



Solent Local Enterprise Partnership

Business Support Investment Panel

Terms of Reference

December 2022

Background

The Solent Local Enterprise Partnership (LEP) is the key interface and lead for economic development in the Solent. Local Enterprise Partnerships Integration Guidance (April 2022) sets out four key roles for the LEP as follows:

- a. Embed a strong, independent and diverse local business voice into local democratic institutions.
- b. Carry out strategic economic planning in partnership with local leaders that clearly articulates their area's economic priorities and sectoral strengths. This should involve building and maintaining a robust local evidence base that identifies local strengths and challenges, future opportunities and the actions needed to support priority sectors, aligned to the relevant levelling up missions... [LEPs] should continue to use their convening power to bring together business, education and other local economic stakeholders.
- c. Continue to deliver a number of functions on behalf of government departments, shaped by the local business voice where relevant. Future programme and funding decisions will be taken by each respective department according to their own decision-making and business planning processes, priorities and timescales. However, at the present juncture we would expect departments to continue to engage with LEPs on the delivery of:
 - I. Growth Hubs, on behalf of the Department for Business, Energy and Industrial Strategy;
 - II. International trade and investment activity, provision of local business intelligence, grant funding and levelling-up focused projects, on behalf of the Department for International Trade;
 - III. Local Digital Skills Partnerships, on behalf of the Department for Digital, Culture, Media and Sport;
 - IV. Careers Hubs, on behalf of the Department for Education;
 - V. Local skills analysis via Skills Advisory Panels, on behalf of the Department for Education; and
 - VI. Monitoring and assurance pertaining to existing local growth programmes and funds for which LEPs are responsible.
- d. Where appropriate, LEP business boards can help broker and support new or deeper devolution deals, where requested by local partners. New or deeper devolution deals will not need to be signed off by LEPs.

Accordingly, the Solent LEP has set out its evidence-based strategy to deliver transformational economic growth within the area in Solent 2050, published in January 2022. Solent 2050 sets out a long-term strategy to unleash the Solent's distinctive strengths that can power the local economy to increase productivity and support our communities to prosper in a fast-changing world. Our vision for the Solent in 2050 is: to be the globally leading maritime cluster and at the forefront of innovations to adapt to climate change, with towns and cities that are fantastic places to live, trade and with opportunities for all our communities to flourish. Underpinning this overall vision are seven strategic priorities around which our plan for future activities to transform the Solent is framed:

1. A world-leading marine and maritime economy, building on our existing assets and global competitive advantages to strengthen the UK's international trading relationships.

2. Pioneering approaches to climate change adaptation and decarbonisation, linked to our coastal setting and establishing real expertise which other regions –nationally and globally –can learn from.
3. The UK's capital of coastal renaissance, harnessing new technologies and approaches to revitalise and level up economic opportunity across all of our coastal communities.
4. A thriving visitor, creative and cultural economy, capitalising on the Solent's superb natural beauty and rich maritime history.
5. Developing a world-class talent base, helping people at all stages of their career build the skills they need to respond to new technology and drive an innovative knowledge-based economy.
6. An outstanding business environment that encourages innovation, fosters collaboration and enables businesses of all sizes and sectors to thrive.
7. Health and wellbeing at the heart of economic success, through a focus on building strong, healthy and resilient communities that can prosper in a fast-changing world.

Objectives

Solent LEP has been given a role setting enterprise and business support strategies for the area consistent with national objectives. This includes existing local growth programmes and funds for which LEPs are responsible (such as the Local Growth Fund) are used locally.

The Local Growth Fund has provided financial support for start-up businesses, as well as recovery and expansion funds for existing businesses and HMG require the LEP to deliver appropriate monitoring and assurance relating to these funded projects.

In addition, Solent LEP has established a number of revolving loan funds for the area and there is a need to determine how recycled funds are used to further support the Solent economy.

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).

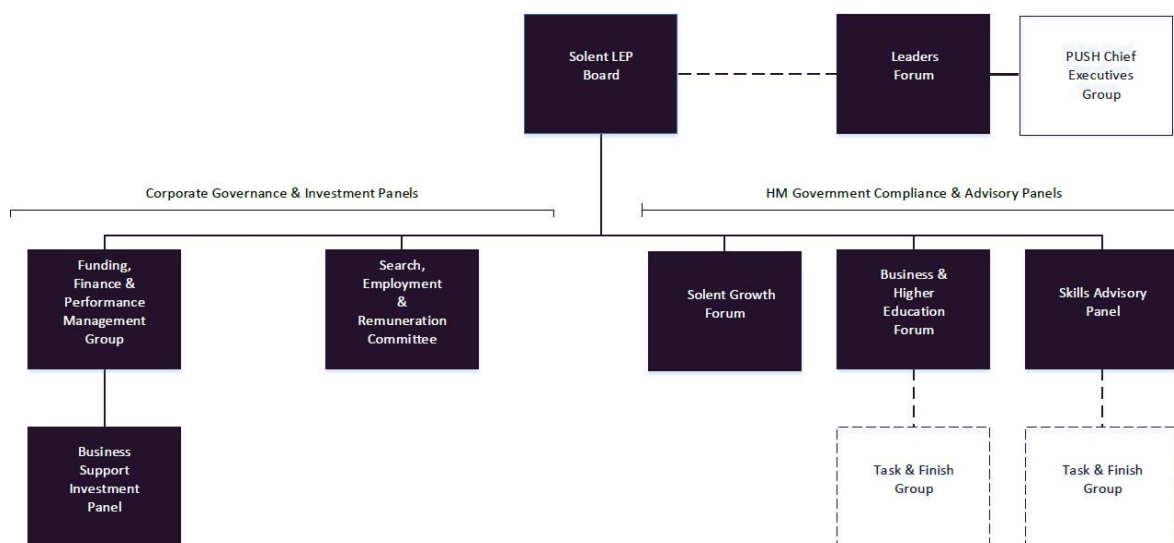
The Solent LEP operates a range of Business support funding programmes and the Business Support Investment Panel will make decisions on applications for Business Support Funding up to £100k. For funding applications over £100k, the Panel operates on an advisory basis.

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 delivery of Solent 2050. 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 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;

- 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.

Where a resolution is to be considered in writing, this will be agreed by simple majority of the panel members who would have been entitled to vote upon it had it been proposed at a panel meeting.

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 5 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/services/community/equality-and-diversity/>

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/contact-us/>

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.