

<b>Subject:</b>	<b>Greater Brighton Economic Board Operational Arrangements for 2017/18</b>		
<b>Date of Meeting:</b>	<b>25 April 2017</b>		
<b>Report of:</b>	<b>Chair, Greater Brighton Officer Programme Board</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Nick Hibberd</b>	<b>Tel:</b> 01273 293756
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<b>LA(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT:**

- 1.1 This report outlines the preparatory steps needed to support the operational aspects of the Greater Brighton Economic Board ('the Board') in 2017/18.
- 1.2 This report should be read in conjunction with the Heads of Terms ('HoTs') for the Board. The latest version of the Heads of Terms, as agreed by the Board on 21 April 2015, is attached as Appendix 1.

**2. RECOMMENDATIONS:**

## 2.1 The Board is asked to:

- (1) Agree and secure the budgetary contributions sought to fund the cost of running the Board and delivering its workplan in 2017/18;
- (2) Note the current workplan and agree the projects/activities prioritised for funding;
- (3) Agree that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2017/18;
- (4) Agree to formally invite Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Board, joining the Greater Brighton Joint Committee and the Greater Brighton Business Partnership respectively, subject to both their agreement and formal ratification from the Board's member organisations;
- (5) Agree the process by which the Chair of the Board shall be nominated for 2017/18;
- (6) Note the date by which the Lead Authority must be notified of all named substitutes and instruct any necessary actions within their respective organisations;

(7) Note the date by which the lead authority must be notified of all nominations to the Greater Brighton Call-In Panel and instruct any necessary actions within their respective organisations, and;

(8) Note that the Annual Report will be drafted for presentation to the Board at its first meeting in the new municipal year.

### 3. CONTEXT AND BACKGROUND INFORMATION:

3.1 The budget to support the running costs of the Board in 2016/17 was £190,010 (inclusive of the 2015/16 roll-over of £28,576). The actual spend as at 17 March 2017 is £95,838.46. This underspend is due mainly to significantly lower than forecast consultancy and salary costs (no appointment was made to the Greater Brighton Policy & Projects Manager post). A breakdown of the 2016/17 forecast, budgetary contributions and spend is attached as Appendix 2.

3.2 It is proposed that the underspend, which totals £94,171.54, be rolled-over into 2017/18; with £3,655.81 reserved as a contingency fund and the remaining £90,515.73 used towards the cost of running the Board and the delivery of its workplan.

3.3 The workplan has grown significantly since the Board's inception in March 2014. The current workplan is attached as Appendix 3. In a bid to ensure that costs for contributing member organisations are kept to an acceptable level, it is proposed that the 2017/18 contributions sought by Brighton & Hove City Council, as Lead Authority, be the same as in 2016/17 and that projects/activities be prioritised accordingly.

3.4 In line with sections 12 and 13 of the HoTs, Brighton & Hove City Council is seeking the following contributions from the Board's member organisations:

<b>Organisation</b>	<b>2017/18 Contribution Sought</b>
Coast to Capital Local Enterprise Partnership	£12,500.00
South Downs National Park Authority	£7,500.00
University of Sussex	£7,500.00
University of Brighton	£7,500.00
Greater Brighton Metropolitan College	£7,500.00
Adur District Council	£12,345.00
Brighton & Hove City Council	£53,406.00
Worthing Borough Council	£19,215.00
Lewes District Council	£17,734.00

Mid Sussex District Council	£11,234.00
<b>Total:</b>	<b>£156,434.00</b>

- 3.5 Appendix 4 outlines the approach used in 2016/17 to develop the contributions that are being sought.
- 3.6 The budget to support the running costs of the Board in 2017/18 therefore totals £250,605.54. It is proposed that this be allocated as follows:

<b>Running Costs</b>	
Salary costs (including on-costs) and expenses (inclusive of 1% inflationary rise)  <i>The increase in salary costs is due to the need for additional staffing resource to support the delivery of Board's ambitious workplan. It is proposed that the staffing complement comprise: 1 full time Business Manager, 1 part time (3 days per week) Business Manager and 1 part time (2.5 days per week) Project Support Officer. It is proposed that appointments be made on a 3-year fixed-term contract</i>	£101,000.00
Finance support (inclusive of 1% inflationary rise)	£7,060.91
Legal support (inclusive of 1% inflationary rise)	£9,671.51
Communications support (inclusive of 1% inflationary rise)  <i>It is proposed that the communications function rotate with the Chair, as opposed to being fulfilled by the Lead Authority</i>	£8,596.51
Annual report and other materials	£1,500.00
Democratic Services support (administrative) (inclusive of 1% inflationary rise)	£4,120.80
Scrutiny (charged £500 (excluding venue) on a 'pay as you go' basis)	£2,000.00
Venue hire and refreshments	£3,000.00
<i>Total</i>	<i>£136,949.73</i>
<b>Workplan</b>	
Inward Investment & Export  <i>Development of a proactive Greater Brighton Inward Investment &amp; Export Strategy and supporting materials and processes, working in partnership with the Coast to Capital</i>	£40,000.00

<i>Local Enterprise Partnership and the Department for International Trade</i>	
Transport Infrastructure <i>Analysis and articulation of Greater Brighton's transport priorities, to inform the development of Transport for the South East's Transport Strategy</i>	£10,000.00
Digital Infrastructure <i>Development of a Greater Brighton Digital Connectivity Delivery Plan, to include the drafting of a bid to the Department for Culture, Media &amp; Sport's 'full-fibre' broadband initiatives fund</i>	£10,000.00
Water & Energy Plan <i>Development of a Greater Brighton Water &amp; Energy Plan, linked to the Investment Programme/Pipeline and Local Plans, working in partnership with the Brighton &amp; Lewes Downs Biosphere Board, Southern and South East Water and UK Power Networks and other local suppliers</i>	£10,000.00
Skills & Employment <i>Development of a Greater Brighton Skills &amp; Employment Plan, including to support the City Region to secure Adult Education Budget from 2018/19</i>	£10,000.00
ESIF Business Support Bid <i>One-off contribution towards the 100% match-fund requirement (totalling £6m) for the region's European Regional Development Fund Business Support bid</i>	£30,000.00
<i>Total</i>	<i>£110,000.00</i>
Contingency	£3,655.81
<b>Total</b>	<b>£250,605.54</b>

- 3.7 It should be noted that a Smart Specialisation proposal is currently being developed by the University of Brighton and the University of Sussex, for presentation to the Board at its July 2017 meeting. This work would both build a City Region intelligence function and improve engagement activities with business. The proposed budget allocation to the various workplan projects and activities outlined above is, therefore, indicative and will be reviewed in line with the Smart Specialisation proposal.

#### **LEAD AUTHORITY**

- 3.8 On 19 April 2016, the Board agreed that Brighton & Hove City Council continue to act as Lead Authority. As outlined in section 1.8 of the HoTs, lead authority

arrangements are reviewed every two years and it is therefore proposed that this arrangement be maintained in 2017/18.

- 3.9 In October 2017, each local authority represented on the Board will be invited to submit an expression of interest in fulfilling the role for 2018/19 – 2019/20. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.

#### **2017/18 BOARD MEETING DATES:**

- 3.10 The Board meeting dates for the new municipal year have been set as follows:

- 18 July 2017
- 07 November 2017
- 06 February 2018
- 17 April 2018

- 3.11 As in 2016/17, it is proposed that all meetings will commence at 10:00 and be held in alternating locations across the City Region.

#### **MEMBERSHIP AND CHAIRPERSON:**

- 3.12 No elections are due to take place in the City Region's local authority areas in May 2017 and so the existing representatives on the Greater Brighton Economic Joint Committee ('the Joint Committee') will remain unchanged in 2017/18.
- 3.13 On 31 March 2017, City College Brighton and Hove and Northbrook College merged to form the Greater Brighton Metropolitan College (GBMet). The City Region now comprises three further education colleges; Plumpton College, Sussex Downs College and GBMet. The Chief Executive Officers/Principals of these colleges have confirmed that Nick Juba, Chief Executive Officer of GBMet, will represent their sector on the Board in 2017/18.
- 3.14 2017/18 will see two changes in the existing Greater Brighton Business Partnership ('the Business Partnership') representation; Steve Allen will represent the Coast to Capital Local Enterprise Partnership and Peter Webb the Coastal West Sussex Partnership. It is anticipated all other existing representatives will remain unchanged in 2017/18.
- 3.15 The Board is asked to extend its geographical remit and membership; formally inviting Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Joint Committee and the Business Partnership respectively. This is subject to the approval of both Crawley Borough Council and Gatwick Airport Limited. It would also trigger a variance in the Board's Heads of Terms that will require the formal ratification of all Joint Committee members. A report detailing the full practical implications of Crawley Borough Council and Gatwick Airport Limited joining the Board will be represented to the Board in due course.
- 3.16 The London-Gatwick-Brighton Growth Corridor has been recognised as one of nine corridors in England that have been at the heart of growth over the last

decade<sup>1</sup> and are likely to maintain a pivotal role in shaping growth in the future. The Corridor, which stretches along the Brighton Main Line and M23/A23 routes, creates key strategic linkages between Crawley, Gatwick and Brighton & Hove – the benefits of which will cascade across the City Region. The inclusion of Crawley Borough Council and Gatwick Airport Limited on the Greater Brighton Economic Board presents the following related opportunities:

3.16.1 Enabling Greater Brighton to clearly articulate how the City Region economy can benefit from both its links to the M23/A23 Corridor and to London.

3.16.2 Strengthening Greater Brighton's voice to Government:

- Bringing together two of the Coast to Capital Local Enterprise Partnership's economic 'power houses'. Crawley and Brighton & Hove generate over £4.5bn and £6.7bn GVA respectively. The City Region has a current combined GVA of just over £19bn (all GVA data is from 2014).
- Crawley is home to 110,900 people. The City Region has a current combined population of just over 700,000. The new population total, of just under 811,000 people, would increase the scale and profile of Greater Brighton.
- Similarly, Crawley is home to over 3,000 active businesses – including Gatwick Airport Limited. There are currently just over 35,000 active business units in the City Region.
- Gatwick is one of the South East's most high profile and important anchor businesses. It has 24,000 direct employees (and 13,000 indirect employees) from across the region. It is a major investor in growth – having invested £1.3bn since 2009 with plans to invest a further £1.2bn before 2021 – and attractor for inward investment, providing access to markets for business as well as supporting the ongoing growth of tourism. The inclusion of an international airport within the City Region will bring Greater Brighton's profile in line other City Region's that are high on Government's radar –Manchester, Birmingham and Newcastle.

3.16.3 Enabling joint-work on strategic priorities, including:

- Articulating the economic case for continued investment in infrastructure, with an immediate focus on influencing investment in the Brighton Main Line.
- Developing a proactive Inward Investment and Trade strategy (encompassing supply chain development), working with the Department for International Trade and the Coast to Capital Local Enterprise Partnership. Strengthened links to London, coupled with an international airport, would increase investor confidence in Greater Brighton. Gatwick has Europe's fastest growing long haul network, now servicing more than 50 long haul destinations. It plays an important role in supply chain development – £74m of Gatwick's expenditure is already with local businesses.

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<sup>1</sup> <http://www.grantthornton.co.uk/globalassets/1.-member-firms/united-kingdom/pdf/publication/2014/where-growth-happens-the-high-growth-index-of-places.pdf>

- Supporting the work of the West Sussex and Greater Brighton Strategic Planning Board in developing the Local Strategic Statement 3; a process to support better integration and alignment of strategic spatial and investment priorities and deliver a spatial framework for the area that brings together in one place the housing and employment space required over the next ten years linked to the long term strategic infrastructure and other transport plans.
- 3.17 As outlined in section 6 of the HoTs, the role of Chair shall rotate annually between the Joint Committee members. The Chair of the Joint Committee shall, by virtue of his/her democratic mandate, be the Chair of the Board. It is for the Joint Committee to determine the order in which their members shall chair.
- 3.18 The new Chair must be formally appointed at the Board's first meeting in the new municipal year. It is proposed that nominations be sought in advance and that the following process be adopted:
- (1) On 22 May 2017, Brighton & Hove City Council's Democratic Services team will issue an e-mail to the local authority Leaders to ask if they would like to put themselves forward as Chair.
  - (2) Those local authority Leaders choosing to put themselves forward must notify Brighton & Hove City Council's Democratic Services of their decision by 02 June 2017.
  - (3) On 05 June 2017, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, advising of the nominations and asking them to cast a vote for their preferred nominee. Each Greater Brighton Economic Joint Committee member will have one vote, save for Brighton & Hove City Council where the Leader of the Opposition will also have a vote. Voting will be completed in confidence. The deadline for votes will be 23 June 2017.
  - (4) On 19 June 2016, Brighton & Hove City Council Democratic Services will issue an e-mail to all members of the Board to advise them of the new Chair.
  - (5) On 18 July 2017, members of the Greater Brighton Joint Committee will formally appoint the new Chair (this will be the first item of business).
- 3.19 In the event that the vote is tied, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, informing that the first round has been tied and asking them to vote again on the preferred nominees.
- 3.20 All member organisations are required to inform Brighton & Hove City Council's Democratic Services of their substitute representatives by 26 June 2017. In line with section 9 of the HoTs, the list of substitutes will be approved by the Board at its first meeting in the new municipal year.
- 3.21 As stated in section 4.3 of the HoTs, the work of the Board shall be subject to review by an ad hoc joint local authority scrutiny panel that is managed by the Lead Authority. It is proposed that the current Call-In Protocol remains unchanged for 2017/18. The Protocol is attached as Appendix 5. Members of

the Board are required to inform Brighton & Hove City Council' Democratic Services of their Greater Brighton Call-In Panel representatives by 19 June 2017.

#### **ANNUAL REPORT:**

- 3.22 As outlined in section 4.1 of the HoTs, the Board shall submit an annual report to each of the bodies represented on the Board.
- 3.23 It is proposed that the 2016/17 Annual Report be presented to the Board for approval at its first meeting in the new municipal year, scheduled for 18 July 2017.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The proposals are in accordance with the governance arrangements agreed by the Board.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Not applicable.

#### **6. CONCLUSION:**

- 6.1 To ensure that the Board transitions smoothly into the new municipal year, Board members are asked to:

- (1) Agree the budgetary contributions that are being sought to fund the costs of running the Board and delivering its workplan in 2017/18;
- (2) Note the current workplan and agree the projects/activities prioritised for funding;
- (3) Agree that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2017/18;
- (4) Agree to formally invite Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Board, joining the Joint Committee and the Business Partnership respectively, subject to both their agreement and formal ratification from the Board's member organisations;
- (5) Agree the process by which the Chair of the Board shall be nominated for 2017/18, and;
- (6) Note the requirement, and instruct the necessary actions within their respective organisations, to:
  - a. Notify the lead authority of their named substitutes by 26 June 2017, and ;
  - b. Notify the lead authority of their nominations to the Greater Brighton Call-In Panel by 26 June 2017, and;

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The Greater Brighton Economic Board assists with delivering economic development across the region. The Board seeks to secure government and private sector funding and investment in order to deliver this economic development. An annual operating budget is agreed with the Board for the forthcoming financial year to enable the Accountable Body to provide legal, financial, communications and administrative support to allow the Board to deliver its workplan. Annual contributions are made from member authorities to the Accountable Body toward this budget. The contributions from member authorities are detailed within paragraph 3.4 of this report. The apportionment of contributions from unitary, district and borough councils are based upon the size of their working age populations and are detailed within Appendix 4. The budget for the financial year 2017/18 will reflect anticipated spend for the workstreams ahead including a provision for contingency. The estimated spend of £250,606 for the year is detailed in paragraph 3.6 and includes running costs as well as financial support to deliver the Greater Brighton Workplan for the activities, projects and programmes detailed in appendix 3. In the event that Crawley Borough Council and Gatwick Airport Limited become members of the Board a review of the operational costs and contributions will be undertaken and will be presented back to the Board in due course.

*Finance Officer Consulted: Rob Allen, Principal Accountant, BHCC  
Date: 21 March 2017*

### Legal Implications:

- 7.2 The Board is a Joint Committee established pursuant to 120(1)(b) of the Local Government Act 1972. A decision to change the Terms of Reference (in this case the membership) of the Joint Committee requires a decision of each body represented on the Board in accordance with their respective governance arrangements.

*Lawyer Consulted: Elizabeth Culbert, Head of Legal Services BHCC  
Date: 11 April 2017*

### Equalities Implications:

- 7.2 None

### Sustainability Implications:

- 8.5 None

### Any Other Significant Implications:

- 8.6 None

## **SUPPORTING DOCUMENTATION**

**Appendices:**

- Appendix 1: Heads of Terms for Greater Brighton Economic Board
- Appendix 2: 2016/17 Forecast, Contributions and Spend
- Appendix 3: Greater Brighton Workplan
- Appendix 4: Approach for Calculating 2016/17 Funding Contributions
- Appendix 5: Greater Brighton Economic Board Call-In Protocol

**Background Documents**

None.

## **Appendix 1: Heads of Terms for Greater Brighton Economic Board (21 April 2015)**

### **1. Establishment, Purpose and Form**

- 1.1. The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date
- 1.2. The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3. The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Cost to Capital Local Enterprise Partnership, business, university and further education sectors will be separated.
- 1.4. Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5. GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6. The Board may appoint one or more sub-committees.
- 1.7. For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8. Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9. Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

### **2. Interpretation**

- 2.1. In these Heads of Terms –
  - i. ‘Commencement Date’ means 1<sup>st</sup> April 2014.

- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council and Mid Sussex District Council as lie within the Coast to Capital Local Enterprise Partnership area; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
  - Employment and skills;
  - Infrastructure and transport
  - Housing;
  - Utilisation of property assets;
  - Strategic planning;
  - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

### **3. Functions**

3.1. The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.

3.2. The functions referred to in paragraph 3.1 are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.

3.3. In discharging its function specified in paragraph 3.2 (viii) above, the Board shall-

- i. (save in exceptional circumstances) seek to invest funding on the basis of-
  - a Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
  - b Deliverability;
  - c Value for money and return on investment / cost benefit ratio; and
  - d Economic impact to the City Region as a whole.
- ii. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters falling within that function.

#### **4. Reporting and Accountability**

- 4.1. The Board shall submit an annual report to each of the bodies represented on the Board.
- 4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.
- 4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

#### **5. Membership**

5.1. The following bodies shall be members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. University of Sussex
- vii. University of Brighton
- viii. Further Education Representative
- ix. Coast to Capital Local Enterprise Partnership
- x. Brighton & Hove Economic Partnership
- xi. Adur & Worthing Business Partnership
- xii. Coastal West Sussex Partnership
- xiii. South Downs National Park Authority

5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (v); and GBBP shall comprise the bodies specified in paragraphs 5(vi) to (xiii).

5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person, save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).

5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.

- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

## **6. Chair**

- 6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. Following GBEJC's first year in operation, its Chair shall rotate annually between its members, with the new Chair being appointed at the first meeting of the Board in the new municipal year.
- 6.5. GBEJC shall decide the order in which their members shall chair that body.

## **7. Voting**

- 7.1. Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.
- 7.2. Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 7.3. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.
- 7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.
- 7.5. Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.

7.6. Where the respective voting outcomes of GBEJC and GBBP differ, the Board –

- i. May not pass a resolution relating to that matter; and
- ii. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.

7.7. Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.

7.8. Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

## **8. Review of decision**

8.1. Decisions of the Board will be subject to call-in and review in the following circumstances:

- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was to agree the recommendation.
- ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

8.2. The procedure for Requesting, validation, and implementing a call-in and review is specified in Schedule 1.

8.3. Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in

8.4. Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.

8.5. Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

## **9. Substitution**

9.1. Subject to paragraph 9.2, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.

9.2. A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

## **10. Quorum**

10.1. No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.

10.2. Quorum for GBEJC meetings shall be three member bodies.

10.3. Quorum for GBBP meetings shall be three member bodies.

## **11. Time and Venue of Meetings**

11.1. Ordinary meetings of the Board shall be convened by the lead authority and normally take place in the geographical area of that authority.

11.2. The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

## **12. Administrative, financial and legal support**

12.1. The lead authority shall provide the following support services to the Board:

- i. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
- ii. Financial (including the Accountable body function specified in paragraph 12.2); and
- iii. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.

12.2. The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding Pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.

12.3. Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

## **13. Memorandum of Understanding**

13.1. Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.

13.2. The memorandum may, in particular, provide for –

- i. Arrangements as to the financial contributions by each member towards the work of the Board, including:
  - a The process by which total financial contributions are calculated;
  - b The process for determining the contribution to be paid by each member;
  - c The dates on which contributions are payable;
  - d How the Accountable Body shall administer and account for such contributions;
- ii. Functions of the Accountable Body; and
- iii. The terms of reference for the Greater Brighton Officer Programme Board.

#### **14. Review and Variation of Heads of Terms**

14.1. The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.

14.2. These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.

## Appendix 2: 2016/17 Forecast, Contributions and Spend

1. The 2016/17 budget to support the running costs of the Board and the delivery of its workplan totalled £190,010. This was made-up of the 2015/16 roll-over of £28,576 and the following funding contributions:

Coast to Capital Local Enterprise Partnership	£12,500
South Downs National Park Authority	£7,500
University of Sussex	£7,500
University of Brighton	£7,500
City College Brighton & Hove	£7,500
Adur District Council	£12,345
Brighton & Hove City Council	£53,406
Worthing Borough Council	£19,215
Lewes District Council	£17,734
Mid Sussex District Council	£11,234
Total	£161,434

2. The 2016/17 budget forecast was as follows:

Salary costs (Including on-costs)	£102,847.90
Support services costs (Legal, Finance, Democratic Services and Communications)	£29,161.76
Scrutiny (Charged at £500 on a 'pay as you go' basis)	£2,000.00
Specialist external support (Technical consultancy support in relation to the City Region's devolution proposals)	£40,000.00
Venue hire	£2,000.00
Publicity, design and branding	£4,000.00
Total Costs*	£180,009.66

\* Excluding contingency.

3. The actual 2016/17 spend (including all known commitments as at 17 March 2017) was as follows:

Salary costs (Including on-costs, printing and other expenses)	£51,671.70
Recruitment costs (Policy & Projects Manager post)	£400.00
Support services costs (Legal, Finance, Democratic Services and Communications)	£29,161.76
Consultancy fees (January 2017 Devolution Proposal and Annexes)	£11,499.00
Venue hire and hospitality	£841.00
Publicity, design and branding (2015/16 Annual Report and Pull-Up Banner)	£2,265.00
Total	£95,838.46

4. The budget remaining as at 17 March 2017 is £94,171.54. It is proposed that the remaining budget be rolled-over into 2017/18, with £5,000 reserved as a

contingency fund and the remaining £89,171.54 used towards the cost of running the Board and delivery of its workplan.

### **Appendix 3: Greater Brighton Workplan**

The Greater Brighton workplan currently comprises the following activities, projects and programmes, some of which are being led by member organisations and/or wider partners:

- a) Delivery of the Greater Brighton Investment Programme
- b) Maintenance of the Greater Brighton Project Pipeline
- c) Co-ordinating and developing funding bids, including to the Local Growth Fund
- d) Delivery of the Greater Brighton One Public Estate Programme
- e) Development and negotiation of the Greater Brighton devolution proposals, including building the supporting evidence base/business cases \*
- f) Development of a Greater Brighton Inward Investment & Export Strategy
- g) Development of a Greater Brighton Smart Specialisation Strategy
- h) Participation in the Innovation South Science & Innovation Audit
- i) Development of a local Digital Connectivity Delivery Plan and supporting the growth the creative Digital and IT cluster, in partnership with the Digital Catapult Centre Brighton
- j) Development a non-statutory spatial framework, through the West Sussex and Greater Brighton Strategic Planning Board
- k) Establishment of Transport for the South East and development of an overarching Transport Strategy for the region
- l) Development of Rail South proposals, through Transport for the South East
- m) Participation in the Coast to Capital European Regional Development Fund Business Support bid, to enhance the City Region's business support offer
- n) Development of a Greater Brighton Employment & Skills Plan
- o) Hosting the British Science Festival 2017, Europe's largest and longest-established science event (05-09 September 2017)
- p) Development of a Greater Brighton Communications Strategy
- q) Development of other policy responses, including to the Industrial Strategy Green Paper and the implications of the Country's withdrawal from the European Union

\* Pending the outcome of current negotiations, further work may be required as follows:

Housing & Growth Sites	<ul style="list-style-type: none"> <li>• Literature review (inc of SHMAs and OANs) and summary of evidence and conclusions regarding barriers and shortfalls</li> <li>• Detailed analysis of employment floorspace gaps and requirements</li> <li>• Further development of “layer plan” and of asks to enable and/or accelerate delivery</li> <li>• Further investigation of cross boarder delivery vehicles</li> </ul>
Transport	<ul style="list-style-type: none"> <li>• Explanation of what Greater Brighton would achieve with multi-year transport settlement</li> <li>• Review of how multi-year settlement would affect transport authorities within Greater Brighton area</li> <li>• Development of detailed Greater Brighton Infrastructure Plan, to identify deficits and priorities and to detail improvements needed to national infrastructure</li> <li>• Assess whether new powers in Buses Bill are suitable for Greater Brighton</li> <li>• Map, describe and quantify (including benefits) interventions to build effective transport network</li> <li>• Develop, in partnership with East and West Sussex County Councils, Highways England and the Department for Transport, a Key Route Network</li> </ul>
Business & Innovation	<ul style="list-style-type: none"> <li>• Review effectiveness of current business support services</li> <li>• Produce economic assessment of key sectors (similar to FUSE research for CDIT)</li> <li>• Benchmark access to export services from DIT and others to set baseline</li> </ul>
Digital	<ul style="list-style-type: none"> <li>• Develop detailed evidence base to tell story of need for improvements to digital connectivity (outlining current situation, gaps in provision, proposal to increase coverage, costs and risks of proposal, overall economic impact)</li> <li>• Develop proposals for an agile and flexible funding mechanism to support digital sector</li> <li>• Explore potential of sub-national digital body to “UK Silicon Valley” (Oxford/Cambridge to Greater Brighton)</li> </ul>
Skills	<ul style="list-style-type: none"> <li>• Develop a Greater Brighton Skills &amp; Employment Plan</li> </ul>

## Appendix 4: Approach for Calculating 2016/17 Funding Contribution

### Greater Brighton Business Partnership:

- Due to their being largely local authority funded, no contributions will be sought from the Brighton & Hove Economic Partnership, the Adur & Worthing Business Partnership and the Coastal West Sussex Partnership.
- All remaining Business Partnership members will be charged a 'flat fee' of £7,500. The Coast to Capital Local Enterprise Partnership will be charged an additional £5,000, as the Board forms a part of its governance and delivery framework.

### Greater Brighton Economic Joint Committee:

- The contributions sought from the unitary, district and borough councils for the total remaining funding requirement have been apportioned in relation to the size of their working age populations. Please see the Business and Demographic Overview below.
- As a large proportion of Mid Sussex District Council's working age population is based in East Grinstead – an area this is currently outside of the scope of the Investment Programme – it is proposed that they pay 50% of their original contribution calculation and that the remaining 50% be divided equally amongst the remaining members.

Organisation	% of working age population	Original 2016/17 Contribution Calculation	Actual 2016/17 Contribution Sought (rounded up)	2015/16 Contribution Paid (inc towards City Region's Devolution Bid)
Adur District Council	8.37%	£9,536.27	£12,345	£17,422
Brighton & Hove City Council	44.41%	£50,598.10	£53,406	£83,834
Worthing Borough Council	14.40%	£16,406.50	£19,215	£20,784
Lewes District Council	13.10%	£14,925.35	£17,734	£20,067
Mid Sussex District Council	19.72%	£22,467.78	£11,234	£16,864
<b>Total</b>	100%	£113,934	£113,934	£158,971

## Greater Brighton Business and Demographic Overview (March 2016)

Local Authority	Population (2014)	Working age population (2014)	VAT/PAYE Businesses (2015)	VAT/PAYE Business Units (2015)	Business units per 1,000 working age residents	% of total GB population	% of total GB working age population	% of business units in GB area
Adur	63,200	37,300	2,185	2,500	67.0	9.08%	8.37%	7.2%
Brighton & Hove	281,100	198,000	12,650	15,210	76.8	40.40%	44.41%	43.9%
Lewes	100,200	58,400	4,185	4,755	81.4	14.40%	13.10%	13.7%
Mid Sussex	144,400	87,900	6,920	7,790	88.6	20.75%	19.72%	22.5%
Worthing	106,900	64,200	3,550	4,385	68.3	15.37%	14.40%	12.7%
<b>Totals</b>	<b>695,800</b>	<b>445,800</b>	<b>29,490</b>	<b>34,640</b>		<b>100.00%</b>	<b>100%</b>	<b>100%</b>

All data sourced from NOMIS. Primary Data Sources: ONS Annual Population Estimates, Inter-Departmental Business Register

## **Appendix 5: Greater Brighton Economic Board Call-In Protocol**

### **1. Requesting a Call-in**

- 1.1. Call-in is a process via which decisions made by the Greater Brighton Economic Board (GBEB) but not yet implemented can be challenged by GBEB members and referred to an independent 'call-in panel' for consideration.
- 1.2. Any decision made by the GBEB may be called-in up to five working days from the date of the meeting at which the decision was taken.
- 1.3. Call-in may triggered by any one or more of the constituent members of the GBEB. Such a request shall be made in writing to the Chief Executive of the lead Local Authority (i.e. the Local Authority responsible for GBEB administration at the time of the call-in request) and shall include the reasons for the request and any alternative decisions proposed.
- 1.4. A request for call-in may be made by any GBEB member local authority:
  - i. where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was against the recommendation;
  - ii. where a local authority voted against a recommendation at a meeting of the GBEJC but the decision of the Board was to agree the recommendation;
  - iii. where any local authority represented in the Board considered that the interests of the body they represent had been significantly prejudiced; or
  - iv. where any local authority represented in the Board considered that the Board had made a decision beyond its scope of authority.
- 1.5. The Chief Executive may refuse to accept a call-in request which in his/her opinion is frivolous, vexatious or defamatory or where no reason for the decision to be called-in is given.
- 1.6. Should the request be accepted, the Chief Executive will call-in the decision. This shall have the effect of suspending the decision coming into force and the Chief Executive shall inform the relevant decisionmakers of the call-in. The Chief Executive shall then call a meeting of the GBEB call-in panel to scrutinise the decision.
- 1.7. The GBEB call-in panel must meet within seven working days of the Chief Executive accepting the call-in request. Should the call-in committee fail to meet within this period, or meet but not be quorate, then the original decision shall come into force at the expiry of the seven day period

### **2. The GBEB Call-in Panel**

- 2.1. The GBEB call-in panel shall include members representing each of the constituent members of the GBEB (i.e. both the Greater Brighton Economic Joint Committee and the Greater Brighton Business Partnership).

- 2.2. The GBEB call-in panel could potentially also include co-opted members from other bodies. Any decision on co-option would be made annually by the GBEB.
- 2.3. Each constituent member of the GBEB shall appoint a member to the GBEB call-in panel. No member of the GBEB call-in panel may also be a member or substitute member on the GBEB – GBEB call-in panel members should be independent of the GBEB to the degree that they have not as individuals been involved in the decision that they are being asked to consider as a call-in.
- 2.4. The Chair of the GBEB call-in panel shall be appointed annually by the GBEB.
- 2.5. Appointments to the GBEB call-in panel shall be annual.
- 2.6. Substitution is permitted on to the GBEB call-in panel. However, no substitute member may be or have been a GBEB member or substitute.
- 2.7. The GBEB call-in panel shall make decisions on the basis of a majority vote. If the vote is spilt then the panel Chair shall have a casting vote.
- 2.8. **Quorum.** To be quorate a meeting of the GBEB call-in panel shall require at least one third of members to be in attendance.
- 2.9. For the purposes of call-in no distinction shall be made between representatives from the members of the Greater Brighton Economic Joint Committee and representatives from the members of the Greater Brighton Business Partnership: all members of the call-in panel will vote together.

### 3. Call-in meetings

- 3.1. The GBEB call-in panel will consider call-in requests at a special call-in meeting. Typically, the call-in panel will hear from:
  - i. the GBEB member who made the call-in request (where a request has been made by more than one member the Chair of the GBEB callin panel will decide whether to take representations from all the signatories to the call-in request or to ask the signatories to make a single representation). The member(s) who requested a call-in will explain why they feel the original decision was unsound and will suggest an alternative decision.
  - ii. the GBEB. The GBEB Chair (or another GBEB member or an officer supporting the GBEB at the request of the GBEB Chair) will explain why the original decision was made and will provide any additional information they feel is germane. Where the GBEB Chair is a signatory to the call-in request, then another GBEB member (or officer supporting the GBEB) shall attend the call-in meeting to represent the GBEB. This representative will be chosen by the Chief Executive of the lead authority, after discussion with GBEB members.
  - iii. Other organisations, stakeholders or members of the public may be granted the right to make representations to the call-in panel at the discretion of the GBEB call-in panel Chair. However, in general the intention should be to re-

examine the decision originally made not to hold a broader enquiry into the decision in question.

3.2. Call-in does not provide for the call-in panel to substitute its own decision for the original GBEB decision, but merely to refer the matter back to the GBEB. The GBEB can only be asked to reconsider any particular decision once.

3.3. In essence the call-in panel is simply tasked with deciding whether the decision in question should be referred back to the GBEB to be reconsidered. Therefore the only substantive decision the GBEB call-in panel can make is whether to refer the decision back to the GBEB or to let the original decision stand.

3.4. In deciding whether to refer a decision back to the GBEB, the call-in panel shall have regard to:

- i. Any additional information which may have become available since the original decision was made
- ii. The implications of any delay in implementing the original decision
- iii. Whether reconsideration is likely to lead to a different decision
- iv. The importance of the matter raised and the extent to which it relates to the achievement of the GBEB strategic priorities
- v. Whether there is evidence that the decision-making rules in the GBEB constitution have been breached
- vi. Whether there is evidence that the GBEB consultation processes have not been followed
- vii. Whether the decision taken is not in accordance with a policy previously agreed by the GBEB
- viii. Whether there might be an alternative way of dealing with the matter in hand short of referral back to the GBEB

3.5. If having scrutinised the decision, the GBEB call-in panel feels that the decision was seriously flawed, it may refer it back to the GBEB for reconsideration, setting out in writing the nature of its concerns.

3.6. Implementation of any decision referred back to the GBEB remains suspended until the GBEB has met to reconsider the matter. However, should the GBEB call-in panel choose not to refer the matter back to the GBEB for reconsideration then implementation may begin immediately following the call-in committee meeting.

3.7. The GBEB shall reconsider any matter referred back to it by the GBEB call-in panel either at its next scheduled meeting or at a special meeting called for the purpose. Having considered the concerns expressed by the GBEB call-in panel the GBEB is free to make any decision it chooses *including re-affirming its original decision*.

#### **4. Call-in and urgency**

- 4.1. The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of the GBEB or the general public across the 'Greater Brighton' region. The record of the decision, and notice by which it is made public, shall state if in the opinion of the GBEB the decision is an urgent one and therefore not subject to call-in. This is subject to the agreement of the Chief Executive of the lead authority.
- 4.2. Any decision exempted from call-in for reasons of urgency shall be communicated to the Chair of the GBEB call-in panel by the Chief Executive of the lead authority, together with an explanation as to why the decision has been deemed urgent. The intention is that urgency exceptions are used sparingly and only where there is an overriding reason to do so.

