



Lancashire  
Enterprise Partnership

# LOCAL GROWTH ASSURANCE FRAMEWORK

JUNE 2019



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# 1. Background and Purpose

## 1.1 Background

The Lancashire Enterprise Partnership is a business-led public-private partnership set up to drive economic growth across Lancashire. It has since its inception in 2011, set out an economic strategy for Lancashire, most recently expressed in its Strategic Economic Plan. Through strong collaboration with public and private sector partners, the Lancashire Enterprise Partnership has worked at functioning economic market area levels and has successfully secured major strategic programmes and funding based on Growth Deal, City Deal, Growing Places, European funds and three local Enterprise Zones, across four strategic sites. More recently, it has been supporting Transforming Cities and Housing Infrastructure Bids.

In November, 2017, Central Government published the Industrial Strategy White Paper that set out a new direction for Britain, based on a long-term plan to boost the productivity and earning power of people throughout the UK. This reflected a desire to both respond to the potential impact of Brexit and to realise the full productive potential of the country as a whole, utilising the strengths and opportunities of all places across Britain, in an inclusive way.

In light of this new direction and the Strengthening LEPs White Paper, the Lancashire Enterprise Partnership is now seeking to re-invent itself to ensure it is fit for this new purpose. This means continuing to align itself with key public and private sector partners, to lead and produce a Greater Lancashire Industrial Strategy for the North. The Lancashire Enterprise Partnership must also ensure that its operating model functions at the highest standards and this Lancashire Growth Assurance Framework is a key aspect to demonstrating that it does and will, ensuring that collaboration continues to develop and add value in a progressive way. The Assurance Framework provides a simple but comprehensive method for the effective and focussed management of the principal risks to meeting the Lancashire Enterprise Partnership objectives. It provides a structure to support internal control.

## 1.2 Purpose

In order to achieve a strong economy in Lancashire, the LEP has to be both bold and ambitious. As a result, it is crucial that the LEP has strong and stable leadership. That is why the LEP is recruiting a new permanent Chair and a new permanent Chief Executive. This new combination will cement a new bond at the heart of the Lancashire Enterprise Partnership with a view to transforming both the perception of Lancashire and the role it has to play in the North and on the world stage. Success is dependent upon strong relationships and collaboration with its main partners. In order to achieve this the LEP is aiming to be a strong but lean strategic body, capable of steering the whole local economic system, intervening at institutional and delivery body level, to maximise the sum of all the parts. It will as a result be solely an enabling body, reliant on and

mobilising partners for delivery. This will require operating at pace and at the right scale and scope to leverage partnerships to help turn the competitive and local economies around. It requires strong strategy and relationship management skills and capabilities. In response it's Board and sub-Committees are committed to increasingly shift their focus from direct delivery to enabling and steering in the interests of achieving the challenging wider economic outcomes, such as closing the output gap.

The LEP receives grant funding from Government to support it in its day to day activities and it also receives grant funding from Lancashire County Council. This document details how it operates, how decisions are made, how decisions are implemented and that public resources are managed appropriately.

### 1.3 Functions

In the 'Strengthening Local Enterprise Partnerships' White Paper the Government set out that LEPs should focus on the following four activities to support the development and delivery of their Local Industrial Strategy:

- Strategy: developing an evidence-based Local Industrial Strategy that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across their area;
- Allocation of funds: identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy;
- Co-ordination: using their convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors;
- Advocacy: collaborating with a wide-range of local partners to act as an informed and independent voice for their area.

The National Industrial Strategy references five foundations:

- Ideas: encouraging the UK to be the world's most innovative economy
- People: ensuring good jobs and greater earning power for all
- Infrastructure: driving a major upgrade to the UK's infrastructure
- Business environment: guaranteeing the best place to start and grow a business
- Places: creating prosperous communities across the UK

And sets out 4 Grand Challenges:

- AI and data: putting the UK at the forefront of the AI and data revolution
- Ageing society: harnessing the power of innovation to meet the needs of an ageing society

- Clean growth: maximising the advantages for UK industry from the global shift to clean growth
- Future of mobility: becoming a world leader in shaping the future of mobility

These national priorities, together with the emerging priorities of the Northern Powerhouse and the NP11, will inform Lancashire's strategy to drive innovation, productivity, employment, skills development and growth as part of its Local Industrial Strategy, especially across the key sectors, as enablers and market strengths, of advanced engineering and manufacturing, aerospace, automotive, energy, health science and agriculture-tech.

#### **1.4 A strong and independent business voice**

A central theme of the LEP Review is to secure a strong and independent business voice on sub national economic strategy. In areas outside of Combined Authorities, there is also a requirement to ensure the LEP Board receives independent advice and support for its effective business-led voice and decision-making.

As mentioned above, the Lancashire Enterprise Partnership is appointing a new permanent Chief Executive. This Chief Executive will, in consultation with the new permanent Chair and wider Board, review the function and form of Lancashire Enterprise Partnership.

In the intervening period an Interim Chief Executive is under appointment planned to start by the end of March.

Both posts will be independent of local government and report directly to the Lancashire Enterprise Partnership Board.

The existing core staff that are funded using Lancashire Enterprise Partnership resources, primarily arising from interest arising from its loans, will continue to provide an independent secretariat to the Lancashire Enterprise Partnership Board. This staffing resource is currently responsible for a mix of activities. This includes managing the Lancashire Enterprise Partnership business cycle, strategy and programmes. Support services are provided through the Accountable Body. The new Interim Chief Executive will provide direct line management for the secretariat.

In seeking to demonstrate this increasing independence the Lancashire Enterprise Partnership will operate in its own physical space and will seek to operate in the future from its own offices. It is also committed to rotating Board meetings across Lancashire and seeking the use of high quality business premises when receiving delegations from international investors.

## 2. LEP Governance and Decision Making

### 2.1 Structure

The LEP is a Company Limited by Guarantee, incorporated in England and Wales in September 2010 under the provisions of the Companies Act 2006. Its objects, powers and framework of governance are set out in its Articles of Association. The membership of the company will be reviewed to ensure the Lancashire LEP has the best possible membership structure that is business led.

The Lancashire Enterprise Partnership shall advertise and hold at least one Annual General Meeting each year that is open to the public.

The geographical area covered by the LEP is coterminous with the boundaries of the County Council and the unitaries of Blackpool Borough Council and Blackburn with Darwen Borough Council. It encompasses the 12 district councils of: Burnley; Chorley; Fylde; Hyndburn; Lancaster; Pendle; Preston; Ribble Valley; Rossendale; South Ribble; West Lancashire; and Wyre.

### 2.3 Cross Boundary and Cross LEP Initiatives

The Lancashire Enterprise Partnership has a good understanding of the dynamics of its competitive and local economies, and will, as part of developing its evidence base for the Local Industrial Strategy, be undertaking deep dives into better understanding the FEMA for Lancashire. In doing so Lancashire Enterprise Partnership will increasingly seek to operate in an outward-facing way, recognising the complexities and spillover opportunities that arise from clusters, supply chains, travel to work areas and agglomeration that do not respect administrative boundaries. On that basis Lancashire Enterprise Partnership works to exploit economic opportunities across its boundaries. This has included close working, for example with Greater Manchester and Sheffield. The Lancashire Enterprise Partnership record is strong on progressing such cross-boundary and cross-LEP initiatives. The Board remains alert to opportunities also with regional and national partners that enable the LEP to both scale-up and progress key initiatives consistent with economic priorities. The Lancashire Enterprise Partnership plays an active role in NP11, has led on two cross boundary Science & Innovation Audit submissions and supported the development and implementation of the Made Smarter initiative. In relation to links with Sheffield it is currently exploring advanced manufacturing opportunities linked to the Aerospace Enterprise Zone. In addition, work is on-going within NP11 on clean growth, transport, health and aging.

It is the responsibility of the Board to consider and agree all key policy and investment decisions, including proposals to develop and engage with cross-boundary and cross-LEP initiatives. When considering and approving the engagement in cross-boundary initiatives, there must be strong evidence of the strategic value of the proposed activity along with the clear identification of any governance and resource implications. The Lancashire Enterprise Partnership insists that

appropriate partnership agreements are in place before embarking upon such arrangements. All cross boundary initiatives are published on the website.

## **2.4 Board**

### **Role of the Lancashire Enterprise Partnership Chair**

The leadership that the Chair provide is central to the success of the Lancashire Enterprise Partnership. As such, the Lancashire Enterprise Partnership shall recruit Chairs who are influential local leaders, who act as champions for their area's economic success. They will have sufficient standing to be able to convene the local business community and public sector stakeholders, whilst having the insight to oversee the development of an economic strategy and the relationship skills to work effectively with Government.

The Chair must come from the private sector. Given their role involves overseeing public funds and responsibilities; they are expected to display the highest levels of integrity and honesty.

To support the Chair in their role, the Lancashire Enterprise Partnership shall appoint a Deputy Chair. The Lancashire Enterprise Partnership has a defined term limit of three years for the Chair and Deputy Chair, with an optional extension of three years. There is an option to extend for a further three years in exceptional circumstances if approved by the Board. These term limits should become business as usual once the existing Chair's term has expired.

### **The Board**

The LEP Board has been established in accordance with a Government requirement that all LEPs be chaired by a private sector director with at least two thirds of its Board drawn from the private sector, and public sector members drawn from local authority leaders and other relevant public sector organisations. The Board currently comprises five local authority representatives with 14 Board directors drawn from private sector businesses. The local university sector is represented by the Vice Chancellor of Lancaster University and the Chairman of The University of Central Lancashire (UCLAN). A succession plan is in place to respond early to the resignation of Board Members, aided by fixed term appointments for the Chair and Deputy Chair. All recruitment of Board Members is open and advertised in the public arena, as is the case with the recruitment of all future permanent staff.

## **2.5 Diversity and Succession Planning**

The LEP adheres to its Accountable Bodies Equality and Diversity policy which can be accessed here:

<http://www3.lancashire.gov.uk/corporate/web/?siteid=5580&pageid=33450&e=e>

The LEP Board is also committed to ensuring that the Board and any Committees or Sub Groups of the Board have diverse representation that is reflective of the Lancashire Business Community

(including the geographies and protected characteristics) as contained within the Equality Act 2010. The LEP Board is committed to comply with Government requirements to ensure one third of Board Members are female by the end of 2020 and that half of Board Members are female by 2023.

To provide leadership and impetus to the delivery of LEP priorities, Board Champions have been appointed to drive key areas of work. By utilising the skill-sets of Board directors all key areas of LEP activity have a leading Board Champion.

All Board Champions are set out in Annex 1.

The company member(s) have the power to appoint and remove all of the Company's directors following Board recommendation. It is the Board's practice to regularly review Board membership, in light of changes in LEP responsibilities, to ensure the Board is equipped with the skill-sets and expertise required to perform its duties. All new director memberships are considered and agreed by the LEP Board. Succession planning is now a key part of the process and arrangements are in place to ensure recruitment processes being prior to a Board Member / Chair / Deputy Chair leaving their post to ensure a smooth transition period.

The Articles of Association provide that the maximum number of directors is 20, with four as a minimum. No member of the Board receives any remuneration for their service on the Board. A full list of Board members is provided at Annex 1. The Board meets in an agreed cycle that is designed to ensure that operational requirements are met. Board meetings are also called to consider policy decisions and/or operational requirements, with deadline implications, which cannot wait until the next the scheduled meeting. All new Board members are provided with an induction, which includes the requirements placed on Board members in the Code of Conduct to comply to the Nolan Principles.

The LEP's commitment to equality and diversity will be reflected in its HR policies and this will extend to recruitment. Staff vacancies will be advertised externally and recruitment policies will set out clear procedures to ensure that the process is fair and non-discriminatory and these will be in place before the 1st April 2019.

If staff are seconded by the County Council to the LEP they will still be subject to and benefit from the Council's HR policies.

## **2.6 Chair and Deputy Chair**

The Chair and Deputy Chair shall be appointed for a defined term limit of three years with an option to extend their term for a further three years respectively.

With regard to succession plans best practice shall be that at the commencement of the final year of service (be it year three or year six if the option has been taken to extend) for either the

Chair or Deputy Chair that the recruitment process shall commence allowing sufficient time for an overlap in appointing a new Chair or Deputy Chair.

## **2.7 Appointment Process for Board Members (Public and Private Sector), Chairs and Deputy Chairs**

The Lancashire Enterprise Partnership is private sector led with a mixture of Public and Private Sector representatives. In terms of the appointment process the following processes apply:

### **Public Sector**

Currently the following process is in place regarding the appointment of representatives from the Public Sector:

- The three Lancashire Upper Tier Authorities have representatives, they are Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council. The electorate determines the make-up of these Councils, and following the public determining this, the elected Leaders for each of these authorities (or their nominee) is invited to be their respective Council's representative on the LEP Board.
- There are 12 District Councils in Lancashire and they have two representatives. The electorate determines the make-up of these Councils, once elected Leaders for each authority are determined they meet collectively as the Lancashire District Leaders Group. The Lancashire District Leaders Group then formally vote to determine who their two representatives on the LEP Board are.

### **Private Sector and Chair, Deputy Chair Appointments**

All Private Sector appointments are subject to an open, advertised recruitment process in accordance with Government guidelines, including advertising any Chair vacancy on the Centre for Public Appointments website. A Deputy Chair can be appointed by the LEP Board from amongst their number. In accordance with Government recommendations, the Deputy Chair must be a Private Sector representative.

## **2.8 Board Remuneration**

Other than incidental travel and subsistence expenses which are set out in the Board Member and Sub-Board Member Expenses Scheme and Hospitality Policy no LEP Board Member, including the Chair or Deputy Chair, shall be remunerated for their role.

## **2.9 The Local Enterprise Partnership (LEP) Network**

The Lancashire Enterprise Partnership is committed to working with the Local Enterprise Partnership (LEP) Network and has regular dialogue / is represented at LEP Network meetings.

## 2.10 Committees

A copy of the Company's Committee structure is provided at **Annex 1**. The Board of Directors has approved the creation of eight Committees each with their own Terms of Reference, provided at **Annex 1**. These Committees meet in accordance with an agreed and published cycle that is designed to ensure that operational requirements are met. Committee meetings are also called to consider issues, with deadline implications, which fall outside the agreed meeting schedules, on an exceptional basis. All Committees shall take decisions by majority decision, the respective Chair shall not have a casting vote.

## 2.11 Urgent Business Procedure

Should there be a business need to consider items between Board meetings the Lancashire Enterprise Partnership has an Urgent Business Procedure.

It is noted that the Urgent Business Procedure shall only be used for business critical items that cannot await a decision to be made at the next available Board meeting.

The process for the Urgent Business Procedure is for the relevant Lancashire Enterprise Partnership officer to prepare a report and ensure it receives all necessary legal and financial clearances, including consultation with the Section 151 officer of the Accountable Body in accordance with Government guidance in order to record the advice of the Section 151 officer.

The urgent item is then submitted to the Chairman of the Lancashire Enterprise Partnership and asked to approve that the item can be considered as an item of Urgent Business. Subject to this approval the Urgent Business item will then be circulated to all Lancashire Enterprise Partnership Directors for decision via email Written Resolution.

A decision shall be passed by a majority vote of all Directors. The Chairman does not have a casting vote.

## 2.12 Transport for Lancashire Committee

This Committee was appointed by the Board in 2013 and revised Terms of Reference were agreed in January 2018. The primary objective of Transport for Lancashire is to advise the LEP Board on strategic transport initiatives across Lancashire and in Blackpool and Blackburn. Full (voting) members of Transport for Lancashire comprise:

- (i) Lancashire County Council (Leader or nominee) – **(Chair)**
- (ii) Blackburn with Darwen Borough Council (Leader or nominee)
- (iii) Blackpool Borough Council (Leader or nominee)
- (iv) Chair and Vice Chair of the LEP (or nominees)

Participating observers (non-voting):

- (i) Department for Transport

- (ii) Highways Agency
- (iii) Network Rail

### 2.13 City Deal Executive

The City Deal for Lancashire, with Preston, South Ribble, Lancashire County Council and Homes England is a major economic success and powerful narrative for the sub-region. The City Deal Executive was established to oversee the delivery of the City Deal and to take key strategic decisions in this regard. It was appointed by the Board in November 2013 and comprises the following members:

- The Chair of the LEP (or their nominee) (**Chair**)
- The Leader of Lancashire County Council (or their nominee)
- The Leader of South Ribble Borough Council (or their nominee)
- The Leader of Preston City Council (or their nominee)
- The Vice-Chair of the LEP (or their nominee) and
- The LEP's Champion for Strategic Development (or their nominee)

### 2.14 City Deal Stewardship Board

The City Deal Stewardship Board has the remit of overseeing the disposal and development of the assets listed in the City Deal document, in accordance with wider City Deal economic and housing growth objectives. It was appointed by the LEP Board in December 2013 and comprises the following members:

- a. The North West Executive Director of Homes England (or their nominee) (**Chair**)
- b. The Chief Executive of Lancashire County Council (or their nominee)
- c. The Chief Executive of South Ribble Borough Council (or their nominee)
- d. The Chief Executive of Preston City Council (or their nominee) and
- e. The LEP's Champion for Strategic Development (or their nominee)

### 2.15 Enterprise Zone Governance Committee

This Committee was established in 2012 with responsibility for setting and overseeing the strategic direction of the Lancashire Enterprise Zone. The Committee's terms of reference and membership were refreshed in February 2015 following the success in securing Blackpool Airport and Hillhouse Enterprise Zones. It comprises the following members:

- LEP Director, David Taylor (**Chair**)
- LEP Director Vacancy
- LEP Director, Councillor Simon Blackburn,
- LEP Director, County Councillor Geoff Driver CBE
- LEP Director, Mark Rawstron
- LEP Director, Mark Smith

## 2.16 Lancashire Skills and Employment Advisory Panel

This Committee was originally established in 2013 as the Lancashire Skills and Employment Board and has subsequently been updated to incorporate new Government guidelines for Skills Advisory Panels published in 2019. It is responsible for considering skills development priorities within Lancashire, Blackpool and Blackburn. The Skills and Employment Advisory Panel has a memorandum of understanding with the Education and Skills Funding Agency and adheres to their Conflict of Interest Protocol (attached at Annex 13). The Skills and Employment Board comprises a maximum of 20 members and current Members comprise:

### **Chair**

Amanda Melton – LEP Board Director for Skills and Technical Education

### **FE Sector (2)**

Beverley Robinson, Chief Executive – Blackpool and the Fylde College

Dr Lis Smith, Principal and Chief Executive – Preston's College

### **HE Sector (2)**

Dr Lynne Livesey, Deputy Vice Chancellor, University of Central Lancashire

Mark Allanson, Pro Vice-Chancellor, Edge Hill University

### **Training (1)**

Gareth Lindsay, Managing Director, North Lancashire Training Group

### **School Headteacher (1)**

Ruth England, Head Teacher, Shuttleworth Burnley

### **Voluntary and Community Sector (1)**

Vacancy

### **Private Sector**

Joanne Pickering, Director of HR, Training and Quality, Forbes Solicitors and Chair of the Lancashire HR Employers Network (**Deputy Chair**)

Lindsay Campbell – Partner Director Campbell & Rowley Catering and Events Ltd

Andrew Dewhurst – Digital Sector – Director of the Affilius Group

Neil Conlon – Construction Sector – Divisional Director, Conlon Construction

Recruitment process for further Private Sector and Large Employer members

### **Local Authorities (2)**

Lancashire Leader's Lead Member for Skills and Education – Mark Townsend, Leader of Burnley Council

Lancashire Leader's Lead Chief Executive for Skills and Education – Dean Langton, Chief Executive of Pendle Borough Council

## **2.17 Performance Committee**

This Committee was established to provide oversight on four key areas of performance: **Resources, Decision Making, Implementation and Monitoring and Evaluation**. The Performance Committee will not make recommendations on individual scheme approvals.

The Performance Committee comprises the following members:

- LEP Director, Vacancy, **(Chair)**
- LEP Director, Vacancy
- LEP Director, Graham Cowley
- LEP Director, Ann Dean
- Lancashire Leaders Nominee, Cllr Matthew Brown
- LEP Director, David Taylor, LEP Deputy Chairman

## **2.18 European Structural and Investment Funds (ESIF) Arrangements**

The ESIF partnership is not a committee of the LEP but will act as an advisory sub-committee of the National Growth Board providing Lancashire input into the management and delivery of the three ESIFs (ERDF, ESF & ERDF) programmes. The partnership is made up of a range of local partners inclusive of the public, private, voluntary and environmental sectors, LEP Board Directors and associated groups.

It is envisaged that the partnership will advise Government on the type and size of calls to be issued as well as commenting on funding agreements with Opt in organisations. It will act as the main conduit for local partners to engage with the ESIFs programme at a strategic level, including monitoring of delivery and evaluating performance.

## **2.19 Local Government Scrutiny Committee**

A new Local Government Scrutiny Committee is being formed, through the Lancashire Leaders' Forum. This will be inclusive and draw membership from across all fifteen local authorities. It will set its own agenda and programme, meet at least bi-annually and undertake at least two deep dives per annum. It will be live streamed and incorporate a question and answer session with the public in each session. These sessions will be advertised publicly, including through social media.

## 2.20 Implementation and Delivery Arrangements

Robust governance structure and implementation frameworks have been established to ensure the effective mobilisation of partners for the delivery of the LEP's key initiatives, specifically, the City Deal, the Enterprise Zone, the Growth Deal, Boost Business Lancashire and the Growing Places Fund. The implementation arrangements for the delivery of key initiatives are set out in **Annex 1**.

### 2.21 City Deal Implementation and Delivery

The annual Infrastructure Delivery Programme is set by the City Deal Executive and Stewardship Board and is implemented under the direction of a Programme Board whose members include the Chief Executives of local partners. The Programme Board considers issues to be referred to the City Deal Executive.

A Project Team is responsible for driving forward the Programme, allocating resources, considering quarterly progress reports, managing and addressing risks to the implementation plan and initiating pieces of work to facilitate the delivery of the Deal. The Project Team is chaired by the City Deal Project Director and includes senior representatives from each of the local partners.

At the project level, a series of working groups oversee the development, co-ordination and operational delivery of each of the schemes in the Programme.

**Planning and Co-ordination Group** – supports the Joint Advisory Committee and ensures planning related issues are kept under review.

**Infrastructure Delivery Group** – is responsible for preparing, implementing and monitoring progress on the City Deal Infrastructure Programme which includes all elements of highway, housing and community infrastructure (health, education, open space).

**Homes England Liaison Group** – supports the City Deal Stewardship Board and the Homes England in the preparation of the Business and Disposal Plan, ensuring its alignment with the Infrastructure Delivery Programme and the communications and Marketing Plan. The Group oversees the development of quarterly progress reports for submission to the Stewardship Board.

**Finance Group** – ensures appropriate operating procedures are in place for the City Deal Infrastructure Delivery fund and prepares quarterly finance monitoring reports for submission to the Executive.

**Communications Group** – prepares, implements and monitors progress on the City Deal Communications and Marketing plan. The Group is responsible for co-ordinating scheme specific

communications at the local level as well as developing and implementing marketing proposals for the City Deal.

**Monitoring Group** – responsible for the collation and monitoring of a range of agreed outputs and performance measures. The group prepares six monthly performance reports and prepares an annual monitoring schedule for submission to the Executive.

## 2.22 Enterprise Zone Delivery and Implementation

Lancashire has secured three Enterprise Zones across four sites and together they form the Lancashire Advanced Manufacturing and Energy Cluster (LAMEC).

The strategic direction of LAMEC is set by the Enterprise Zone Governance Committee.

EZ Programme Boards are established and responsible for monitoring and reporting of commercial, financial, development and planning matters and the on-going delivery of their respective Enterprise Zone. The Programme Boards include members from commercial partners, private sector landowners, national government departments and local authority partners.

## 2.23 Growth Deal Delivery and Implementation

For each round of Growth Deal funding or other national policy initiatives such as Enterprise Zones, the LEP Board is presented with a scoring matrix and prioritisation framework, consistent with prevailing national guidance. This approach was also shared with the Shadow Combined Authority. This Assurance Framework also sets out the LEP's business case development process.

The LEP Board has established a Growth Deal Management Board to ensure the Growth Deal Programme moved forward to implementation stage. The Board has oversight of the preparation of the Growth Deal Implementation Plan and the Growth Deal Monitoring and Evaluation Framework. The Board reports directly to the LEP Board. The Board comprises the following members:

- Graham Cowley, LEP Director, **(Chair)**
- Sue Procter, Director, Programmes and Project Management, Lancashire County Council
- Alan Cavill, Director of Place, Blackpool Council
- Denise Park, Deputy Chief Executive, Blackburn with Darwen Borough Council
- Dr Michele Lawty-Jones, Director, Lancashire Skills Hub
- Gareth Smith, Gareth Smith Consulting
- Michael Ahern, Chief Operating Officer, The University of Central Lancashire (UCLan)
- Julie Whittaker, Economic, Housing and Regeneration Manager, Pendle Borough Council

The Growth Deal Management Board has the following delivery arrangements in place:

### **Growth Deal Programme Manager and Monitoring and Evaluation Working Group**

The Growth Deal Programme Manager supported by the Monitoring and Evaluation working group, including; theme leads and legal and finance specialists, is responsible for the effective and compliant delivery of the Growth Deal programme.

The Monitoring and Evaluation working group provides a transparent process for monitoring progress on scheme delivery and spend and for informing responses to changed circumstances including scheme slippage and changes to scheme scope and/or costs.

The Growth Deal Programme Manager is tasked with providing updates on the performance of the Growth Deal Programme and individuals Growth Deal schemes, to each meeting of the Growth Deal Management Board. All Growth Deal opportunities are openly communicated to relevant partners, local communities and the public.

## **2.24 Business Support Delivery and Implementation**

Boost provides an integrated portal and gateway which routes ambitious and growth focussed businesses to the best combination of public and commercial business support. In line with the national growth hub model, Boost brings together the best business support delivery organisations from within the LEP area and beyond, and within 18 months of operation dealt with and referred over 1,000 businesses to a range of business support providers, including national business support programmes.

Given the ongoing direct governmental grant which is paid to the network of English Growth Hubs, the Business Support Management Board has a specific responsibility to endorse the plans for the use of this resource and the provision of an Annual Performance report to the funding department – The Department for Business, Energy and Industrial Strategy.

The LEP continues to review the membership of this group to further cement the strong relationships with major business representative bodies and key local business networks operating in Lancashire.

Boost has been funded using ERDF resources and local partner investment contributions.

The existing offer covers start-up, mentoring, growth grants, innovation, an enhanced Growth Accelerator offer, and leadership/management coaching delivered by a range of expert partners. Boost also promotes complementary local offers such as Superfast Lancashire, the Access to Finance advice service and other business support opportunities.

## **2.25 Growing Places Delivery and Implementation**

The LEP is responsible for the strategic investment of its £19.3m Growing Places Investment Fund (GPIF) which was established in 2012.

The fund is managed by the County Council, as Accountable Body, via a stage process; stage one assesses initial expressions of interest and market interest; stage two focuses on the management of successful funding applications and agreement of funding agreements; with stage 3 concerned with on-going monitoring and performance of the investment.

### **Stage One**

The purpose of stage one was to ensure that the proposed scheme is aligned with the LEP's Strategic Economic Plan and also that repayment terms can be met within an agreed timeframe of usually two/three years. Stage one was progressed through meetings with the project sponsor and concludes with the preparation of Heads of Terms for consideration by the LEP Board, and approval (if agreed by the LEP Board) to prepare loan and security documentation.

### **Stage Two**

Stage two involves the appointment of solicitors to negotiate and draft the detailed terms of the loan and security documentation.

### **Stage Three**

Stage three ensures that the project is monitored and that the GPIF investment is drawn down and repaid, in accordance with an agreed financial and development programme agreed by the County Council and the project sponsor.

The LEP Board receives update reports on the management and performance of GPIF. Section 4 of this Assurance Framework provides further information on the financial management of the GPF.

### 3. Local Authority Partnership working

- 3.1 Over the last three years, the level and extent of LEP-local authority partnership working in Lancashire has continued to develop and increase. There is still a lot more work to be done, but the LEP has engaged with local authorities in shaping new strategies, investment frameworks and partnership arrangements.
- 3.2 The Lancashire Leaders Forum is now in operation and meets on a regular basis with a range of work committed, including Theme Groups across eight core policy areas, including the Economy. It also includes emerging support for a Greater Lancashire Plan. This will assist in developing a vision, strategic framework and set of inter-related strategies within which the Local Industrial Strategy will sit. It also includes the development of Portfolio Holders, Independent Policy Commissions and a Shared Prosperity Intelligence Unit. The Chair of the Local Enterprise Partnership attends and participates in these meetings.
- 3.3 Local authorities have also engaged with the Local Enterprise Partnership to establish new partnership working arrangements to improve policy alignment and strategic decision-making. For example, in creating Transport for Lancashire, as a sub-committee of the LEP, local highway authorities have established a powerful Local Transport Body to provide for the first time a strategic transport policy and investment framework focused on supporting the delivery of agreed economic and housing growth priorities.
- 3.4 The Local Enterprise Partnership and its local authority partners have also established new local development initiatives of national importance which, in turn, have led to the creation of new governance and partnership working arrangements. For example, the Preston, South Ribble and Lancashire City Deal is recognised as a national exemplar, in terms of its shared decision-making arrangements, and in establishing a pooled strategic investment fund valued at over £430m, which combines local authority, Government and private sector funding streams and assets to support the delivery of agreed priorities.
- 3.5 The commitment to this collaboration as evidenced in the City Deal enabled the Local Enterprise Partnership and all the local authority partners to secure, through the City Deal, a 10-year transport funding allocation for Lancashire, from Government, which will be accelerated over 6-years. Lancashire is the only LEP area in England, without a Combined Authority, to have established such a position with Government.
- 3.6 The Lancashire Enterprise Partnership also established an agreed Strategic Economic Plan with local authority partners. This framework has enabled Lancashire to secure levels of competitively secured Growth Deal funding that can only be significantly bettered by the leading Core Cities of Manchester, Leeds, Birmingham, Sheffield and Newcastle. There are currently over 50 major growth initiatives underway or planned involving local authorities across Lancashire.

- 3.7 The SEP will now be reviewed as part of the development of a Local Industrial Strategy for Lancashire. A view will be taken about whether these strategies will run alongside each other, or whether to secure greater simplicity the Board will replace the Strategic Economic Plan with the Local Industrial Strategy. The Board will nevertheless continue to oversee and ensure development and delivery of the existing programmes, many of which will play into the context for the LIS. The Greater Lancashire Plan will also be factored into these alignment arrangements.
- 3.8 Clearly, much has been achieved over recent years, but the Local Enterprise Partnership and local authority partners recognise the need to further improve partnership working arrangements to provide strong, transparent, inclusive and accountable leadership on local growth issues.
- 3.9 There is also a commitment as part of the Greater Lancashire Plan to create more opportunities for pro-active engagement with all fifteen of the local authorities.
- 3.10 Local authorities in Lancashire continue to work together to consider and explore new collaboration arrangements. Local Authorities recognise the need to co establish arrangements which are transparent, robust and capable of articulating a coherent shared voice and vision for Lancashire, and which formally connect with the business voice to create a fully integrated approach to shaping, delivering and monitoring local growth and regeneration strategies.
- 3.11 All such Local Enterprise Partnership investment decisions refer as a matter of course to appropriate statutory requirements, the conditions of the funding and other relevant objectives, such as transport considerations. This will be actively monitored by the Performance Committee.
- 3.12 All funding opportunities for partners and communities are openly communicated and made available through advertising, marketing and access through the website, including social media. Programmes and projects are all subject to rigorous monitoring and review over the their lifetime, with opportunities for call-in and a robust audit trail in-keeping with expectations signed up to through the Nolan Principles of Public Life. This will also be actively monitored by the Performance Committee.

## 4. Transparent Decision Making

### 4.1 Decision-making

The LEP is committed to effective and meaningful engagement of local partners and the public and has established transparent arrangements and practices with regard to the decisions it makes. All decisions are properly recorded and published appropriately with due regard to confidentiality, particularly commercial decisions. This includes a commitment to capture all forms of engagement in both formal and informal settings, including new ways of working, whether through social media, attendance at major conference events, such as MIPIM, with follow-up published reports and communication.

The decision-making process is currently very simple. All Committees are advisory to the Board. It is expected that the new interim Chief Executive will hold delegated financial powers, in consultation with the Chair, up to £100,000.

### 4.2 The Website

The LEP has a dedicated website through which local partners and the public can keep in touch with progress on the implementation of its key initiatives and where key documents and papers can be accessed. A new, more interactive website is under development and soon to be launched with space and opportunities for much more two-way dialogue and communication with partners, communities and the public. The new website will include the advertisement, where relevant, of any future funding opportunities, together with the process for applying for funding.

### 4.3 Publishing Arrangements

This Assurance Framework and all Terms of Reference documents for the LEP Board and its-Committees can be accessed on the LEP website. All agendas, papers, decisions and minutes of the LEP Board and its Committees can be accessed on the LEP website and the County Council's website. All strategies, plans and programmes, including the Business Plan, Annual Report and Operational Budget are published on the website, too. This publishing commitment will be monitored and reported on by the Performance Committee. **Annex 2** sets out the arrangements agreed by the LEP for the treatment by all attendees at Board meetings of confidential information.

### 4.4 Access to Information – Compliance with the Local Government Act 1972

The LEP is committed to meeting its duty of fulfilling and maintaining the highest standards of corporate governance. The LEP assesses the publication of papers using the relevant

Local Government Act 1972 exemptions. **Annex 3** provides details of the information deemed exempt under the Act.

Any Freedom of Information (FOI) requests are processed by the County Council's Access to Information Team. The Head of Information Governance for the County Council acts as the internal reviewer for all FOI requests for the Local Enterprise Partnership.

#### 4.5 LEP Board Meetings and Committee Meetings

The LEP publishes and makes available to the public all of its papers (with the exception of papers deemed confidential where an exemption applies as defined in the Local Government Act 1972, and following the application of the Public Interest test).

Agendas are split into Part I (open to press and public) and Part II (private and confidential) with the Board being asked to approve that meetings move to Part II as appropriate. Any papers which are considered to be exempt, have passed the public interest test and are deemed confidential are clearly marked with the correct Part II exemption paragraph referencing.

Agendas are published and made available five clear working days prior to meetings of the Board. Agendas are published on the LEP and County Council's website.

Minutes are made available to the public and are published on the LEP and County Council's website, with publication of a draft version within ten working days of the meeting taking place in accordance with Government Best Practice Guidance for Local Enterprise Partnerships. **Annex 3 refers.**

Reports that are presented to the LEP board or to any of its sub-boards seek to provide sufficient information and clarity in terms of the decision required. Where appropriate each report seeks to specify the scheme or fund to which the report relates, any relevant statutory or fund-related requirements and set out the applicable objectives.

Reports to the LEP board/sub-boards seek to be supported by sufficient supporting documents and in the case of decisions relating to funding applications, the application itself will be appended together with a detailed appraisal of the application.

Reports to the LEP board/sub-board which seek to conclude a Growth Deal funding decision, as a minimum will include:

- A presentation of the independent assurance of the scheme business case / application;
- A report, with legal and finance clearance, containing:
  - The Assurance Report;
  - Funding Recommendation; and

- Relevant conditions

Professional advice is provided to the LEP board and sub-boards where necessary including legal and financial advice which shall also be set out in reports.

The LEP is seeking to strengthen these arrangements, moving forward. In particular, there is a desire to strengthen collaboration with the Accountable Body to enable this to happen.

#### 4.6 Attendance of Observers at LEP Board and Committee meetings

The LEP has an agreed protocol for the attendance of observers at LEP Board and Committee meetings. Observers are requested to make themselves known to the Company Secretary (or their representative) and state their name, the organisation they represent and their purpose for attending the meeting. Observers will usually be excluded from any Part II items and as a general rule will not be permitted to speak at meetings unless invited to do so by the Chair. The full protocol is provided at **Annex 6**.

#### 4.7 Conflict of Interests and Director Code of Practice

As Accountable Body for the LEP, Lancashire County Council ensures that the LEP manages conflicts of interest in accordance with existing County Council and LEP National Assurance Framework protocols with regard to codes of conduct. The LEP complies with the Seven Nolan Principles of Public Life which are:

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

The LEP will act in the interests of the whole of its geographical area and not according to the interests of individual member organisations. More details on the Director Code of Conduct can be accessed at **Annex 5**.

The LEP ensures there is appropriate separation between scheme promoters and Lancashire Enterprise Partnership decision-making processes. For example, the Terms of Reference for the Committees ensure that there is complete separation between scheme promoters and their own framework consultants and the appraisal team and decision makers. The Local Enterprise Partnership conflict of interest guidance for Directors is provided at **Annex 7**.

#### 4.8 Register of Interests

The LEP will maintain and enable access to a register of its members' interests, which will be available to the public via the Lancashire Enterprise Partnership website. The register will include any interests members have that may conflict with Lancashire Enterprise Partnership business.

#### 4.9 Gifts, Hospitality and Member Allowances Scheme

The Lancashire Enterprise Partnership has adopted rules for accepting gifts and hospitality. The rules are provided at **Annex 8**. In addition, it has adopted a Board and Sub-Board Member allowances scheme which sets out the rules for any member claiming allowances should they be required to attend additional events or meetings in an official capacity as approved by the LEP, this scheme is set out at **Annex 9**.

#### 4.10 Confidential Complaints Policy

The LEP has adopted a procedure for responding to complaints from stakeholders or members of the public against the LEP or members of the LEP in accordance with the LEP National Assurance Framework and Government LEP Best Practice. The Complaints Policy is provided at **Annex 10**.

#### 4.11 Whistleblowing Policy

The LEP has a Whistleblowing Policy where a discloser can report a perceived wrongdoing within the LEP. This Policy is provided at **Annex 11**.

#### 4.12 Local Engagement for LEP Strategy Development

The LEP wants to ensure that key stakeholders and the public have an opportunity to contribute to and comment on the on-going development of the Local Industrial Strategy and key related initiatives. The degree of involvement will depend on the specific activity and could comprise formal consultation, participation, public engagement, representative working groups, on-going investor development, market research and surveys.

For the Local Industrial Strategy there is a strong commitment to formulate a deep and granular understanding of the dynamics of the functioning economic market areas, clusters, supply chains and the translation of the industrial challenges into the competitive and local economies. It is only by working up this evidence base about the Lancashire economy that a differentiated strategy can be produced, that identifies the strengths and opportunities as foundations and resilience strategies against the weaknesses and threats. Working with key partners is key, including building on existing strengths identified through the science and innovation audits, working closely with key sectors, SMEs and the universities, schools and FE.

A Local Industrial Strategy design, development and delivery communication strategy is being put in place.

With specific regard to local engagement with Lancashire MPs on LEP strategy development and key initiatives, the LEP has recently hosted the Lancashire Day in Parliament. As a minimum, one session per parliamentary term remains the commitment to which all Lancashire MPs are invited. In addition, regular engagement with MPs will also be undertaken in addition to formal sessions, particularly given the ambition underpinning recent developments.

#### **4.13 Reporting Progress of Delivery of the Strategic Economic Plan**

The Local Enterprise Partnership will undertake a review of progress on the plan, including progress on delivery of key projects and spending commitments. This will be published on the Lancashire Enterprise Partnership website, as well clarity about the relationship with the Local Industrial Strategy.

#### **4.14 Project Development, Prioritisation, Appraisal and Approval**

The Lancashire Enterprise Partnership has agreed systems and processes for developing, prioritising, appraising and approving projects and these are set out in section 5 of the Assurance Framework.

#### **4.15 Communications Arrangements**

The LEP undertakes a range of communications activities in support of its key initiatives. The City Deal is supported by a communications strategy encompassing media relations, community engagement, web, social media, branding and other associated issues. A protocol is in place to ensure effective governance of communications activity between the LEP and its City Deal partners. A communications protocol has also been adopted for the Growth Deal to support the effective management of messages by the LEP.

Communications activity on the wider Lancashire Advanced Manufacturing and Energy Cluster and the four Enterprise Zone sites (Samlesbury Aerospace Enterprise Zone, Warton Aviation Enterprise Zone, Blackpool Airport Enterprise Zone and Hillhouse Technology Enterprise Zone) will be managed by way of a dedicated web site for LAMEC and individual web sites for each Enterprise Zone, in addition to marketing collateral including brochures, e-media and branded signage as well as commercial agent representation.

The Growing Places Investment Fund will continue to be supported by communications activity, coordinated with partners as appropriate and also mainstreamed through the LEP's own channels.

Communications activity on Enterprise Zones is managed through regular liaison between communications representatives of the LEP, County Council and BAE Systems. During 2018/19 this will evolve to support the revised governance arrangements for the Enterprise Zone and include the development of a formal protocol with the LEP's delivery partners.

The Growing Places Fund will continue to be supported by communications activity, coordinated with partners as appropriate and also mainstreamed through the LEP's own channels.

The Communications Protocols are attached at **Annex 12**.

- 4.16 Schemes are monitored by individual officers and the LEP sub-boards as described below. Funding that is advanced whether by way of grant or by loan require the recipients to enter into standard agreements which include provisions relating to default and clawback. Monitoring is carried out to ensure compliance or to consider whether adjustments to the agreed project are necessary if for example there has been a change in circumstances since the loan or grant was advanced. In the event of serious default the LEP board or appropriate sub-board will be notified. Board approval is necessary before legal action can be commenced for recovery, following a material breach of a funding or loan agreement unless such action is required as a matter of urgency. Any recommendation to commence legal action should include a legal opinion explaining any risks associated with such a course of action and an assessment of the likelihood of the action succeeding.

## 5. Accountable Decision Making

- 5.1 Lancashire County Council, as Accountable Body for the LEP, is responsible for ensuring that all funding decisions made by the LEP are made in accordance with this Assurance Framework, including all statutory requirement. An Accountable Body Statement is set out in **Annex 13**.
- 5.2 The County Council has put in place the administrative, financial and legal support necessary to enable the LEP to carry out its functions in the most effective and efficient way. These financial systems will fall under the annual audit of the County Council's accounts.
- 5.3 The County Council's Scrutiny Committee receives annual reports on the work of the LEP and is given opportunity to scrutinise this Assurance Framework. A new Scrutiny Committee involving all fifteen local authorities is being established, to widen involvement and engagement. This will perform this scrutiny function as and when the Assurance Framework is amended in the future.
- 5.4 The County Council's Internal Audit Service also regularly tests and reviews LEP systems and processes.
- 5.5 The County Council's Cabinet has considered and approved this Assurance Framework when originally created.
- 5.6 **Financial and Legal Accountability**

As the Accountable Body for the LEP, all financial arrangements are managed and accounted for through County Council financial systems and subject to the Standing Orders and Governance systems of that body. All activities are subject to scrutiny by the appropriate Internal Control function within the County Council and (where appropriate) subject to external financial audit. The internal legal service and the County Council Monitoring Officer are involved as appropriate to ensure due diligence is strictly adhered to.

Day to day financial support and management is undertaken by a senior project finance manager and is subject to overview and scrutiny by the Head of Financial Management Development and Schools under whose remit this falls. All accounts are signed-off by the Section 151 Officer.

Where appropriate and/or required external commercial specialist support is sought which ensures that the appropriate guidance and advice is used when making investment decisions, both financial and legal.

### **Validation of Decision Making Process**

In accordance with Government guidelines the Section 151 officer shall be sighted on all decisions to be taken by the LEP Board. LEP Officers must ensure they have followed the process as set out in the Government guidance and this Assurance Framework to ensure all decisions have received appropriate specialist clearance, as necessary both financial and legal. Should a decision be taken by the LEP Board that has not been validated in accordance with this process, the Section 151 Officer can determine that the decision is invalid. If a decision is deemed to be invalid the Section 151 officer will seek to find a way to facilitate the wishes of the Board by recommending an amended decision that is deemed to be valid.

The County Council is subject to core frameworks which have provided Government with assurance that councils will spend their money with regularity, propriety and value for money. The key elements are legal controls and democratic accountability to local people. The system provides assurance that the government's decentralising agenda can be achieved in relation to local government without compromising the proper spending of public money.

At present those decisions not taken by the Board or sub-Boards are delegated to the local authority under its scheme of delegation.

### **Scheme of Delegation**

As the governing body the LEP Board is itself responsible for approving strategy and associated plans and budgets; for determining major business decisions and strategic policy; for the framework of governance and management; and for monitoring executive performance. However, there is delegated authority for programme management and delivery to the LEP's main sub boards. These Boards have a role in prioritising, making decision on the projects to support and in monitoring performance. All future programmes will be set within the framework of the role of these Boards and they provide advice on individual projects.

The new Chief Executive Officer and Independent Secretariat is responsible for the day-to-day operations of the Lancashire Enterprise Partnership.

### **The following decisions must be taken by the LEP Board of Directors:**

1. To determine the policies of the LEP including:

- The Local Industrial Strategy
- The LEP Pay Policy
- The LEP Assurance Framework

The LEP Transport Strategy  
LEP Equality Strategy

And to review the same as determined by the Board on a regular basis

2. To approve the LEP annual Plan including the annual budget statement
3. To determine a response to any White Paper, Green Paper or other significant statutory consultation likely to have an impact on LEP functions
4. To administer allowances and expenses payable to directors
5. To approve, in compliance with any decision making powers reserved to Members in the Articles of Association, the appointment or removal of the following:

The Chief Executive Officer  
The Company Secretary  
The LEP Section 151 Officer  
The LEP Auditors

In relation to the appointment or removal of the Chief Executive Officer, the Board must also have the approval of the Accountable Body.

6. To approve the agreement with the Accountable Body including any amendments thereto.
7. To approve entering into any lease of more than 5 years.
8. To establish where permissible committees and working groups in relation the LEP functions including giving advice and making recommendations.
9. To authorise any expenditure in excess of £100,000.
10. To establish the conditions of employment of LEP employees.
11. To approve any application for grant funding.
12. To issue any legal proceedings for the recovery of sums due to the LEP or for any other remedy or to settle any claim made or threatened against the LEP.
13. To approve and revise major strategies, schemes and projects
14. To approve grants to external bodies where such power has not been delegated to the Chief Executive Officer.

**The following decisions may be taken by the Chief Executive Officer**

1. To incur routine expenditure of up to £10,000

2. In consultation with the Company Secretary and the Section 151 Officer to enter into contracts which bind the LEP where the value of the contract is £100,000 or less.
3. To appoint LEP staff in accordance with the pay policy statement agreed by the LEP Board
4. To take disciplinary action including dismissal of LEP staff
5. To take all operational decisions which are not reserved to the LEP Board (including sub-committees) or to shareholders, in accordance with the agreed annual budget and in accordance with the Assurance Framework and policies agreed by the LEP Board.
6. To agree honoraria for LEP staff provided that the Chairman of the LEP Board and the Section 151 Officer have approved the proposal.
7. In consultation with the Chairman of the LEP Board to represent the LEP on external bodies and at appropriate events

Key decisions also require to be signed off by the Section 151 Officer and the Company Secretary. Decisions concerning the ownership and future of the Company are matters for Members).

### 5.7 Growth Deal Project Funding

The SEP with public and private sector partners, including senior business leaders and representatives from Chamber and business support network as well as those representing the HE and FE sector, developed a series of project proposals which resulted in Lancashire securing a £234M Growth Deal 1 funding allocation, followed by a £17M Growth Deal 2 funding allocation and £69M Growth Deal 3 programme.

Section 6 details the full application and assurance process undertaken by schemes to secure a funding approval.

Following funding approval, all sponsors agree and sign a Growth Deal Grant Funding Agreement, prior to draw down of funds. The agreements set conditions including: project sponsors commitment to monitoring and evaluation requirements; agreement to the communications protocol and delivery of milestones. The agreements will include provisions for the protection of public funds (e.g. arrangements to suspend or claw back funding in the event of non-delivery or mismanagement).

### 5.8 Growing Places Investment Funding

The Growing Places Investment Fund is managed according to the following process:

- An outline scheme proposal is presented to the LEP Board for consideration. The scheme proposal identifies the scheme and amount of investment being sought

from GPIF, along with a brief summary of its fit with LEP/local economic growth priorities, economic impacts generated, other private/public investment leveraged, draw down and repayment timescales.

- If the Board accepts the outline proposal the scheme is assessed by the accountable body for '*Strategic Fit and Economic Impact*'.
- A report, including draft Heads of Terms between the scheme sponsor and the accountable body is considered by the LEP Board.
- If the LEP Board agrees the scheme it proceeds to formal '*Financial Appraisal and Due Diligence*'. This is performed by officers of the County Council under the guidance of the Director of Corporate Services, and with support from the County Council's Director of Economic Development and Planning, and appointed external legal advisors the fees of whom are paid for by the applicant.
- This information is then presented to the LEP Board for approval.
- Once final loan and security documentation is prepared, the LEP Board considers and formally approves the loan facility, which is then executed by the Company Secretary on behalf of the Accountable Body.

#### 5.9 Growth Deal Unallocated Funding Approval Process

There is an agreed process to redistribute any unallocated funding within the Growth Deal programme. The agreed approach is set out below:

1. First call would be given to those schemes within the current programme that had requested additional resource;
2. If no schemes were identified via that process, a second call would focus on Growth Deal 3 schemes which were ranked highest, both in terms of deliverability and economic impact, that had failed to secure an allocation.
3. After exhausting the existing pipeline, LEP Board approval would be sought for an open call for new scheme proposals

#### 5.10 Conflict Resolution

In the event that the accountable body (Lancashire County Council) does not comply with a decision of the LEP, the matter will be considered by the Chair of the LEP, Company Secretary and Section 151 Officer from the accountable body (as appropriate) to seek to resolve the issue. If the conflict remains unresolved all parties will agree to appoint an independent person(s) to assist the LEP and the accountable body to resolve the matter.

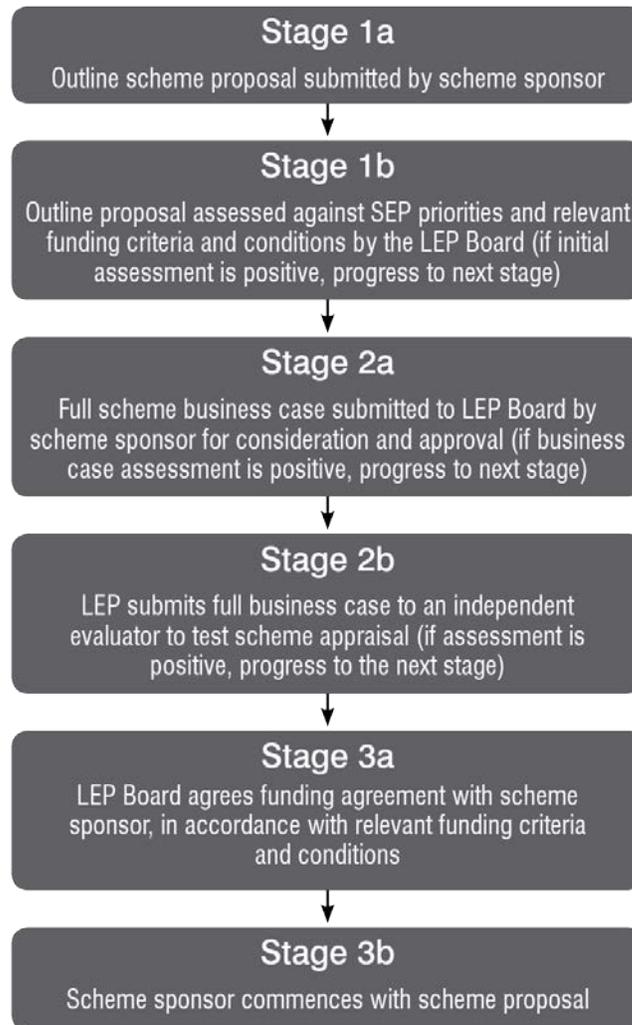
#### 5.11 Independent Scrutiny

The LEP will be subject to Overview and Scrutiny in accordance with existing legislation, whereby any local authority scrutiny committee within Lancashire can, separately or jointly, scrutinise the role or activities of the LEP or its sub groups. Any such meetings of a scrutiny committee would normally be held in public, and any findings or recommendations

will be made public. The LEP would be expected to make its response to scrutiny public. A new Local Government Scrutiny Committee and operating model is being proposed to improve on existing scrutiny arrangements. This will also look at input into the scrutiny arrangements by other parts of the public, private and community sectors.

## 6. Ensuring Value for Money

- 6.1 The LEP is able to demonstrate value for money through the systems and processes it has established for developing, prioritising, appraising and approving projects.
- 6.2 The LEP's dedicated Committees, Transport for Lancashire and the Growth Deal Management Board, chaired by County Councillor Geoff Driver CBE and Graham Cowley respectively, receive all independent business case appraisals and assess against the LEP's scoring criteria to ensure Value for Money. This will include the new interim and then permanent Chief Executive, once appointed.
- 6.3 In terms of Risk Management the LEP has a dedicated Performance Committee which has responsibility for monitoring risk.
- 6.4 The SEP sets out priority themes and spatial investment priorities, and the LEP is committed to regularly reviewing the SEP to ensure that existing and emerging growth priorities are well positioned.
- 6.5 The LEP follows a staged process for all projects upon which it makes investment decisions and the LEP Board and Committees have established arrangements to progress the delivery of priorities seeking to utilise Local Growth Fund resources. The LEP's Growing Places Fund is administered in accordance with an agreed framework set out in Section 4 of this Assurance Framework.
- 6.6 Arrangements exist under the county council's scheme of delegation for ensuring value for money such as requiring contracts to be subject to open competition and/or requiring quotations for lower value contracts. These practices will form part of the LEP scheme of delegation to ensure that value for money is considered as part of its operational procedures.
- 6.7 The LEP will maintain a contracts register recording all contracts entered into by the LEP which have a value of £50,000 and over.



## 6.9 Transport Schemes

The Terms of Reference for Transport for Lancashire, provided at **Annex 1**, set out the arrangements for developing, prioritising, appraising and approving transport projects seeking Local Growth Fund resources, and these are summarised below.

### *Scheme Eligibility*

The Board will consider capital funding for schemes that are priorities in approved highways and transport masterplans or other relevant documents. The highways and transport masterplans are available to view at:

<http://www.lancashire.gov.uk/council/strategies-policies-plans/roads-parking-and-travel/highways-and-transport-masterplans.aspx> The Lancashire Enterprise Partnership will consider funding exceptional structural maintenance schemes and schemes on the networks of the Highways Agency and Network Rail, including in adjacent Local Enterprise Partnership areas, where such schemes contribute towards the delivery of the objectives of the Strategic Economic Plan and Local Industrial Strategy.

### *Funding Contribution*

The Lancashire Enterprise Partnership requires scheme promoters to provide an absolute minimum mandatory 10% contribution towards total scheme cost and 100% of any increase in cost following the granting of Programme Entry.

### *The Transport Business Case, Scheme Assessment and Appraisal*

The LEP requires all transport business cases to adhere to the key principles of the Department for Transport's Transport Business Case guidance (January 2013) and be fully compliant with the approach to modelling appraisal and analysis at the time they submit the transport business case. TfL will, using appropriately qualified consultants, scrutinise individual scheme business cases on behalf of the LEP and advise accordingly. Transport business cases will be published on the LEP website prior to the LEP making final investment decisions. For schemes / packages requiring a Local Growth Fund contribution of greater than £5m, transport business cases will be available on the LEP website a minimum of six weeks before the final investment decision is made and external comments invited. Any comments received will be made available to LEP Board members when final investment decisions are being taken.

The Lancashire Enterprise Partnership applies a proportionate approach to development of transport business cases:

1. For individual schemes requiring a Local Growth Fund (LGF) contribution of greater than £5m and packages of small-scale measures requiring a LGF Contribution of greater than £10m, an Outline/Full Business Case is required.
2. For individual schemes requiring a LGF contribution of less than £5m, a Strategic Outline Business Case is required.

3. For packages of small-scale measures requiring a LGF contribution of up to £10m where no individual scheme has a capital cost greater than £5m, a Strategic Outline Business Case is required.

#### *Scheme Approvals Process*

For individual schemes requiring a LGF contribution of greater than £5m and packages of small-scale measures requiring a LGF Contribution of greater than £10m, the Lancashire Enterprise Partnership adopts a three stage approvals process:

#### **Stage 1: Programme Entry**

Programme Entry indicates the LEP's intention to provide funding to a scheme or package following acceptance of a Strategic Outline Business Case and its inclusion in the SEP and in future the LIS.

#### **Stage 2: Conditional Approval**

Conditional Approval indicates the LEP's acceptance of an Outline Business Case demonstrating high value for money.

#### **Stage 3: Full Approval**

Full Approval indicates the LEP's acceptance of a Full Transport Business Case and approval to proceed to implementation.

For individual schemes requiring a LGF contribution of less than £5m or packages of small-scale measures requiring a LGF contribution of up to £10m where no individual scheme has a capital cost greater than £5m, acceptance of a Strategic Outline Business Case indicates the LEP's approval to proceed to implementation. This enables the scheme promoter to commence works and draw down grant funds.

#### *Value for Money*

The Lancashire Enterprise Partnership will approve schemes demonstrating high value for money, with a benefit to cost ratio (BCR) of greater than 2, only in exceptional cases will the LEP consider schemes with a BCR of less than 2, for example, where the scheme promoter can demonstrate significant additional monetised or non-monetised benefits that are important in relation to stated strategic objectives.

TfL provides the Lancashire Enterprise Partnership with a Value for Money assessment in line with published Department for Transport guidance at each approval stage.

#### *Programme and Risk Management*

TfL form part of the Monitoring and Evaluation working group which has established a transparent process for monitoring progress on scheme delivery and spend and for informing responses to changed circumstances including scheme slippage and changes to scheme scope and/or costs.

### *Monitoring and Evaluation*

All transport scheme promoters have an agreed logic chain template which forms part of the Growth Deal Monitoring and Evaluation Framework. Formative evaluation is an established principle for all transport schemes and sponsors of exemplar transport projects agree the implications of any additional requirements. All transport project sponsors are required to prepare quarterly monitoring returns for consideration by the Growth Deal Management Board.

## 6.10 Skills Capital Schemes

The Terms of Reference for the Lancashire Skills and Employment Board, provided at **Annex 1**, set out the role of the Board in developing, prioritising, appraising and approving skills capital projects. The process and methodology for the current skills capital projects is summarised below and decisions on any future skills capital projects will be reached based on a similar methodology. The LEP currently has a Memorandum of Understanding with the Education and Skills Funding Agency (SFA) whereby the SFA's Capital Team will undertake a financial and estate condition assessment of any organisation submitting a scheme for consideration. Economic impact will be assessed by officers of the accountable body.

### *Eligibility*

As part of the Growth Deal preparation, the Skills and Employment Board commissioned research to provide a retrospective analysis of the use of FE/Skills Capital in Lancashire over the past five years and to begin to compile a "pipeline" of future projects. This analysis was used to understand assets and gaps in the skills infrastructure landscape. Skills providers were then asked to complete project pro-forma aimed at populating a pipeline of indicative projects as far forward as 2020.

### *The Business Case, Scheme Assessment and Appraisal*

The formal consideration of the Detailed Business Cases brings together the scoring of both the SFA and LEP, reverts to the applicant for further information as appropriate and is then ratified by both Skills Board and LEP.

### *Funding contribution*

The LEP requires scheme promoters to provide an absolute minimum of mandatory 10% contribution towards total scheme costs and 100% of any increase in cost following the granting of programme entry. Where projects are seeking a grant intervention rate above 33% (the stated benchmark under SFA administration of the scheme) the LEP will:-

- a. Consider the views of the SFA in terms of the applicant's ability to offer more funding
- b. Ensure that projects seeking exceptional intervention rates score highly in assessment
- c. Revert to the applicant for assurances around their financial capabilities and planning assumptions in setting their contribution to the project

### *Approvals process*

All skills capital schemes will be subject to the following approval process:

#### **Stage 1: Expression of Interest**

The Expression of Interest (Eoi) stage indicates the LEP's intention to provide skills capital funding for projects which are aligned to the SEP, are able to demonstrate business need and are deliverable within the required timescales. Providers will be invited to complete an Eoi to demonstrate how the project aligns with the SEP.

#### **Stage 2: Conditional Approval**

Projects which have satisfied the Eoi requirements will be prioritised by the Skills and Employment Board and will subsequently be invited to submit a full business case demonstrating value for money.

#### **Stage 3: Full Approval**

Full approval indicates the Skills and Employment Board and LEP's acceptance of the full business case and approval to proceed implementation.

### *Value for money*

The LEP will approve skills capital schemes which clearly demonstrate value for money including non-monetised benefits that clearly demonstrate a longer term benefit to economic growth objectives.

### *Programme and Risk Management*

Skills and Employment Board advisors form part of the Monitoring and Evaluation working group which has established a transparent process for monitoring progress on scheme delivery and spend and for informing responses to changed circumstances including scheme slippage and changes to scheme scope and/or costs. A project and process issues log is to be compiled, which will inform future commissioning rounds.

### *Monitoring and Evaluation*

All skills capital scheme promoters have agreed a logic chain template which forms part of the Growth Deal Monitoring and Evaluation Framework, which can be found on the LEP website. Formative evaluation is an established principle for all skills capital schemes and sponsors of exemplar skills capital projects are aware of the implications of any additional requirements. All skills capital project sponsors will be required to prepare quarterly monitoring returns for consideration by the Growth Deal Management Board.

## **6.11 Economic Development Schemes**

The SEP sets out priority economic development and growth themes and initiatives, and the LEP is committed to regularly reviewing the SEP as part of the new LIS to ensure that existing and emerging growth priorities are well positioned.

### *Eligibility*

The SEP, and on-going reviews of the SEP, set out the economic development priorities in Lancashire and the LEP remains alert and open to new and emerging priorities to be considered for investment funding. In line with Government guidance, the LEP will not use Local Growth Deal Fund resources to fund feasibility works or revenue schemes.

The LEP Board approved the SEP in March 2014 and in May 2014 considered a prioritised list based on the application of an agreed set of criteria to all project proposals in order to consider their strategic relevance, impact, value for money, scalability and deliverability. These criteria are set out at **Annex 12**.

The LEP has successfully secured three Growth Deal allocations totalling £320m, subject to national competition and local prioritisation with consideration of strategic fit, impact, value for money, scalability and deliverability.

### *The business case, Scheme assessment and appraisal*

The LEP applies a proportionate approach to the development of economic development business cases. In line with Government guidance the LEP requires economic development project sponsors to prepare their business cases using the Five Case Model – an approach which is both scalable and proportionate. It is recognised as best practice and is the Treasury’s standard methodology.

For individual schemes requiring a Local Growth Fund (LGF) contribution of greater than £5m a full green book appraisal is undertaken by independent consultants with findings presented to the Growth Deal Management Board for comment and approval.

For individual schemes requiring a LGF contribution of less than £5m the LEP requires a proportionate green book appraisal which again is undertaken by independent consultants with findings presented to the Growth Deal Management Board for comment and approval. The LEP funds the independent appraisal of business cases.

In all cases the LEP, using appropriately qualified independent consultants, will scrutinise individual economic development scheme business cases before final draw down of resources.

### *Local funding contribution*

The LEP requires scheme promoters to provide an absolute minimum mandatory 10% contribution towards total scheme cost and 100% of any increase in project cost.

### *Approvals process*

For individual economic development schemes requiring a LGF contribution of greater than £5m the LEP adopts a three stage approvals process:

#### **Stage 1: Programme Entry**

Programme Entry indicates the LEP's intention to provide funding to a scheme or package following acceptance of a Strategic Outline Business Case.

#### **Stage 2: Conditional Approval**

Conditional Approval indicates the LEP's acceptance of Business Case demonstrating high value for money.

#### **Stage 3: Full Approval**

Full Approval indicates the LEP's acceptance of a final Business Case and approval to proceed to implementation.

### *Value for money*

The LEP will approve capital schemes which clearly demonstrate value for money including non-monetised benefits that clearly demonstrate a longer term benefit to economic growth objectives.

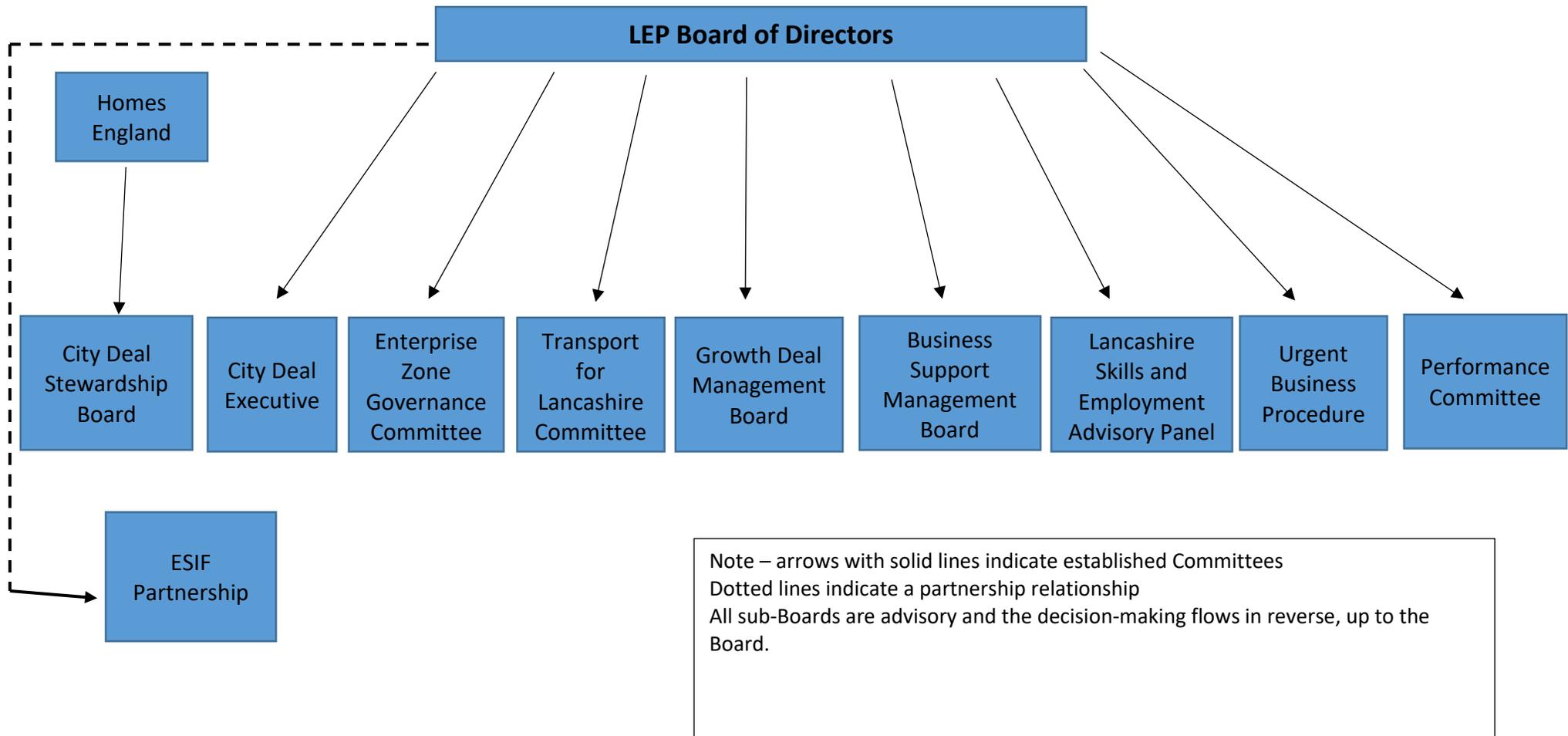
### *Programme and Risk Management*

Economic development scheme advisors form part of the Monitoring and Evaluation working group which has established a transparent process for monitoring progress on scheme delivery and spend and for informing responses to changed circumstances including scheme slippage and changes to scheme scope and/or costs.

### *Monitoring and Evaluation*

All economic development scheme promoters have an agreed logic chain template which forms part of the Growth Deal Monitoring and Evaluation Framework, which can be found on the LEP website. Formative evaluation is an established principle for all economic development schemes and sponsors of exemplar ED projects are aware of the implications of any additional requirements. All economic development project sponsors are required to prepare quarterly monitoring returns for consideration by the Growth Deal Management Board.

## Annex 1: LEP Governance Structure, Committee Terms of Reference and Implementation Arrangements



LEP Board Directors and Board Champions – March 2019

David Taylor CBE (Interim Chairman and Deputy Chairman)	David Taylor Partnership
Miranda Barker (Board Champion for SME's)	Chief Executive, East Lancashire Chamber of Commerce
Mike Blackburn (Board Champion for Business Growth Hub)	Mike Blackburn Consulting
Councillor Simon Blackburn	Leader, Blackpool Council
Jim Carter (Board Champion for Strategic Development)	Deputy Chair of the Eric Wright Group
Graham Cowley (Board Champion for Transport)	Director Lancashire LEP and Chair of Blackpool Opportunity Area
Ann Dean	Director of Gutterking Ltd and Director of The Indus Entrepreneur
County Councillor Geoff Driver CBE	Leader, Lancashire County Council
Mick Gornall	Managing Director of Westinghouse Springfields Fuels Ltd
David Holmes	Director of Manufacturing Operations, BAE Systems
Amanda Melton (Board Champion for Skills and Technical Education)	Principle and Chief Executive, Nelson and Colne College with Lancashire Adult Learning
Dennis Mendoros (Board Champion for ESIF)	Chief Executive Officer, Euravia Limited
Khalid Saifullah	Chair of the HUVE Business Leaders Network and Managing Director of Star Tissue UK
Professor Mark E Smith	Vice Chancellor, Lancaster University
Councillor Alyson Barnes	Leader, Rossendale Borough Council, Lancashire District Leaders Nominee
Councillor Stephen Atkinson	Leader, Ribble Valley Borough Council, Lancashire District Leaders Nominee

Councillor Phil Riley	Deputy Leader and Executive Member for the Regeneration Portfolio, Blackburn with Darwen Borough Council
Mark Rawstron	Former Head of GVA (Commercial Property Agents) and a Commercial Property Advisor
Claire Whelan	Finance Director, BCW Engineering

LEP (Non Voting) Co-opted Members – March 2019

Tony Attard	Chairman, Marketing Lancashire Limited (one year term – appointed on 11th February 2019)
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**URGENT BUSINESS PROCEDURE**  
**Governance Structure and Terms of Reference**

**Role**

Should there be a business need to consider items between Board meetings the Lancashire Enterprise Partnership has an Urgent Business Procedure.

It is noted that the Urgent Business Procedure shall only be used for business critical items that cannot await a decision to be made at the next available Board meeting.

**Process**

The process for the Urgent Business Procedure is for the relevant Lancashire Enterprise Partnership officer to prepare a report and ensure it receives all necessary legal and financial clearances, including consultation with the Section 151 officer of the Accountable Body in accordance with Government guidance in order to record the advice of the Section 151 officer.

The urgent item is then submitted to the Chairman of the Lancashire Enterprise Partnership and asked to approve that the item can be considered as an item of Urgent Business. Subject to this approval the Urgent Business item will then be circulated to all Lancashire Enterprise Partnership Directors for decision via email Written Resolution.

A decision shall be passed by a majority vote of all Directors. The Chairman does not have a casting vote.

## **TRANSPORT FOR LANCASHIRE COMMITTEE** **Governance Structure and Terms of Reference**

### Name

Transport for Lancashire

### Geography

The geographical area covered by Transport for Lancashire will be coterminous with the boundaries of the three local transport authorities (Lancashire County Council, Blackpool Borough Council and Blackburn with Darwen Borough Council) and the LEP.

### Membership

Transport for Lancashire will be a dedicated committee of the Lancashire Enterprise Partnership. Full (voting) members of Transport for Lancashire comprise:

- Lancashire County Council (Leader or nominee)
- Blackburn with Darwen Borough Council (Leader or nominee)
- Blackpool Borough Council (Leader or nominee)
- Chair and Vice Chair of the LEP (or nominees)\*

\*LEP Directors Graham Cowley and Khalid Saifullah are the LEP Chair and Vice Chair nominees\*

Participating observers (non-voting):

- Department for Transport
- Highways England
- Network Rail

Given Lancashire County Council's status as the largest local transport authority, the Leader of Lancashire County Council (or their nominee) shall act as Chair of the Committee. The Chair will not have a casting vote.

Transport for Lancashire will review its membership periodically to reflect any changes in national or local policy circumstances and/or requirements, including allowing for expansion if necessary. Transport for Lancashire may invite the Leader (or nominee) of a District Council to attend relevant meetings as a participating observer where that authority is contributing funding to a transport scheme programmed for delivery through the Growth Deal.

### Strategic Objectives and Purpose

Transport for Lancashire will:

- advise the LEP on individual scheme approvals and investment decision making in line with the approvals process set out in the LEP's accountability framework;

- scrutinise individual scheme business cases;
- ensure value for money is achieved;
- advise the LEP with regard to consultation on long-term rail planning and franchise specification and provide a co-ordinating role between constituent local authorities;
- advise the LEP with regard to consultation on long-term Strategic Road Network planning and provide a co-ordinating role between constituent local authorities; and
- advise the LEP with regard to the ongoing activities of Transport for the North and provide a co-ordinating role between constituent local authorities where appropriate.

As and when necessary, Transport for Lancashire will seek evidence from other organisations, including district councils within Lancashire, representatives of neighbouring local authorities, combined authorities and local enterprise partnerships, transport operators including airports and ports, the business and community sectors and NGOs.

#### Technical / Professional Support

On behalf of the Accountable Body for the Lancashire Enterprise Partnership, the Director of Community Services at Lancashire County Council will ensure that Transport for Lancashire receives the technical support and professional advice necessary for it to carry out its functions.

#### **Secretary**

The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the Transport for Lancashire Committee.

The Secretary shall produce minutes of all meetings of the Transport for Lancashire Committee.

#### **Meeting Frequency**

The Transport for Lancashire Committee shall meet according to operational need.

#### **Decisions in Writing**

A resolution in writing signed by a majority of members of the Transport for Lancashire Committee for the time being shall be as valid and effectual as if it had been passed at a meeting of the Transport for Lancashire Committee.

#### Working Arrangements and Meeting Frequency

Transport for Lancashire will meet, where possible, in advance of each Lancashire Enterprise Partnership Board meeting. Meetings will be cancelled if there are no substantive items for discussion.

All meetings will take place at County Hall in Preston. The quorum for meetings shall be at least 2 Local Authority Members (or their nominees) and at least one Private Sector member (or their nominee(s)).

## **Publication of Papers**

The agendas and papers for the Transport for Lancashire Committee will be published on the LEP's website in accordance with the LEP's Assurance Framework.

### **THE LANCASHIRE ENTERPRISE PARTNERSHIP ACCOUNTABILITY FRAMEWORK – TRANSPORT**

#### **Scheme Eligibility**

The LEP will only consider funding clearly defined schemes that are priorities in approved highways and transport masterplans. Such schemes could include packages of measures aimed at solving specific problems/issues that when combined support delivery of the Strategic Economic Plan, but subject to the funding only being available for capital expenditure. In all cases, funding will only contribute towards the capital cost of a scheme, including construction costs, land acquisition costs and Part 1 Claims under the Land and Compensation Act 1973. The inclusion of capital costs in relation to scheme development and preparation will be considered by Transport for Lancashire on a scheme by scheme basis to ensure Value For Money is achieved. The LEP will not fund scheme post scheme monitoring and evaluation.

The LEP will consider funding exceptional structural maintenance schemes including bridges, tunnels, retaining walls and culverts with a minimum cost threshold of £2m. Decisions will reflect the economic importance of the structure(s) and the adverse effects failure to maintain would have. Local highway authorities will need to provide supporting information including the importance of the route, existing or likelihood of imminent weight restrictions, existing or potential diversionary routes and details of the work that they will need to undertake if restrictions are not to be imposed. Local highway authorities will also need to demonstrate why a scheme is not deliverable from other funding sources.

The LEP will consider funding schemes on the networks of the Highways Agency and Network Rail, including in adjacent Local Enterprise Partnership areas, where such schemes contribute towards the delivery of the objectives of the Strategic Economic Plan and where funding is unlikely to be available through standard Highways Agency and Network Rail programmes. In such circumstances, the Lancashire Enterprise Partnership will hold early discussions with the Highways Agency and Network Rail, and where appropriate, adjacent LEPs, to enable their views to be taken into account. Where any rail schemes affect train services, the LEP will also consult the relevant Train Operating Company and DfT Rail.

#### **Funding Contribution**

For all schemes, the LEP will require scheme promoters to provide an absolute minimum 10% contribution towards total scheme cost and 100% of any increase in cost following the granting of Programme Entry. The 10% minimum funding contribution cannot be waived by the LEP. Local transport authorities will therefore need to explore all potential sources of funding, including district council, European, developer / private sector and third party, in line with Department for Transport expectations.

The scheme promoter's Section 151 officer must underwrite the promoter's ability to fund the contribution and any subsequent cost increases following the granting of Programme Entry.

Scheme promoters must adhere to Department for Transport requirements as set out in the Department for Transport's web-based guidance on the conduct of transport studies, to ensure a consistent approach to variables such as construction inflation, the application of optimism bias and allowance for risk in the derivation of outturn costs.

### **Scheme Assessment and Appraisal**

The LEP will apply a proportionate approach to the development of transport business cases in line with the Business Case Development Process Chart attached. For example, the transport business case for a £20m scheme will require significantly more detail than that for a £2m scheme. As a guide:

- For individual schemes requiring a Local Growth Fund contribution of greater than £5m and packages of small-scale measures requiring a Local Growth Fund Contribution of greater than £10m, the Lancashire Enterprise Partnership will require submission of Outline/Full Business Cases that demonstrate high value for money.
- For individual schemes requiring a Local Growth Fund contribution of less than £5m, a Strategic Outline Business Case will suffice, although a scheme will still need to demonstrate high value for money.
- For packages of small-scale measures requiring a Local Growth Fund contribution of up to £10m where no individual scheme has a capital cost greater than £5m, a Strategic Outline Business Case will suffice, although the package will still need to demonstrate high value for money.

For the avoidance of doubt, scheme promoters should seek advice from Transport for Lancashire at the earliest opportunity.

### **Scheme Approvals Process**

For individual schemes requiring a Local Growth Fund contribution of greater than £5m and packages of small-scale measures requiring a Local Growth Fund Contribution of greater than £10m, the Lancashire Enterprise Partnership will adopt a three stage approvals process based on modified current practice. Schemes on the networks of either the Highways Agency or Network Rail may undergo a different approval process.

#### **Stage 1: Programme Entry**

Programme Entry indicates the LEP's intention to provide funding to a scheme or package following acceptance of a Strategic Outline Business Case and its inclusion in the Strategic Economic Plan. Programme Entry is not an absolute commitment, but intended to provide sufficient assurance for the promoting authority to embark on Outline Business Case development.

#### **Stage 2: Conditional Approval**

Conditional Approval indicates the LEP's acceptance of an Outline Business Case demonstrating high value for money. It is intended to provide the expectation of funding necessary for the promoting authority to apply for any statutory powers that may be required such as Transport and Works Act powers, highways orders, planning consents, compulsory purchase orders etc.

The LEP will only grant Conditional Approval on the basis that there will be no material changes to the scheme's scope, cost, design, expected benefits and value for money. The granting of Conditional Approval may be subject to a small and limited number of conditions.

### **Stage 3: Full Approval**

Full Approval indicates the LEP's acceptance of a Full Transport Business Case and approval to proceed to implementation. It occurs when all necessary statutory powers are in place and any necessary conditions specified at Conditional Approval have been satisfied. Scheme promoters can only apply for Full Approval once procurement has taken place and a preferred bidder with firm and final prices selected. Once granted, Full Approval enables the scheme promoter to commence construction and draw down grant funds.

For individual schemes requiring a Local Growth Fund contribution of less than £5m or packages of small-scale measures requiring a Local Growth Fund contribution of up to £10m where no individual scheme has a capital cost greater than £5m, acceptance of a Strategic Outline Business Case indicates the Lancashire Enterprise Partnership's approval to proceed to implementation. This enables the scheme promoter to commence works and draw down grant funds.

#### **The Transport Business Case**

The LEP requires all transport business cases to adhere to the key principles of the Department for Transport's Transport Business Case guidance (January 2013) and be fully compliant with the approach to modelling appraisal and analysis at the time they submit the transport business case. This will ensure that scheme assessment follows current best practice.

Each transport business case will need to include a clear statement of scheme objectives and the specific outcomes it is intended to deliver. Scheme promoters must base central case assessments on forecasts that are consistent with the latest version of the National Trip End Model (NTEM), the Department for Transport's planning dataset. As a minimum, Transport for Lancashire will expect to consider central case assessments as part of its scrutiny of transport business cases.

Outline Business Cases submitted for Conditional Approval must include a statement confirming that Department for Transport's Transport Business Guidance has been followed. An Appraisal Summary Table (AST) will need to accompany submissions and demonstrate that the scheme offers high value for money. Scheme promoters must ensure that the Senior Responsible Owner signs off each AST as true and accurate.

Transport for Lancashire will scrutinise individual scheme business cases on behalf of the Lancashire Enterprise Partnership and advise accordingly. In order to secure the required expertise for transport business case scrutiny without Transport for Lancashire having to develop this capability and capacity in-house at considerable cost, Transport for Lancashire will utilise independent specialist consultants. For schemes where Lancashire County Council is not the scheme promoter, Transport for Lancashire will utilise Lancashire County Council's framework consultants to undertake transport business case scrutiny. For schemes promoted by Lancashire County Council, Transport for Lancashire will procure independent advice. This will ensure complete separation between scheme promoters and their own framework consultants and the appraisal team and decision makers.

To guarantee quality assurance, consultants appointed to undertake transport business case scrutiny will need to demonstrate significant previous experience in this field, for example, the

successful preparation of major scheme business cases, and be fully conversant with Department for Transport appraisal and assessment processes. As Accountable Body for the Lancashire Enterprise Partnership, Lancashire County Council will ensure that officers with appropriate technical experience of this type of work oversee the selection process.

Where necessary, consultants appointed to review individual transport business cases and supporting analyses will be able to request the scheme promoter to provide further analysis and information to enable full and proper consideration of the scheme and to ensure that the appraisal and supporting data and assumptions are sufficiently robust and fit for purpose. Consultants will provide Transport for Lancashire with a formal report on each submitted transport business case specifying the outcome of their assessment against the five case model set out in the Department for Transport's Transport Business Case guidance.

### **Value for Money**

The LEP will only approve schemes demonstrating high value for money, with a benefit to cost ratio (BCR) of greater than 2. Only in exceptional cases will the Lancashire Enterprise Partnership consider schemes with a BCR of less than 2. In such circumstances, the scheme promoter will need to demonstrate significant additional monetised or non-monetised benefits that are important in relation to stated strategic objectives, for example, schemes necessary to facilitate significant land development for employment or housing, and guarantee a minimum 30% contribution.

Transport for Lancashire will provide the LEP with a Value for Money assessment in line with published Department for Transport guidance at each approval stage. As part of the independent scrutiny of a scheme's transport business case, Transport for Lancashire will require the consultant responsible to confirm that the Value for Money assessment aligns with the Department for Transport's Advice Note for Local Transport Decision Makers published in December 2013. The County Council's Director of Finance signs off all Value for Money assessments as true and accurate. The Director of Finance is not involved with scheme development and promotion at Lancashire County Council, thus avoiding any potential conflict of interest with regard to schemes promoted by the County Council.

A scheme must satisfy the LEP's value for money requirements at both Conditional and Full Approval stages. Where a scheme fails to deliver a minimum benefit to cost ratio of greater than 2, the Lancashire Enterprise Partnership will seek independent professional advice on the magnitude of the stated additional benefits prior to determining whether these benefits are sufficient to offset this requirement.

### **Programme and Risk Management**

In order to secure effective management of the LEP's transport investment programme, Transport for Lancashire will set up a transparent process for monitoring progress on scheme delivery and spend and for informing responses to changed circumstances including scheme slippage and changes to scheme scope and/or costs.

Where there are issues of cost increases and/or delays to delivery, the Lancashire Enterprise Partnership will consider the following when deciding whether to continue to support a scheme:

- whether the cost increases and/or delays to delivery were unforeseen and unavoidable;

- whether the scheme promoter is willing and/or able to fund any cost increase;
- whether additional funding has been sought from other sources;
- whether the scale of the scheme can be reduced to fit the available budget;
- the impact of any cost increase on a scheme's value for money as reflected by its benefit to cost ratio; and
- whether any delay in scheme delivery can be accommodated within the programme.

The LEP ultimately reserves the right to withdraw its support for a scheme.

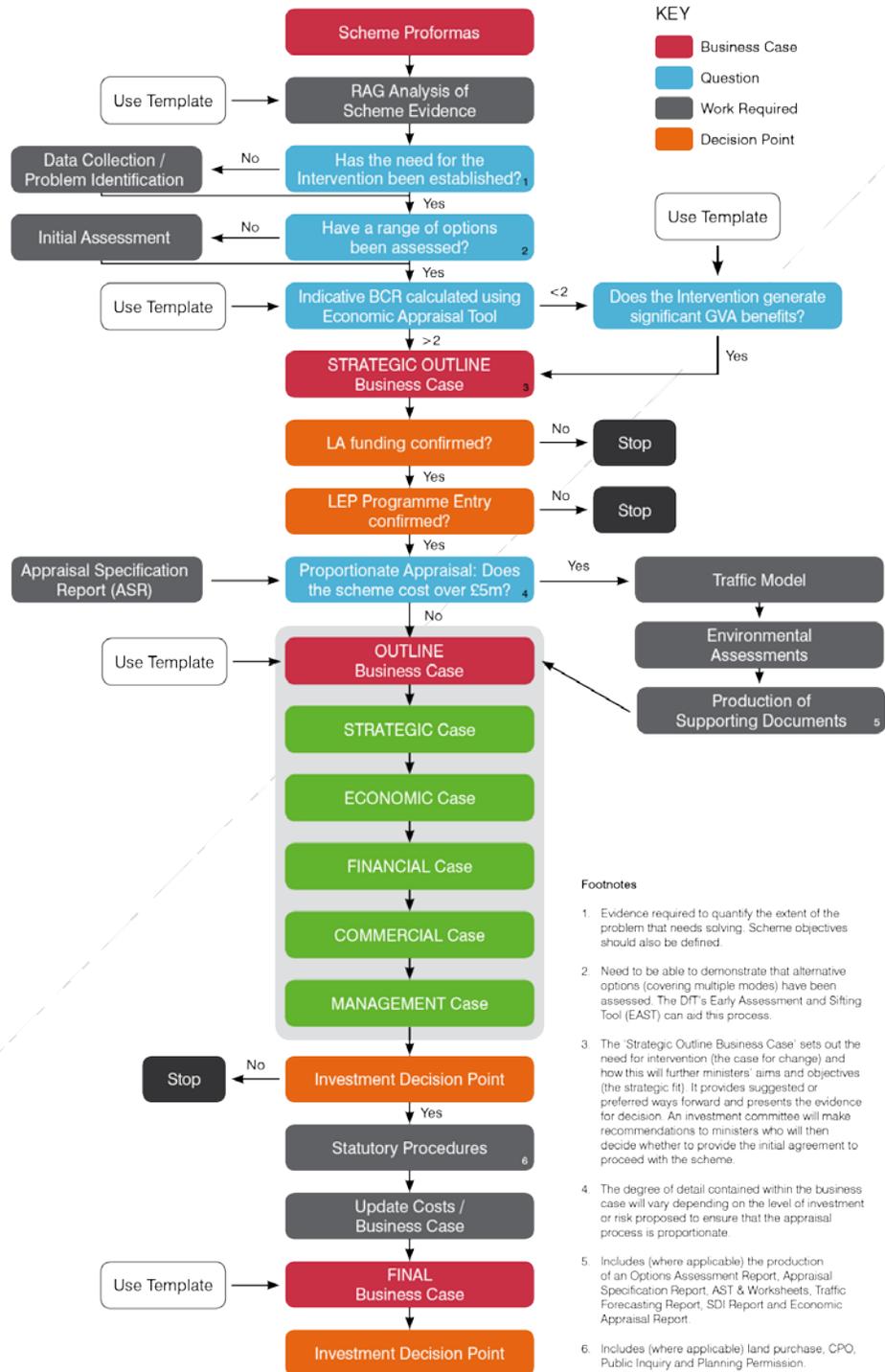
The LEP will require scheme promoters to submit a quarterly monitoring report (QMR) to Transport for Lancashire setting out progress on scheme preparation and/or delivery. This will include a requirement for a quantified risk assessment. Transport for Lancashire will receive quarterly update reports outlining progress with delivery of the transport investment programme. It will collate the QMR information from scheme promoters, indicate progress against key milestones / deliverables and highlight any risks. A RAG (red/amber/green) rating will identify those schemes that are at risk of not meeting their programme objectives and that need urgent attention.

#### **Monitoring and Evaluation**

The LEP will put in place a mechanism to ensure that it monitors and evaluates schemes in accordance with the appropriate Department for Transport guidance, and will publish the results on its website.

**Business Case Development Process Chart**

The process chart should be cross referenced against TfL's Assurance Framework in order to determine the status of each scheme.



**PRESTON, SOUTH RIBBLE AND LANCASHIRE CITY DEAL (CITY DEAL)**  
**CITY DEAL EXECUTIVE**  
**Governance Structure and Terms of Reference**

**Composition**

1. The City Deal Executive shall comprise the following Members:
  - i) The Leader of Lancashire County Council (or their nominee);
  - ii) The Leader of South Ribble Borough Council (or their nominee);
  - iii) The Leader of Preston City Council (or their nominee);
  - iv) The Chair of the Lancashire Enterprise Partnership (LEP) (or their nominee);\*
  - v) The Vice-Chair of the LEP (or their nominee)\*\* and
  - vi) The LEP's Champion for Strategic Development (or their nominee)\*\*\*

\* The LEP Chair nominee is LEP Director Jim Carter

\*\* The LEP Vice-Chair nominee is LEP Director Mark Rawstron

\*\*\* The LEP's Champion for Strategic Development is LEP Director Jim Carter

**Chair**

2. The Chair of the LEP (or their nominee) shall serve as Chair of the City Deal Executive ("the Chair"). If the Chair is not present the Vice-Chair of the LEP (or their nominee) shall serve as Chair.
3. The Chair shall not have a casting vote.

**Quorum**

4. The quorum for City Deal Executive meetings shall be 4. No meeting shall be quorate unless the following Members (or their nominees) are present:
  - i) The Leader of Lancashire County Council
  - ii) The Chair of the LEP or Vice-Chair of the LEP;
  - iii) The Leader of South Ribble Borough Council; and
  - iv) The Leader of Preston City Council.
5. If within fifteen minutes from the time appointed for the holding of a City Deal Executive meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within two weeks and if at that meeting a quorum is not present within fifteen minutes from the time appointed for holding the meeting the Members present shall be a quorum.
6. Any Member may validly participate in a meeting of the City Deal Executive by conference telephone or other form of communication equipment if all persons participating in the meeting are able to hear and speak to each other throughout the meeting.

### **Secretary**

7. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the City Deal Executive.
8. The Secretary shall produce minutes of all meetings of the City Deal Executive.

### **Meeting Frequency**

9. The City Deal Executive shall meet according to operational need.

### **Decisions in Writing**

10. A resolution in writing signed by all of the members of the City Deal Executive for the time being shall be as valid and effectual as if it had been passed at a meeting of the City Deal Executive.

### **Powers and Functions**

11. The City Deal Executive's primary responsibility is to seek to ensure the delivery of the City Deal, and to take key strategic decisions in this regard.
12. The City Deal Executive shall:
  - i) in each year, approve an annual City Deal Infrastructure Delivery Plan, for submission to the Stewardship Board in order to inform the development of an annual 'City Deal Business and Disposal Plan';
  - ii) receive, in each year, from the City Deal Stewardship Board, an Annual Business and Disposal Plan, and if thought fit, approve the same;
  - iii) in each year, approve an annual City Deal Communications and Marketing Plan, and receive regular progress reports on the implementation of the same;
  - iv) receive, on a regular basis all appropriate monitoring and financial information in relation to the City Deal.
13. The City Deal Executive will employ no staff, hold no assets, nor enter into any contractual arrangements. All delivery and operational matters will continue to rest with the City Deal partners.

### **Governance Relationship with the LEP**

14. The LEP is responsible for agreeing the Terms of Reference of the City Deal Executive and has the power to vary the same.
15. The City Deal Executive shall review its Terms of Reference from time to time as necessary.

16. The Minutes of City Deal Executive meetings shall be submitted to the LEP Board at the LEP's request.
17. The Chair shall provide update reports to the LEP Board at the LEP's request.

#### **Relationship with Lancashire County Council as Accountable Body**

18. Lancashire County Council shall act as Accountable Body for the City Deal Executive.
19. Lancashire County Council shall hold the City Deal Infrastructure Delivery funding and make payments to partner delivery agencies in accordance with the decisions of the City Deal Executive. Lancashire County Council shall ensure that these funds remain separate and identifiable from the Accountable Body's own funds, and shall provide financial reports to the City Deal Executive.
20. Lancashire County Council shall provide administrative, financial and legal support to the City Deal Executive.
21. Lancashire County Council shall maintain an official record of the City Deal Executive proceedings and a library of all formal City Deal Executive documents.

#### **Relationship with other Bodies**

22. The City Deal Project Board shall report directly to the City Deal Executive and operate under Terms of Reference as agreed by the City Deal Executive.
23. The City Deal Executive shall with the consent of the Homes England and vice versa, have the authority to agree and amend the Terms of Reference of the City Deal Stewardship Board.
24. The City Deal Stewardship Board shall report directly to the Homes England and the City Deal Executive.

#### **Publication of Papers**

25. The agendas and papers for the City Deal Executive will be published on the LEP's website in accordance with the LEP's Assurance Framework.

**PRESTON, SOUTH RIBBLE AND LANCASHIRE CITY DEAL (CITY DEAL)**  
**STEWARDSHIP BOARD**  
**Governance Structure and Terms of Reference**

**Glossary of Terms**

<i>"City Deal Partners"</i>	The Lancashire Enterprise Partnership, Lancashire County Council, Preston City Council and South Ribble Borough Council.
<i>"MHCLG"</i>	Ministry for Housing, Communities and Local Government.

**Composition**

1. The Stewardship Board shall comprise the following Members:
  - i) The North West Executive Director of Homes England (or their nominee);
  - ii) The Chief Executive of Lancashire County Council (or their nominee);
  - iii) The Chief Executive of South Ribble Borough Council (or their nominee);
  - iv) The Chief Executive of Preston City Council (or their nominee); and
  - v) The Lancashire Enterprise Partnership's Champion for Strategic Development (or their nominee).\*

\* The LEP's Champion for Strategic Development is LEP Director Jim Carter

2. The Stewardship Board shall have the power to appoint up to 2 additional Members.

**Chair**

3. The North West Executive Director of Homes England (or their nominee) shall serve as Chair of the Stewardship Board ("the Chair").
4. The Chair shall not have a casting vote.

**Quorum**

5. The quorum for Stewardship Board meetings shall be 5. No meeting shall be quorate unless each Member set out in 1 above is present.
6. If within fifteen minutes from the time appointed for the holding of a City Deal Stewardship Board meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within two weeks and if at that meeting a quorum is not present within fifteen minutes from the time appointed for holding the meeting the Members present shall be a quorum.

### **Secretary**

7. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the City Deal Stewardship Board.

### **Meetings**

8. The Stewardship Board shall meet according to operational need.
9. Meetings shall take place at venues provided by each of the City Deal Partners and Homes England, on a rotational basis where possible.
10. An Agenda and all necessary accompanying papers shall, wherever possible, be despatched 7 days prior to each meeting.
11. The Secretary shall produce minutes of all meetings of the Stewardship Board.

### **Decisions in Writing**

12. A resolution in writing signed by all of the members of the Stewardship Board for the time being shall be as valid and effectual as if it had been passed at a meeting of the Stewardship Board.

### **Duties and Responsibilities**

13. The Stewardship Board has the responsibility for guiding the disposal of the assets listed in the City Deal document, in accordance with wider City Deal economic and housing growth objectives.
14. The Stewardship Board shall:
  - i) in each year, receive an annual 'City Deal Infrastructure Delivery Plan' from the City Deal Executive and utilise its content to inform the development of an annual 'City Deal Business and Disposal Plan';
  - ii) in each year, approve an annual 'City Deal Business and Disposal Plan' for submission to Homes England's National Board. As soon as the Plan is approved by Homes England it shall be submitted to the City Deal Executive for their consideration and, if thought fit, approval;
  - iii) at any time, recommend to Homes England and City Deal Executive, in turn, any amendments or additions to the annual City Deal Business and Disposal Plan;
  - iv) approve a 'Monitoring Schedule' for submission to the MHCLG;

- v) at any time, recommend to the MHCLG any amendments or additions to the Monitoring Schedule;
- vi) receive Monitoring Schedule progress updates on an annual basis;
- vii) receive regular financial updates in relation to the City Deal Infrastructure Delivery Fund;
- viii) receive regular reports on the Infrastructure Delivery Plan;
- ix) make recommendations as it sees fit, on any matter within its remit, to the City Deal Executive, Homes England, City Deal Partners, and/or MHCLG.

### **Governance Relationships**

- 15. Homes England and City Deal Executive, acting unanimously, shall be responsible for agreeing and, if necessary, amending the Terms of Reference of the Stewardship Board.
- 16. The Stewardship Board shall review its Terms of Reference from time to time as and when necessary.
- 17. These Terms of Reference shall be read in conjunction with the City Deal Stewardship Board Agreement "Agreement" and Memorandum of Understanding "Memorandum". If any provisions of the Agreement or Memorandum conflict with any provisions of these Terms of Reference, these Terms of Reference shall prevail.
- 18. The Secretary shall maintain an official record of all Stewardship Board proceedings and a library of formal Stewardship Board documents.

### **Publication of Papers**

- 19. The agendas and papers for the City Deal Stewardship Board will be published on the LEP's website in accordance with the LEP's Assurance Framework.

**LANCASHIRE SKILLS AND EMPLOYMENT ADVISORY PANEL**  
**Governance Structure and Terms of Reference**

**Composition**

1. Unless otherwise agreed by the Lancashire Enterprise Partnership, the Skills and Employment Advisory Panel shall comprise a maximum of 20 members.
2. The Members of the Skills and Employment Advisory Panel shall be appointed by the Lancashire Enterprise Partnership Board. Members shall be drawn from private sector industry (including small to medium enterprises) and relevant large employers, training and education providers, voluntary and community sector and Local Authorities.
3. The Members of the Skills and Employment Advisory Panel, as at the date of adoption of these Terms of Reference, are as follows:

**Chair**

Amanda Melton – LEP Board Director for Skills and Technical Education

**FE Sector (2)**

Beverley Robinson, Chief Executive – Blackpool and the Fylde College  
Dr Lis Smith, Principal and Chief Executive – Preston's College

**HE Sector (2)**

Dr Lynne Livesey, Deputy Vice Chancellor, University of Central Lancashire  
Mark Allanson, Pro Vice-Chancellor, Edge Hill University

**Training (1)**

Gareth Lindsay, Managing Director, North Lancashire Training Group

**School Headteacher (1)**

Ruth England, Head Teacher, Shuttleworth Burnley

**Voluntary and Community Sector (1)**

Vacancy

**Private Sector**

Joanne Pickering, Director of HR, Training and Quality, Forbes Solicitors and Chair of the Lancashire HR Employers Network (**Deputy Chair**)

Lindsay Campbell – Partner Director Campbell & Rowley Catering and Events Ltd

Andrew Dewhurst – Digital Sector – Director of the Affilius Group

Neil Conlon – Construction Sector – Divisional Director, Conlon Construction

Recruitment process for further Private Sector and Large Employer members

**Local Authorities (2)**

Lancashire Leader's Lead Member for Skills and Education – Vacancy

Lancashire Leader's Lead Chief Executive for Skills and Education – Dean Langton, Chief Executive of Pendle Borough Council

4. Members are responsible for declaring potential conflicts of interest at the beginning of each meeting. It is member's responsibility to ensure that they leave the meeting for items for which the conflict of interest may result in inappropriate commercial advantage or gain.
5. The Lancashire Skills and Employment Advisory Panel may invite any persons it sees fit to attend meetings as observers. Observers shall be subject to the LEP Assurance Framework protocol on observer attendance at meetings.
6. Members are required to attend meetings regularly and attendance will be monitored. If a member is unable to attend a meeting apologies should be given prior to the meeting. Dial-in to meetings will be permitted by exception and must be requested in advance via the Company Secretary (or their nominee), and will require agreement by the Chair.
7. When considering the appointment of additional members to the Lancashire Skills and Employment Advisory Panel, perceived gaps in knowledge / experience, together with sectoral and geographical coverage will be taken into account. Gender balance on the panel should also be considered when new members are appointed; at a least a third of members should be female, and 50% from 2023 in-line with national guidance.

#### **Representatives of Government Bodies**

8. Local representatives of Government Bodies including the Education & Skills Funding Agency (ESFA), the Cities and Local Growth Unit and Jobcentre Plus will also be invited to attend meetings. Local representatives do not have voting rights. The named representatives are currently as follows:

##### **ESFA**

Stephen Jones, Head of FE Territorial Team (Lancashire, Knowsley and St Helens)

##### **Cities and Local Growth**

Paul Evans, Assistant Director

Katherine O'Connor, Senior Ministerial and Policy Manager

##### **Jobcentre Plus**

Chris Hebblethwaite, External Relationship Manager, Cumbria and Lancashire District

#### **Chair and Deputy Chair**

9. The Lancashire Enterprise Partnership Board shall appoint the Chair. The Chair will also be appointed to the Lancashire Enterprise Partnership Board in accordance with Government guidance for Skills Advisory Panels. The Chair's term and arrangements for re-appointment will mirror that of the Lancashire Enterprise Partnership Board Chair's terms, i.e. the term will be for a fixed time period as set out in the Lancashire Enterprise Partnership Assurance Framework.

10. The Chair shall not have a casting vote.
11. The Lancashire Skills and Employment Advisory Panel may appoint one of its number to act as Deputy Chair ("Deputy Chair").

#### **Quorum**

12. The quorum for Lancashire Skills and Employment Advisory Panel meetings shall be 3.
13. If within fifteen minutes from the time appointed for the holding of a Lancashire Skills and Employment Advisory Panel meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within two weeks.

#### **Secretary**

14. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the Skills and Employment Advisory Panel.
15. The Secretary shall produce minutes of all meetings of the Skills and Employment Advisory Panel and will maintain a list of conflicts of interests. Agendas will include a standard item requiring declarations of interests to be made in relation to specific items of business.

#### **Meeting Frequency**

16. The Skills and Employment Board shall normally meet up to six times per annum

#### **Decisions in Writing**

17. A resolution in writing approved by the majority of the members of the Skills and Employment Advisory Panel shall be as valid and effectual as if it had been passed at a meeting of the panel.

#### **Remit**

18. The Skills and Employment Advisory Panel's primary responsibility is to consider skills and employment priorities within Lancashire, Blackpool and Blackburn and any related issues and make recommendations on the same to the relevant bodies. In doing so, the Skills and Employment Advisory Panel shall:
  - i) commission and maintain a robust evidence-base and labour market analysis which identifies existing and futures skill and employment demands and issues in the LEP area;
  - ii) oversee the implementation and refresh of the Lancashire Skills and Employment Strategic Framework for the area which is consistent with the wider economic priorities set out in the LEP's Growth Plan and contribute to the

- development and implementation of the 'People' element of the Local Industrial Strategy;
- iii) develop and promote skills-related initiatives and programmes aligned with agreed priorities, as part of the Lancashire Plan and the Local Industrial Strategy, working proactively with the Lancashire Leaders and the 'All Age Skills, Education and Employment' theme group;
  - iv) identify and work with other LEP areas on skills issues of strategic and cross-boundary significance;
  - v) foster co-operation between providers in the mix of provision available in the LEP area and actively work with providers to enable skills and employment needs to be met;
  - vi) drive the implementation of key policy areas to the benefit of Lancashire employers and learners, for example, the Careers Strategy, T Levels, Apprenticeships and the National Retraining Scheme;
  - vii) contribute to key LEP objectives including increasing productivity and enabling innovation, working proactively with committees within the LEP governance;
  - viii) advise on priorities and the deployment of skills funding locally; and
  - ix) work proactively with DfE to influence national policy and the prioritisation and commissioning of funding.

The Skills and Employment Advisory Panel will discharge its duties through the Lancashire Skills and Employment Hub to facilitate/enable a balanced, skilled and inclusive labour market which underpins and contributes to economic well-being and growth across the County.

#### **Governance Relationship with the Lancashire Enterprise Partnership (LEP)**

- 19. The LEP is responsible for agreeing the Terms of Reference of the Skills and Employment Advisory Panel and has the power to vary the same.
- 20. The Skills and Employment Advisory Panel shall review its Terms of Reference from time to time as necessary and report their findings to the LEP Board.
- 21. The Chair shall provide update reports to the LEP Board at the LEP's request.

#### **Relationship with Lancashire County Council**

- 22. Lancashire County Council shall provide administrative and legal support to the Skills and Employment Advisory Panel.
- 23. Lancashire County Council shall maintain an official record of the Skills and Employment Advisory Panel proceedings and a library of all formal Board documents.

### Publication of Papers

24. The agendas and papers of the Lancashire Skills and Employment Advisory Panel will be published on the LEP's website in accordance with the LEP's Assurance Framework.



**ENTERPRISE ZONE GOVERNANCE COMMITTEE**  
**Governance Structure and Terms of Reference**

**Composition**

Chair: David Taylor, Deputy Chair of the Lancashire Enterprise Partnership (LEP)

Members: Vacancy, LEP Director  
Councillor Simon Blackburn, LEP Director  
County Councillor Geoff Driver CBE, LEP Director  
Mark Smith, LEP Director  
Mark Rawstron, LEP Director

Observers: Katherine O'Connor, Department for Business, Energy and Industrial Strategy  
Paul Evans, Department for Business, Energy and Industrial Strategy

Quorum: Chair and two members of the EZ Governance Committee

1. Members can nominate substitute representatives, with written notification provided to the Clerk in advance of the meeting. Substitutes will be counted towards the quorum and will be entitled to vote. The use of substitutes shall be by exception rather than rule.

***Frequency of Meetings***

2. Bi-Monthly, or as required in accordance with operational need.

***Observers***

3. The EZ Governance Committee may invite any persons it sees fit to attend meetings as observers. Observers shall be subject to the LEP Assurance Framework protocol on observer attendance at meetings.

***Secretary***

4. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the EZ Governance Committee.
5. The Secretary shall produce minutes of all meetings of the EZ Governance Committee and will maintain a list of conflicts of interests. Future agendas will include a standard item requiring declarations of interests to be made in relation to specific items of business.

### ***Decisions in Writing***

6. A resolution in writing signed by the majority of the members of the EZ Governance Committee for the time being shall be as valid and effectual as if it had been passed at a meeting of the Committee.

### ***Remit***

7. The EZ Governance Committee is a committee of the Lancashire Enterprise Partnership.
8. The EZ Governance Committee is responsible for setting and overseeing the strategic direction of the Lancashire Advanced Manufacturing and Energy Cluster (LAMEC). It will also provide regular reports to the LEP Board, specifically focusing on:
  - Regular progress updates on the delivery of infrastructure into Lancashire's 4 Enterprise Zones;
  - Regular progress reports on the drawdown/development of land on Lancashire's 4 Enterprise Zone sites;
  - Regular progress reports on the generation of commercial leads and enquiries on Lancashire's 4 Enterprise Zone sites;
  - Regular financial reports regarding the generation of Business Rates growth at Lancashire's 4 Enterprise Zone sites;
  - Regular financial reports on Business Rates Relief providing to companies locating to Lancashire's 4 Enterprise Zone sites;
  - Regular financial reports on the provision and repayment of any public investment provided in support of the development of Lancashire's 4 Enterprise Zone sites;
  - Regular progress updates on the number of jobs and commercial floor-space created across Lancashire's 4 Enterprise Zone sites; and
  - Regular progress reports on planning frameworks and commercial masterplans in place across Lancashire's 4 Enterprise Zone sites.

### ***Publication of Papers***

9. The agendas and papers of the Enterprise Zone Governance Committee will be published on the LEP's website in accordance with the LEP's Assurance Framework.

**GROWTH DEAL MANAGEMENT BOARD**  
**Governance Structure and Terms of Reference**

**Composition**

1. Unless otherwise agreed by the LEP, the Growth Deal Management Board shall comprise a minimum of 6 members and a maximum of 10.
2. The Chair and membership of the Growth Deal Management Board shall be appointed by the LEP.
3. The Chair of the Growth Deal Management Board shall be a Director of the LEP Board and a member of the LEP's Performance Committee.
4. The Members of the Growth Deal Management Board, as at the date of adoption of these Terms of Reference, are as follows:

Graham Cowley ( <b>Chair</b> )	LEP Director
Michael Ahern	Chief Operating Officer, UCLAN
Alan Cavill	Director of Place, Blackpool Council
Dr Michele Lawty-Jones	Director, Lancashire Skills Hub
Denise Park	Chief Executive, Blackburn with Darwen Borough Council
Richard Kenny	Interim Director of Economic Development and Planning, Lancashire County Council
Gareth Smith	Gareth Smith Consulting
Julie Whittaker	Economic, Housing and Regeneration Manager, Pendle Borough Council

**Observers:**

Katherine O'Connor	Department for Business, Energy and Industrial Strategy
Paul Evans	Department for Business, Energy and Industrial Strategy

Members can nominate substitute representatives, with written notification provided to the Clerk in advance of the meeting. Substitutes will be counted towards the quorum and will be entitled to vote. The use of substitutes shall be by exception rather than rule.

5. The Growth Deal Management Board may invite any persons it sees fit to attend meetings as observers. Observers shall be subject to the LEP Assurance Framework protocol on observer attendance at meetings.

#### **Chair and Deputy Chair**

6. The Chair of the Growth Deal Management Board will be a private sector representative and be a member of the LEP Board.
7. The Chair shall not have a casting vote.
8. The Growth Deal Management Board may appoint one of its number to act as Deputy Chair ("Deputy Chair").

#### **Quorum**

9. The quorum for Growth Deal Management Board meetings shall be 3, including the Chair.
10. If within 15 minutes from the time appointed for the holding of a Growth Deal Management Board meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within 2 weeks and if at that meeting a quorum is not present within 15 minutes from the time appointed for holding the meeting the Members present shall be a quorum.

#### **Secretary**

11. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the Growth Deal Management Board.
12. The Secretary shall produce minutes of all meetings of the Growth Deal Management Board and will maintain a list of conflicts of interests, in accordance with the LEP's Assurance Framework. Growth Deal Management Board agendas will include a standard item requiring declarations to be made in relation to specific items of business.

#### **Meeting Frequency**

13. The Growth Deal Management Board shall meet according to operational need.

### **Decisions in Writing**

14. A resolution in writing signed by the majority of the members of the Growth Deal Management Board for the time being shall be as valid and effectual as if it had been passed at a meeting of the Growth Deal Management Board.

### **Remit**

15. The Growth Deal Management Board's primary responsibility is to ensure the implementation of the Growth Deal and to make strategic recommendations to the LEP Board in this regard.
16. The Growth Deal Management Board shall:
  - Implement and monitor the Growth Deal in accordance with the Growth Deal Implementation Plan and Growth Deal Monitoring and Evaluation Framework;
  - Ensure that the Growth Deal Implementation Plan and Monitoring and Evaluation Framework are updated according to operational need, and annually as a minimum, and located on the LEP website;
  - Oversee the work of the Monitoring and Evaluation Sub Group, receive quarterly reports from the same and approve the submission of quarterly monitoring reports;
  - Ensure that any conditions attached to Local Growth Fund funding agreements are discharged appropriately;
  - Refer to the LEP Board any issues arising if project sponsors are unable to comply with the Growth Funding principles agreed by the LEP Board;
  - Make recommendations to the LEP Board on any proposed material changes to funding profiles, including redirecting significant resources in year and between projects; and
  - Make recommendations to the LEP Board (who in turn would need to seek approval from Government) on any proposed material changes to project funding in the event of non-delivery, and / or the withdrawal of grant offer.

### **Governance Relationship with the LEP**

17. The LEP is responsible for agreeing the Terms of Reference of the Growth Deal Management Board and has the power to vary the same.
18. The Growth Deal Management Board shall review its Terms of Reference from time to time as necessary and report their findings to the LEP.
19. The Chair shall provide update reports to the LEP Board at the LEP's request.
20. The Chair of the Growth Deal Management Board shall sit on the LEP's Performance Committee.

### **Relationship with Lancashire County Council**

21. Lancashire County Council, as accountable body to the LEP, shall provide programme management, economic development, financial, administrative and legal support to the Growth Deal Management Board.
22. The Growth Deal Management Board will be supported by consultants appointed to advise on the implementation of the Growth Deal Monitoring and Evaluation Framework.
23. Lancashire County Council shall maintain an official record of the Growth Deal Management Board proceedings and a library of all formal Growth Deal Management Board documents.

### **Publication of Papers**

24. The agendas and papers of the Growth Deal Management Board will be published on the LEP's website in accordance with the LEP's Assurance Framework.

**LANCASHIRE BUSINESS SUPPORT MANAGEMENT BOARD**  
**Governance Structure and Terms of Reference**

**Composition**

1. Unless otherwise agreed by the Lancashire Enterprise Partnership, the Business Support Management Board shall comprise a minimum of 4 members and a maximum of 10.
2. The Members of the Business Support Management Board shall be appointed by the Lancashire Enterprise Partnership and shall draw members be drawn from business, business representative organisations, business support providers and business finance specialists.
3. The proposed members of the Business Support Management Board, as at the date of adoption of these Terms of Reference, are as follows:

Mike Blackburn <b>(Chair)</b>	LEP Director
Gillian Bardin	Institute of Chartered Accountants in England and Wales (ICAEW)
Miranda Barker	East Lancashire Chamber of Commerce and LEP Director
Paul Foster	Federation of Small Business
Alan Welsh	North West Lancashire Chamber of Commerce
Frank McKenna	Downtown in Business Lancashire
Sue Smith	Centre of SME Development, UCLAN
Stuart Thomson	Lancashire IOD

Members can nominate substitute representatives, with written notification provided to the Clerk in advance of the meeting. Substitutes will be counted towards the quorum and will be entitled to vote. The use of substitutes shall be by exception rather than rule.

4. The Business Support Management Board may invite any persons it sees fit to attend meetings as observers. Observers shall be subject to the LEP Assurance Framework protocol on observer attendance at meetings.
5. When considering the appointment of additional members to the Business Support Management Board, perceived gaps in knowledge / experience, together with sectoral and geographical coverage will be taken into account.

**Chair and Deputy Chair**

6. The Lancashire Enterprise Partnership shall appoint the Chair.
7. The Chair shall not have a casting vote.
8. The Business Support Management Board may appoint one of its number to act as Deputy Chair ("Deputy Chair").

### **Quorum**

9. The quorum for Business Support Management Board meetings shall be 3
10. If within fifteen minutes from the time appointed for the holding of a Business Support Management Board meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within two weeks.

### **Secretary**

11. The Company Secretary of the Lancashire Enterprise Partnership (or their nominee) shall serve as the Secretary ("The Secretary") to the Business Support Management Board.
12. The Secretary shall produce minutes of all meetings of the Business Support Management Board and will maintain a list of conflicts of interests. Future Business Support Management Board agendas will include a standard item requiring declarations to be made in relation to specific items of business.
13. The Secretary shall produce and maintain an action list of all outstanding Business Support Management Board matters, a copy of which shall be circulated to meetings of the Business Support Management Board.

### **Meeting Frequency**

14. The Business Support Management Board shall meet according to operational need.

### **Decisions in Writing**

15. A resolution in writing signed by the majority of the members of the Business Support Management Board for the time being shall be as valid and effectual as if it had been passed at a meeting of the Business Support Management Board.

### **Remit**

16. The Business Support Management Board's primary responsibility is to consider how business support activities are best aligned with the wider strategic and economic ambition across the LEP geography and make recommendations on the same to the relevant bodies. In doing so, the Business Support Management Board shall:
  - a. Develop and promote business support strategy, initiatives and programmes aligned with agreed priorities, as part of the LEP's Strategic Economic Plan;
  - b. Seek to co-ordinate and commission a publicly funded business support offer which is clear, fit for purpose and which complements both commercial and national offers.
  - c. Commission and maintain an evidence-base to help understand key business support demands in the LEP area;

- d. Identify and work with other LEP areas on business support issues of strategic and cross-boundary significance; and
- e. Advise on the deployment of business support funding directly accessed or influenced by the LEP and make best use of public investment in this policy area.

#### **Governance Relationship with the LEP**

- 17. The LEP is responsible for agreeing the Terms of Reference of the Business Support Management Board and has the power to vary the same.
- 18. The Business Support Management Board shall review its Terms of Reference from time to time as necessary and report their findings to the LEP.
- 19. Minutes of Business Support Management Board meetings shall be submitted to the LEP Board at the LEP's request and significant action points will be reported as part of a Chair's Update.
- 20. The Chair shall provide update reports to the LEP Board at the LEP's request.

#### **Relationship with Lancashire County Council**

- 21. Lancashire County Council shall provide administrative and legal support to the Business Support Management Board.
- 22. Lancashire County Council shall maintain an official record of the Business Support Management Board proceedings and a library of all formal Business Support Management Board documents.

#### **Publication of Papers**

- 23. The agendas and papers of the Business Support Management Board will be published on the LEP's website in accordance with the LEP's Assurance Framework.

**PERFORMANCE COMMITTEE**  
**Governance Structure and Terms of Reference**

**Composition**

1. Unless otherwise agreed by the LEP, the Performance Committee shall comprise a minimum of 3 and a maximum of 8 members.
2. The Members of the Performance Committee shall be appointed by the LEP and shall draw a minimum of 3 private sector directors as members.
3. A place will be reserved on the Performance Committee for the nominee of the Lancashire Leaders Group.
4. The Members of the Performance Committee, as at the date of adoption of these Terms of Reference, are as follows:

<i>Vacancy (Chair)</i>	<i>LEP Director</i>
<i>Vacancy</i>	<i>LEP Director</i>
<i>Graham Cowley</i>	<i>LEP Director</i>
<i>Ann Dean</i>	<i>LEP Director</i>
<i>David Taylor</i>	<i>LEP Director</i>
<i>ClIr Matthew Brown</i>	<i>Lancashire Leaders Group Nominee</i>

Members can nominate substitute representatives, with written notification provided to the Clerk in advance of the meeting. Substitutes will be counted towards the quorum and will be entitled to vote. The use of substitutes shall be by exception rather than rule.

5. The Performance Committee may invite any persons it sees fit to attend meetings as observers. Observers shall be subject to the LEP Assurance Framework protocol on observer attendance at meetings.
6. The County Council's Director of Governance, Finance and Public Services (and LEP Company Secretary) and Section 151 Officer (or their nominees) will attend meetings of the Performance Committee.

**Chair and Deputy Chair**

7. The Performance Committee shall appoint one of its number to act as Chair ("the Chair"). The Chair of the Performance Committee will be a private sector representative and be a member of the LEP Board.
8. The Chair shall not have a casting vote.
9. The Performance Committee may appoint one of its number to act as Deputy Chair ("Deputy Chair").

### **Quorum**

10. The quorum for Performance Committee meetings shall be a minimum of 3 directors. In the event that the Chair is not present the Committee should appoint one of the members present to act as Chair in his/her absence.
11. If within 15 minutes from the time appointed for the holding of a Performance Committee meeting a quorum is not present, the meeting shall be adjourned. The Secretary shall arrange for the meeting to take place within two weeks and if at that meeting a quorum is not present within 15 minutes from the time appointed for holding the meeting the Members present shall be a quorum.

### **Secretary**

12. The LEP's Company Secretary (or their nominee) shall serve as the Secretary ("The Secretary") to the Performance Committee.
13. The Secretary shall produce minutes of all meetings of the Performance Committee and will maintain a list of conflicts of interests, in accordance with the LEP's Assurance Framework. Performance Committee agendas will include a standard item requiring declarations to be made in relation to specific items of business.

### **Meeting Frequency**

14. The Performance Committee shall meet at least once in a 12 month period, and as necessary according to operational need.

### **Decisions in Writing**

15. A resolution in writing signed by the majority of the members of the Performance Committee for the time being shall be as valid and effectual as if it had been passed at a meeting of the Performance Committee.

### **Remit**

16. The Performance Committee will provide oversight on seven key areas of performance:
  - (i) Quantum of resources secured by the LEP;
  - (ii) Monitoring of the LEP's Operational Budget and development of the LEP's Operational Business Plan and Annual Report;
  - (ii) Investment decision making;
  - (iii) Implementation and delivery of key LEP initiatives;
  - (v) Monitoring and evaluation of key LEP initiatives;
  - (vi) Compliance with LEP policies and procedures, as set out in the LEP's Assurance Framework; and
  - (vii) Risk management, including identification and mitigation of risks.

17. The Performance Committee will not make recommendations on individual scheme approvals.

#### **Governance Relationship with the LEP**

18. The LEP is responsible for agreeing the Terms of Reference of the Performance Committee and has the power to vary the same.
19. The Performance Committee shall review its Terms of Reference from time to time as necessary and report their findings to the LEP.
20. Minutes of the Performance Committee meetings shall be submitted to the LEP Board at the LEP's request.
21. The Chair shall provide update reports to the LEP Board at the LEP's request.

#### **Relationship with Lancashire County Council**

22. Lancashire County Council, as accountable body to the LEP, shall provide legal, audit, financial and programme management support through, respectively, the Director of Corporate Services, (LEP Company Secretary), Head of Internal Audit, Section 151 Officer and Director of Economic Development and Planning.
23. Lancashire County Council shall maintain an official record of the Performance Committee proceedings and a library of all formal Performance Committee documents.

#### **Publication of Papers**

24. The agendas and papers of the Performance Committee will be published on the LEP's website in accordance with the LEP's Assurance Framework.

## Annex '2'

### **Protocol on the Disclosure of Confidential Information for Directors / Observers / Officers and other attendees at Lancashire Enterprise Partnership Board Meetings**

The Lancashire Enterprise Partnership seeks to make information it holds freely available to the public in fulfilling its responsibility for openness and accountability.

In doing so, it must respect the rights of individuals and other organisations. It is also in the public interest that its commercial interests are protected to the extent recognised by the Freedom of Information Act.

This protocol sets out the arrangements agreed by the Lancashire Enterprise Partnership for the treatment by all attendees at Board meetings of confidential information.

- Confidential information will be identified in one of the following ways:
  - a. Marked "not for publication" and include a statement that the report contains confidential or exempt information
  - b. Included in Part II of an agenda for a Board meeting
  - c. Received with a covering letter or other communication which indicates the document is confidential
- If you receive confidential information you should assume that it is provided to you for your personal information and you should not disclose it to anyone unless one of the following applies;
  - a. Information at 1b above will be supplied to all other members attending the meeting in question and will be shared and discussed with them. It should not however, be shared with other people who are not involved in the meeting.
  - b. You have the written consent of the person who provided you with the information to the specific disclosure made.
  - c. You have received legal advice that you are under a legal obligation to disclose that information to a person who has requested it. The Company Secretary will provide advice on this point if requested.
  - d. You may disclose the information if it is necessary for you to do so in order to obtain advice from a professional adviser, provided that adviser gives a binding obligation not to disclose the information themselves.

## Annex '3'

### **Guidance on publication of meeting papers and agendas – Compliance with the Local Government Act 1972**

#### **1. Scope**

These rules apply to all meetings of the Lancashire Enterprise Partnership Board (LEP) and its Committees.

The LEP is committed to publishing agenda papers and minutes for Full Board meetings and any Committees which involve decisions about public money. All papers can be accessed via the LEP Website, or, the LEP's Accountable Bodies website (Lancashire County Council). This is based on the National LEP Assurance Framework and is done in accordance with the [Local Government Act 1972](#).

#### **2. Publication Procedure**

- The LEP will give at least five clear working days' notice of any meeting by posting details of the meeting on its website.
- Meeting agendas and papers are published at least 5 clear working days before meetings take place.
- Minutes of Board and Committee meetings are published within 10 clear working days of the meeting taking place at the very least in draft format which are subject to final approval by the Board. Once approved final versions of minutes are published within 10 clear working days.

#### **3. Declaration of Interests**

The LEP confirms to the Government Best Practice Guidance in relation to Directors Interests and a full LEP Directors Register of Interest can be accessed on the LEP website [here](#).

In addition, any declaration of interest made at a meeting of the LEP Board or one of its Committees is included in the minutes of the relevant LEP Board or Committee meeting. If this is a new declaration not previously notified by that Director, their register of interests is updated with the new declaration included.

## **4. Guidance on Handling Confidential and Exempt Information**

### **4.1 Confidential information – requirement to exclude public**

The public have to be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

### **4.2 Meaning of confidential information**

The LEP complies with [The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) with regard to confidential information.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order and as fully defined in [Section 100A\(3\) of the Local Government Act 1972](#).

### **4.3 Exempt information – discretion to exclude public**

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

### **4.4 Meaning of exempt information**

Exempt information means information falling within the following 7 categories (subject to the qualifications below):

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

6. Information which reveals that the authority proposes -
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## 5 Qualifications

- (a) Information relating to the financial or business affairs of any particular person is not exempt if it is required to be registered under: the Companies Act 2006; the Friendly Societies Act 1974; the Friendly Societies Act 1992; the Industrial and Provident Societies Acts 1965 to 1978; the Building Societies Act 1986; or the Charities Act 1993.
- (b) Information in one of the seven categories of exempt information which is not prevented from being exempt by definition of point (a) described above is exempt if the public interest in maintaining the exemption outweighs the public interest in disclosing it.

## 6 Process for Handing Information

- Documents shall be accessed against the above criteria and must be considered to match the criteria in order to be deemed confidential.
- In the event a document is assessed as being confidential it shall be marked as such listing the appropriate Local Government Act 1972 exemption.
- The reason for exemption shall be published on the LEP website within the relevant agenda papers section.
- At present information is processed by the in-house council team who are subject to the council's information governance policies:  
<http://intranet.ad.lancscc.net/how-do-i/information-governance/information-governance-policies/>

As the LEP becomes more independent from the council, separate information governance policies will be developed which will govern how the LEP processes and secures the information it holds.

## Annex '4'

### **LEP Director and Committee Member Protocol 'The Nolan Principles'**

Directors of the Lancashire Enterprise Partnership and all of its Committee Members shall comply with the Seven Principles of Public Life which are:

#### **1. Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### **3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **6. Honesty**

Holders of public office should be truthful.

#### **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

For further information on the 7 principles and the work of the Committee on Standards in Public Life, visit the Committee's [website](#) and [blogsite](#).

## **Attendance protocol for LEP Directors and LEP Committee Members**

Attendance at meetings is important. LEP Directors and Committee Members are expected to regularly attend meetings.

- (1) If LEP Directors or Committee Members miss three meetings in a row this will be reported by the Company Secretary to the County Council's Director of Economic Development and Planning and the Chair of the LEP Board. This may result in a LEP Director or Committee Member having their appointment reviewed, and, unless deemed to be extraordinary circumstances, could be removed from their post. This will be reviewed on a case-by-case basis.
- (2) In addition, overall attendance statistics will be reviewed by the Company Secretary on an annual basis. If a Director or Committee Members attendance within a period of one year falls below 50% this may also result in triggering the process set out at (1).

## **The Requirements of the Companies Act 2006 "Directors Duties"**

In addition to the requirements placed on LEP Directors in this Assurance Framework it is important to note that the Lancashire Enterprise Partnership is a Private Limited Company and as such LEP Directors have additional requirements placed on them by the Companies Act 2006.

The Companies Act 2006 defines a number of general legal duties for directors of UK companies. Set out below is a brief summary of the main duties directors need to be aware of:

### **The duty to act within powers**

Directors must act in accordance with the company's constitution (i.e. the articles of association and formal resolutions and decisions), and only exercise powers for the purposes for which they are conferred. A copy of the articles is included in this information pack.

### **The duty to promote the success of the company**

Directors must act in a way which they consider, in good faith, will promote the success of the company in delivering its objects, having regard to:

- (a) the likely consequences of any decision in the long term;
- (b) the interests of the company's employees;
- (c) the need to foster the company's business relationships with suppliers, customers and others;
- (d) the impact of the company's operations on the community and the environment;

(e) the desirability of the company maintaining a reputation for high standards of business conduct.

**The duty to exercise independent judgement**

Each director must exercise independent judgment in his or her decision making.

**The duty to exercise reasonable care, skill, and diligence**

Directors must exercise reasonable care, skill and diligence in their duties. The meaning of 'reasonable care, skill and diligence' is judged according to what may reasonably be expected of a person carrying out the functions of director of that company. It is also judged according to the general knowledge, skill and experience of the individual director.

**The duty to avoid conflicts of interest**

Directors must avoid situations in which they could have a direct or indirect interest that conflicts with the interests of the company. This applies in particular to the exploitation of any property, information or opportunity (regardless of whether the company could take advantage of that property, information or opportunity). However, this duty is not infringed if the matter has been authorised by the board.

**The duty not to accept benefits from third parties**

Directors must not accept benefits from third parties unless the benefit cannot reasonably be regarded as likely to give rise to a conflict of interest.

A separate detailed Annex providing more details on directors' interests is included in the Assurance Framework.

**If you require any further information or advice, please do not hesitate to contact:**  
Andy Milroy, Senior Democratic Services Officer, Email: [andy.milroy@lancashire.gov.uk](mailto:andy.milroy@lancashire.gov.uk)  
Telephone: 01772 530354

## Annex '5'

### Code of Conduct for Lancashire Enterprise Partnership (LEP) Board Members

You are a Board Member of the Lancashire Local Enterprise Partnership (LEP) and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership in your conduct at all times, full details on these principles, referred to as the "Nolan" principles are set out below.

Accordingly, when acting in your capacity as a Board Member of the Lancashire Local Enterprise Partnership:

- You must act in a manner consistent with the LEP's equality and diversity strategy and treat your fellow Board Members, members of staff and others you come into contact with when working in their role with respect and courtesy at all times.
- You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might be reasonably regarded to influence you in the performance of your official duties.
- When carrying out your LEP duties you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on evidence.
- You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position. You must be as open as possible about both your decisions and actions and the decisions and actions of the LEP. In addition, you should be prepared to give reasons for those decisions and actions.
- You must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union, political party or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any conflicts arising in a way that protects the public interest. This includes registering and declaring interests in a manner conforming to the procedures set out in the section 'Registering and declaring pecuniary and non-pecuniary interests'.
- You must, when using or authorising the use by others of the resources of the LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes).
- You must promote and support high standards of conduct when serving in your LEP post, in particular as characterised by the above requirements, by leadership and example.

## Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a Board Member or co-opted, notify your LEP Company Secretary and Accountable Body's Section 151 Officer of any disclosable pecuniary interest<sup>1</sup>, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

In addition, you must, within 28 days of taking office, notify the LEP Company Secretary and the Accountable Body's Section 151 Officer of any non-pecuniary interest<sup>2</sup> which the LEP has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life (The Nolan Principles). These non-pecuniary interests will necessarily include your membership of any Trade Union.

Board members should review their individual register of interest before each board meeting and decision making committee meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of the LEP at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'<sup>3</sup>.

Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must notify the LEP Company Secretary and Section 151 Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest. Additionally, you must observe the restrictions your LEP places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by the LEP.

### Footnote

1 For the purposes of this guidance, we are using the definition of a pecuniary interest as set out in the [Localism Act 2011](#) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

2 A Non-Pecuniary interest is any interest which is not listed in the [Schedule to The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 \(No.1464\)](#).

3 A 'sensitive interest' is described in the [Localism Act 2011](#) as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

## Annex '6'

### LEP Observers Protocol

The Lancashire Enterprise Partnership will permit the attendance of Observers at Board meetings subject to the following provisions:

- (i) Observers are requested to make themselves known to the Company Secretary (or their representative) and state their name, the organisation they represent and their purpose for attending the meeting. Ideally this should be done in writing (or via email) in advance of the meeting.
- (ii) The Chair will seek formal approval from the Directors present to any request for an Observer to attend for Part I (Items that are publically available) and, if applicable, Part II (Private and Confidential items). Observers will usually be excluded from any Part II items other than in exceptional circumstances.
- (iii) If an Observer is permitted to attend for any Part II items they must agree to adhere to the Protocol on the Disclosure of Confidential Information for Directors / Observers / Officers and other attendees at Lancashire Enterprise Partnership Board meetings. Any Observers present from local authorities will also be bound by their own confidentiality procedures.
- (iv) The Board will determine appropriate action to be taken in the event of any proven / intentional breaches of this confidentiality statement.

### Speaking at Meetings

As a general rule Observers will not be permitted to speak at Lancashire Enterprise Partnership Board meetings, unless invited to do so by the Chair.

The Chair may terminate any speech made by an Observer if he/she considers it appropriate to do so. The Chair's judgement will be informed by the following provisions:

Observers must not:

- Speak at a point in the meeting other than those where they are invited to do so by the Chair.
- Interrupt another speaker.
- Reveal personal information about another individual.
- Make individual or personal complaints against any member of the Board.
- Reveal information which they know or believe to be confidential.
- Use offensive, abusive or threatening language.
- Ignore the ruling of the Chair of the meeting.

Persistent disregard of the above protocol may result in Observers being asked to leave the meeting.

## Annex '7'

### Directors' Interests

Under the provisions of the Companies Act 2006, as a director of Lancashire Enterprise Partnership Limited ("the company"), there are two different types of conflict of interest that you will need to declare to the company:

### Situational Conflicts

Upon accepting your appointment as a director, you should inform the Company Secretary of anything, or any connection you have, which could potentially divert your mind from giving sole consideration to promoting the success of the company.

Although there is nothing to prohibit you from holding multiple directorships or even from engaging in business that competes with Lancashire Enterprise Partnership Limited, any situation where there is a degree of tension must be declared.

For example, as a director of the company it is your duty to act in the sole interest of the company. However, if you have been nominated by another organisation, a tension may arise out of any actual or perceived duty to act in the best interests of that organisation as opposed to the company itself.

Once any potential interests have been declared, they will be put to the other directors, who have the power to authorise them.

You have an ongoing duty to update the Company Secretary of any changes to your situational interests.

### Transactional conflicts

A transactional conflict arises where as a director, you or a 'connected person' (for example a family member), has an interest in a proposed or existing transaction or arrangement with the company.

If you realise that you are in any way, directly or indirectly interested in a proposed transaction or arrangement with the company, you must declare the nature and extent of that interest to the other directors. This should be done via the Company Secretary. Any such declarations should be made as soon as practicable, ideally before or at the start of any Board meeting at which the item is to be considered.

If you have made such a declaration, the default position is for you not to be counted as participating in the decision-making process for quorum or voting purposes during consideration of the matter. However Lancashire Enterprise Partnership Limited's Articles of Association do enable the remaining, non-interested directors to, if they see fit, authorise any such conflicts and in these instances they may agree for you to take part.

Please note that specific provisions relating to directors' interests are set out in clauses 13.7 to 13.13 of the company's Articles of Association.

**If you require any further information or advice, please do not hesitate to contact:**  
Andy Milroy, Senior Democratic Services Officer, Email: [andy.milroy@lancashire.gov.uk](mailto:andy.milroy@lancashire.gov.uk)  
Telephone: 01772 530354

## Annex '8'

### **Gifts and Hospitality Policy**

Directors of the Lancashire Enterprise Partnership (LEP) must (within 28 days of receiving it) notify the Company Secretary in writing of any gifts or hospitality received, the value of which is estimated at being over £50. "Hospitality" is defined as accommodation, food or drink, or entertainment which is provided free of charge or at a discounted rate. The requirement applies where the gifts or hospitality is received in your capacity as a Director, rather than from friends or family, received from any person or body other than the LEP.

Your notification must also give the identity of the donor of the gift or hospitality.

You should also make a notification of an accumulation of smaller gifts or hospitality valued at £50 or less received over a short period of time which when added together are valued above £50.

If you are uncertain of the value of a gift or hospitality you should declare it. It is also good practice to notify the Company Secretary of offers of gifts or hospitality which have been offered but refused.

A failure to notify the Company Secretary of any gifts and/or hospitality over the value of £50 is a breach of the LEP's Code of Conduct.

Any gifts or hospitality notified to the Company Secretary will be included in the LEP's register of Gifts & Hospitality, a copy of which is made available for public inspection and published on the LEP's website.

However, where you consider that disclosure of the details of any gift or hospitality could lead to you, or a person connected with you, being subject to violence or intimidation the Company Secretary may agree to exclude from the LEP's register such details as he considers appropriate and that information will not be included on the LEP's register.

## Annex '9'

### **Board and Committee Members Allowances Scheme (including Hospitality Policy)**

#### **Introduction**

1. Lancashire Enterprise Partnership (LEP) travel and subsistence policy provides all Board and committee members and their guests/speakers ('the Claimant') who are required to travel on official LEP business the guidance to operate in an efficient and cost effective manner.
2. The LEP will reimburse the claimant for actual and reasonable expenses incurred wholly, exclusively and necessarily in the course of its operation and in accordance with the maximum rates and guidance of the policy set out below.
3. For clarity, the LEP does not pay expenses to Board/sub-board members or sector representatives for attendance at routine, scheduled meetings, but expenses will be paid in exceptional circumstances where agreed in advance with the LEP Chief Executive that they shall represent the LEP on official LEP business. The LEP Chief Executive reserves the right to escalate any concerns to the LEP Board if necessary.
4. LEP Board/committee members are however encouraged to incur a reasonable level of personal expenditure and claims should be made at their own discretion. Expenditure should only be incurred within the constraints of the appropriate budget and will be reviewed annually.

#### **Travel**

5. Car mileage can be claimed at a rate of 45p per mile up to 10,000 miles and 25p thereafter. Costs of parking charges may also be claimed. Any fines or penalties incurred for motoring or parking offences will not be reimbursed under any circumstances and are the responsibility of the claimant.
6. The LEP will reimburse the claimant a maximum of the cost of a standard open return rail ticket.

#### **Overnight Accommodation**

7. Where the nature of the duties being undertaken result in a LEP Board/committee member being absent from his/her usual place of residence, overnight accommodation will be booked and paid directly by the LEP via the LEP Chief Executive.
8. In exceptional circumstances where it is not possible for the LEP to make a direct booking on behalf of a LEP Board/committee member, the actual receipted cost of accommodation, including breakfast, will be reimbursed to the LEP Board/committee member. Such reimbursement will be subject to a maximum allowance per night of £151.27 for London and £131.71 elsewhere in the UK.

### Day Subsistence

9. A LEP Board/committee member may claim **up to** the following maximum amounts when absent for the periods stated below from their normal place of residence:
  - (a) a period less than 4 hours - £6.62
  - (b) a period between 4 and less than 8 hours - £13.15
  - (c) a period between 8 and less than 12 hours - £26.34
  - (d) a period in excess of 12 hours - £39.48
10. All day subsistence claimed is subject to the production of receipts. The cost of alcohol may not be claimed for reimbursement.

### Travel Abroad

11. For LEP Board/committee member travelling outside Great Britain on approved official LEP duties (including, for the purpose of this section, travelling in Northern Ireland), a flat daily rate up to a maximum of £73.05 will be provided. This allowance is intended to cover costs incurred on meals and transport whilst actually abroad. All subsistence claimed whilst abroad is subject to the production of receipts. The cost of alcohol may not be claimed for reimbursement.

### Hospitality

12. In accordance with Government National Local Growth Assurance Framework requirements, LEP Board/sub-board Members should declare any hospitality received or gifts above the value of £50 they should be reported to the Company Secretary for inclusion in the Expenses and Hospitality register.

## Annex '10'

### **Confidential Reporting of Complaints Policy and Procedure**

The Lancashire Enterprise Partnership (LEP) is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment we encourage employees and others with serious concerns about any aspect of the LEP's work to come forward and voice those concerns without fear of reprisal. For employees and those working closely with the LEP, please follow the whistleblowing policy on our [website](#). For third parties and members of the public, please follow the confidential complaints procedure outlined below.

If a member of the public or third party believes that their complaint fits the description below, they may report their concerns through the [whistleblowing policy procedure](#) which is set out at **Annex 11**.

*Whistleblowing* - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individuals own position and has no or very limited public interest.

### **Confidentiality**

If a member of the public or a third party wants to make a confidential complaint or raise a concern, it will be treated in confidence and every effort will be made to protect the person's identity if they wish to remain anonymous. The LEP will investigate all complaints or allegations.

### **Anonymous allegations**

The LEP takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations but remind complainants that when people put their names to an allegation the ability to investigate and therefore reach firm conclusions is strengthened. Concerns expressed anonymously will be considered at the discretion of the LEP. When exercising this discretion the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

The Ministry for Housing, Communities and Local Government may request information arising from this process if they have concerns regarding a LEP or have been approached with similar complaints. The expectation is that this information will be provided on an anonymous basis, but it may be necessary to provide personal details to progress a complaint.

Where details are gathered, the LEP will put in place appropriate data protection arrangements in line with the Data Protection Act 1998.

### **Confidential Complaints Procedure**

The LEP is aware that the organisation's ordinary complaints procedure may not be suitable if someone wants the complaint to remain confidential. If you would like to make a confidential complaint please write or email to:

Laura Sales, Company Secretary, Lancashire Enterprise Partnership  
C/O Lancashire County Council  
Legal and Democratic Services  
Christ Church Precinct  
Preston  
PR1 8XJ

*Email:* [enquiries@lancashirelep.co.uk](mailto:enquiries@lancashirelep.co.uk)

State that you want the complaint to remain confidential.

### **Action taken by the LEP**

The designated complaints officer will raise your concern and investigate the complaint. You can expect the officer to:

- Contact you within 10 working days to acknowledge the complaint and discuss the appropriate course of action.
- Write to you within 28 working days with findings of the investigation. If the investigation has not concluded within 28 working days, the officer will write to you to give reasons for the delay in resolving the complaint.
- Take the necessary steps to rectify the issue.

### **If you are unhappy with the outcome of the complaint or the complaint involves those responsible for the confidential complaints procedure:**

You can escalate your concerns through the LEP's Accountable Body, Lancashire County Council, through their complaints procedure which can be accessed here

<http://www.lancashire.gov.uk/council/get-involved/compliments-comments-complaints.aspx>

Lancashire County Council has its own confidentiality procedures.

If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it direct to the Cities and Local Growth Unit at the Ministry for Housing, Communities and Local Government and the Department of Business, Energy and Industrial Strategy, at the following email address:

[LEPPolicy@communities.gsi.gov.uk](mailto:LEPPolicy@communities.gsi.gov.uk) or by writing to LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as “Official - complaints”.

## Annex '11'

### Lancashire Enterprise Partnership - Whistleblowing Policy

#### Introduction

A Discloser is the person who is the whistle-blower. They might be an employee, a LEP Board Member, a contractor or a third party.

This procedure outlines the process to follow for a Discloser when reporting a perceived wrongdoing within the LEP, including something they believe goes against the core values of Standards in Public Life (the Nolan Principles) and the Code of Conduct for LEP Board Members and staff. The Standards in Public Life include the principles of; integrity, honesty, objectivity, accountability, openness, honesty, leadership and impartiality.

In particular LEP Board Members, as the key decision makers of the LEP, have a right and a responsibility to speak up and report behaviour that contravenes these values.

It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly.

#### Definitions

This document uses the following definitions:

- *Whistleblowing* - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individuals own position and has no or very limited public interest.
- *The LEP* – The Lancashire Enterprise Partnership
- *Discloser* – this is the person who is the whistle-blower. They might be an employee, a LEP Board Member, a contractor or a third party.
- *Responsible Officer* - this is the person, appointed by the LEP Board, with overall responsibility for maintaining and operating this whistleblowing policy. They will maintain a record of concerns raised and the outcomes (but will do so in a form that does not endanger confidentiality) and will report as necessary to the LEP Director of Economic Development and the LEP Board. Her name is Laura Sales,

Company Secretary, Lancashire Enterprise Partnership, and her contact details are [laura.sales@lancashire.gov.uk](mailto:laura.sales@lancashire.gov.uk), telephone: 01772 533375. If the concern relates to the Responsible Officer then in the alternative the concern should be raised with Richard Kenny, the Interim Director of Economic Development and Planning [richard.kenny@lancashire.gov.uk](mailto:richard.kenny@lancashire.gov.uk) telephone: 01772 530611.

- *Relevant Concern* – something the Discloser has been asked to do, or is aware of which they consider to be wrong-doing and is in the public interest.

## Scope

The LEP is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment, we encourage Disclosers with serious concerns about the work of the LEP to come forward and voice their concerns without fear of reprisal.

Disclosers should note that where the concern is one that might fall under the LEP's staff or work force policies on equality and diversity or harassment and bullying or other staff policies, they should consider using the reporting mechanisms for those other policies first, the LEP's Accountable Body is Lancashire County Council and procedures relating to reporting any of those matters should be reported to the County Council via the Lancashire County Council Complaints website here:

<http://www.lancashire.gov.uk/council/get-involved/compliments-comments-complaints.aspx>

The LEP has a pre-existing complaints procedure that in many cases will be more appropriate for third parties or members of the public to follow. Third parties or members of the public should review the separate confidential complaints procedure outlined in the [LEPs complaints policy](#) on the LEP's website first before going through the whistleblowing process.

However, if a member of the public or third party believes that their complaint fits the description of a 'relevant concern' outlined below, they may report their concerns through the whistleblowing policy procedure.

## Policy Statement

The LEP acknowledges that Disclosers may often be the first people to realise that there may be something seriously wrong within the organisation.

This policy aims to:

- Encourage people to feel confident about raising serious concerns and to question and act upon their concerns without fear of victimisation or harassment;
- Provide avenues for Disclosers to raise those concerns and receive feedback on any action taken;
- Allow Disclosers to take the matter further if they are dissatisfied with the LEP's response; and
- Reassure all Disclosers, employees in particular who may have specific concerns about their position and employment status in the LEP, that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in the public interest.

### **What is a relevant concern?**

If a Discloser is asked to do something, or is aware of the actions of another, which they consider to be wrongdoing, they can raise it using this procedure. The Discloser must have a reasonable belief that raising the concern is in the public interest.

A Discloser may decide to raise a concern under the whistleblowing policy if they are aware of a situation that they feel:

- is against the LEP's procedures and protocols as set out in its code of conduct and LEP Assurance Framework;
- falls below established standards of practice the LEP subscribes to;
- amounts to improper conduct; or
- is an abuse of power for personal gain.

The types of matters regarded as a relevant concern for the purpose of this procedure include, but are not limited to, the following:

- Fraud or financial irregularity;
- Corruption, bribery or blackmail;
- Other Criminal offences;
- Failure to comply with a legal or regulatory duty or obligation;
- Miscarriage of justice;
- Endangering the health or safety of any individual;
- Endangering the environment;
- Improper use of authority; or
- Concealment of any of the above.

Disclosers should not raise malicious or vexatious concerns, nor should they raise knowingly untrue concerns. In addition, this procedure should not be used to raise concerns of a HR/personal nature, for example, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant alternative procedure, for example, the LEP grievance procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the LEP but, for example, an employee or LEP Board Member is required to act in a way which conflicts with a deeply held personal belief.

### **Safeguards**

The Public Interest Disclosure Act (1999) gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The LEP believes that no member of staff should be at a disadvantage because they raise a legitimate concern.

The LEP will not tolerate harassment or victimisation and will take action to protect Disclosers when they raise a concern in the public interest.

### **Raising a concern**

If a Discloser experiences something in the workplace which they consider a relevant concern, it is important that the concern is raised as early as possible. Proof is not required at this point – it is for the LEP to investigate. The Discloser must, however, have a reasonable belief that disclosing the information is in the public interest before raising a concern.

All concerns will be treated in confidence and every effort will be made to protect the Discloser's identity if they wish to remain anonymous. However, at the appropriate time, it is possible that the Discloser will need to come forward as a witness for the matter to progress.

It is important to follow the correct procedure when raising a whistleblowing concern. The following steps should be adhered to:

- a. It is important that the concern is raised with the person best placed to deal with the matter, in most cases this will be the Responsible Officer. However, the Discloser may want to raise the concern with someone they know and trust, such as their line manager who can raise it with the Responsible Officer on their behalf.

- b. If it is suspected that the concern may implicate the line manager in some way, then it could be raised with a more senior manager in the line management chain.
- c. If the Discloser is unable to raise a relevant concern with a line manager or a senior manager or feel that it has not been adequately addressed, it should be raised directly with the Responsible Officer.
- d. Ultimately, the Discloser can raise their concern with the LEP via the Responsible Officer, the Company Secretary using the following contact details:

Laura Sales, Company Secretary, Lancashire Enterprise Partnership  
C/O Lancashire County Council  
Legal and Democratic Services  
Christ Church Precinct  
Preston  
PR1 8XJ

Email: [enquiries@lancashirelep.co.uk](mailto:enquiries@lancashirelep.co.uk)

### **Information needed to raise a concern**

When raising a concern under the procedure the Discloser should try to provide the following information:

- the background and reason behind the concern
- whether they have already raised a concern with anyone and the response
- any relevant dates when actions related to the concern took place.

This information should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by the Discloser themselves.

If applicable, personal interests must be declared from the outset.

### **How the concern will be handled**

All investigations will be conducted sensitively and as quickly as possible. While the LEP cannot guarantee that the outcome will be as the Discloser may wish, it will handle the matter fairly and in accordance with this procedure.

Once a concern has been raised with the Responsible Officer, a meeting may be arranged with relevant staff members to determine how the concern should be taken forward.

The LEP may decide to take the matter forward by a number of methods, including:

- An internal inquiry or other formal investigation
- An internal or external audit
- Referring the matter to the police
- Referring the matter to another relevant authority for investigation.

Before a final decision is taken on how to proceed, or as part of the investigation, the Discloser may be asked to meet with those investigating their allegation.

If a meeting is arranged, the Discloser may wish to be accompanied by a trade union representative, colleague or friend. The person who accompanies the Discloser should not be involved or have a direct interest in the area of work to which the concern relates. The meeting can be conducted over the telephone rather than face to face.

Within 10 working days of a concern being raised, the LEP's Responsible Officer will write to the Discloser to:

- Acknowledge that the concern has been received
- Indicate how they propose to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Tell the Discloser whether any initial investigation or enquiry has been made
- Tell the Discloser whether further investigation will be made, and if not, why not.
- Tell the Discloser how frequently the LEP will keep them up to date on progress of the investigation.

The amount of contact between the LEP and the Discloser concerned will vary, depending on the concern raised, any difficult issues and any further clarity required. If necessary, the LEP will seek further information from the Discloser.

The LEP will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.

Throughout any investigation, the Discloser will still be expected to continue their duties/role as normal unless deemed inappropriate.

### **Confidentiality and anonymity**

The best way to raise a concern is to do so openly, as this makes it easier for the LEP to investigate and provide feedback.

Any disclosures made under this procedure will be treated in a sensitive manner. However the LEP recognises that the Discloser may want to raise a concern in confidence, i.e. they may want to raise a concern on the basis that their name it is not revealed without their consent.

The LEP will respect any request for confidentiality as far as possible, restricting it to a 'need to know' basis. However, if the situation arises where it is not possible to resolve the concern without revealing the Discloser (for example in matters of criminal law), the LEP will advise them before proceeding. The same considerations of confidentiality should be afforded to the recipient(s) at the centre of the concern, as far as appropriate.

The LEP always encourages potential Disclosers to speak up about potential serious wrongdoing in a way that they feel comfortable. Disclosers may choose to raise concerns anonymously, i.e. without providing their name at all. If this is the case, the investigation itself may serve to reveal the source of information. Disclosers are therefore encouraged, where possible to put their names to concerns raised. When anonymous concerns are raised, they will be treated as credible and investigated so far as possible.

### **Protection**

If a concern is raised in the reasonable belief that it is in the public interest and procedures have been followed correctly, the Discloser raising the concern will be protected by the terms of this policy and, where applicable, by whistleblowing legislation (see gov.uk for more information on who is covered by whistleblowing legislation). Where a Discloser has been victimised for raising a concern, the LEP concerned will take appropriate action against those responsible, in line with the LEP's disciplinary policy and procedures.

### **Changes to procedures or policy as a result of whistleblowing**

If changes are made to LEP policies and processes as result of whistleblowing investigations, the LEP will publicise the changes as appropriate, taking into consideration the importance of protecting the anonymity and confidentiality of individuals.

### **Untrue allegations**

If a Discloser makes an allegation but it is not confirmed by the investigation, no action will be taken against them. However, if a malicious or vexatious allegation is made without good reason to: cause trouble; for personal gain; or to discredit the LEP an investigation may take place. Where the Discloser is an employee or a LEP Board Member or a contractor this may result in disciplinary or other action if they have

broken the terms of their employment, acted against the LEP Code of Conduct or broken a clause in a contract.

### **How this matter can be taken forwards if you are not satisfied**

This procedure is intended to provide Disclosers with an avenue to raise legitimate concerns. If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it directly to the Cities and Local Growth Unit at the Ministry for Housing, Communities and Local Government and the Department of Business Energy and Industrial Strategy, at the following email address: LEPPolicy@communities.gsi.gov.uk or by writing to: LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as “Official - whistleblowing”.

In addition, if you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you may consider raising it with:

- The police
- The relevant regulatory body or professional body
- Your Trade Union
- Your solicitor
- Your Citizens Advice Bureau

Further information and signposting for potential Disclosers is available on [www.gov.uk](http://www.gov.uk).

If a Discloser does take the matter outside the LEP, to an external body, they should ensure they do not disclose information that is confidential, for example, if you are an employee your contract of employment may set out expectations of your regarding what is confidential.

### **Feedback on Whistleblowing Policy**

Any feedback or comments on this policy should be directed to the LEP’s Responsible Officer.

## Annex '12'

### Lancashire Growth Deal Communications Protocol

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#### Overview

This Lancashire Growth Deal Communications Protocol has been developed to assist partners and stakeholders to proactively and effectively communicate key messages relating to Lancashire's £320M Growth Deal programme.

The Communications Protocol focuses on two aspects. Firstly, it provides partners and stakeholders with an understanding of the protocols which the Lancashire Enterprise Partnership (LEP) has agreed to adhere to with government in the promotion of Lancashire's £320M Growth Deal and as part of the wider agenda of promoting the government's Northern Powerhouse initiative. Secondly, it provides partners with an agreed protocol for promoting individual Growth Deal schemes.

#### Promoting the Lancashire Growth Deal and the Northern Powerhouse Initiative

In November 2016, the Lancashire Enterprise Partnership became one of the first LEPs to become a partner in the Government's Northern Powerhouse Partner Programme.

In signing up to be a Partner, government has encouraged partners to use key messages as part of any promotional activity. These are as follows:

- The government is committed to building a Northern Powerhouse to help the great cities, towns and rural communities of the North pool their strengths and take on the world.
- The government is taking a coherent and targeted approach to building the North's economy, focusing on tackling the major barriers to productivity facing the region – skills, enterprise, connectivity and trade.
- The government is backing business growth right across the North, and giving our great cities the power and resources they need to reach their huge untapped potential.
- Building a Northern Powerhouse is about boosting the local economy by investing in skills, innovation, transport and culture. The government will devolve significant powers and budgets to directly elected mayors to ensure decisions on the North are made by the North.
- The government is committed to fuelling local economies by encouraging investment, improving transport, boosting skills and creating new jobs. The Prime Minister appointed a dedicated Northern Powerhouse Minister to work with colleagues across the whole of government to make the North a driving force in the UK economy.

- The whole machinery of government will push on with plans to build an economy that works for everyone. The government wants to get all of our great cities firing on all cylinders.
- The Northern Powerhouse forms part of our modern Industrial Strategy which will build upon our strong economy and help businesses up and down the country seize the opportunities presented by Leaving the EU.

Building the Northern Powerhouse is also focussed on generating momentum across five key pillars:

- Connectivity and Transport;
- Education and Skills;
- Enterprise and Innovation;
- Trade and Investment; and
- Quality of Life

### **Growth Deals**

To date the government has awarded £3.4 billion in Growth Deals in the Northern Powerhouse. This is providing targeted financial support to locally-determined projects in order to unlock growth and give local people the powers and tools they need to drive forward growth for their areas.

Lancashire has received £320M in Growth Deal funding to date which has been allocated to 44 projects across the County. The Lancashire Growth Deal is focussed around the following four themes:

- Releasing Growth Potential;
- Renewal of Blackpool;
- Growing the local Skills and Business Base; and
- Innovation and Manufacturing Excellence.

### **Partner Support**

The Northern Powerhouse Partner Programme is open to businesses, institutions and organisations with a presence in the region who want to become advocates and pledge support.

Government is actively working with partners to maximise Northern Powerhouse promotional opportunities by collaborating and speaking with one voice to tell a powerful story about the North.

A range of brand assets have been created for partners with content including partner badges, brand guidelines, an extensive image library and press release templates.

## Communications Channels

Government is using a range of channels to communicate the Northern Powerhouse initiative, including major investment programmes such as Growth Deal.

These include:

- Digital;
- Media;
- Visits; and
- Events

However, there is also a focus on driving the Northern Powerhouse forward through:

- Increased brand awareness;
- Embedding the Northern Powerhouse narrative in key messages, statistics and in business plans and strategies; and
- Joined up communications.

## Delivering a Lancashire Communications Protocol

The Lancashire Growth Deal is a £320M programme, secured by the Lancashire Enterprise Partnership from Government.

Local Growth Fund resources will fund a wide range of high-profile capital projects across the county, all of which aim to realise Lancashire's potential for economic growth.

All Growth Deal projects have leveraged public and private sector investment by way of local contributions and in the delivery of jobs, housing and economic growth.

The Growth Deal is managed as a whole programme by the LEP. This necessitates interaction between the funding secured and the outputs and outcomes generated by individual projects and the programme as a whole.

As communications is a fundamental part of this 'whole programme' approach it is important to ensure:

- Strategic and consistent messages about the significance of the Growth Deal are managed and communicated effectively;
- The Growth Deal is consistently referenced as a Lancashire-wide initiative;
- The LEP is referenced for its role in securing funding and overseeing the implementation of the Growth Deal programme; and
- Recognition of the investment made by Government through the allocation of Local Growth Fund resources to Lancashire.

Individual partners should communicate these points whenever they are involved in any communications linked to any individual Growth Deal projects.

## Approach/Governance

As of July 2107, the LEP's appointed Media and Communications Agency, SKV, will lead on the overarching strategic Growth Deal communications strategy to ensure it aligns with the wider Lancashire economic narrative. Updates will be supplied by SKV to the Growth Deal Management Board regarding the overarching communication activity for the Growth Deal programme. This will be supported by local partner reporting.

Partners will still lead on communications for their own projects locally, and should share their proposed PR approach and any draft press releases in advance with SKV to ensure there is consistency and no duplication.

## Media handling

### Reactive:

- SKV, on behalf of the LEP, will manage all generic reactive media enquiries about Lancashire's overarching Growth Deal programme, informing and working with relevant partner organisations' communications teams as and when appropriate.
- Where there is a specific point relating to an individual project at a local level the media enquiry should be directed to and handled by the appropriate partner in the first instance, liaising with SKV if deemed appropriate.

### Proactive:

- SKV will create the first draft of any proactive media releases relating to Lancashire's Growth Deal programme as a whole, and will seek approval from local partners as appropriate.
- Individual partners will continue to produce proactive media releases relating to their own projects for local audiences, and share these with SKV to review prior to being issued.
- Projects which are considered to be of national or regional importance, SKV will liaise with the relevant local partner to ensure appropriate and consistent strategic messaging is reflected in any media releases.

## Growth Deal Programme - description and key messages

All proactive releases should include the following boilerplate within **notes to editors**. This copy, or parts of it, can also be included in the body of any press release to describe the wider context of the Growth Deal programme and its key messages:

### **BOILERPLATE: About Lancashire's Growth Deal Programme**

In the last three years the Lancashire Enterprise Partnership (LEP) has successfully secured £320m of Growth Deal investment from the Government's Local Growth Fund.

This funding, one of the largest Growth Deal settlements to be allocated to a LEP, is designed to help improve and upgrade existing commercial infrastructure, kickstart new economic initiatives, and unlock additional private investment to drive further growth across the county.

Over 40 projects have directly benefitted from the LEP's Growth Deal Programme. These include:

- New and improved transport connections including the Blackburn-Bolton Rail Corridor; the Broughton Bypass; the Centenary Way Viaduct; and the Hyndburn-Burnley-Pendle Growth Corridor;
- World-class higher education, research and vocational skills provision and facilities including UCLan's flagship Engineering and Innovation Centre; the national Energy HQ in Blackpool; Lancaster's Health Innovation Campus; and Myerscough College's Food & Farming Innovation Centre;
- A wide-ranging package of regeneration programmes specifically for Blackpool including a new international conference centre at the Winter Gardens complex; the development of Blackpool town centre 'Green Corridors'; traffic management, bridge and road improvements and an extension of Blackpool's tram network.

The Growth Deal programme will help to generate up to 11,000 new jobs, create 3,900 new homes and attract £1.2 billion of additional public and private investment for Lancashire.

Lancashire's Growth Deal programme is also fully aligned to other major economic initiatives such as the £450m Preston, South Ribble and Lancashire City Deal, the £20m Growing Places Investment Fund, and the Lancashire Advanced Manufacturing and Energy Enterprise Zone Cluster.

For more information visit [www.lancashirelep.co.uk](http://www.lancashirelep.co.uk)

### **Media Spokespeople**

On issues relating to the overarching Growth Deal Programme a LEP spokesperson should be quoted and/or be put forward for interview.

Individual partners should continue to nominate their own spokespersons to comment on specific projects at a local level and are encouraged to seek a supportive quote from the LEP for press releases when appropriate.

### **Branding**

Recognising that individual projects are also funded by project sponsors themselves and via other contributions, a co-branding approach will be adopted whereby all signage and other material produced for individual projects will feature the Lancashire Enterprise Partnership & Northern Powerhouse logos.



The LEP and NHP logo block (see above) - which will be emailed to you separately in a variety of file types and sizes - should be placed alongside that of the project sponsor and other funders as appropriate, and should be of equal scale and prominence.

If you need to request the logo block to be re-supplied, please contact SKV Communications.

If it is not possible to display the logo on materials or are there are space and size restrictions, a text reference indicating the support received should be used as follows:

***This project is part-funded via the Lancashire Growth Deal.***

#### **Public Information**

Individual partners will retain responsibility for engagement at a local level for their own projects.

#### **Growth Deal Programme Evaluation & Reporting**

Local partner PR activity linked to Growth Deal projects need to be fed into the Growth Deal Management Board meetings, which in turn feed into LEP board papers.

Local partner communication teams are asked to continue to briefly summarise any Growth Deal related PR activity undertaken, and any known future PR milestones/opportunities on a six-monthly basis, which needs to be sent to SKV.

SKV will use these reports to inform a wider communications summary which will be included twice yearly in the GDMB report.

A reporting template, and deadlines for submissions, will be provided via email to help partners with this process ten working days before they are required by SKV.

#### **Lancashire Growth Deal Communication Contacts**

For any queries or questions about Growth Deal communications, or any aspect of Growth Deal media and PR protocols, please contact SKV Communications on 0161 838 7770.

Email contacts:

[richard.bond@skvcommunications.co.uk](mailto:richard.bond@skvcommunications.co.uk)

[jason.grimsley@skvcommunications.co.uk](mailto:jason.grimsley@skvcommunications.co.uk)

NB. If the issue is considered to be of high importance please also ensure you copy in the LEP's lead on media and communications activity;

Rachel McQueen, Chief Executive of Marketing Lancashire: [rachel@marketinglancashire.com](mailto:rachel@marketinglancashire.com)

and

Kathryn Molloy, Head of LEP Co-ordination: [Kathryn.molloy@lancashire.gov.uk](mailto:Kathryn.molloy@lancashire.gov.uk)

### **Growth Deal Programme Evaluation & Reporting**

Local partner PR activity linked to Growth Deal projects need to be fed into a Communications Update Report which will be presented to the Growth Deal Management Board on a six-monthly basis.

Local partner communication teams are asked to continue to briefly summarise any Growth Deal related PR activity undertaken in the previous quarter, and any known future PR milestones/opportunities.

### **Growth Deal Programme Communications Protocol Summary**

- SKV will be responsible for overarching Growth Deal external PR activity on a regional and national basis on behalf of the LEP from July 2017.
- Local partners will continue to be responsible for all Growth Deal project PR on a local level.
- Local partners are required to liaise with SKV in advance of issuing any local press releases to ensure wider LEP/Growth Deal messages are included when appropriate.
- Local partners will be required to nominate a local spokesperson for local Growth Deal PR activity, but a LEP spokesperson may also be nominated/sourced by SKV in addition when appropriate.
- Local partners are required to include the updated boiler plate (see above) on all Growth Deal related press release notes to editors, and use Growth Deal and LEP descriptors/key messages from within the boiler plate text in press release body copy when appropriate.
- When branding is required on any Growth Deal communications collateral, partners are required to use the LEP/Northern Powerhouse logo block as supplied.
- Local partners will be asked to submit a brief six-monthly summary of past, present and future PR activity in advance of the quarterly Growth Deal Implementation board meeting based on a reporting template which will be sent ten working days in advance of deadline.
- Local partners are encouraged to engage with SKV, and share any ideas or highlight any issues, in advance of undertaking any Growth Deal related PR activity to see where SKV/the LEP can add-value to, or support, the local project's PR.

## **Preston, South Ribble and Lancashire City Deal**

### **Cascading information to stakeholders**

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The draft framework below outlines an order for cascading information/announcements relating to highway schemes, local planning applications and Homes England owned land.

It complements the communications protocol established by partners earlier this year.

#### **Highways and transport master planning messages (LCC lead)**

**Major update/proposal relating to scheme – if it is linked to a decision making report do not circulate report prior to it being published on the Lancashire County Council website**

1. LCC project officers to brief Leader, Deputy Leader, Cabinet Member and Chief Executive
2. LCC project officers to brief Preston/South Ribble key officers
3. LCC comms officers to brief Preston/South Ribble comms, agree media relations approach and circulate draft news release as appropriate
4. LCC project officers to brief local member/s and offer a face to face briefing (if appropriate) prior to report being published online
5. Preston/South Ribble project officers to brief as appropriate in their organisations (officers and councillors) prior to any report being published online or external communications being issued
6. LCC and district project officers to highlight any relevant issues to comms/senior officers following their respective briefings to members
7. Report published on the LCC website
8. LCC comms to issue press release and note to a wider group of stakeholders
9. Preston/South Ribble comms leads to cascade information to their stakeholders

#### **Update on scheme delivery**

1. LCC project officers to brief local member/s and offer a face to face briefing (if appropriate)
2. LCC comms to issue press release and note to a wider group of stakeholders
3. Preston/South Ribble comms leads to cascade information to their stakeholders

#### **Relevant Local Plan, master planning and local planning applications (district lead)**

1. Preston/South Ribble project officers to brief LCC officers
2. Preston/South Ribble comms to brief LCC comms, agree media relations approach and circulate draft news release as appropriate
3. LCC project officers to brief as appropriate in LCC – officers and members
4. LCC and district project officers to highlight any relevant issues to comms/senior officers following their respective briefings to members
5. Preston/South Ribble comms issue press release
6. LCC comms to cascade information to a wider group of stakeholders if appropriate e.g. milestone event

**Disposal of Homes England land or Homes England planning applications (Homes England lead)**

1. Homes England project officers to brief LCC and district key officers
2. LCC/district project officers brief as appropriate in their organisations
3. LCC and district project officers to highlight any relevant issues to comms/senior officers following their respective briefings to members
4. Homes England comms to brief LCC/district comms, agree media relations approach and circulate draft news release as appropriate
5. Homes England comms issue press release
7. LCC/district comms to cascade information to a wider group of stakeholders if appropriate e.g. milestone event

## Annex '13'

### ACCOUNTABLE BODY STATEMENT (DRAFT)

1. Whilst Government recognise that LEPs are business led public-private partnerships, they are also entrusted with significant public funds and as such are required to have the necessary systems and processes in place to provide assurance that they are operating transparently, with accountability and providing value for money. The Accountable Body role is an essential part of this system. This is stated in the National Local Growth Assurance Framework.
2. The Lancashire Enterprise Partnership Limited (the "LEP") was incorporated on 27 September 2010 as a company limited by guarantee. A review by the Government of the operation of Local Enterprise Partnerships in July 2018 led to an updated National Framework for Local Enterprise Partnerships providing guidance as to how the LEP should be structured and lays down principles as to how it should operate. The guidance emphasises the need for strong collaboration between the private and public sectors. Whilst the LEP should be led by the private sector, it should maintain robust governance procedures and operate in a transparent manner in order to ensure accountability in relation to the policies it formulates and its use of public money.
3. The LEP governance arrangements are set out in its Articles and in the Assurance Framework (the "Framework") published in March 2019. Lancashire County Council acts as the Accountable Body to the LEP, an arrangement which is set out in an agreement between the LEP and Lancashire County Council dated [ ] 2019 (the "Accountable Body agreement"). Under the Accountable Body agreement Lancashire County Council will oversee the proper administration of the LEP's financial affairs and ensure that expenditure of funding and the transaction of LEP business is carried out in accordance with the Framework and all relevant statutory and regulatory requirements.
4. The Accountable Body is accountable to HM Government for the performance of the LEP against the delivery of agreed outcomes and the appropriate expenditure of public money.
5. The Accountable Body shall hold funds advanced to the LEP by HM Government or other funders for the application/ investment by the LEP. The Responsible Financial officer of Lancashire County Council shall be the Responsible Financial Officer for the LEP (the "s.151 Officer") and shall be entitled to be consulted on all proposals presented to the LEP board and LEP sub-boards. The Accountable Body shall also be consulted upon the legal implications of any proposal being presented to the LEP board or sub-boards. The LEP shall ensure that the Accountable Body is given adequate information sufficiently well in advance of any meeting to enable the relevant officers to offer proper and full advice. The LEP shall be responsible for answering any enquiries raised by the Accountable Body in relation to any LEP business.

6. The Accountable Body shall monitor the business of the LEP to ensure compliance with the Framework, any funding obligations and statutory and regulatory requirements and shall raise any irregularities promptly with the LEP. The LEP will act upon any advice offered by the Accountable Body to ensure that it is in full compliance. The LEP and the Accountable Body acknowledge that any decisions taken by the LEP that are in contravention of the Framework, funding obligations or legislation will be ineffective and may be set aside.
7. The Accountable Body shall account for the funds that it holds on behalf of the LEP in accordance with CIPFA guidelines. It shall provide regular financial and budgetary information to the LEP including analysis and predictions of financial variance and shall offer advice where appropriate to ensure that the LEP is able to manage the business. The Accountable Body shall provide regular financial information in relation to LEP schemes so as to enable the board to monitor expenditure against fund and project requirements.
8. The Accountable Body shall ensure, subject to the requirements of commercial confidentiality, that all relevant information pertaining to the LEP including its accounts, board decisions and information relating to funding and other schemes are available to the public and that the LEP complies with all necessary obligations in order that its business is transacted in an open and transparent manner.
9. Appointment of the Chief Executive Officer and the Chairman of the Board shall be in accordance with the Assurance Framework and Articles of Association. The Accountable Body has the power to veto any such appointment in exceptional circumstances in accordance with the procedure set out in the Accountable Body Agreement. An urgent meeting of the board shall be convened to allow the Accountable Body to explain the reasons for any use of the veto and allow the Board to take such actions as may be necessary to allay such concerns. No action shall be taken until such time as the Board meeting has taken place. The Accountable Body shall review the decision to invoke the veto in the light of any views expressed by the Board of Directors. The LEP and the Accountable Body shall work collaboratively and openly and in a spirit of trust to pursue the objectives of the LEP and in so doing ensure that the LEP is fully accountability for its decisions and actions.

## Annex '14'

### Lancashire Growth Deal Project Proposal Assessment Criteria

#### Strategic Relevance

For example, does the project deliver across a number of SEP objectives? Contribute to LEP cross-boundary working? Does the project contribute to the delivery of national policy objectives?

#### Economic Impact

For example, in terms of GVA, does the project generate a high (>£30M), medium (£10-30M) or low (<£10M) level of economic impact? Any details available regarding GVA per job created?

#### Employment Creation

For example, does the project deliver new and additional employment growth or is the focus on safeguarding local employment? Does the project have a high (>1,000 new jobs), medium (250-999 new jobs) or low (<250 new jobs) employment impact? Any cost per job details available?

#### Housing Growth

For example, does the project generate a high (>1,000 new homes), medium (250-999 new homes) or low (<250) impact on housing growth?

#### Business Case Ratio (for Transport Schemes only)

For example, does the transport scheme have a low/medium (<2), high (2>4) or very high (4>) BCR?

#### Private Leverage

For example, does the project leverage low (1:1), medium (2:1) or high (>3:1) levels of private sector investment?

#### Deliverability

For example, are there any outstanding land assembly or ownership issues? Are all relevant planning consents currently in place? If not, will these be in place by an acceptable date? What is the current status of the relevant Local Plan? Is the required match funding in place and confirmed by relevant funders?

#### Scaleability

For example, is the project capable of being delivered with less Growth Deal investment? By how much and what is the likely impact on the scale/quality of outcomes delivered?

## Annex '15'

### **EDUCATION AND SKILLS FUNDING AGENCY**

#### **CONFLICT OF INTEREST PROTOCOL**

All procurements carried out by the public sector are subject to the EU treaty-based principles of transparency, non-discrimination and equal treatment apply.

The Chief Executive of the Education and Skills Funding (the Agency), as the Contracting Authority, must therefore take effective measures to identify and avoid conflicts of interest which arise in the course of a procurement project which could or be seen to give one or more applicants an unfair advantage and may distort competition.

The protocol applies to all those involved in a procurement process whether employees of the Agency or individuals from any other organisation that may be involved in any stage of the procurement from specification development to decisions on contract award.

The purpose of putting in place a protocol is to

- avoid any conflict of interest which could distort competition;
- give an unfair advantage to bidders;
- avoid challenge at the end of the procurement process
- and/or at future audit

The approach applies equally to individuals and organisations and includes the disclosure or misuse of confidential information.

The Agency reserves the right to exclude from tendering for a contract and may refuse to award a contract to any organisation where its employees, shareholders or anyone else with a financial interest in the outcome of the tender have been involved in any part of the procurement process including the development of the specification or evaluation process and/or any individual where, in the Agency's opinion, this would or has given the organisation an unfair advantage.

All individuals involved in the procurement process will be required to sign a copy of the Conflict of Interest Declaration and Confidentiality Agreements which can be found at Annex 1 and Annex 2 of this protocol.

Signatures will be collected at appropriate times in the process. In addition, when a procurement has reached the evaluation and moderation stage, system based declarations apply to each individual bid/response. Any individual not signing any declaration will be excluded from being involved in the procurement project until the required documents are received. All Declarations and/or Confidentiality Agreements will be retained with the documentation relating to governance.

#### **FOR ESF PROCUREMENT PROJECTS**

When the Agency receives a LEP Procurement Initiation Document (PID), it must be accompanied by a list of names of individuals that the LEP wishes to be involved in the procurement project. The

list containing the information required can be found at Annex 3. The Agency will then collect the required signatures ensuring that individuals understand the implications of the Conflict of Interest Declaration. Any individual not signing the required documents will be excluded from being involved in any procurement project until such time as the forms are received.

It is the responsibility of the LEP to ensure that any changes are notified to the Agency as soon as possible to ensure that the Declarations can be put in place without delay.

