



SOLENT
LOCAL
ENTERPRISE
PARTNERSHIP

Solent Local Enterprise Partnership

Large Project Advisory Panel

Terms of Reference

Revision: 31st October 2018

Background

The Solent Local Enterprise Partnership (LEP) is the key interface and lead for economic development in the Solent, and has recently published its [Strategic Economic Plan](#) (SEP). Transforming Solent seeks to focus investment on those parts of the economy that need to develop or change the most to accelerate growth. The Plan targets six strategic priorities:

- Supporting new businesses, **enterprise** and ensuring SME survival and growth.
- Enabling **infrastructure** priorities including land assets, transport and housing, reducing flood risk and improving access to superfast broadband.
- Establishing a single **inward investment** model to encourage companies to open new sites in the region, supported by effective marketing.
- Investing in **skills** to establish a sustainable pattern of growth, ensuring local residents are equipped to take up the jobs that are created and businesses can source local skills and labour to underpin growth.
- Developing **strategic sectors** and clusters (interconnected groups and businesses) of marine, aerospace and defence, advanced manufacturing, engineering, transport and logistics businesses, low carbon, digital and creative and the visitor economy – establishing the area as a business gateway, at both local and international levels and developing local supply chains.
- Building on our substantial knowledge assets to support **innovation** and build innovative capacity in the Solent area to stimulate growth in Solent businesses and in new high growth sectors, particularly linked to our HE excellence.

The Solent Growth Deal, published in July 2014, sets out the prioritised interventions required to respond to the challenges and optimise the opportunities identified within the SEP to transform the Solent economy. Performance will be monitored against a set of stretching targets, which aim to achieve the following by 2020/21:

- In addition to current forecasts, create an additional 15,500 new jobs in the Solent LEP area;
- Achieve GVA growth of 3%;
- Increase GVA per job by an additional £6,879 per job;
- Improve productivity (GDP per head) closer to the South East average;
- Increase employment rates to 80% from the current 78% and improve economic activity rates from 80% to 81%;
- Enable the delivery of 24,000 new homes;
- Raise the business birth rate from 3.6% to 4.1% (and create 1000 new businesses);
- Improve the business survival rate from 61.4% to 62.5%;
- Raise the proportion of the population with Level 4 and above skills to 36% of the working age population from the current 32%;
- Support the raising of education attainment rates to above the UK average; and
- Increase inward investment into Solent attracting at least 5% of FDI projects entering the UK.

Objectives

The Solent is a strategic coastal economy that performs an increasingly important role as the UK fosters new trading relationships. Improving productivity and competitiveness in the Solent delivers wider benefits for the UK, and requires targeted and sustained investment in both our businesses and our infrastructure. In response, the Solent LEP has established the Solent Prosperity Fund (SPF) for capital projects that support the Solent economy being fit for the future by helping businesses create better, higher-paying jobs and investing in unlocking new housing, business growth, connecting communities, developing skills and talent, and supporting our innovation and research Pioneers.

There are three types of Funding Support being made available:

1. High Growth Start-up Businesses;
2. Established SMEs seeking to grow;
3. Large Projects

Further information in relation to all three types of funding being made available can be found in in the published guidance document for the fund ([available here](#)).

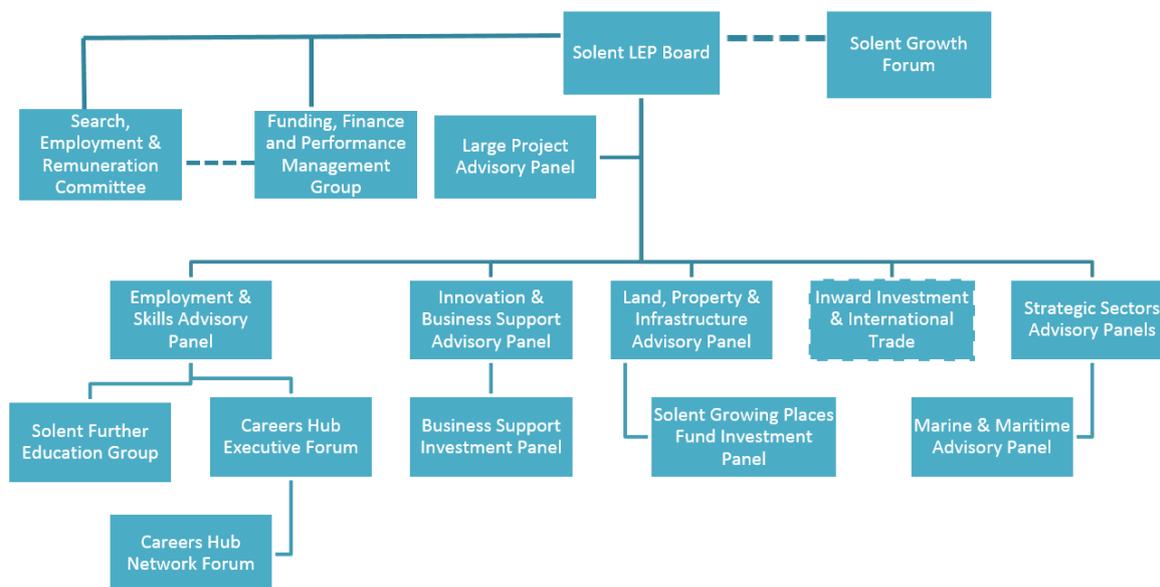
Purpose of the Panel

The Solent LEP Board is the lead decision-making entity within the LEP governance structure. The LEP Board provides strategic leadership, determines policy direction, and is the ultimate decision-making body of the Solent LEP. The role of the Board is to establish the vision, mission, and set the strategy and structure for the Solent LEP (further details available in the Solent LEP Board Terms of Reference).

Within this context the role of the Large Project Advisory Panel is advisory. The Solent LEP Board is seeking to secure expert, business-led, strategic advice in relation to Large Projects and the Large Project Advisory Panel will play a key role in providing this to the Board.

Specifically, the purpose of the Large Project Advisory Panel is to consider applications and independent advice in relation to proposals received under the third strand of the Solent Prosperity Fund (large projects) and to provide advice and recommendations to the Solent LEP Board of Directors to inform decision making on projects to be shortlisted for co-development.

Relationship and role with the Solent LEP Governance Structure



The Panel sits within the Solent LEP Governance Structure as seen above. The Panel will have regard for, and act in accordance with the relevant scheme of delegation and the Solent LEP Assurance Framework.

Membership and Structure

The Panel will comprise private, public and education sector representation. This diverse mix of panel members ensures that the decision making process benefits from the business acumen of private sector representation, whilst the participation of high level representatives from the public and education sectors

are also required in order that their roles as service providers and major employers are reflected on the Panel.

Membership shall be comprised of:

- Business Director Representative of the Solent LEP's Funding, Finance and Performance Management Group
- Business Director Representative of the Solent LEP Board
- Representatives of the Solent LEP's Land, Property and Infrastructure Advisory Panel
- Representatives of the Solent LEP's Employment and Skills Advisory Panel
- Representatives of the Solent LEP's Marine and Maritime Advisory Panel
- Representatives of the Solent LEP's Innovation and Business Support Advisory Panel
- Solent LEP Head of Local Growth
- Solent LEP Head of Capital and Infrastructure
- S151 Officer of Portsmouth City Council as accountable Body to Solent LEP (or their nominated representative)
- Principal Solicitor (Projects, Procurement, Commercial) of Portsmouth City Council as accountable Body to Solent LEP (or their nominated representative)

Accountability

The Solent LEP is committed to transparency, and to ensuring that all panels remain accountable for their actions and have the required legitimacy in order to advise on the use of public funds. Panel members will have due regard for this commitment to transparency in all activities of the panel, whilst from time-to-time be expected to consider commercial in-confidence information.

Quorum

No business decisions shall be agreed at a meeting of the Panel unless at least four members are present. This must include at least one representative from the private sector, one member of the LEP Executive with delegated authority, and the Chief Finance Officer or their nominated representative from the Accountable Body.

Directions on Appointments

The Chair must be drawn from the private sector and will be appointed by the Large Project Advisory Panel.

Members of the Panel will be appointed in consultation with the Chair of the relevant Solent LEP Advisory Panel which they represent on the Large Project Advisory Panel.

There are no maximum appointment periods in relation to the Large Project Advisory Panel specifically. Maximum terms of office are governed by the Terms of Reference of the relevant Solent LEP Advisory Panel which members represent on the Large Project Advisory Panel

Members of the Panel may resign their position at any time by giving notice in writing to the Panel Chair. The Chair of the Panel may resign by giving notice in writing to the Chair of the Solent LEP.

Removal from Office

A member of the Panel may be removed from office by the Panel by notice in writing if he or she has been absent from meetings of the Panel for a period longer than three consecutive meetings without the Chair's permission or is unable or unfit to carry out the functions of a member.

Decisions and Voting

It is expected that the decisions of the Panel will normally be reached by consensus after due debate but if a vote is required decisions shall be made on the basis of a majority of those members attending and voting at a quorate meeting. In the event of an equality of votes being cast, the Chair of the meeting shall have a casting vote.

Members of the Panel may not vote by proxy or by post. A member will be deemed to be in attendance if the meeting is conducted using electronic mail, tele-conferencing or video-conferencing facilities.

The Role of the Chair

The Chair will be responsible for agreeing the agenda for each meeting and deciding the order of matters to be discussed.

The Chair will chair all the meetings of the Panel. If the Chair is unable to attend a meeting, the Members of the Panel will nominate a Deputy Chair from amongst the panel membership to stand in their absence for the duration of the meeting.

The Chair will decide the order in which members will be called to speak ensuring that all members present, who wish to, are given an opportunity to speak and also seeking to ensure that all views are fairly represented.

The Chair may suspend the meeting if in his or her view this is necessary; for whatever period of time he or she thinks appropriate.

The Role of Members of the Panel

The Panel will be made up of people with different strengths, interests, views on public accountability and ways of working. The Chair's role is to bring these together to develop an effective group that is capable of working together and respecting each other's point of view.

Members have a valuable role to play and are appointed to reflect, rather than directly represent, their local community or business. The Panel is an advisory role where Members will be providing strategic advice in relation to the prioritisation of Large Projects for further co-development.

Ordinarily, Panel members may not send substitutes to represent them if they are unable to attend a meeting as they have been individually appointed. Individual requests to send a substitute will be considered by the Chair.

The Role of Ex-Officio Observers

Ex-officio status is conveyed on advisors supporting the Panel and the Panel can invite others to attend the meeting if they feel this would be helpful to the business of the Panel.

Although ex-officio observers are not members of the Panel, the benefit of their experience on the issues under discussion and their feedback on the views and perceptions of the client group they serve are

valuable contributions that will be sought by the Chair during debate. They may also be invited to speak on other relevant issues.

Ex-officio observers do not have voting rights and may be asked to leave whilst “in confidence” issues are discussed.

Conduct of panel members

All Solent LEP Panel Members are expected to follow "The 7 principles of public life" code of conduct and an LEP Code of Conduct has been established which all Directors are required to sign. A copy of the LEPs Code of Conduct is [available here](#).

Deputations at meetings

The Solent LEP Large Project Advisory Panel may receive deputations on a matter from any organisation or individual, where notice has been given, which is before that meeting of the LEP for decision. The following rules will apply:

- Notice of the intended deputation stating which agenda item it refers to and its purpose must be received in writing by the Head of Policy, Communications and Partner Engagement by 12 noon on the working day preceding the meeting.
- Decisions on whether to receive deputations on a matter will be made by the Panel Chair and the Panel Chair may waive the giving of notice in any case they consider appropriate.
- When the deputation is given it must relate to the agenda item in respect of which it is made.
- No person may speak for more than 6 minutes per deputation.
- The total time for those in favour and against a proposal will be 12 minutes respectively. If more than 2 people wish to speak for or against a proposition, the time allocated to each will be reduced proportionately, unless they agree otherwise amongst themselves how to apportion the 12 minutes.
- Those attending may make a written or verbal presentation which may be supplemented by a modest visual aid such as a single plan, photograph or video recording. This will be retained by the Solent LEP. Video recording presentations are included within the time allowed to deputations.
- Questions to deputations will be permitted, but only to clarify a statement.

Support and Administration Arrangements

Ordinarily, the Solent LEP Executive team will provide the secretariat for the Panel. Details on current members of the LEP team are [available here](#).

Portsmouth City Council is the accountable body for the Solent LEP and a protocol and service support agreement is in place between the accountable body and Solent LEP which is [available here](#).

Independent support may be commissioned by the Solent LEP and Portsmouth City Council to support them with the discharge of their roles. This will include the commissioning by the Solent LEP of independent due diligence relating to proposals. Strategic advice in relation to support requirements may, from time to time, be requested from the Large Project Advisory Panel to inform such commissions. Equally, the Solent LEP and Portsmouth City Council will welcome, consider and respond to any advice from the Large Project Advisory Panel in relation to future commissions.

Working Arrangements and Meeting Frequency

The panel shall meet up to five times per year, or as agreed by the Chair in partnership with the Solent LEP.

Declarations of Interest

In accordance with Article 46 of the Solent LEP Articles of Association and the Local Enterprise Partnership Governance and Transparency Best Practice Guidance a register of interest has been established by the Solent LEP and all Directors have a statutory duty to declare their interests (direct or indirect) in transactions or arrangements involving the Solent Local Enterprise Partnership. This requirement has been extended to all Chairs and Members of dedicated advisory sub-panels of the Solent Local Enterprise Partnership, Section 151 Officers and Chief Executive Officers of any accountable body organisation operating on behalf of the Solent Local Enterprise Partnership and Any other persons with significant influence over the activities of the Solent Local Enterprise Partnership (for example, Solent LEP employees and senior points of contact at accountable body organisations such as legal and financial contacts).

Management of Interests

The overriding principle adhered to by the LEP is that every Panel Member should be, and be seen to be, impartial at the time of participation in any discussion or decision relating to a matter considered by the Large Project Advisory Panel.

This is recognised to be particularly important in relation to any funding awards which are to be considered by the LEP through the competitive, transparent processes set out under the agreed Assurance Framework and it is a fundamental principle that all parties in such processes are treated equally and fairly and that the parties perceive this to be the case.

The Solent LEP takes a proactive approach to the management of all interests. This includes both direct interests in matters to be considered, which would realistically be affected by its outcome, as well as presumed, unconscious or apparent bias arising from an involvement (found where a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Panel Member could have been biased).

A Panel Member must declare the nature and extent of any interest, direct or indirect, which she/he has in a proposed transaction or arrangement with the company or in any transaction or arrangement entered into by the company which has not previously been declared and absent himself or herself from any discussions of the directors in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the company and any personal interest (including but not limited to any personal financial interest).

If a conflict of interests arises for a Panel Member because of a duty of loyalty owed to another, the unconflicted Panel Members may authorise such a conflict of interests where the following conditions apply:

- the conflicted Panel Member is absent from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other person;
- the conflicted Panel Member does not vote on any such matter and is not to be counted when considering whether a quorum of Panel Members is present at the meeting; and

- the unconflicted Panel Members consider it is in the interests of the Panel to authorise the conflict of interests in the circumstances applying.

The notes of meetings of the Panel will record any declarations of interest made, and whether the Panel Member withdrew from the meeting for that item.

In line with the Local Enterprise Partnership Governance and Transparency Best Practice Guidance, each Panel Member shall review their individual register of interests before each Panel meeting and submit any necessary revisions to the LEP and S151 Officer at the start of the meeting.

Even if a meeting has not taken place a Panel Member must, within 28 days of becoming aware of any change to the interests specified, provide written notification to the LEP and S151 Officer, of that change.

Gifts and Hospitality

The Solent LEP also maintains a register of events attended and gifts or hospitality received or given by all persons in their capacity as representatives of the Solent Local Enterprise Partnership or whilst carrying out Solent Local Enterprise Partnership duties. Gifts and hospitality of a significant value arising received by Panel Members in their capacity of representatives of the Solent Local Enterprise Partnership should not be accepted. The giving of gifts or hospitality of significant value should also be avoided. Full information on the Solent LEP Register of events attended and gifts or hospitality received is [available here](#).

Equalities

The Solent LEP recognises that corporate delivery and investment panels perform at their best when they include people who come from a range of perspectives and backgrounds. As such, equality and diversity are considered throughout our governance structures, in line with Portsmouth City Council's Equality & Diversity Strategy. A copy of this strategy is available at: <https://www.portsmouth.gov.uk/ext/community-and-environment/community/equality-and-diversity.aspx>

Complaints and Whistle-blowing

The Solent LEP and Portsmouth City Council as accountable body to the Solent LEP are committed to achieving the highest possible standards of openness, probity and accountability in all of our practices and have established a complaints and Whistleblowing policy, which complies with that of both Portsmouth City Council and the Local Enterprise Partnership Governance and Transparency Best Practice Guidance. A copy of this policy is available at: <https://solentlep.org.uk/media/2248/enquiry-complaints-and-whistleblowing-policy.pdf>

This procedure outlines the process to follow for a Panel Member 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, Panel Members and staff. The Standards in Public Life include the principles of; integrity, honesty, objectivity, accountability, openness, honesty, leadership and impartiality.

All LEP Panel Members, as key advisors to the LEP, have a right and a responsibility to speak up and report behaviour that contravenes these values.