



**SOLENT
LOCAL
ENTERPRISE
PARTNERSHIP**

Solent Local Enterprise Partnership

Business Support Investment Panel

Terms of Reference

**Revision:
March 2020**

Background

The Solent Local Enterprise Partnership (LEP) is the key interface and lead for economic development in the Solent, and has published a 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.

To reflect the shift in focus in national policy to raise productivity levels and as a precursor to a full refresh of the Strategic Economic Plan in 2018 and the development of a Local Industrial Strategy, the Solent LEP has published a number of key updates to our evidence base which provide a renewed focus on driving productivity, underpinning our work across all strategic priority areas. This included:

- Transforming Solent Growth Strategy January 2015
- Transport Investment Plan 2016
- Growth and Productivity Supplement January 2017
- Solent LEP response to the Industrial Strategy Green Paper April 2017

This is set against the backdrop of:

- BREXIT;
- Technological change which is driving long-term economic growth, productivity and improvement in living standards. The emergence and adoption of new ideas, products and production techniques throughout the economy is creating “market disruption”;
- The Publication of the Industrial Strategy White Paper – Building a Britain Fit for the Future;
- The wider review of LEPs which Government is undertaking with a view to strengthening them.

In 2017 Solent LEP consulted widely on the Industrial Strategy green paper and business set out their views on why the productivity gap exists and they also articulated what they want to see from a modern industrial strategy. The key drivers for improving productivity (and delivering a fairer society where all parts of the Solent see the benefits of economic growth) emerging from the roundtable discussions were as follows:

- **Supporting the development of skills and talent of the current and potential workforce** including ensuring stronger school performance and attracting and retaining skills and talent from around the world to the area; and
- **Supporting improvements in connectivity to better connect people to places and widen access to labour** through strategic transport investment, improvements to digital connectivity and capability and enabling/accelerating delivery of new housing.
- **Supporting the scale up agenda and the growth of SME's** to secure a higher level of export and innovation
- Supporting our areas of **global strengths and key sectors**
- **Supporting and responding to the technology revolution** and embracing market disruption and change as part of increasing our competitiveness.

Objectives

Solent LEP has been given a role setting enterprise and business support strategies for the area consistent with national objectives. This includes determining how the RGF, Growth Deal and elements of the EU Structural Investment Framework (EU SIF) are used locally.

The Solent Growth Fund will provide financial support for start-up businesses, support for young entrepreneurs and expansion funds for existing businesses. This builds on the success of Solent LEP RGF funded business support programmes that closed in 2016. Eligible companies can request funding to support the development of their business in order to safeguard and / or create private sector jobs. Funding will be allocated via a competitive bidding process.

Through the Fund we will:

- Support the creation of 500 new small and medium enterprises by 2020/21 (100 per annum);
- Create 1800 new jobs;
- Unlock £36m of additional private sector investment (£6m per annum);
- Commit £2m per annum to the programme from our Local Growth Deal (£12m over the programme lifetime from 2015/16 to 2020/21).
- Support businesses via the Solent LEP Pay it Forward fund, which aims to provide opportunities for existing micro and small businesses seeking to cope in challenging trading conditions as a result of the COVID-19 pandemic.

Role of the Panel

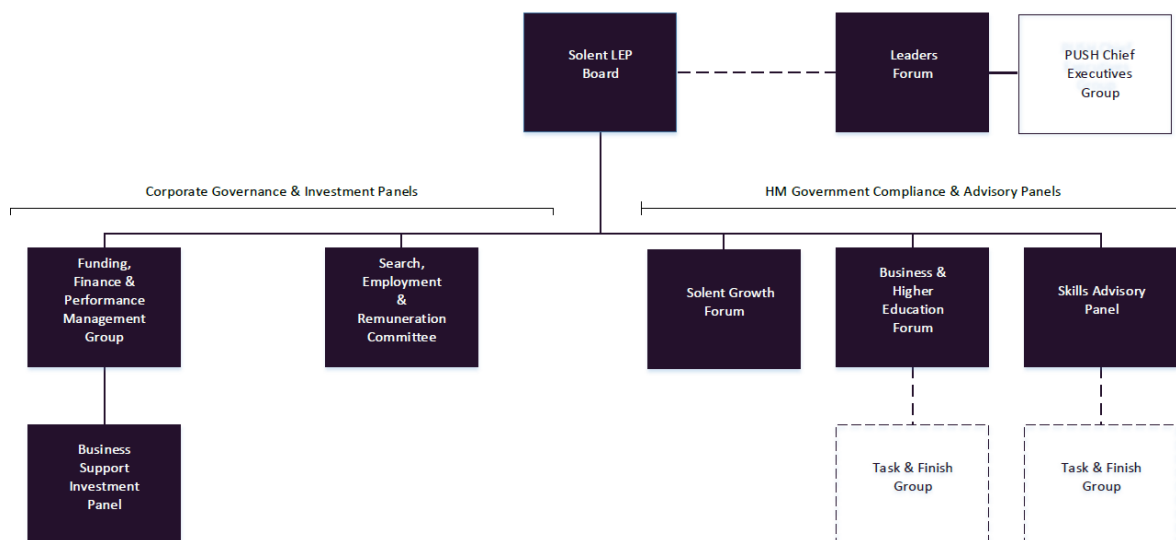
The Solent LEP Board is the lead decision-making entity within the LEP governance structure. The LEP Board provides strategic leadership, determines policy direction, and is the ultimate decision-making body of the Solent LEP. The role of the Board is to establish the vision, mission, and set the strategy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

The Solent LEP operates a range of Business support funding programmes and the Business Support Investment Panel will make decisions on applications for Business Support Funding up to £100k. For funding applications over £100k, the Panel operates on an advisory basis.

Applications for funding over £100k will be reviewed by The Funding, Finance and Performance Management Group (FFPMG), which is a management group that is appointed by, reports and provides advice to the main LEP Board.

The Solent LEP Board is seeking to secure expert, business-led, strategic advice in relation to the area of business support and the Business Support Investment Panel will play a key role in providing this to the Board. Advice received from the Panel will help shape the strategic approach to business support investment which will help underpin the wider Solent Strategic Economic Plan and Local Industrial Strategy. In addition, the Panel will also provide advice in relation to the LEPs delivery of the Solent Growth Deal and other Government funded programmes of activity, including provision of advice on the use of the LEPs annual budget allocation to support the business support investment, both at a programme level and in relation to specific projects where required.

Relationship with 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, education and third 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.

The membership of the Panel should be made up of:

- At least 50% drawn from local private sector businesses (including the commercial banking sector, local media organisations, and a business representative organisation), with an emphasis given to those businesses operating in sectors of the economy which are expanding or are targeted for growth within the overarching Solent LEP Growth strategy.
- Nominated representatives from the Higher Education sector, Local Authorities, the One Stop Shop element of the Solent Growth Hub, the third sector and LEP Executive representation

Organisation of the Business Support Investment Panel

The Panel consists of up to 12 members including the Chair. Membership shall be comprised of:

- Five private sector members - including one member of the Solent LEP Board or Executive with delegated authority, and the other four private sector members shall be drawn from the private sector;
- One representative from the Federation of Small Businesses;
- One representative from the commercial banking sector;
- A nominated senior representative from the HEI's based in the Solent LEP area;
- Nominated representative from the Business Engagement & Growth Hub Manager (Ex-Officio)
- A Local Authority representative from a Local Authority within the Solent.
- One senior representative from the Voluntary, Community and Social Enterprise sector;
- One representative from the local media organisations of the area;
- The Chief Finance Officer or their nominated representative from the Accountable Body.

Accountability

The Solent LEP is committed to transparency, and to ensuring that the Strategic Priority advisory and investment panels remain accountable for their actions and have the required legitimacy in order to direct 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 six members are present, two of whom must be from the private sector, including one member of the LEP Executive with delegated authority, and the Chief Finance Officer or their nominated representative from the Accountable Body. "Present" includes being present by suitable electronic means agreed by the Panel Chairman in which a participant or participants may communicate with all other participants.

Directions on Appointments

The Chair must be drawn from the private sector and will be appointed by the Solent LEP Board.

Ordinarily, private sector Board members will be appointed by the Chair of the panel and/or the relevant Solent LEP Board Director lead, through an open recruitment process.

The Chair and members of the Panel shall be appointed for a period of three years and are eligible for reappointment with the maximum term of office being six years. The reappointment of the Chair shall be at the discretion of the relevant Solent LEP Board Director lead. The reappointment of members of the Panel shall be at the discretion of the Panel Chair and the relevant Solent LEP Board Director lead. Solent LEP Board Director leads, Solent LEP Executive and Accountable Body representatives are not subject to retirement requirements in relation to Panel Membership.

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 agree in partnership with the LEP Executive at the start of the new financial year the programme for the forthcoming year.

The Chair will chair all the meetings of the Panel. If the Chair is unable to attend a meeting, the Chair and/or the relevant Solent LEP Board Director lead 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.

Following Panel Meetings, the Panel Chair will provide a short written report to the Solent LEP Board to inform them of the key points from their discussion.

The Chair will act as an ambassador for the Solent LEP and the work of the LEP in relation to Business Support Investment.

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 on the budget allocated to business support investment.

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.

Ordinarily, the Chief Finance Officer or their nominated representative from the Accountable body will have a standing invitation as an ex-officio advisor to all advisory panels. They will have full membership and a vote on Investment Panels.

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 Panel Members are required to sign. A copy of the LEPs Code of Conduct is [available here](#).

Deputations at meetings

The Business Support Investment Panel may receive deputations on a matter from any organisation or individual where notice has been given, which is deemed relevant to the role of the Business Support Investment Panel. The following rules will apply:

- Notice of the intended deputation stating 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 agreed purpose 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

The Solent LEP Executive team will provide the secretariat for the Business Support Investment 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 and strategic advice in relation to support requirements may, from time to time, be requested from the Business Support Investment Panel to inform such commissions. Equally, the Solent LEP and Portsmouth City Council will welcome, consider and respond to any advice from the Business Support Investment Panel in relation to future commissions which have the potential to support business investment in the Solent.

Working Arrangements and Meeting Frequency

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

Notice of meetings

Unless otherwise agreed, notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Panel, and any other person required to attend, a minimum of 10 working days before the date of the meeting. Meetings can be convened electronically or via video/telephone conferencing as required. Supporting papers shall be shared with Panel members and other attendees as appropriate, via the secure file sharing platform at the same time as the meeting details.

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 Business Support Investment 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 advisory 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.