



SOUTH EAST  
LOCAL ENTERPRISE  
PARTNERSHIP

# STRATEGIC BOARD DRAFT MINUTES

**Friday 4th October 2019**

**High House Production Park, Purfleet, RM19 1RJ**



## Agenda

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### Future Strategic Board meeting dates:

6<sup>th</sup> December; January 31<sup>st</sup> 2020; 20<sup>th</sup> March; 12<sup>th</sup> June; (24<sup>th</sup> June AGM); 2<sup>nd</sup> October; 11<sup>th</sup> December; and 19<sup>th</sup> March 2021.

## Attendees

<b>Chair</b>	Chris Brodie	
<b>Chief Executive Officer</b>	Adam Bryan	SELEP
<b>EBB and OSE business representatives</b>	Colette Bailey	Metal
	David Burch	Essex Chamber of Commerce
	David Rayner	Birkett Long
	George Kieffer	Vice Chair
	Perry Glading	Chair of the Thurrock Business Board
<b>EBB and OSE local government representatives</b>	Cllr Tom Cunningham	Braintree District Council
	Cllr David Finch	Essex County Council
	Cllr Rob Gledhill	Thurrock Council
	Cllr Ron Woodley	Southend on Sea Borough Council
	Cllr Chris Whitbread	Epping Forest District Council
<b>KMEP business representatives</b>	Douglas Horner	KMEP business rep
	Geoff Miles	Vice Chair
	Jo James	Kent Invicta Chambers
	Paul Thomas	Development Land Services Limited
<b>KMEP local government representatives</b>	Cllr Roger Truelove	Swale Borough Council
	Cllr Mark Dance	Kent County Council
	Cllr Peter Fleming	Sevenoaks District Council
	Cllr Adrian Gulvin	Medway Council
<b>TES business representatives</b>	Ana Christie	Sussex Chamber of Commerce
	Clive Soper	FSB
	Graham Peters	Vice Chair
<b>TES local government representatives</b>	Cllr David Tutt	Eastbourne Borough Council
	Cllr Ann Newton	Wealden District Council
	Cllr Peter Chowney	Hastings Borough Council
<b>Higher education representative</b>	Professor Karen Cox	University of Kent
<b>Further education representative</b>	Angela O'Donoghue	South Essex College
<b>Social enterprise representative</b>	Penny Shimmin	Sussex Community Development Association

### Apologies from:

Cllr Butland (*Cllr Cunningham as substitute*)  
 Cllr Carter (*Cllr Dance as substitute*)  
 Cllr Chambers (*Cllr Gulvin as substitute*)  
 Cllr Monk (*Cllr Truelove as substitute*)  
 Cllr Glazier (*Cllr Newton as substitute subject to item 4's approval*)

### Item 1: Welcome and introduction

- 1.1. Chris Brodie opened the meeting.

### Item 2: Minutes of last meeting, declarations of interest and matters arising

- 2.1. Chris Brodie asked Board members to declare any relevant interests. The following interests were declared:
- 2.2. George Kieffer: item 6 regarding the Future Proof project as Chair of the Haven Gateway Partnership; item 6 Clean Growth due to involvement with North Essex Energy Group (part of the Haven Gateway Partnership); and item 8 as Chair of the ESIF sub-committee.
- 2.3. Jo James: item 8 as the Kent Chambers of Commerce had been involved with this project.
- 2.4. Graham Peters: item 6 as Interim Chair of the Newhaven Enterprise Zone.
- 2.5. Colette Bailey: item 6 as Metal was involved in the England's Creative Coast project.
- 2.6. Penny Shimmin: item 6 as a Board member of the Newhaven Enterprise Zone.
- 2.7. Chris Brodie asked the Board whether they agreed that the minutes of the last meeting were an accurate record of the meeting.
- 2.8. The Board **agreed** and approved the minutes of the last meeting as accurate.
- 2.9. Chris Brodie reminded the Board that there was an item with a confidential appendix at the end of the agenda, which would require the recording to be stopped and only Board members, civil servants, Local Authority officers and SELEP Secretariat would be able to stay in the room.
- 2.10. Chris Brodie thanked the Secretariat for organising a successful AGM that showcased the work of the SELEP.
- 2.11. Adam Bryan provided the Board with an update around Brexit. He explained that the Growth Hub had been notified of additional funding to deliver the business readiness programme in collaboration with Hertfordshire and London LEP. Adam Bryan advised the Board that SELEP was reporting on local business intelligence back to BEIS on a weekly basis, using intelligence gathered through the Growth Hubs.

### Item 3: Investment Panel Minutes

- 3.1. Chris Brodie asked the members of the Board that were also members of the Investment Panel to agree the minutes of the last Investment Panel meeting as an accurate record of the meeting.
- 3.2. The minutes of the last Investment Panel meeting were **agreed** as accurate by members of the Investment Panel.

### Item 4: Terms of Reference

- 4.1. Chris Brodie apologised to the Board for the late circulation of the paper, which was amended to allow for East Sussex County Council to be represented at this meeting.
- 4.2. Adam Bryan explained that the purpose of the paper was to accommodate full engagement, and that Cllr Newton was sat at the back of the room as a potential substitute if this amended version was agreed.
- 4.3. It was **agreed** to amend the Terms of Reference as proposed, and Cllr Newton joined the table.

## Item 5: LEP Review

- 5.1. Chris Brodie introduced this item with a brief reminder of the context of the LEP Review. Chris Brodie reiterated his belief in the federated structure, and the Board composition as it stood at the time of this meeting. However, he stated that the Government was adamant that there were no other options available other than to comply.
- 5.2. Two subgroups were created to discuss the detail of this work; one to discuss the Board composition and the other to concentrate on legal personality.
- 5.3. Chris Brodie was the chair of the Board composition subgroup and provided feedback alongside the paper from the group as follows:
  - a) the subgroup decided in principle to maintain the current way of working as much as possible;
  - b) the composition proposed in the paper adhered to the requirement of a Board with a 2/3 private sector majority;
  - c) the subgroup discussed the need for more gender balance to meet the required 33%;
  - d) the subgroup discussed the issue of the reduction of Local Planning Authority representation on the Board and proposed that all Local Planning Authorities would have the right to attend and speak at Strategic Board meetings but would not have a vote. The intention behind this would be to reassure the Local Planning Authorities that their voice is important to SELEP, whilst adhering to Government requirements.
- 5.4. Members of the subgroup expressed support for the proposals. Jo James added that the 20<sup>th</sup> business seat was the only seat that remained unclear, and she clarified that the view from the Kent and Medway Economic Partnership (KMEP) was that they would be happy with this seat being allocated to Team East Sussex (TES).
- 5.5. Graham Peters also expressed his support for the 20<sup>th</sup> seat being allocated to Team East Sussex.
- 5.6. Perry Glading added that Opportunity South Essex (OSE) would not agree with this as they disagreed with a formula based on population and were concerned that these seats would be too limited by geography rather than finding the most suitable candidate across the SELEP area. Therefore, the recommendation from OSE was that seats 17-20 could be decided on a sector basis as SELEP appointments.
- 5.7. Jo James disagreed with OSE's position because this would result in Kent being allocated 2 business seats, which would be unfair and would penalise KMEP for working co-operatively across Kent and Medway.
- 5.8. Ana Christie, David Tutt, Paul Thomas and Peter Chowney each expressed their support of the 20<sup>th</sup> seat being allocated to TES.
- 5.9. David Rayner expressed his support for the recommendation from OSE as outlined by Perry Glading, and circulated, with permission of the Chair, a table containing statistics (this document had not been previously seen by any Board members or officers) to support his position. He added that if this recommendation were not adopted, then the 20<sup>th</sup> seat should go to the Essex Federated Board.
- 5.10. Peter Fleming questioned the number of Federated Boards in the SELEP, adding that the Board should just vote to avoid repetitive discussions.
- 5.11. Penny Shimmin expressed discomfort that the proposal from the Board Composition subgroup was changed at the joint subgroup meeting, as originally the seat was allocated to TES.
- 5.12. George Kieffer asked the Board to remember that this Board was a partnership, and that a single vote would not make a significant difference. He continued that there should be trust within the

SELEP that everyone would work for the benefit of the whole SELEP area, with economic growth as a priority.

- 5.13. Geoff Miles explained that it was agreed at the first meeting of SELEP that the geographical counties would work collaboratively with each other.
- 5.14. Graham Peters added that size was not irrelevant but balance was much more important.
- 5.15. The Board **agreed** an amended version of the Board composition proposal, with the amendment being that the 20<sup>th</sup> seat would be allocated to Team East Sussex. **21 voted in favour**, 5 voted against and 2 abstained.
- 5.16. Chris Brodie explained that a Deputy Chair position would need to be introduced as a Government requirement.
- 5.17. Adam Bryan added that the job description for this would need to be agreed by electronic procedure in a short timescale, rather than presented to the Board in December as previously stated in the paper. He explained that Government had clarified, since the papers were circulated, that the Deputy Chair candidate would need to be identified in advance of the January annual performance review. He added that this would replace the Vice Chair positions currently in place.
- 5.18. The Board agreed to the introduction of a Deputy Chair as proposed.
- 5.19. Adam Bryan explained the proposed approach to recruitment as detailed in the paper.
- 5.20. Jo James expressed that seats 17-20 should be recruited by the Federated Boards and not limited by sector.
- 5.21. Adam Bryan emphasised the importance of aligning the business representation on the Board with the priorities of SELEP.
- 5.22. It was agreed that all business representatives should be recruited in the same way.
- 5.23. Perry Glading questioned the requirements of seats 17-20 and asked whether SELEP intended to control these seats in order to target certain sectors.
- 5.24. Adam Bryan responded that it is important to be locally led, and that whoever joins the Board would need a certain understanding of the agenda.
- 5.25. It was agreed that the wording would be made consistent for all business representatives.
- 5.26. Colette Bailey questioned why there was an emphasis on sector, as her understanding was that the business representatives were representing the Federated Board, not their sector specifically.
- 5.27. Chris Brodie agreed that each Federated Board would submit their own representatives and offered his support and involvement where this was sought.
- 5.28. George Kieffer stated that there should be a job description for Board members as well as the Chair and Deputy Chair.
- 5.29. The Board **agreed** to the proposed approach to recruiting and assembling the board, with the caveat that it would be made clearer that all business representatives (except the Chair and Deputy Chair) would be chosen by Federated Boards, and that seats 17-20 would not be recruited differently to the other business seats.
- 5.30. David Rayner presented the feedback from the Legal Personality subgroup as Chair of the subgroup as follows:
  - a) SELEP going forward would be a company limited by guarantee;
  - b) there was difficulty in distinguishing the corporate structure and the overall governance structure;
  - c) the subgroup was given assurance that the Accountability Board would always follow the decisions of the Strategic Board unless there was a failure of procedure;

- d) the subgroup was promised a draft Memorandum of Understanding by the end of August, and this had now moved to the end of October;
  - e) the subgroup proposed that the Board of Directors would be the Strategic Board and that advice would be sought around responsibilities and director's liability insurance;
  - f) the subgroup also propose that the Federated Board members should be the members of the company, which would keep numbers limited whilst allowing for wider engagement.
- 5.31. Jo James expressed her concern around receiving documentation, and that March would be too late.
- 5.32. Douglas Horner added his support to Jo James' statement, and that the Articles of Association in particular might be atypical. He continued that the framework document would also be important, and that the papers still referred to the SELEP as either the Strategic Board or a combination of the Strategic and Accountability Boards. He also supported having the Federated Board members as members of the company and suggested a limit on the number of members that a Federated Board could appoint.
- 5.33. David Finch reminded the Board that the SELEP Ltd documentation would need to go through governance processes with Essex County Council in order for ECC to continue in its role as the Accountable Body. The same process would be repeated with the upper tier Local Authorities.
- 5.34. Paul Thomas added that there needed to be enough time to get independent legal advice for the Board regarding the documents.
- 5.35. David Rayner responded that officers would also scrutinise the documentation.
- 5.36. David Burch said that the open invitation to attend scrutiny committees should be more about engagement and not just attendance.
- 5.37. Adam explained the current arrangements for Scrutiny Committees and that he had personally attended several meetings in the past.
- 5.38. Graham Peters asked if the SELEP had been speaking to the Government to ensure that they were satisfied. It was generally agreed that this task would be difficult to do without the documentation, however there would be ongoing positive engagement with Government.
- 5.39. Mark Dance left the meeting. Chris Brodie asked him to pass on the thanks and best wishes of the SELEP to Paul Carter.
- 5.40. The Board **agreed** to retain the Accountability Board and Accountable Body as proposed.
- 5.41. The Board **agreed** that the membership of the SELEP Ltd. would consist of Federated Board members as proposed.
- 5.42. Adam Bryan reiterated the approach to scrutiny, but that this should be advertised more widely.
- 5.43. The proposed approach to scrutiny was **agreed**.
- 5.44. The update regarding induction was **noted**.
- 5.45. Angela O'Donoghue expressed a concern that the diversity conversation had been limited to gender, and that a statement was required as a commitment towards broadening the diversity of the Board. This was generally agreed.
- 5.46. The update regarding diversity was **noted**.
- 5.47. The update regarding governance documents was **noted**.
- 5.48. The planned activity before the next meeting was **noted**.

## Item 6: Sector Support Fund

6.1. Adam Bryan presented to the Board.



SSF and GPF.pptx

6.2. The Board **agreed** to endorse the Clean Growth project.

6.3. The Board **noted** the update on the delivery of the SSF programme.

### Item 7: GPF Round 3 Prioritisation

- 7.1. Adam Bryan presented (please refer to the above presentation) and explained the key aspects of the paper.
- 7.2. Adam Bryan explained that the paper proposed the use of banding, as a single list could cause issues when prioritising later alongside the ITE evaluation.
- 7.3. Jo James added that there were frustrations when the ITE changes priorities from the original local priorities, and that there would need to be a way of taking local priorities more into account.
- 7.4. There was a discussion around the need for more research and development projects in the SELEP area, however it was agreed that this was not relevant for GPF although these projects were important for the SELEP in general.
- 7.5. David Rayner added that the ITE had been known to make mistakes, and therefore it would be crucial to review before the final business case is finalised.
- 7.6. Paul Thomas added that the ITE is advice, and that a ranking list that considered banding could be a solution.
- 7.7. Colette Bailey asked if the ITE would be available at the moment of prioritisation within the Federated Boards to mitigate any issues. Adam Bryan responded that that ITE would be engaged with the business case.
- 7.8. Graham Peters added to Colette Bailey's point, stating that it would be important to know at which stage the ITE would be engaged.
- 7.9. It was **agreed** that GPF Round 3 will be initially prioritised by Federated Boards using a single ranked list instead of banding.
- 7.10. The Board **agreed** the remainder of the process as set out in the report.
- 7.11. The Board **noted** that interest will be charged at two percent below the Public Works Loan Board Rate or zero- whichever is higher.
- 7.12. The Board **noted** that the availability of GPF for reinvestment would be dependent on repayments being made for existing projects.

### Item 8: SME Internationalisation Exchange Project

8.1. Steve Samson presented to the Board.



SIE SELEP Board  
Presentation.pptx

8.2. The Board **noted** the update to the project.

### Item 9: A13 Widening project update



- 9.1. The discussion during this item included information from a confidential appendix which was not included in these minutes.
- 9.2. Thurrock Council's Section 151 officer explained the project issues to the Board that had resulted in the project requiring extra funding.
- 9.3. The Board **noted** the update report on the A13 widening project.
- 9.4. The Board **agreed** the provisional allocation of additional LGF, as detailed in confidential appendix 1 subject to:
  - a) a funding decision by the Accountability Board;
  - b) the Accountability Board being satisfied that the full funding package is in place to complete the delivery of the Project; and
  - c) the Accountability Board being satisfied that the Project continues to present high value for money.
- 9.5. The Board **noted** that the additional LGF funding decision, detailed in appendix 1, is a capped funding contribution to the Project.
- 9.6. The Board **noted** the intention for quarterly updated to continue to be provided to the Accountability Board each quarter on the delivery of the Project, to the point of Project completion. Updated will also be provided to the Strategic Board through the Capital Programme Update reports.

#### **Item 10: AOB**

- 10.1. Adam Bryan read out a confidential statement to the Board regarding Hadlow College. Chris Brodie declared a non-pecuniary interest as Chair of the Students Loan Company.

Chris Brodie closed the meeting.