

## **CABINET**

**14 APRIL 2015**

### **SOUTH EAST LOCAL ENTERPRISE PARTNERSHIP (SELEP) ACCOUNTABILITY BOARD**

Portfolio Holder: Councillor Rodney Chambers OBE, Leader

Report from: Robin Cooper, Director Regeneration Community and Culture

Author: Robin Cooper, Director Regeneration Community and Culture

#### **Summary**

This report seeks agreement from Leader for Medway Council to join an executive Joint Committee of the South East Local Enterprise Partnership.

#### **1. Budget and Policy Framework**

- 1.1 The South East Local Enterprise Partnership (SELEP) needs to set up an Accountability Board and Medway is invited to join. This report seeks agreement and also notes the finance awarded via the LEP to Medway.
- 1.2 In accordance with Article 10 of the Council's Constitution, the authority to establish joint arrangements in respect of executive functions is devolved to the Leader. Article 10 provides that, except in certain circumstances, only a Cabinet Member can be appointed to a Joint Committee exercising executive functions.

#### **2. Background**

- 2.1 Medway Council is part of the South East Local Enterprise Partnership which covers Medway, Essex, Southend-on-Sea, Thurrock, Kent and East Sussex. In February 2014 SELEP's terms of reference were amended to streamline the operation of the Board and establish a federated model of operation. Within the model Medway is part of the Kent and Medway Economic Partnership, one of the four federated areas, the others being in East Sussex where there is one and Essex where there are two.

#### **3. Options**

- 3.1 The delivery review carried out for SELEP examined various options for governance and accountability.

## **4. Advice and Analysis**

### **New Executive Joint Committee**

- 4.1 SELEP commissioned a delivery review in July 2014. The aim of the review was to ensure that SELEP was fit for purpose and resourced to manage major capital programmes within its governance framework. Recommendations from the review were presented to and agreed at the SELEP December 2014 Board meeting. They provide a robust framework for programme management by creating a new Accountability Board that would enable the main Board to perform a strategic role.
- 4.2 The proposals are broadly in line with the advice given by Government at SELEP Board meetings and will strengthen the case for SELEP to receive greater freedom and flexibility from Government including the awarding of programme and project funding annually in advance rather than quarterly and full programme management autonomy.
- 4.3 The establishment of an executive joint committee is part of a new accountability framework model that would ensure robust governance processes are in place for decision making and accountability that satisfy the Accountable Body for SELEP. The SELEP board has agreed the new framework model and that it be led by a new Accountability Board. The establishment of the Board requires acceptance by all county and unitary authorities in the SELEP area to have a mandate and authority. Essex County Council considered a report on this matter on 27 January 2015 and this is attached at Appendix 1 including details of membership and terms of reference for the Board. Medway Council will be entitled to one place on the Board and it is also proposed to appoint a substitute Member to the Board. Appointments to the Board will be made at the beginning of each municipal year through the Council's usual outside bodies appointments process.
- 4.4 The new Accountability Board is dependent on the provision of robust local monitoring and accountability arrangements. This is expected to be managed through local monitoring groups and partnerships. For Medway this will be through the established Kent and Medway Economic Partnership. Reports to the Accountability Board will be via the local finance Section 151 Officer(s) who will need to be satisfied of the robustness of the local accountability group or partnership.
- 4.5 This report seeks agreement from Cabinet for Medway Council to join the SELEP Accountability Board.

### **Local Growth Fund Round 2 Announcement**

- 4.6 Government announced the outcome of the Local Growth Fund (LGF) round 2 process in January. Medway was successful in securing £4.4m of grant funding for the Rochester Airport project. This is in addition to £4m of low cost finance for the flood defences in Canal Road, Strood. These successes reflect strong support for the schemes within Government
- 4.7 The Round 2 LGF funding is on top of the £28.6m Medway secured from Round 1 of LGF in July 2014. The Kent and Medway Economic Partnership

will ensure that Medway can continue to make the direct case for funding as and when further bidding rounds come forward from Government.

## 5. Consultation

- 5.1 Consultation on the SELEP delivery review and subsequent recommendations took place with the SELEP Board. The Kent and Medway Economic Partnership (KMEP) have been consulted on the proposed SELEP accountability arrangements and has agreed them but it requires the agreement of Kent County Council and Medway Council. Further details of the KMEP is set out in Appendix 2 to the report.

## 6. Risk Management

- 6.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Medway is not part of the decision making process for the SELEP	Medway will lose out on influence and potentially future bid rounds	Join the Accountability Board	C1

## 7. Financial Implications

- 7.1 There are no financial implications arising directly from Medway Council agreeing to the establishment and to joining the new Accountability Board. It will strengthen the governance and accountability arrangements for SELEP and will become an important Board in reviewing information provided by local partnership boards.

## 8. Legal implications

- 8.1 The report seeks the Leader's approval of the proposed establishment of an executive joint committee for SELEP and to Medway Council joining that committee. Part VI of the Local Government Act 1972 and Part 1, Chapter 2 of the Local Government Act 2000 (as amended) makes provision for local authorities to establish joint committees. Provided that the functions to be exercised are executive functions, it is a matter for the Leader to determine the establishment of an executive Joint Committee and to agree the executive functions to be delegated to that Joint Committee.

## 9. Recommendations for the Cabinet

- 9.1 The Cabinet is asked to recommend to the Leader to approve the establishment of an executive Joint Committee called the SELEP Accountability Board and that Medway Council join that Joint Committee.

- 9.2 That the Cabinet is asked to recommend the Leader to appoint one Member to the SELEP Accountability Board (Councillor Rodney Chambers OBE with Councillor Jarrett to act as his substitute).
- 9.3 That the establishment of Kent and Medway Economic Partnership be noted.
- 9.4 That the success be noted in securing £4.4m from round 2 of the Local Growth Fund for the Rochester Airport scheme along with a £4m loan for Strood flood defences and £28.6m of transport schemes in Local Growth Fund round 1 making a total of £37 million.

A289 Four Elms	£11.1m
Chatham Town Centre	£4.0m
Medway Cycling	£2.5m
Medway City Estate	£2.0m
Strood Town Centre	£9.0m
	<u>£28.6m</u>

## **10. Recommendations for the Leader**

- 10.1 The Leader is recommended to approve the establishment of an executive Joint Committee called the SELEP Accountability Board and that Medway Council join that Joint Committee.
- 10.2 The Leader is recommended to appoint one Member to the SELEP Accountability Board (Councillor Rodney Chambers OBE with Councillor Jarrett to act as his substitute).

## **11. Suggested Reasons for Decision**

- 11.1 The recommendation is necessary in order to give approval to Medway Council accepting and joining the new Accountability Board for SELEP.

### **Lead officer contact**

Robin Cooper, Director – Regeneration Community and Culture.  
Extn. 1723                      robin.cooper@medway.gov.uk

### **Appendices**

- Appendix 1 – Essex County Council Cabinet Paper – South East Local Enterprise Partnership Delivery Review – 27 January 2015
- Appendix 2 – Terms of Reference of Kent and Medway Economic Partnership

### **Background Papers**

None

**AGENDA ITEM 6**

<b>Report to Cabinet</b>	<b>Forward Plan reference number:</b> FP/525/02/14
<b>Date of Meeting:</b> 27 January 2015	<b>County Divisions affected by the decision:</b> All Divisions
<b>Title of report:</b> <b>South East Local Enterprise Partnership – Delivery Review</b>	
<b>Report by</b> Councillor David Finch – Leader of the Council	
<b>Responsible Director:</b> Margaret Lee, Executive Director for Corporate and Customer Services.	
<b>Enquiries to</b> Terry Osborne, Director for Corporate Law and Assurance	

**Purpose of report**

- 1.1 To consider recommendations of the South East Local Enterprise Partnership's ('SELEP') Board following consideration by the Board of their recently completed Delivery Review.

**Recommendations**

- 2.1 Support the introduction by SELEP of an accountability framework.
- 2.2 Approve the establishment of an executive joint committee in partnership with Medway, Southend on Sea and Thurrock Borough Councils and East Sussex and Kent County Councils with the membership and terms of reference set out in the Appendix.
- 2.3 Authorise the Executive Director for Corporate and Customer Services to conclude a joint committee agreement with the other authorities listed in the appendix to implement the decision in 2.2.

**Background and proposal**

- 3.1 SELEP was established in 2010 as one of 39 LEPs across the country to provide '*clear vision and strategic leadership to drive sustainable private sector-led growth and job creation*' (*Local Growth: Realising every place's potential, 2010*).

- 3.2 In February 2014, the Partnership's terms of reference were amended to streamline the operation of the SELEP Board structure and embed a federal model of operation. Through the Partnership's *SELEP Growth Deal and Strategic Economic Plan* submission agreed in March, the Partnership's devolved governance arrangements were further developed. The Partnership's *SELEP Transport Assurance Framework* was then amended to reflect this model and continues to provide a sound basis for devolved approach.
- 3.3 Following the announcement of SELEP's successful £442m Growth Deal in July 2014, Irene Lucas CBE was commissioned to undertake a Delivery Review. The aim of the Review was to ensure that SELEP was fit for purpose and resourced to manage a major capital programme within its devolved structure and had the capacity to deliver both to time and budget.
- 3.4 The Review's Initial findings were presented to the SELEP Board in September 2014 and approved for consultation with all local areas, and SELEP's Accountable Body. Following this consultation a number of recommendations were presented to the SELEP Board on 12th December.
- 3.5 The recommendations presented to the Board sought to embed the Partnership's federal model and develop SELEP's delivery and operational capacity. They provide a robust framework for programme management and, by creating a new Accountability Board, free the existing Board to perform a strategic role, working seamlessly with local areas to champion growth across the SELEP area.
- 3.6 The terms of the Growth Deal award in July 2014 make clear the importance attached by H M Government to the continued development by SELEP of its corporate governance arrangements. Recent discussions with the Department for Business, Innovation and Skills have confirmed that by implementing the Delivery Review, SELEP and its federated areas will be better placed to maximise funding and obtain greater local flexibility over its management.
- 3.7 Acceptance by the county and unitary authorities of the Board's recommendations would strengthen the Partnership's Growth Deal 2 submission and enhance considerably the case to secure all Growth Deal funding annually in advance (with full programme management flexibility) rather than quarterly as currently prescribed.
- 3.8 The main recommendation of the Board, arising from the Review, is that, with the support of the unitary and county authorities, the Partnership's governance should move to an accountability framework model. This would ensure that there are robust governance processes in place and that progress in project assessment and delivery are managed transparently. It is the Board's view that such a framework would provide the accountability structure for decision making and approving bids within the overarching vision of the Board and would satisfy the accountability processes for the Accountable Body.

- 3.9 The Board noted that the Accountability Framework model as recommended above was widely agreed in principle by all areas. Accordingly, the Board resolved to recommend the unitary and county authorities to agree-
- To support the Partnership's move to an accountability framework model
  - That the accountability framework model should be led by an Accountability Board established as an executive joint committee
  - That the Accountability Board should be established by the county and unitary authorities with the membership and terms of reference set out in the Appendix.
- 3.10 The provision of spend and delivery information to Government through the SELEP Accountability Board is dependent on the provision of robust local monitoring and accountability arrangements. While it is not for SELEP to prescribe these local arrangements, it is expected that any local monitoring group or partnership will include both public and private sector representatives. Reflecting the devolved/federal model, reporting to the SELEP Accountability Board will be through the local S151 officer(s) who will need to satisfy themselves of the robustness of these local arrangements and inform the SELEP Accountability Board of this structure. Local accountability groups or partnerships will be advisory (unless established as a joint committee) to the local S151 officer(s).
- 3.11 Further consideration will be given to the development of local accountability arrangements for Essex in partnership with Thurrock and Southend Councils. Recommendations will be brought forward when proposals have been developed.
- 3.12 Under the Service Level Agreement with scheme promoters (county and unitary councils), reporting will be through an agreed performance pro-forma and RAG rating developed with the promoting county and unitary councils. The SELEP Capital Programme Manager (to be appointed) will collate and analyse local information to present to the Accountability Board working closely with SELEP's Accountable Body. Reports will recommend what, if any, action should be taken. Recognising the critical importance of timely and robust local information, it is anticipated that SELEP will provide limited financial resource to support local monitoring.

### **Policy context and Outcomes Framework**

- 4.1 SELEP is a critical strategic partner as identified by ECC's Commissioning Strategy for the Outcome in the Corporate Outcomes Framework to - 'Sustainable Economic Growth for Essex Communities and Businesses'. The strategy, which provides the framework for ECC's growth activities over the coming years, provides that jobs and housing growth (central to SELEP's own ambition) in Essex will come from a combination of:
- Growth of core employment sectors (finance and business services, construction, manufacturing, logistics and tourism);

- Growth of opportunity sectors (advanced manufacturing, low carbon and renewables, logistics, life sciences and digital and cultural);
  - Focused growth in four key growth corridors (notionally along the A120, A12, M11 and A13-A127).
- 4.2 Through the early responses from Government to the Strategic Economic Plan, manifesting in the first Growth Deal, it is clear that capital investment in infrastructure will provide the basis for growth enabling interventions. We recognise that SELEP is the route by which Government will make funding for growth available and we will therefore be working with businesses from across Essex as part of our federated area (Greater Essex Business Board) to ensure that projects and schemes are identified, prioritised, delivered and evaluated.
- 4.3 The Greater Essex Business Board will be responding to the approval of the Irene Lucas review recommendations at the 12<sup>th</sup> December SELEP board meeting and will progress the establishment of a programme management office in the first instance.

### **Financial Implications**

- 5.1. Through implementation of the recommendations from the Delivery Review it is expected that SELEP and its federated areas will be better placed to maximise Growth Deal funding and obtain greater local flexibility over its management. The formalised governance will enhance considerably the case to secure all Growth Deal funding annually in advance rather than quarterly as currently prescribed facilitating flexibility.
- 5.2. Costs associated with the running of the Accountability Board will be met from SELEP secretariat resources – it is anticipated that this will be met from within existing resources.

### **Legal Implications**

- 6.1 Sections 101 and 102 of the Local Government Act 1972 provide a general power for local authorities to form joint committees in order to discharge functions jointly with other authorities. The functions to be discharged by the Accountability Board relate to the making of loans and grants and are executive functions under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. S. 9EB of the Local Government Act 2000 authorises the Secretary of State to make regulations facilitating 1972 Act S.101 arrangements in respect of executive functions. This he did in the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (SI 2012/1019).
- 6.2 Regulation 11(6) provides that, where the functions are executive, the joint committee is to be appointed under Section 102(1) (b), and appointments to it made under S.102 (2), of the 1972 Act. Section 02 (3) allows such a committee to include co-opted members. However, Section 3 of Local



Government and Housing Act 1989 requires co-opted members to be non-voting.

- 6.3 There is no statutory inhibition on a co-opted member being appointed chairman. But a co-opted chairman will have neither a first nor a casting vote. Accordingly were there to be an equality of votes cast on an issue, there would be no mechanism for resolving this and the motion would be lost.
- 6.4 A joint committee arrangement of this type should be underpinned by the conclusion of a joint committee agreement between the partner authorities. This will cover, amongst other matter, arrangements relating to key decisions and scrutiny.

### **Staffing and Other Resource implications**

- 7.1 The Accountability Board will be a statutory executive joint committee. Its proceedings will need to meet statutory requirements relating to public meetings and published agenda and it will require the support of experienced democratic services staff. This can most appropriately be provided by the accountable body with the costs being charged to the Partnership.

### **Equality and Diversity implications**

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when ECC makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 8.3 No specific equality or diversity impacts have been identified. However robust accountability arrangements combined with the LEP's local assurance framework will ensure that the criterion for, and decisions on, funding priorities are transparent and consistent.

### **List of Appendices**

- 9.1 Appendix 1 - Draft Membership and Terms of Reference of the Accountability Board

### **List of Background Papers**

None

## APPENDIX

### **SELEP ACCOUNTABILITY BOARD**

#### **DRAFT MEMBERSHIP AND TERMS OF REFERENCE**

**The SELEP Accountability Board is an executive joint committee of the following authorities. It is constituted under S.101 and S.102 LGA 1972 and Reg. 11(6) of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (2012/1019).**

East Sussex County Council

Essex County Council

Kent County Council

Medway Borough Council

Southend on Sea Borough Council

Thurrock Borough Council

### **Membership**

9 members appointed as follows

#### **Voting Members**

1 member appointed by each of the 6 member councils (6)

#### **Non-voting Co-opted members**

A business Vice Chairman of the SELEP Strategic Board appointed by the Strategic Board

One member appointed by the Accountability Board on the nomination of the higher education sector (1)

One member appointed by the Accountability Board on the nomination of the further education sector (1)

### **Chairman**

The business Vice Chairman of the SELEP Strategic Board appointed to the Accountability Board shall be the Chairman of the Accountability Board.

## **Quorum**

One third of the members including at least two voting members

## **Terms of Reference**

Within the Partnership's Growth Deal and Strategic Economic Plan and such other plans as may be approved by the Strategic Board, the Accountability Board will be responsible for the implementation of the Partnership's Accountability and Assurance framework and all processes by which bids are assessed, risks considered, approvals made and performance managed including

- Appraisals and approvals, including those of grants and loans, in accordance with Board recommendations
- Monitoring project assessment and delivery
- Ensuring accountability from each of the federated areas relating to expenditure and programme delivery
- Approving variations to schemes
- Quarterly performance reporting on an exceptions basis to the Strategic Board
- Reporting on progress to central government
- Any other accountability or assurance function required by central government or recommended by the Partnership's auditors or the Chief Finance Officer of the Partnership's accountable body,

The Accountability Board will be advised by the Accountable Body's chief finance officer.

## Kent and Medway Economic Partnership

### TERMS OF REFERENCE

Revised March 2015

---

#### 1. Purpose

- 1.1. This document sets out the terms of reference for the Kent and Medway Economic Partnership.

#### 2. Aims and functions of the Kent and Medway Economic Partnership

- 2.1. The Kent and Medway Economic Partnership (KMEP) is a private-public body which aims to drive forward economic growth and prosperity in Kent and Medway.
- 2.2. In pursuit of these aims, the Partnership shall:
- a) Approve, drive forward and monitor a strategic economic plan for Kent and Medway;
  - b) Consider strategic economic investment priorities through funds such as the Single Local Growth Fund, European structural and investment funds and other public funding sources that may become available;
  - c) Consider and develop responses to new economic opportunities and challenges in Kent and Medway;
  - d) Maintain strategic oversight of the use of all funding devolved from the South East Local Enterprise Partnership to Kent and Medway;
  - e) Ensure a strong voice for Kent and Medway business and government at national and regional level, including through the South East LEP.

#### 3. Governance

- 3.1. The Partnership shall be governed by a **Partnership Board**, which shall fulfil the functions set out in para. 2.2.

#### 4. Membership of the Partnership Board

- 4.1. The Board shall consist of 20 members, as follows:
- Business representatives (10)
  - The Leader of Kent County Council (1)

- The Leader of Medway Council (1)
- Leaders of Kent District Councils (6)
- Higher education representative (1)
- Further education representative (1)

4.2. The Board shall seek to ensure a balanced representation of businesses and local authorities, reflecting Kent and Medway's geography and the diversity of its business base (by size and scale).

4.3. Should a Board member be unable to attend a Board meeting, s/he may nominate an Alternate to take his/her place. In such cases, the Board member should notify the Chairman in advance, via the Secretariat.

4.4. Members may resign from the Board by giving no less than 20 working days' notice to the Chairman and Secretariat. Should a member resign, s/he shall be replaced according to the balance of representation in 5.1.

## **5. Quorum**

5.1. The quorum of the Board shall be 12 of which no fewer than 6 shall be business representatives.

5.2. Should a Board meeting not be quorate, the Chairman may arrange a Special Meeting of the Board to deal with outstanding business, or may allow business to adjourn to the following ordinary Board meeting, or may allow Board members to convey their views electronically to all the other Board members via the Secretariat.

## **6. Chairman**

6.1. The Board shall elect a Chairman through the process outlined in Section 11. The Chairman shall serve as both Chairman of the Board and Chairman of the Partnership.

6.2. The Board may also elect a Vice-Chairman.

6.3. Both the Chairman and the Vice-Chairman shall be business representatives.

6.4. The Chairman shall preside at meetings of the Board. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of the Chairman and the Vice-Chairman, the Board shall elect any Member of the Board to act as Chairman for that meeting only.

## **7. Other participants**

7.1. With the prior agreement of the Chairman, Other Participants may attend meetings of the Board. Other Participants may include representatives of agencies with a significant economic

role, such as (*inter alia*) the Environment Agency, the Homes and Communities Agency or the Skills Funding Agency.

- 7.2. Other Participants may, at the discretion of the Chairman, participate in discussion (subject to the Conflicts of Interest procedure set out in 8 below. However, they shall not be considered to be members of the Board.
- 7.3. Officers shall also attend Board meetings where they are presenting papers or other information for the Board's consideration.

## **8. Conflicts of interest**

- 8.1. A Register of Interests shall be held by the Secretariat. Members shall be responsible for ensuring that the Secretariat is informed of any changes that should be made to the Register of Interests. The Register will be available for public scrutiny.
- 8.2. Should a Board Member become aware that s/he has any interest, direct or indirect, in any matter being considered by the Board, then s/he shall: -
  - (a) disclose the interest to the meeting and not take part in any consideration or discussion of the matter or vote in any questions with respect to it; and
  - (b) unless the meeting invites him/her to remain, withdraw from the meeting.
- 8.3. The rules in 8.2 apply whether or not the interest concerned is already set out in the Register of Interests.
- 8.4. However, the rule in 8.2 above does not apply where the interest concerned relates primarily to the general interest of any public sector Member in his/her area of geographical responsibility, or to the interests of Kent and Medway as a whole.
- 8.5. The rules in 8.2 also apply to any Non-Voting Participant, save that Non-Voting Participants do not have voting rights.

## **9. Secretariat, minutes and agenda-setting**

- 9.1. The Secretariat of the Board and the Partnership shall be carried out by Kent County Council.
- 9.2. In exercising this function, the Secretariat shall work with a KMEP **Joint Management Group (JMG)**. The JMG shall consist of chief executives (or other senior officers as delegated) from Kent County Council, Medway Council and at least six District Councils, and shall consider both forthcoming agenda items and the strategic monitoring of actions determined by the Board.
- 9.3. The agenda for the Board meeting shall be agreed by the Chairman prior to circulation.
- 9.4. The agenda and papers for the Board meetings shall be circulated to the Board by the Secretariat not less than five working days before each Board meeting.

- 9.5. Draft minutes of meetings of the Board shall be prepared by the Secretariat and circulated to Board Members within 10 working days after each Board meeting.
- 9.6. Draft minutes shall be approved by the following meeting of the Board. Once approved, they shall be made publicly available (see Transparency, section 11).

## **10. Making recommendations**

- 10.1. The Board does not have delegated authority to make decisions regarding the use of public funds. However, the Board may provide a strategic partnership view on priorities for, or the use of, public funds and may make recommendations to local and central government and their agents.
- 10.2. In considering priorities and performance and in making recommendations, the Board shall at all times aim to reach consensus. Where consensus is not possible, the Board may set out majority and minority opinions.

## **11. Voting**

- 11.1. The Board may vote on the following matters:
  - a) Variation to the Terms of Reference of the Partnership and Board;
  - b) Election of the Chairman or Vice-Chairman;
  - c) Termination of the Partnership and Board
- 11.2. Determination of these matters shall require the support of at least 75% of Board members present.

## **12. Sub-groups**

- 12.1. The Board may from time to time establish sub-groups. In such circumstances, the terms of reference for any sub-group shall be approved by the Board.

## **13. Transparency**

- 13.1. The Board shall seek to operate in an open and transparent manner.
- 13.2. Meetings of the Board shall be open to the public and notification of future meetings shall be publicised via the KMEP website (and those of partner organisations as appropriate).
- 13.3. Following approval by the Board, minutes shall also be made publicly available via the websites of KMEP (and those of partner organisations as appropriate).
- 13.4. The Freedom of Information Act 2000 shall apply to Board papers and to records of the Board's discussions.



#### **14. Annual Report and Annual General Meeting**

14.1. The Board shall consider and approve an Annual Report, setting out the activities and membership of the Partnership and the Board over the course of the year, and its anticipated focus for the year ahead. This shall be publicly available and disseminated widely.

14.2. In addition, the Partnership shall hold an Annual General Meeting, reporting on the Partnership's activities over the course of the year.

#### **15. Frequency of Board meetings**

15.1. The Partnership Board shall meet at least 4 times per year. It may meet more frequently if business needs dictate, at the discretion of the Chairman.

15.2. Board meetings shall be scheduled and located in such a way that the business of the Board can be expedited efficiently.

#### **16. Termination**

16.1. The Board may decide to terminate the activities of the Board and Partnership, subject to the provisions in para. 10.4.

#### **17. Indemnity**

17.1. Unless otherwise indemnified by the organisations of which they are representatives, Kent County Council shall indemnify the members of the Board in respect of all decisions made by the Board.

#### **18. Variation to Terms of Reference**

18.1. The Board may decide to vary its Terms of Reference, provided the procedure in Section 11 is followed.

Approved by the Board of the Kent and Medway Economic Partnership

23 March 2015