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| Subject: | Greater Brighton Economic Board – Admission of New Member to the Board | | |
| Date of Meeting: | 14 December 2017 30 November 2017 – Policy, Resources & Growth Committee | | |
| Report of: | Executive Director for Economy Environment & Culture | | |
| Contact Officer: | Name: | Andy Hill | Tel: 01273 291873 |
| | Email: | andy.hill@brighton-hove.gov.uk | |
| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks approval from the Policy, Resources & Growth Committee and Full Council to enable Crawley Borough Council to become a member of the Greater Brighton Economic Board (“the Board”). Each local authority member of the joint committee is seeking equivalent approvals from their decision-making bodies to enable Crawley Borough Council to become a member.
- 1.2 An invitation for Gatwick Airport Limited was issued on 21 June 2017 and agreement was received on 4 July 2017.
- 1.3 On 18 October 2017 a Council decision was made Crawley Borough Council to join the Board.
- 1.4 The Board comprises a concurrent meeting of the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities are represented; and the Greater Brighton Business Partnership (“GBBP”), on which business and education groups are represented.

2. RECOMMENDATIONS:*That the Policy, Resources & Growth Committee:*

- 2.1 Recommends to Full Council on 14 December 2017 that Crawley Borough Council joins the GBEJC and that Gatwick Airport Ltd join the GBBP.
- 2.2 Notes that these changes to the membership are dependent on the decision of Full Council, all the local authorities represented on the Board agreeing that the new members be appointed, and the Board taking a formal decision that the new members are appointed.
- 2.3 Recommends to Full Council that it agrees to amend the Board’s Heads of Terms and that it instructs the Monitoring Officer to amend the Council’s

constitution to reflect these amendments once they have been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

That Full Council:

- 2.1 Agrees that Crawley Borough Council joins the GBEJC and that Gatwick Airport Ltd join the GBBP.
- 2.2 Notes that these changes to the membership are dependent on all the local authorities represented on the Board agreeing that the new members be appointed, and the Board taking a formal decision that the new members are appointed.
- 2.3 Agrees to amend the Board's Heads of Terms and instructs the Monitoring Officer to amend the Council's constitution to reflect these amendments once they have been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Greater Brighton Economic Board was founded in April 2014 as part of the Greater Brighton City Region's City Deal with Government.
- 3.2 The Board comprises the Greater Brighton Economic Joint Committee ("GBEJC"), on which the local authorities are represented; and the Greater Brighton Business Partnership ("GBBP"), on which the Cost to Capital Local Enterprise Partnership, business, university and further education sectors, and South Downs National Park Authority are represented. Meetings of the Board compromise concurrent meetings of GBEJC and GBBP.
- 3.3 The following bodies are members of the Board:
 - i. Brighton & Hove City Council
 - ii. Adur District Council
 - iii. Worthing Borough Council
 - iv. Lewes District Council
 - v. Mid-Sussex District Council
 - vi. University of Sussex
 - vii. University of Brighton
 - viii. Further Education Representative
 - ix. Coast to Capital Local Enterprise Partnership
 - x. Brighton & Hove Economic Partnership
 - xi. Adur & Worthing Business Partnership
 - xii. Coastal West Sussex Partnership
 - xiii. South Downs National Park Authority
- 3.4 GBEJC comprises the bodies specified in paragraphs 3.3(i) to (v); and GBBP comprises the bodies specified in paragraphs 3.3(vi) to (xiii).
- 3.5 The functions of the Board are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the Region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work streams enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes.

3.6 Working in partnership, the Greater Brighton City Region has brought significant benefits to the partner Local Authorities and agencies. Together the partnership has secured around £150m of Growth Deal funding held by the Coast to Capital Local Enterprise Partnership.

3.7 The London-Gatwick-Brighton Growth Corridor has been recognised as one of nine corridors in England that have been at the heart of growth over the last decade¹ and are likely to maintain a pivotal role in shaping growth in the future. The Corridor, which stretches along the Brighton Main Line and M23/A23 routes, creates key strategic linkages between Crawley, Gatwick and Brighton & Hove – the benefits of which will cascade across the City Region. The inclusion of Crawley Borough Council and Gatwick Airport Limited on the Greater Brighton Economic Board presents the following related opportunities:

3.7.1 Enabling Greater Brighton to clearly articulate how the City Region economy can benefit from both its links to the M23/A23 Corridor and to London.

3.7.2 Strengthening Greater Brighton's voice to Government:

- Bringing together two of the Coast to Capital Local Enterprise Partnership's economic 'power houses'. Crawley and Brighton & Hove generate over £4.5bn and £6.7bn GVA respectively. The City Region has a current combined GVA of just over £19bn (all GVA data is from 2014).
- Crawley is home to 110,900 people. The City Region has a current combined population of just over 700,000. The new population total, of just under 811,000 people, would increase the scale and profile of Greater Brighton.
- Similarly, Crawley is home to over 3,000 active businesses – including Gatwick Airport Limited. There are currently just over 35,000 active business units in the City Region.

¹ <http://www.grantthornton.co.uk/globalassets/1.-member-firms/united-kingdom/pdf/publication/2014/where-growth-happens-the-high-growth-index-of-places.pdf>

- Gatwick is one of the South East's most high profile and important anchor businesses. It has 24,000 direct employees (and 13,000 indirect employees) from across the region. It is a major investor in growth – having invested £1.3bn since 2009 with plans to invest a further £1.2bn before 2021 – and attractor for inward investment, providing access to markets for business as well as supporting the ongoing growth of tourism. The inclusion of an international airport within the City Region will bring Greater Brighton's profile in line other City Region's that are high on Government's radar – Manchester, Birmingham and Newcastle.

3.7.3 Enabling joint-work on strategic priorities, including;

- Articulating the economic case for continued investment in infrastructure, with an immediate focus on influencing investment in the Brighton Main Line.
- Developing a proactive Inward Investment and Trade strategy (encompassing supply chain development), working with the Department for International Trade and the Coast to Capital Local Enterprise Partnership. Strengthened links to London, coupled with an international airport, would increase investor confidence in Greater Brighton. Gatwick has Europe's fastest growing long haul network, now servicing more than 50 long haul destinations. It plays an important role in supply chain development – £74m of Gatwick's expenditure is already with local businesses.
- Supporting the work of the West Sussex and Greater Brighton Strategic Planning Board in developing the Local Strategic Statement 3; a process to support better integration and alignment of strategic spatial and investment priorities and deliver a spatial framework for the area that brings together in one place the housing and employment space required over the next ten years linked to the long term strategic infrastructure and other transport plans.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 An alternative would be for the membership to remain as it is currently, but for the reasons outlined in 3.7.1-3.7.3 this is not recommended.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 None required.

6. CONCLUSION

- 6.1 The Policy, Resources & Growth Committee is asked to recommend to Full Council that Crawley Borough Council joins the GBEJC, Gatwick Airport Ltd joins the GBBP, and to accept the other recommendations outlined in this report.
- 6.2 Full Council is asked to agree that Crawley Borough Council join the GBEJC, Gatwick Airport joins the GBBP, and to accept the other recommendations outlined in this report.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 It is proposed that given Crawley Borough Council and Gatwick Airport Ltd will not be fully ratified as Board members until February 2018, the Board will not seek financial contributions from Crawley or Gatwick Airport for the 2017/18 financial year. Contributions will be sought from Crawley and Gatwick for the financial years following ratification in accordance with the methodology used to calculate the contributions from current members.

Finance Officer Consulted: Rob Allen

Date: 02/11/17

Legal Implications:

- 7.2 The GBEJC is a joint committee established pursuant to section 102 of the Local Government Act 1972. The Local Government Act 1972 and The Local Authorities Arrangements for the Discharge of Functions (England) Regulations 2012 require the constituent authorities of a joint committee to decide the membership of that committee and it is therefore necessary for each of the local authority members of the Board to decide that Crawley Borough Council should become a member of GBEJC.
- 7.3 This decision to alter the membership of the joint committee is one which must be taken by Full Council by virtue of section 102 of the Local Government Act 1972.
- 7.4 Policy, Resources & Growth have authority under Article 13 of the constitution to amend the terms of reference of a joint committee and the Policy, Resources & Growth Committee is therefore asked to approve the proposed amendments to the Heads of Terms, subject to the decisions of all the constituent authorities and a decision by the Board to admit Crawley Borough Council and Gatwick Airport Ltd.

Lawyer Consulted: Alice Rowland

Date: 07/09//17

Equalities Implications:

- 7.5 None

Sustainability Implications:

- 7.6 None

Any Other Significant Implications:

- 7.7 None

SUPPORTING DOCUMENTATION

Appendices:

1. Heads of Terms for Greater Brighton Economic Board

Documents in Members' Rooms

1. None

Background Documents

1. None

Heads of Terms, Greater Brighton Economic Board

1. Establishment, Purpose and Form

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

2. Interpretation

2.1. In these Heads of Terms –

- i. 'Commencement Date' means 1st April 2014.
- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council, Mid Sussex District Council and Crawley Borough Council as lie within the Coast to Capital Local Enterprise Partnership area; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
 - Employment and skills;
 - Infrastructure and transport
 - Housing;
 - Utilisation of property assets;
 - Strategic planning;
 - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

3. Functions

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

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

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

incurred unless due authority has been given by each body represented on the Board.

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

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

4. Reporting and Accountability

4.1. The Board shall submit an annual report to each of the bodies represented on the Board.

4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.

4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

5. Membership

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

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. Crawley Borough Council
- vii. University of Sussex
- viii. University of Brighton
- ix. Further Education Representative
- x. Coast to Capital Local Enterprise Partnership
- xi. Brighton & Hove Economic Partnership
- xii. Adur & Worthing Business Partnership
- xiii. Coastal West Sussex Partnership
- xiv. South Downs National Park Authority
- xv. Gatwick Airport Ltd

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

- 5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person, save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).
- 5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.
- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

6. Chair

- 6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. Following GBEJC's first year in operation, its Chair shall rotate annually between its members, with the new Chair being appointed at the first meeting of the Board in the new municipal year.
- 6.5. GBEJC shall decide the order in which their members shall chair that body.

7. Voting

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

7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.

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

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

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

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

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

8. Review of decision

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

- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was to agree the recommendation.
- ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

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

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

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

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

9. Substitution

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

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

10. Quorum

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

10.2. Quorum for GBEJC meetings shall be three member bodies.

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

11. Time and Venue of Meetings

11.1. Ordinary meetings of the Board shall be convened by the lead authority and normally take place in the geographical area of that authority.

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

12. Administrative, financial and legal support

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

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

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

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

13. Memorandum of Understanding

- 13.1. Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.
- 13.2. The memorandum may, in particular, provide for –
- i. Arrangements as to the financial contributions by each member towards the work of the Board, including:
 - a The process by which total financial contributions are calculated;
 - b The process for determining the contribution to be paid by each member;
 - c The dates on which contribution are payable;
 - d How the Accountable Body shall administer and account for such contributions;
 - ii. Functions of the Accountable Body; and
 - iii. The terms of reference for the Greater Brighton Officer Programme Board.

14. Review and Variation of Heads of Terms

- 14.1. The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.
- 14.2. These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.

