

REPORT OF: **HOUSING, HEALTH AND ENGINEERING SERVICES
MANAGER**

TO: **NELSON TOWN DEAL BOARD**

DATES: **4th February 2022**

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**ANNUAL MEETING –
REVIEW OF BOARD MEMBERSHIP AND TERMS OF REFERENCE &
OPERATING PRINCIPLES**

PURPOSE OF REPORT

To review and agree the membership of the Town Deal Board and its Terms of Reference and Operating Principles.

RECOMMENDATIONS

That the Board consider the updated Terms of Reference and Operating Principles and:

1. Approve the updates to the functions and responsibilities of the Board,
2. Approve the Board membership, representation and appointments,
3. Confirm the appointment of officers.

REASONS FOR RECOMMENDATION

1. To agree the Nelson Town Deal Board Terms of Reference and Operating Principles for the next 12 months.

ISSUE

Background

1. The current Terms of Reference and Operating Principles for the Board state that an Annual Meeting should take place in February each year.
2. At this meeting the Terms of Reference and Operating Principles should be reviewed. These are attached at Appendix 1.

Updates to Terms of Reference and Operating Principles

3. A number of minor updates and changes are proposed and highlighted relating to the Board's functions and responsibilities, its membership and the appointment of officers. The changes reflect the current position of the Board in the Town Deal process and the support provided by the Council.

Board membership

4. The Terms of Reference also state that the Membership of the Board will be for an initial two year period from January 2020 and that all members of the Board, including the Chair and Vice-Chair, will be appointed or re-appointed at the next meeting after 1 February 2022 and subsequently every two years.
5. The current board offers a strong, cross community/sectoral representation. The existing members have helped to develop the plan and the vision which the Town Deal seeks to deliver from the outset. Given that Nelson is at a key stage in the Town Deal process, it is proposed that the existing membership remains unchanged, although members are free to stand down should they chose.
6. The Board may wish to consider whether its membership should be widened to include any additional representatives as it progresses into Stage 2 of the Town Deal process. The Board previously discussed boosting representation from the retail sector and Lara Oddie has since joined the Board as both a retailer and manufacturer.

Annual Delivery Plan

7. Finally, the Terms of Reference state that an Annual Delivery Plan will be agreed at each Annual Meeting of the Board. Business cases for each project are currently being worked up (a timetable for this was shared with the Board at the last meeting) and detailed delivery plans for each project are being developed as part of that process.
8. Once projects are in the delivery phase regular progress reports (covering spend, outputs, etc) will be brought to the Board, together with the annual delivery plan setting out expected activity for the following financial year.

IMPLICATIONS

Policy: None directly arising from this report.

Financial: None directly arising from this report.

Legal: None directly arising from this report.

Risk Management: None directly arising from this report.

Health and Safety: None directly arising from this report.

Sustainability: None directly arising from this report.

Community Safety: None directly arising from this report.

Equality and Diversity: None directly arising from this report.

APPENDIX 1

NELSON TOWN DEAL BOARD TERMS OF REFERENCE AND OPERATING PRINCIPLES

1. AIMS AND OBJECTIVES

- 1.1 The Nelson Town Deal Board will be responsible for developing and implementing a Town Investment Plan to support a Town Deal with the Government. The aim of the Investment Plan is to deliver long term economic and productivity growth for Nelson.
- 1.2 The area covered by the Board is the Nelson Town Deal boundary as amended by Pendle Council's Policy & Resources Committee on 23rd July 2020.

2. FUNCTIONS AND RESPONSIBILITIES

- 2.1 The Board will be responsible for:

~~▪ Overseeing the production of a town wide masterplan for Nelson~~

~~▪ Developing an evidence based Town Investment Plan~~

- Overseeing the development of Business Cases for projects seeking Town Deal funding and making recommendations to the Accountable Body
- Maintaining strategic oversight of the delivery of the Town Investment Plan against its vision and objectives,
- Monitoring delivery of the Town Investment Plan projects, considering adjustments and changes where these may arise,
- Identifying other sources of funding to deliver the aims of the Town Investment Plan
- Providing recommendations to Pendle Council on strategies and investment proposals
- Ensuring that the local community, including the business community, has the opportunity to be involved in the development of strategies and proposals for the town
- Producing an implementation programme to deliver the Town Investment Plan
- Influencing stakeholders to ensure investment in the town
- Prioritising projects against agreed criteria
- Other matters deemed to impact on the economic growth of Nelson which may be identified from time to time

3. MEMBERSHIP

- 3.1 The Partnership will conduct its business through a Board with the membership and representation set out in columns 1 and 2 below:

Board		
	No. of seats	Appointments
Independent Chair	1	Stephen Barnes (appointed 28 th Feb 2020)
Pendle Borough Council	4 3	Cllr Mohammed Iqbal (appointed Vice-Chair 28 th Feb 2020) Cllr David Whipp Cllr Mohammed Aslam Leader of the Council – Cllr Ahmed
Lancashire County Council	1	Steve Burns
Nelson Town Council	1	Cllr Zafar Ali
Member of Parliament	1	Andrew Stephenson MP
Lancashire Local Enterprise Partnership (LEP)	1	Anne-Marie Parkinson/Amanda Melton
Business representative	3	Dennis Mendoros (Chair of Pendle Vision Board) Chris Smith, Pendle Engineering Lara Oddie, Oddie's Bakery
Community/voluntary sector representatives	3	Rauf Bashir, Building Bridges Claire Bennett, Positive Action in the Community Paul Hartley, InSitu
Lancashire Police	1	Vacant
Advisors		
BEIS – Rosie Jenkins Homes England – Christine Parker Health Representative – Tony McDonald DWP – Heather Murray		

- 3.2 Organisations on the Board will appoint nominated representatives and may send substitutes to individual meetings. Initial appointments are set out in column 3 in the table in paragraph 3.1 above. The period of office of the Board members listed in paragraph 3.1 above shall normally be as set out in Paragraph 3.4 below. However, any of the organisations listed in paragraph 3.1 which has appointed a representative can change that representative at any time and written notice of any such change must be sent to the Chief Executive of Pendle Borough Council.
- 3.3 Advisors from the organisations listed in 3.1 will be invited to attend all meetings. Other advisors will be invited as required. Advisors do not have a vote.
- 3.4 Membership of the Board will be for an initial two year period from January 2020. All members of the Board, including the Chair and Vice-Chair, will be appointed or re-appointed at the next meeting after 1 February 2022 and subsequently every two years.

4.0 SECRETARIAT

- 4.1 Pendle Borough Council, as Lead Council, will provide a secretariat function which will involve organising meetings, preparing and circulating agendas and producing minutes.
- 4.2 Agendas and accompanying reports shall be published at least 5 clear working days in advance of a meeting and sent to all members of the Board.
- 4.3 Agendas and reports will be published on Pendle Council's website unless it is agreed by the Chair that these items are of a confidential nature and need to be dealt with as a 'Part 2 Item' with press and public excluded. Wherever possible reports will be public unless there are over-riding reasons for them to be kept confidential.
- 4.4 Minutes of all meetings (including Part 2 Items) will be public documents.
- 4.5 Draft minutes of meetings will be published on the Pendle Council's website within 10 clear working days following the meeting.
- 4.6 Final minutes will be published on Pendle Council's website, within 10 clear working days of approval by the Board
- 4.7 Any conflicts of interest will be formally noted within the published minutes

5.0 MEETINGS OF THE BOARD

- 5.1 The Board shall meet at least four times a year on such days and times as agreed by the members. These dates and times may be varied at the discretion of the Chair and the nature of the business to be discussed. Meetings will be advertised and will be held in public. The Board may agree a motion to exclude the public for some Agenda Items on the grounds that it is necessary due to commercial, financial, legal or personal confidentiality.
- 5.2 An Annual ~~General~~ Meeting of the Board will be held in February each year, starting in February 2021, to agree an Annual Delivery Plan.
- 5.3 An extraordinary meeting can be called at no less than 14 days notice if a minimum of five members wish to do so.
- 5.4 Conduct of the meeting shall be by the usual conventions of public authorities. The rulings of the Chairman shall be final.
- 5.5 In the absence of the Chair members present will elect one of their number to be the Chair for that meeting.

6.0 VOTING

- 6.1 Where a decision is required the Board shall try to reach a consensus view. Where this is not possible there will be a vote.
- 6.2 Each Member shall have one vote.

6.3 Voting shall be by a show of hands of Board members and shall be by simple majority.

6.4 In the case of equality of voting, the Chair shall have a second or casting vote.

7.0 QUORUM

7.1 No business shall be undertaken at any meeting unless there are a minimum of **five** members present, including one representative from Pendle Borough Council.

8.0 SUB-GROUPS

8.1 The Board may decide to set up sub-groups for particular areas of work. The Board will agree the remit of these sub-groups and whether they are time limited.

9.0 CONFIDENTIALITY

9.1 All papers marked as confidential and all discussions at meetings in relation to confidential items shall not be disclosed outside the Board.

10.0 DECLARATIONS OF INTEREST

10.1 The Members recognise that it is essential that the business of the Board is conducted in an open and transparent manner.

10.2 Members must therefore declare a personal interest in any item on the agenda. The following interests must be entered by each Member in the register of personal interests referred to at paragraph 10.6 below and also declared each time an item comes up for discussion at a meeting of the Board:

- Ownership or any other interest in any property within the area referred to in Paragraph 1.1 above.
- Directorship of, ownership of or employment by any company or partnership owning or occupying any property within the area referred to in Paragraph 1.1 above or carrying out work within that area

10.3 Declaration involves stating the interest and also the nature of the interest. Once the interest is declared, then a Member may speak on the item but must not vote on it.

10.4 Elected Members of Pendle Borough Council are bound by that Council's Code of Conduct while at meetings of the Board.

10.5 Members do not have an interest by virtue of employment by or membership of a body which is represented on the Board.

10.6 A Register of Interests shall be established and completed by all members of the Board. This shall be made available to the Chair at all meetings.

11.0 CONDUCT OF BOARD MEMBERS

- 11.1 All members of the Board are expected to adhere to the Nolan Principles¹
- 11.2 The Board will align itself with the governance standards and policies of Pendle Borough Council as Lead Council, including those policies on whistle blowing, complaints, compliance with the General Data Protection Regulations (GDPR) and declaring gifts and/or hospitality.
- 11.3 Profiles of all the Board Members will be published

12.0 APPOINTMENT OF OFFICERS AND LEAD AUTHORITY FOR ACCOUNTABLE BODY STATUS

- 12.1 The Chief Executive of Pendle Borough Council ~~or other person appointed by him/her~~ shall act as Secretary of the Board. ~~The Chief Executive shall also act as principle adviser to the Board but will normally do this through the Council's for the purposes of co-ordinating advice to the Board and arranging for the servicing of meetings. This function may however be delegated to the~~ Housing, Health and Engineering Manager ~~and other regeneration officers as appropriate. supported by such other officers as may be appropriate.~~
- 12.2 The Partnership will appoint Pendle Borough Council as lead organisation to carry out the role of Accountable Body for the Towns Fund and to approve funding proposals.

13.0 CHANGES TO THE TERMS OF REFERENCE

- 13.1 The Terms of Reference of the Board may be amended by the Board at any meeting subject to a majority vote. 14 days notice must be given of any proposed changes to the Terms.
- 13.2 The Terms of Reference will be reviewed annually at the Annual ~~General~~ Meeting.

These Revised Terms of Reference were agreed by the Nelson Town Deal Board on 7th August 2020

**Membership Updated May 2021
Membership Updated October 2021**

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>