

Subject:	Greater Brighton Economic Board Operational Arrangements for 2019/20		
Date of Meeting:	26 March 2019		
Report of:	Chair, Greater Brighton Officer Programme Board		
Contact Officer:	Name:	Nick Hibberd	Tel: 01273 293756
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LA(s) affected:	All		

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

- 1.1 This report outlines the preparatory steps needed to support the operational aspects of the Greater Brighton Economic Board ('the Board') in 2019/20.
- 1.2 This report should be read in conjunction with the Heads of Terms ('HoTs') for the Board. The latest version of the Heads of Terms, as agreed by the Board on 6 February 2018, is attached as Appendix 1.

2. RECOMMENDATIONS:

That the Board:

- 2.1 Agree and secure the budgetary contributions sought to fund the cost of running the Board and delivering its workplan in 2019/20;
- 2.2 Note the proposed workplan outlined in the Five Year Strategic Priorities and Project paper and agree that a detailed workplan should be presented at the next Board meeting in July alongside the investment pipeline of projects;
- 2.3 Note that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2019/20;
- 2.4 Agree the process set out at sections 3.16 to 3.18 by which the Chair of the Board shall be nominated for 2019/20;
- 2.5 Note the date by which the Lead Authority must be notified of all named substitutes and instruct any necessary actions within their respective organisations;
- 2.6 Note the date by which the Lead Authority must be notified of all nominations to the Greater Brighton Call-In Panel and instruct any necessary actions within their respective organisations;
- 2.7 Note that the Annual Report will be drafted for presentation to the Board at its first meeting in the new municipal year;

- 2.8 Agree to the proposed changes to the Boards Heads of Terms as outlined in 3.9 below
- 2.9 Note the proposal under agenda item 6 that Arun District Council is formally invited to become a constituent member of the Greater Brighton Economic Joint Committee (GBEJC), subject to the agreement and formal ratification from the Board's member organisations and note this would result in further changes to the Heads of Terms.
- 2.10 Agree to extend the contracts of the Greater Brighton Support Team (1 FTE Business Manager, 0.5 FTE Business Manager and 0.5 FTE Programme Support Officer) by 3 years, as they are due to expire in May 2020, and agree to increase the hours of the 0.5 FTE Business Manager to 0.65 FTC to deliver the workplan and further development of the Five Year Plan.
- 2.11 Agree to extend the current communications contract with the Adur & Worthing Communications Team by another year with an update on the first year's activities provided at the July 2019 Board Meeting.

3. CONTEXT AND BACKGROUND INFORMATION:

- 3.1 The budget to support the running costs of the Board in 18/19 was £300,561 (inclusive of the 2017/18 roll-over of £120,497). The actual spend as at 27 February 2019 is £242,422, which means a carry-forward of £58,139. This includes £30,000 allocated to the ESIF Business Support Programme which has been delayed due to ongoing negotiations between Chichester University and MHCLG. The actual carryover is therefore £28,139. A breakdown of the 2018/19 forecast, budgetary contributions and spend is attached as Appendix 2.
- 3.2 The underspend of £28,139 is due to unspent contingency (c.£15,000) and a reduced spend against the Skills, and Digital workstreams. This work is in progress with some projects completed by the Greater Brighton Support Team, with no additional cost to the Board. A digital mapping exercise is in progress with partners. Skills priorities for the Greater Brighton region were identified through a collaborative workshop held in the summer and the subsequent report submitted to representatives sitting on the new LEP 360 Skills Board. A number of potential projects designed to harness and maintain talent in the city region have been identified within the Five Year Strategic Priorities paper.
- 3.3 It is proposed that the underspend be rolled-over into 2019/20; with £10,000 reserved as a contingency fund and the remaining £18,139 used towards the cost of running the Board and the delivery of its workplan.
- 3.4 The suggested work-plan for 2019/20 is currently being drafted and will comprise projects based on the priorities outlined in the Five Year Strategic Priorities document shared at the last meeting of the Board. In a bid to ensure that costs for contributing member organisations are kept to an acceptable level, it is proposed that the 2019/20 contributions sought from Board members be the same as in 2018/19 (with a 2% increase in line with inflation), and that projects/activities be prioritised accordingly and presented to the Board at the next meeting in July.

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

Organisation	2019/20 Contribution
Coast to Capital LEP	£7,600.00
South Downs National Park Authority	£7,600.00
University of Sussex	£7,600.00
University of Brighton	£7,600.00
Greater Brighton Metropolitan College	£7,600.00
Gatwick Airport Ltd	£7,600.00
Adur District Council	£12,500.00
Brighton & Hove City Council	£54,400.00
Crawley Borough Council	£21,500.00
Worthing Borough Council	£19,500.00
Lewes District Council	£18,000.00
Mid Sussex District Council	£11,400.00
Total 2019/20 Contributions	£182,900.00
Carry-forward from 2018/19	£58,139.00
Total Budget for 2019/20	£241,039.00

3.6 Appendix 3 outlines the approach used in 2019/20 to develop the contributions that are being sought.

3.7 The budget to support the running costs of the Board in 2019/20 totals £163,227.00, leaving £74,976.00 for the 2019/20 workplan (including £10,000 contingency funding). It is proposed that this be allocated as follows:

3.8

Running Costs	
Salary costs (including on-costs) and expenses (inclusive of 2% inflationary rise) <i>As of 6 March 2018, Greater Brighton is supported by a full complement of staff: 1 full time Business Manager, 1 part time Business Manager (2.5 days a week proposed to move to 3.5 days per week from September) and 1 part time Programme Support Officer (2.5 days per week). This is based on a 3-year fixed-term.</i>	£105,080.40
Finance support (inclusive of 2% inflationary rise)	£7,346.17
Legal support (inclusive of 2% inflationary rise)	£10,062.24
Communications support <i>Enhanced communications support has been provided by Adur & Worthing Councils for the last year.</i>	£24,950.00
Annual report, printing and other materials	£5,000.00
Democratic Services support (administrative) (inclusive of 2% inflationary rise)	£4,287.28
Scrutiny (charged £500 (excluding venue) on a 'pay as you go' basis)	£2,000.00
Venue hire, hospitality and refreshments	£3,000.00
Additional costs e.g. IT, travel	£1,500.00
Total running costs	£163,227.00
Work Plan	
ESIF Business Support Bid <i>One-off contribution towards the 100% match-fund requirement (totalling £6m) for the region's European Regional Development Fund Business Support bid</i>	£30,000.00
Other work plan items <i>Projects to be agreed at the July Board</i>	£34,976,
Total Work Plan	£64,976.00

<i>Total Running Costs (from previous page)</i>	£163,227.00
Contingency	£10,000.00
Grand Total	£238,203.00

HEADS OF TERMS:

3.9 There are a number of proposed changes to the Heads of Terms that it is proposed that the Board agrees. These are as follows:

- I. Change to 5.1 (Membership) to reflect the recommendation in 2.1 above that Arun District Council be formally invited to join the GBEJC. This is subject to agreement of another report on this agenda and of Arun DC agreeing to join the Board.
- II. Change to 6.4 (Chair) to reflect the agreed departure from a 1-year fixed-term Chair with the requirement to rotate annually, to allowing a sitting chair to stand for re-election.
- III. Amendment to 11.1 (Time and Venue of Meetings) to reflect the current practice that Board meetings move around the City Region and do not always take place in the geographical area of the Lead Authority.

3.10 Changes to the Board Heads of Terms need to be ratified by each Local Authority Board member as per clause 14.2 of the Heads of Terms which reads as *“These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board”*

Furthermore The GBEJC is a joint committee established pursuant to section 102 of the Local Government Act 1972. The Local Government Act 1972 and The Local Authorities Arrangements for the Discharge of Functions (England) Regulations 2012 require the constituent authorities of a joint committee to decide the membership of that committee and it is therefore necessary for each of the local authority members of the Board to make an independent decision that Arun District Council should become a member of GBEJC

LEAD AUTHORITY:

3.11 On 17 April 2018, the Board agreed that Brighton & Hove City Council continue to act as Lead Authority for 2018/19. As outlined in section 1.8 of the HoTs, lead authority arrangements are reviewed every two years and therefore this arrangement is maintained in 2019/20.

3.12 In October 2019, each local authority represented on the Board will be invited to submit an expression of interest in fulfilling the role for 2020/21 – 2021/22. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.

2019/20 BOARD MEETING DATES:

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

- 16 July 2019
- 15 October 2019
- 28 January 2020
- 21 April 2020

3.14 As in 2018/19, it is proposed that all meetings will commence at 10:00 and be held in alternating locations across the City Region.

MEMBERSHIP AND CHAIRPERSON:

3.15 Local elections will be taking place in May 2019. Seats in all Greater Brighton local authorities are up for selection and this may result in changes to the Board's make-up.

3.16 As outlined in section 6 of the HoTs, the Chair will be elected annually by the Joint Committee members. The Chair of the Joint Committee shall, by virtue of his/her democratic mandate, be the Chair of the Board. It is for the Joint Committee to elect the chair.

3.17 The Chair must be formally appointed at the Board's first meeting in the new municipal year. It is proposed that nominations be sought in advance and that the following process be adopted:

- (1) On 27 May 2019, Brighton & Hove City Council's Democratic Services team will issue an e-mail to the local authority Leaders to ask if they would like to put themselves forward as Chair.
- (2) Those local authority Leaders choosing to put themselves forward must notify Brighton & Hove City Council's Democratic Services of their decision by 10 June 2019.
- (3) On 11 June 2019, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, advising of the nominations and asking them to cast a vote for their preferred nominee. Each Greater Brighton Economic Joint Committee member will have one vote, save for Brighton & Hove City Council where the Leader of the Opposition will also have a vote. Voting will be completed in confidence. The deadline for votes will be 24 June 2019.
- (4) On 25 June 2019, Brighton & Hove City Council Democratic Services will issue an e-mail to all members of the Board to advise them of the new Chair.
- (5) On 16 July 2019, members of the Greater Brighton Joint Committee will formally appoint the new Chair (this will be the first item of business).

3.18 In the event that the vote is tied, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, informing that the first round has been tied and asking them to vote again on the preferred nominees.

- 3.19 All member organisations are required to inform Brighton & Hove City Council's Democratic Services of their substitute representatives by 25 June 2019. In line with section 9 of the HoTs, the list of substitutes will be approved by the Board at its first meeting in the new municipal year.
- 3.20 As stated in section 4.3 of the HoTs, the work of the Board shall be subject to review by an ad hoc joint local authority scrutiny panel that is managed by the Lead Authority. It is proposed that the current Call-In Protocol remains unchanged for 2019/20. The Protocol is attached as Appendix 4. Members of the Board are required to inform Brighton & Hove City Council' Democratic Services of their Greater Brighton Call-In Panel representatives by 21 June 2019.

ANNUAL REPORT:

- 3.21 As outlined in section 4.1 of the HoTs, the Board shall submit an annual report to each of the bodies represented on the Board.
- 3.22 It is proposed that the 2018/19 Annual Report be presented to the Board for approval at its first meeting in the new municipal year, scheduled for 16 July 2019.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS:

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

5. COMMUNITY ENGAGEMENT & CONSULTATION:

- 5.1 Not applicable.

6. CONCLUSION:

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

- (1) Agree the budgetary contributions that are being sought to fund the costs of running the Board and delivering its work-plan in 2019/20;
- (2) Note the fact a workplan is proposed to come to the next meeting;
- (3) Note that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2019/20;
- (4) Agree the process by which the Chair of the Board shall be nominated for 2019/20, and;
- (5) Note the requirement, and instruct the necessary actions within their respective organisations, to:
 - a. Notify the lead authority of their named substitutes by 25 June 2019, and;

- b. Notify the lead authority of their nominations to the Greater Brighton Call-In Panel by 21 June 2019.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Greater Brighton Economic Board assists with delivering economic development across the region. The Board seeks to secure government and private sector funding and investment in order to deliver this economic development. An annual operating budget is agreed with the Board for the forthcoming financial year to enable the Accountable Body to provide legal, financial, communications and administrative support to allow the Board to deliver its work-plan. Annual contributions are made from member authorities to the Accountable Body toward this budget. The contributions from member authorities are detailed within paragraph 3.5 of this report. The apportionment of contributions from unitary, district and borough councils are based upon the size of their working age populations and are detailed within Appendix 3. The budget for the financial year 2019/20 will reflect anticipated spend for the work-streams ahead including a provision for contingency. The estimated spend of £238,203 for the year is detailed in paragraph 3.8. The forecast spend for the year also includes a sum for work plan items which are yet to be agreed as part of the Five Year Strategic Priorities. A summary of the budget for 2018/19 together with the spend incurred for that financial year is detailed in Appendix 2. A projected underspend of £58,139 is forecast for 2018/19 and this has been rolled over to support the budget for 2019/20. £30,000 of this underspend is already committed to delivering the ESIF Business Support Bid

*Finance Officer Consulted: Rob Allen, Principal Accountant
Date: 12/03/19*

Legal Implications:

- 7.2 *There are no legal implications arising directly from this report.*

*Lawyer Consulted: Joanne Dougnaglo
Date: 11/03/19*

Equalities Implications:

- 7.2 None

Sustainability Implications:

- 8.5 None

Any Other Significant Implications:

- 8.6 None

SUPPORTING DOCUMENTATION

Appendices:

1. Heads of Terms for Greater Brighton Economic Board
2. 2018/19 Forecast, Contributions and Spend
3. Approach for Calculating 2019/20 Funding Contributions
4. Greater Brighton Economic Board Call-In Protocol
5. Finance reports

Appendix 1: Heads of Terms for Greater Brighton Economic Board (6 February 2018)

1. Establishment, Purpose and Form

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

2. Interpretation

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

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

3. Functions

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

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

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

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

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

4. Reporting and Accountability

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

5. Membership

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

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. Crawley Borough Council
- vii. [Arun District Council]* **subject to confirmation by a report later in the agenda*
- viii. University of Sussex
- ix. University of Brighton
- x. Further Education Representative
- xi. Coast to Capital Local Enterprise Partnership
- xii. Brighton & Hove Economic Partnership
- xiii. Adur & Worthing Business Partnership
- xiv. Coastal West Sussex Partnership
- xv. South Downs National Park Authority
- xvi. Gatwick Airport Ltd

5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (vii); and GBBP shall comprise the bodies specified in paragraphs 5(viii) to (xvi).

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

- 5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.
- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

6. Chair

- 6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. The Chair will be elected annually by members of the GBEJC. Election of the Chair will be conducted through a formal process performed by the Democratic Services Team of the Lead Authority. The elected Chair will be appointed at the first meeting of the Board in the new municipal year. A Chair may be re-elected but shall not serve as Chair for more than 4 years.

7. Voting

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

7.5. Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.

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

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

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

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

8. Review of decision

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

- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was not to agree the recommendation.
- ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

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

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

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

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

9. Substitution

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

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

10. Quorum

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

10.2 Quorum for GBEJC meetings shall be three member bodies.

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

11. Time and Venue of Meetings

11.1 Ordinary meetings of the Board shall be convened by the lead authority and will rotate around the City Region

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

12. Administrative, financial and legal support

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

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

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

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

13 Memorandum of Understanding

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

13.2 The memorandum may, in particular, provide for –

13.2.1 Arrangements as to the financial contributions by each member towards the work of the Board, including:

13.2.1.1 The process by which total financial contributions are calculated;

13.2.1.2 The process for determining the contribution to be paid by each member;

13.2.1.3 The dates on which contribution are payable;

13.2.1.4 How the Accountable Body shall administer and account for such contributions;

13.2.2 Functions of the Accountable Body; and

13.2.3 The terms of reference for the Greater Brighton Officer Programme Board.

14 Review and Variation of Heads of Terms

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

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

Appendix 2: 2018/19 Forecast, Contributions and Spend

1. The 2018/19 budget to support the running costs of the Board and the delivery of the workplan totalled £300,561. This was made-up of the 2017/18 roll-over of £120,497 and the contributions as set out in the table below:

Coast to Capital Local Enterprise Partnership	£7,500.00
South Downs National Park Authority	£7,500.00
University of Sussex	£7,500.00
University of Brighton	£7,500.00
Greater Brighton Metropolitan College	£7,500.00
Gatwick Airport Limited	£7,500.00
Adur District Council	£12,345.00
Brighton & Hove City Council	£53,406.00
Crawley Borough Council	£21,130.00
Worthing Borough Council	£19,215.00
Lewes District Council	£17,734.00
Mid Sussex District Council	£11,234.00
Total contributions 2018/19	£180,064.00
Roll-over from 2017/18	£120,497.00
Total budget 2018/19	£300,561.00

2. The 2018/19 budget forecast was as follows:

Salary costs (Including on-costs)	£103,020.00
Finance support	£7,202.13
Legal support	£9,864.94
Communications support (Adur & Worthing Councils)	£10,500.00
Annual Report and other materials	£5,000.00
Democratic Services support	£4,203.22
Scrutiny (Charged at £500 on a 'pay as you go' basis)	£2,000.00
Venue hire & refreshments	£3,000.00
Additional costs e.g. IT, travel	£1,500.00
Total Costs*	£146,290.29
Work plan items	£120,000.00
Contingency	£34,270.90
Grand Total	£300,561.00

* Excluding contingency.

3. The actual 2018/19 spend (including all known commitments as at 25th February 2019) was as follows:

Salary costs (Including on-costs)	£97,290.00
Finance support	£7,202.13
Legal Support	£9,864.94
Communications support (Adur & Worthing Councils)	£24,950.00
Annual Report and other design/materials costs	£5,482.75
Democratic Services support	£4,203.22
Scrutiny	£0.00
Venue hire & refreshments	£3,229.79
Total Costs*	£152,222.83
Work plan items	£70,879.29
Contingency	£19,320

Grand Total	£242,422.12
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* Excluding contingency.

10.1 The budget remaining as at 25 February 2019 is £58,139. It is proposed that the remaining budget be rolled-over into 2019/20 to total £238,203 (including contingency) towards the cost of running the Board and the delivery of its work-plan.

Appendix 3: Approach for Calculating 2019/20 Funding Contribution**Total Funds sought for 2019/20 = £182,900**Greater Brighton Business Partnership (GBBP):

- Due to their being largely local authority funded, no contributions will be sought from the Brighton & Hove Economic Partnership, the Adur & Worthing Business Partnership and the Coastal West Sussex Partnership.
- All remaining Business Partnership members will be charged a 'flat fee' of £7,600.

Total funds sought from GBBP = £45,600Greater Brighton Economic Joint Committee:

- The contributions sought from the unitary, district and borough councils for the total remaining funding requirement have been apportioned in relation to the size of their working age populations. Please see the Business and Demographic Overview below.
- The contributions sought from Brighton & Hove City Council, Crawley Borough Council, Adur District Council, Lewes District Council, Mid Sussex Council and Worthing Borough Council are the same as for 2018/19 (with a 2% increase to reflect inflation)
- As a large proportion of Mid Sussex District Council's working age population is based in East Grinstead – an area this is currently outside of the scope of the Investment Programme – it is proposed that they pay 50% of their original contribution calculation and that the remaining 50% be divided equally amongst the remaining members. This is the same arrangement as in previous years.

Organisation	% of working age population (March 2018)	2019/20 Contribution Calculation
Adur District Council	7.13%	£12,500.00
Brighton & Hove City Council	38.81%	£54,400.00
Crawley Borough Council	13.66%	£21,500.00
Worthing Borough Council	12.39%	£19,500.00
Lewes District Council	11.18%	£18,000.00
Mid Sussex District Council	16.84% (8.42%)	£11,400.00
Total	100%	£137,300.00

Greater Brighton Business and Demographic Overview (April 2018) – Updated Table March 2018

Local Authority	Population (mid 2016)	Working age population (mid 2016)	VAT/PAYE Businesses (2017)	VAT/PAYE Business Units (2017)	Business units per 1,000 working age residents	% of total GB population	% of total GB working age population	% of business units in GB area
Adur	65,700	37,459	2,325	2,640	70.4	7.8%	7.1%	6.4%
Brighton & Hove	289,100	204,007	13,665	15,900	77.9	34.9%	38.8%	38.8%
Crawley	113,800	71,792	3,435	4,640	64.6	13.7%	13.7%	11.3%
Lewes	103,200	58,778	4,360	4,990	84.9	12.5%	11.2%	12.2%
Mid Sussex	148,100	88,547	7,360	8,250	93.1	17.9%	16.8%	20.2%
Worthing	109,600	65,124	3,695	4,530	69.6	13.2%	12.4%	11.1%
Totals	829,500	525,707	34,840	40,950		100%	100%	100%

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

Appendix 4: Greater Brighton Economic Board Call-In Protocol

1. Requesting a Call-in

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

2. The GBEB Call-in Panel

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

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

3. Call-in meetings

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

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

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

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

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

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

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

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

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

4. Call-in and urgency

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