

York & North Yorkshire LEP – Infrastructure & Joint Assets Board
Terms of Reference

Part A – Infrastructure Programme Board

1. Role of the Board

The Infrastructure Programme Board (IPB) is established as part of the York & North Yorkshire Local Enterprise Partnership governance structure set out in the approved Assurance Framework. The primary purpose being to provide improved accountability for funding and delivery of the York & North Yorkshire Local Enterprise Partnership's (Y&NY LEP) infrastructure agenda. It achieves this by:

- Providing the strategic leadership, approval and performance management of the Infrastructure Programme (SEP Priorities 4 and 5) Influencing decisions by giving advice on infrastructure matters such as priorities, policy and strategy;
- Prioritising and approving individual investment and ensuring delivery in accordance with the Strategic Economic Plan (SEP);
- Advising on the allocation of resources to ensure the delivery of the infrastructure priorities set out within the LEPs Strategic Economic Plan (SEP).

2. Ways of working

2.1 Task and Finish Groups

The IPB will convene Task and Finish Groups as required for delivering specific objectives. However, for efficiency, before commissioning any Group the possibility of utilising resources and feedback from existing groups must be explored. Each Task Group will have an elected Chair who need not be a member of the IBP although at least one IBP Member is expected to be a member. These Task Groups will make recommendations to the IPB; they cannot make decisions on behalf of the IPB. The Task and Finish Groups will follow the same procedures as the IBP other than voting rules and directives. The IPB will be convened for interim or extraordinary meetings where required in order to provide the necessary Governance for key decision making.

2.2 Collaborative Learning

A collaborative learning approach will be used wherever possible, e.g. such as by inviting guest speakers.

2.3 Making Decisions and Recommendations

- The Chair shall preside during IPB meetings; in the Chairs absence the Vice-Chair will preside. If both Chair and Vice-Chair are absent then the Members present will select a temporary Chair for the duration of the meeting.

- Decisions shall be taken on the basis of consensus otherwise by majority vote. In the event of a tied vote the Chair shall exercise a casting vote. No decisions shall be taken by the IPB except those made during a duly-constituted meeting.
- Observers and guests may only attend only with the Chair's prior approval and with a non-voting capacity.

2.4 Financial Responsibilities

The IPB has no financial responsibility and shall not enter into contracts.

3. **Membership**

(a) Scope of Membership

Membership is made up of an elected Member from each of the LEP area Local Authorities, a Member representing the two National Park Authorities and a representative from the main LEP Board.

Representatives from other expert Bodies may be invited but as non-voting participants.

(b) Composition of Membership

LEP Board (x1), Craven District Council (x1), Hambleton District Council (x1), Harrogate Borough Council (x1), Richmondshire District Council (x1), Ryedale District Council (x1), Scarborough Borough Council (x1), Selby District Council (x1), North Yorkshire County Council (x1), City of York Council (x1), North York Moors and Yorkshire Dales National Parks (x1).

(c) Appointment of Members

Members of the Infrastructure Board will be appointed by the individual Local Authorities. The LEP Board representative shall be appointed by the LEP Board.

IPB Members can appoint substitutes to cover their absence from meetings.

(d) Appointment of Chair and Vice-Chair

- The Chair will be a private sector member appointed by the LEP Board.
- The appointment of a Vice-Chair will be made on the majority vote of the IPB. The term of the Vice-Chair is for up to three years. However, the Vice-Chair may be re-elected. The Vice Chair need not be a member of the main LEP Board.

4. **Accountability**

The Y&NY LEP is a voluntary association having no statutory power or responsibilities. However, public funds are made available to the Y&NY LEP at

the direction of the Accountable Body. The processes and procedures by which the Y&NY LEP conducts its business need to be robust in order to safeguard public interests.

Responsibilities of the Infrastructure Board

- Report into the main Local Enterprise Partnership Board at agreed intervals.
- Have overall strategic responsibility for Place and Connectivity activities throughout the Local Enterprise Partnership area.
- Abide by the LEP Assurance Framework.
- Observe the highest standards of propriety, impartiality, integrity and objectivity in relation to stewardship of any public funds.
- Comply with the principles of the Citizen's Charter and the Code of Practice on Access to Government Information.
- Be accountable to Government and users of LEP services
- Maximise value for money by ensuring that services are delivered in the most efficient and economical way.
- Establish the overall strategic direction within the policy and resources agreed with Government.
- Oversee the delivery of outcomes by monitoring performance against agreed strategic objectives.
- Appoint Task & Finish Groups with clear terms of reference as required.
- Approve the Infrastructure Delivery Plan.

Responsibilities of Members

- Report back to their own organisation/partners about decisions and activities whenever required.
- Ensure compliancy with any statutory or administrative requirements for the use of public funds.
- Ensure the IPB operates good practice with environmental policies.
- Ensure that high standards of corporate governance are observed at all times.
- Ensure that any guidance issued by Government is taken into account with Board decisions.
- Ensure that the IPB operates within the limits of its authority.
- Ensure the highest standards of propriety with decision-making.
- Respond to meeting requests and confirming whether or not will attend.

5. Governance

Quorum – the minimum number of members in attendance must be at least one third of the total membership, but not less than 4. The quorum for each meeting will be clearly marked on the agenda for reference. If a meeting becomes inquorate whilst in progress then the Chair will adjourn and no business will be transacted until a quorum is reached.

6. Frequency and support of the Board Meetings

Organising and the management of meetings

- The IPB meetings will be organised by the LEP secretariat.
- A record of all meetings will be taken by the LEP secretariat in the form of minutes. Minutes will be distributed to Members and a copy retained on file.
- Notification of each meeting will be given at least 5 clear working days in advance to each Member specifying date and venue.
- Agendas and supporting documentation will be distributed 5 clear working days in advance of each meeting electronically.
- Any IPB Member may request an item of business to be placed on the SEB meeting agenda by forwarding to the LEP secretariat not less than 14-days in advance of the meeting. The LEP Head of Delivery, in collaboration with the Chair will prioritise and set agendas.
- Minutes will be approved as an accurate record or amended during the following meeting. Any revised minutes shall be sent to each IPB Member.
- The frequency of meetings will be reviewed annually and dates agreed by the IPB.
- Subject to the Chair's approval, Non-Members may be invited to attend meetings as guests.

Extraordinary meetings

- When required the Chair or Vice-Chair can convene extraordinary meetings to meet operational needs subject to relevant notice periods detailed above.

7. Sharing of information (including confidential materials) and resources

- The Local Enterprise Partnership secretariat will be responsible for the sharing of information and resources with the LEP Board.
- Any confidential or copyrighted materials will be handled and marked-up appropriately.
- Agendas, reports and other documents related to Meetings of the IPB will be made available to the public unless marked as exempt and indicated as not being for publication.

8. Ethical Walls, Conflict of Interest and Quality Assurance

- Ethical Walls protocol is being devised to cover all LEP activities. IPB Members must declare any interests they have with any agenda item prior to any discussion taking place and preferably before the meeting. The Board will decide on appropriate steps on an individual basis. Because the necessity for having Ethical Walls is essential it will feature at the beginning of all agendas to serve as a reminder to members.

- IPB Members will adhere to the Seven Principles of Public Life (Nolan Principles): Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; Leadership.
- IPB Members will not use information gained in the course of their public service for personal gain or for political purposes; nor seek to use the opportunity from public services to promote their private interests or those of connected persons, firms, businesses or other organisations.
- IPB Members will not make public any information which is confidential except when required and legally permitted to do so.
- The IPB and its Members will follow relevant processes and procedures that are set out in the Y&NY LEP Assurance Framework.

9. Definition of terms

- Task And Finish Group - This is an ad hoc group appointed by majority vote of the Board consisting of at least one Board Member and such other persons as the Board may determine.
- Accountable Body - The Accountable Body is North Yorkshire County Council (NYCC) under which the Y&NY Local Enterprise operates.

Part B – Joint Public Assets Board

Background

- The Local Authorities within YNYER have formed a Joint Public Assets Board with the HCA to influence asset disposal and investment in a way that supports the growth of the YNYER economy. The JPAB role is undertaken by the LEP Infrastructure Programme Board, where all YNYER local authorities are represented, with addition of the Homes and Communities Agency and the Chair of the YNYER Housing Board. The Board is known as the Infrastructure and Joint Assets Board.
- The Board's primary aim is to achieve a more integrated approach to how the public sector uses its assets in YNYER, to support economic growth and deliver better value for public money.
- It is not intended that the HCA or local authorities or other public sector partners delegate ownership decisions on their existing assets to the Board. Sovereignty over use of assets remains with the owner.

2. Role

- The Board's primary aim is to achieve a more integrated approach to how the public sector uses its assets in YNYER to support economic growth and deliver better value for money.
- Identify and consider the reuse and investment in strategic land and assets within YNYER
- Influence policy and strategy for housing and regeneration within YNYER.
- Influence the defining of priorities and development of a pipeline of projects to promote and deliver housing growth and regeneration within YNYER.
- Support the alignment of housing and regeneration investment across YNYER by the LEP, HCA, local authorities and other public sector partners and the private sector.
- Maintain and keep up to date databases of relevant YNYER information including on surplus land and assets, brownfield land, housing stock, and other housing and regeneration related data.
- Support the value enhancement and promotion of Government and publicly owned assets in YNYER, taking a central role in shaping the policy and influencing decisions on the disposal and reinvestment of these assets to maximise impact on economic and housing growth.
- Develop and oversee a pipeline of publically owned assets / sites across YNYER - ensuring early visibility of proposed disposal routes amongst all partners engaged in the work of the Board.
- Support the public sector partners in working together to explore and promote the benefits that can be gained by considering their respective assets in the locality as a single asset base/ balanced programme; set up a governance structure that will underpin this partnership

3. Focus

The Board's initial focus following its January 2017 establishment is on assets controlled by / under the management of the HCA and local authorities, except where major opportunities arise to redevelop publicly owned land and assets in

YNYER. Over time, the Board to widen its remit to influence use of the assets/ land of other publicly owned land, including Government departments.

The Board will be the place for discussions and agreement on a range of inter-related factors, including:

- Supporting the growth agenda and housing targets, in line with LEP and Housing Board strategy for YNYER and HCA initiatives
- The role of the Board in future transformational projects
- Opportunities to align local and national activity more closely, including delivery of HCA programmes and funding streams
- A more open and transparent approach to understanding the disposal pipeline, including the use of a common database of sites across local and national partners operating in YNYER
- Financial flexibilities – such as deferred receipts
- Adding value to assets (e.g. via the planning process) which can then be retained locally
- Joint management of risk and reward

There is potential for the Board to become engaged in a YNYER-wide ‘One Public Estate’ Programme, subject to the approval of national and local partners. In advance of that, the Board will support partner local authorities who wish to continue/ pursue a ‘One Public Estate’ approach - with the disposal of any national assets resulting from this approach falling within the scope of this Board.

4. Objectives

Objectives stated for the Board can be summarised as:

1. Achieve a considerably more integrated approach to management of assets across the public estate
2. Improve release of property and land to accelerate growth and economic regeneration and achieve value realisation from the public estate
3. Support delivery of the housing and regeneration ambitions and targets set out in Local Plans, the Housing Strategy and Strategic Economic Plan for YNYER
4. Work in partnership with the YNYER Housing Board to deliver more homes and meet housing needs
5. Seek use of public assets to lever in other public and private sector investment
6. Increasing the efficient use of space to enable the public sector to lower its property running costs, achieve cost reductions and carbon reduction
7. Improved customer access quality, organisational communication and working dynamics by bringing together uses in the same property

5. Activities

The Board (and its individual members) will work towards a joint strategic approach to:

- Agree a typology of assets to be included for consideration by the Board

- Develop and oversee a pipeline of publically owned assets/ sites across YNYER - ensuring early visibility of proposed disposal routes amongst all partners engaged in the work of the Board
- Raise awareness of the Board, act as ambassadors for the Board's work and ensure that the identified priorities of the Board are reflected in the property related strategies and policies of the organisation they represent on the Board
- Build trust and improve working relationships for the benefit of all partners
- Ensure the availability of accurate, reliable and up-to-date data on property / land assets in order to inform asset management and capital investment decisions.
- Simplify the means by which assets can be shared between partners
- Align opportunities to maximise the combined potential of assets
- Monitor and receive progress reports for individual projects
- Seek to act as arbiter in situations where there are competing demands

6. Focus areas

Areas for the focus of activity are identified as:

(a) Strategic priorities

- Work with other public sector partners, including relevant Government Departments and local agencies, to maximise the value and outputs of the Board
- Create economic benefit and delivery of housing, employment and investment from the management, use and disposal of public land
- Support increased delivery of housing targets and the meeting of housing needs in conjunction with the YNYER Housing Board

(b) Development opportunities

- Seek release of land for economic growth, housing and community benefit, use of assets to lever in other public and private sector investment and generation of added value and operational efficiencies by co-locating services

(c) Asset Management

- Develop a network of public sector land owners to encourage cooperation in meeting strategic and operational objectives, in particular the delivery of housing and growth targets for YNYER.

(d) Mapping, typology and pipeline development

- Develop openness and visibility of the details of assets held by the public sector partners.
- Develop an understanding of how all public sector assets within YNYER are held, used and can assist strategies for growth and investment.

7. Constitution

As per the Terms of Reference for the LEP Infrastructure Programme Board, except:

(a) Board Membership

Only members of the Board have the right to attend Board meetings. However, other individuals such as external or technical advisers may attend for all or any part of a meeting, as and when appropriate/necessary. If a vote

on a decision is required, only formal Board Members shall be able to exercise a vote.

If a Member is unable to attend a meeting due to absence, illness or any other cause, they can nominate a substitute to attend in their place.

Initial membership of the Board consists of the LEP Infrastructure Programme Board and a representative of the Homes and Communities Agency, together with the Chair of the YNYER Housing Board. Other public sector partners may be invited to join the Board on a formal full or part-time basis by agreement of the Board, or on an informal occasional basis in relation to appropriate items for consideration.

(b) Governance Arrangements and Decision Making

Organisations do not delegate decisions on the ownership and use of their assets to the Board. The Board is established as a local strategic assets forum. Formal decision making on specific property assets and transactions affecting them remains with the party who owns the interest in question.

The Board will seek to influence the disposal of surplus Government assets, including land ownership options to support growth.

Within the existing YNYER Governance structure, this Board will report to Local Government North Yorkshire and York and to the YNYER LEP Board.

Depending on the focus and desired outcome, individual projects and interventions can be delegated to the YNYER Chief Executives Group, YNYER Directors of Development, LEP Performance Group or the YNYER Housing Board.

Recommendations regarding strategic housing and regeneration policy and strategy in YNYER will be reported to the LEP Board / Housing Board / LGNY as appropriate for decision. Recommendations relating to investments by the Homes and Communities Agency will be reported to the HCA Board for decision.

(c) Appointment of Chair and Vice Chair

The Board shall nominate a Chair and Vice Chair from amongst its membership.

(d) Quorum

The quorum necessary for the transaction of business shall be 5, including the Chair or Vice Chair. A duly convened meeting of the Board at which a quorum is present shall be competent to exercise all or any of the powers or take any decision that would be available to the full Board, except that full Board approval is required to any changes in the constitution of the Board.

(e) Revisions to Terms of Reference

The Board may agree revisions to these terms of reference as it considers appropriate. It will not agree changes which require agreement by member

organisations except where prior agreement from those member organisations has been obtained.

(f) Board Members Liabilities

There is nothing in these terms of reference that is intended to create personal liabilities for Board Members individually or collectively.

(g) Frequency of Meetings

As per the Terms of Reference for the LEP Infrastructure Programme Board.

(h) Confidentiality/ Declarations of Interest

Information received and discussed by the Board must be treated as confidential in so far as the Freedom of Information acts permit.

Each member on the Board will register any potential conflicts of interest at the point of appointment/ re-appointment. It is the responsibility of Board members to inform the Chair of any changes to interests which may need be declared during a Board Members term of office.

TEMPLATE A

TASK AND FINISH GROUP – <TITLE>

1. Purpose:

- <details>;
- The Group will report quarterly to the Business Board on its progress.

2. Objectives:

The key objectives of the Group are to ensure:

- <objective 1>;
- <objective 2>;
- <objective 3>;
- <objective 4>;
- <objective 5>.

3. Additional:

- <additional 1>;
- <additional 2>;
- <additional 3>;
- <additional 4>;
- <additional 5>.

4. Members:

5. Active term of Group:

From: To: (then to be reviewed)

6. Meeting frequency:

E.g. Bi Monthly