer has been recruited to amongst other things monitor performance and spend against agreed milestones and outputs in the contracts with the skills providers on a quarterly basis and will report on this to both the LEP Skills Board and the LEP Performance, Risk and Monitoring Committee which are sub-groups of the LEP Board. If the grant is not used for the purposes it was contracted the organisation, as outlined in the contract, will be required to pay back the grant.
12. A professional procurement expert has provided advice to ensure that the procurement process was compliant with public procurement rules, mitigating the risk of procurement challenge.

## **Consultation**

13. Through the OJEU procurement process, The Marches LEP has consulted widely with potential bidders and held potential supplier engagement / briefing events to encourage bids. Local authority partners have been engaged in the evaluation process undertaking financial due diligence before contracting to provide breadth of feedback.
14. The Marches LEP board has reviewed the tender evaluation report and recommends preferred bidder status be awarded as set out in recommendation (a) and that authority be delegated to the Marches LEP Director following consultation with the Marches LEP Accountable Section 151 Officer to conclude contract negotiations and award contracts to preferred bidders within the financial envelope set out in the financial implications to this report as set out in recommendation (b).

## **Additional information**

15. None

## **Appendices**

Appendix A – Tender appraisal report. (exempt from publication.)

## **Background papers**

None

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Further information on the subject of this report is available from  
Aggie Caesar-Homden, Marches LEP Skills Programme Manager  
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