

Minutes of the Strategic Board Meeting: 7th July 2023

Attendees

Sarah Dance	Chair
Simon Cook	Deputy Chair
Adam Bryan	CEO
Carol Ford	Kent and Medway Economic Partnership
Cllr Christine Bayliss	District/Borough/City Councils representative
Cllr Graham Butland	District/Borough/City Councils representative
Cllr Keith Glazier	East Sussex County Council
Cllr Kevin Bentley	Essex County Council
Cllr John Lamb	Southend-on-Sea City Council
Cllr Lauren Edwards	Medway Council
Cllr Derek Murphy	Kent County Council
David Rayner	Success Essex
Graham Peters	Team East Sussex
David Sheppard	Team East Sussex
Jo James	Kent and Medway Economic Partnership
Karen Cox	Higher Education Representative
Lara Fox	Success Essex
Penny Shimmin	Social Enterprise Representative
Perry Glading	Opportunity South Essex
Mark Curle	Opportunity South Essex
Alison Turner	Team East Sussex

Other attendees:

Keri Lawrence	SELEP Secretariat	Jo Simmons	SELEP Secretariat
Michael Neumann	Essex County Council	Line Bannister	Essex Legal Services
Stephanie Mitchener	Essex County Council	Lorna Norris	Essex County Council
Dave Evans	East Sussex County Council	Louise Aitken	SELEP Secretariat
Helen Russell	SELEP Secretariat	Paul Chapman	Essex County Council
Howard Davies	SELEP Secretariat	Tristan Smith	Essex County Council
Iain McNab	DLUHC	Brian Horton	SELEP Secretariat
Gregory Wilkinson	DLUHC	Charlotte Jaggard-Brown	Essex County Council
Ian Lewis	OSE	Sharon Spicer	SELEP Secretariat
Stephen Taylor	Thurrock Council	Steve Samson	Kent County Council
Emily Baker	Essex County Council	Sarah Langmead	Essex County Council
Vivien Prigg	SELEP Secretariat	Mark Doran	Essex County Council
Matthew Brown	Colchester City Council	Nicholas Brown	Southend-on-Sea City Council

This meeting was held as a virtual meeting and a recording can be found by [clicking here](#); the timestamp of the start of the discussion for each item is indicated in brackets.



Item 1: Welcome and introduction

Apologies: Cllr Roger Gough (substituted by Cllr Derek Murphy), Matthew Arnold (technical difficulties), Professor Karen Cox (late joining), Vince Lucas, Cllr Andrew Jefferies, Ana Christie, Cllr Tony Cox (substituted by Cllr John Lamb), Liz Gibney

Item 2: Minutes of last meeting, declarations of interest, matters arising (2'00" timestamp on video)

- 2.1. The Board agreed the minutes of the last meeting as an accurate record. The list of attendees of the last meeting to be amended for accuracy to reflect the attendance of Mark Curle.
- 2.2. The following interests were declared:
 - i) Cllr Derek Murphy declared an interest as a board member of the Ebbsfleet Development Corporation.
 - ii) Jo James declared an interest as the CEO of Kent Invicta Chambers who deliver the Growth Hub in Kent and Medway.
- 2.3. Sarah Dance updated the Board on the recent Annual Performance Review, subsequent to which government raised concerns with respect to projects still to complete and apropos governance which reflects the ongoing deep dive in relation to projects delivered by Sea Change Sussex. Adam Bryan added that an outcome to the deep dive is being sought, that the outcome would be shared with the Board and all actions flowing from that outcome responded to.
- 2.4. Sarah Dance wished to thank Graham Peters on behalf of the Board for his dedication to LEP matters and a wide range of business boards over recent years as he leaves to take on the role as Vice Lord-Lieutenant of East Sussex. Welcome to David Sheppard as new Chair of TES. Graham Peters thanked Sarah Dance for her contributions as Chair formerly Vice Chair of SELEP and acknowledged the work of Adam Bryan and the Secretariat team.
- 2.5. Sarah thanked the SELEP Secretariat and the Board for their commitment during this time of change and the work all of the Board are doing for their communities. Sarah wished to remind the Board that it is essential that everyone remember their role and responsibilities as Directors and to adhere to the Nolan principles in all discussions and stressed she felt confident the Board will continue to do that.

Item 3: Governance Update (8'33" timestamp on video)

- 3.1. Adam Bryan presented to the Board.
- 3.2. Mark Curle queried whether the Power of Attorney will be updated on Adam Bryan's departure, which Adam confirmed.

Resolved:

- 3.3. **To approve** the changes to the Assurance Framework as detailed in Appendix A.
- 3.4. **To agree** to enter into a new Power of Attorney (Appendix B) for a period of 12 months from the 28th of July 2023.
- 3.5. **To Note** the appointment of Simon Cook as Deputy Chair of the South East LEP Ltd.
- 3.6. **To Note** the appointment of County/Unitary Council Directors:
 - i) Cllr Lauren Edwards, representing Medway Council from the 24th of May 2023.
 - ii) Cllr Tony Cox representing Southend-on-Sea City Council from the 18th of May 2023.
 - iii) Cllr Andrew Jefferies representing Thurrock Council from the 24th of May 2023.
- 3.6. **To Note** the latest log of decisions made under the SELEP Ltd Power of Attorney.

Item 4: Growth Hub Update (12'52" timestamp on video)

- 4.1. Thank you from Sarah Dance to Essex County Council for stepping up to host the BEST Growth Hub this year, to ensure that businesses are still able to get support in the current economic climate.
- 4.2. Jo Simmons presented to the Board.
- 4.3. The core responsibility is to provide a consistent and compliant core service and that is what the Growth Hub will do in this year's funding envelope. Growth Hub Funding sits separate to LEP funding although traditionally funding has come via LEPs. The Growth Hub service will comfortably be delivered for the remainder of this year however the future of the Growth Hub will naturally be wrapped up in the transition work for LEPs.
- 4.4. Sarah Dance wished to pay tribute to Jo for her work under difficult circumstances.
- 4.5. Perry Glading thanked Jo for the helpful update and asked whether the arrangements with Essex County Council for the next nine months will flow into the arrangements for the future. He stressed that it is important for businesses that there is continuity of service.
- 4.6. Jo Simmons agreed and stated that Growth Hub funding for 2024/25 is currently unknown. However, there is a sense from discussions with DBT that the SELEP hub and spoke model provides a sensible framework for future delivery should funding be forthcoming, and/or that the three area hubs could theoretically operate individually in their own right should funding be forthcoming. As Essex County Council is hosting the Growth Hub this year it gives them a helpful insight into the current delivery model.
- 4.7. Cllr Derek Murphy wished to pick up the point made that there is a need to press government for decisions to provide certainty. There is a need for as much clarity as possible, but there is an appreciation of the difficulties in obtaining clarity and thanked the team for their hard work.
- 4.8. Jo Simmons fed back that there is an indication there may be guidance with respect to the Growth Hubs contained in the anticipated government guidance for LEPs and, failing that the Autumn Statement; she agreed that businesses require clarity of service continuity irrespective of how the funding is routed.

Resolved:

- 4.9. **To Note** the Growth Hub Annual Report for 2022/23, presented in Appendix A, and the Growth Hub funding allocation for 2023/24 service delivery.
- 4.10. **To Note** the temporary closure of the BEST Growth Hub service and actions being taken to establish a service for the greater Essex area in early July.
- 4.11. **To Note** the Schedules 1 and 3, presented in Appendices B and C respectively, which constitute the Growth Hub delivery model and forecast spend for 2023/24.

Item 5: GBF Allocation (27'58" timestamp on video)

- 5.1. Helen Dyer presented to the Board.
- 5.2. David Sheppard asked for clarification on which of the items will be dependent on getting guidance from government prior to summer recess. Helen Dyer confirmed that SELEP are awaiting government guidance as to the use/allocation of the Growing Places Fund and at this stage are proposing to allocate the Getting Building Fund (GBF) funding in accordance with the Assurance Framework as expected by government. David Sheppard further wanted assurances on what Plan B would be if either the government guidance was not made available in a timely manner or was not comprehensive enough.
- 5.3. Adam Bryan clarified that GBF funding should have been deployed by last March. The fact that monies have been paid back is a positive reflection on SELEP processes which have allowed for repayment, nevertheless there is an urgency for the funds to be spent. There is a much larger amount of Growing Places Fund funding to

be allocated, and there is less urgency for it to be spent given its nature as a loan fund. What is most important is that all funding is allocated correctly.

- 5.4. Jo James wished to raise a concern on behalf of business board members in terms of financial liability. Up until this point business members have been safeguarded by the SELEP structure and the role of the Accountability Board in the distribution of funds. Jo wished to clarify if there were likely to be changes in the way that SELEP allocated funding outside of the existing structure prior to closure, and if so whether SELEP will take independent legal advice as to whether there will be any potential changes with respect to liability given that for some of the business members it would be personal liability.
- 5.5. Secondly, Jo James noted in the Strategic Board papers that SELEP is proposing not to cover ITE costs on projects and that these would need to be met by project promoters or Local Authorities. Her question was whether the ITE costs could be covered out of the GBF funding pot to ensure consistency to the evaluation and a fairer way to go forward.
- 5.6. In response to the second question at 5.5, Adam highlighted that ITE costs have been borne out of SELEP Secretariat costs until recently. However, the rules are very clear with respect to Capital versus Revenue expenditure. Stephanie Mitchener confirmed the position that ITE costs are deemed as Revenue costs. GBF is only allocated as Capital funding and it would not be possible to apply any of it to Revenue costs. In the past, SELEP Secretariat reserve funds have been used to cover those costs. However, the Board are aware that the financial position for Secretariat costs this year is very tight with no additional funding coming in for the LEP beyond this year, therefore the budget is currently committed.
- 5.7. Adam Bryan assured Jo James in relation to her first query at 5.4 above that what is being proposed for GBF funding allocation is in line with the Assurance Framework, offering maximum protection for Board Directors, and seeking final approval via the Accountability Board. These are fully familiar and compliant arrangements and nothing different is being proposed. With respect to GPF funding, it may look very different going forward but, in those circumstances, SELEP will take clear advice from government and make sure that all the legal implications and changes are understood, any transition arrangements required are properly implemented and that Directors first and foremost are given the assurances and security needed.
- 5.8. Cllr Derek Murphy highlighted for the Board to note and to flag early that with respect to covering ITE costs, Kent County Council would not have specific resources to do so.
- 5.9. Mark Curle highlighted the tight timeframe for the GBF funding allocation process and asked if there are schemes that could be brought into consideration quickly and be approved to ensure the spend is deployed within the given timeframe. Helen Dyer expressed that she felt confident that Local Authorities have projects in the pipeline given that there were a number of smaller projects on the government long list which could be delivered with a quick turnaround. With respect to the deadline and timeframe for allocation of funding, Helen confirmed that the timeframe was very similar to that used in previous funding rounds.
- 5.10. Simon Cook noted that one of the issues that may delay funding allocation is the planned date of the Accountability Board meeting. He asked that Helen clarify whether the Accountability Board could be brought forward or an additional meeting scheduled to allow the funding decisions to be taken at an earlier date. Helen confirmed that the Investment Panel is set to meet in November 2023 and that the Accountability Board could convene in January 2024 if required. Sarah Dance moved that where possible all necessary meetings, including that of the Investment Panel, should convene as soon as possible whilst adhering to the necessary governance processes.

Resolved:

- 5.11. **To Agree** to reverse the decision made in February 2023 to run one combined prioritisation process for the award of the available Growing Places Fund (revolving capital loan) and Getting Building Fund (capital grant) funding.

5.12. **To Agree** the approach to and process for reallocating the available Getting Building Fund funding set out within the report.

Item 6: SELEP Transition (49'40" timestamp on video)

- 6.1. Adam Bryan and Helen Russell presented to the Board.
- 6.2. Sarah Dance wished to pay tribute to Adam and the staff team for the professionalism and approach to the planned changes. She expressed that what was outlined in the presentation highlights the considerable legacy that SELEP has to celebrate and considerable learning and knowledge to share and whatever happens with the transition that it is crucial that learning isn't lost and there is an orderly and productive exit plan for the LEP.
- 6.3. Jo James reiterated that the Directors value the work of Adam Bryan and the SELEP Secretariat team, and to reassure the team on behalf of the Directors that every decision made in the transition process will be made with the team's best interests at heart.
- 6.4. Cllr Derek Murphy wished to highlight that going forward Kent and Medway councils would still maintain links and contacts with the federated bodies, and although they would be the Higher Tier Authority, decisions would still be made in consultation through the existing business bodies and connections. This would provide the platform for engagement during the transition period which would give businesses confidence about the stability of what is being proposed at Local Authority level.
- 6.5. Carol Ford seconded Jo James' commitment and stated that as a KMEP business representative Director she is available to offer help over the Summer with the transition process where needed.
- 6.6. Cllr Kevin Bentley thanked Adam Bryan and Helen Russell for the presentation and emphasised that looking to the future, Option D is what the government wants areas to do and it would provide clarity for everyone including businesses, staff and the public. From the Essex point of view, there is a desire for the transition process to be speeded up with a clear path in place before October to give that clarity. Cllr Bentley stressed that there is a lot of expertise in the team and it would be a terrible waste if that were to disappear and he invited private sector colleagues to consider how that expertise could be utilised as well as public sector colleagues. With respect to the business voice, SELEP have been very good with SME and the Chambers and others who have been heavily involved which must continue, however Essex County Council is working to also engage with the larger strategic businesses (employing 5,000 people or more) in the area.
- 6.7. David Sheppard advised that in a previous similar transition process he was involved in as director, the retention of core staff was addressed not just by relying on the good will of the team in question but by putting in place a comprehensive retention programme to run in parallel with the transition process and everyone came out well. He wanted to encourage the Secretariat team to view this transition period as a challenge and an exciting project which would reflect well on staff through its execution. However, it is beholden on Directors to consider how to maintain retention.
- 6.8. Simon Cook acknowledged that Option D had not been Adam Bryan's preference but that decision was better than indecision. He asked Adam to outline what the Board could do to support the process going forward.
- 6.9. Cllr John Lamb agreed that it is regrettable that the LEP is folding, he viewed the creation of the LEP from the outset as a wonderful opportunity to get businesses involved and bring funding into local areas. Cllr Lamb reiterated that whilst it is disappointing to see the end of the LEP, Option D is the one which will provide precise and clear future arrangements. He echoed that Adam Bryan and the team have done a tremendous job across the whole of the LEP area for many years and as was highlighted in the presentation, so much has been achieved in the areas by working with businesses that could not have been achieved to the same degree had Local Authorities been working alone.
- 6.10. Adam Bryan responding to Simon Cook's question at 6.8 outlined that the most valuable input from the Board is the engagement needed to get the transition 'right'. There is a need for regular meetings of key officers, and

to make sure that the detail is understood because there are a number of legal considerations and a large Capital Programme of projects. The worst case scenario would be to come to the next Strategic Board meeting in October and to put something to the Board that can't be signed up to. There are going to be really important check points over the next few weeks as this transition plan is developed, and it is therefore essential to get the necessary opinions, expertise and input from all partners. Adam emphasised the goodwill across the LEP which far outstrips that of other LEP areas and that this will be the basis for ensuring that the Transition Plan will be in place by October which will provide clarity for staff and Directors and the smooth transition everyone wishes to see.

- 6.11. Sarah Dance added that it would be worth considering a series of 'task and finish groups' to look at specific areas of the transition and help develop and guide that work. Helen Russell clarified that work is already underway ahead of the planned Senior Officer Group meeting on the 19th of July in which core components of the LEP work are divided into workstreams with a lead member of the team and relevant partner participation. The Secretariat welcomes input from Directors in that work.
- 6.12. Jo James confirmed that she is happy to provide any help and support when required and stressed that whilst there may be an inclination to speed up the process, the transition does need to be undertaken in a considered and timely way. She agreed that the success of SELEP lies in the strong Public/Private sector partnership and joint voice and that it is incumbent on all partners to ensure that the new Local Authority led structures continue to reflect that Public/Private sector partnership and that businesses continue to have an equal say around the table.
- 6.13. Simon Cook raised that the presentation had outlined the wider partnership engagement of SELEP and the myriad of partnerships in place across the region and would be interested to hear from those partners about what the impact has been of cross-regional collaboration at the next meeting if possible.
- 6.14. Helen Russell outlined that work is already underway within SELEP to pull together the breadth of membership of the partnerships and feedback on the impact of joint working which will be shared with the Board.

Resolved: (1h41'42" timestamp on video)

- 6.15. **To Agree** to the adoption of 'Scenario D' for the transition of the LEP and the integration of its activities into Local Authorities.
- 6.16. **To Agree** to support the development of a detailed transition plan, for agreement at the next Strategic Board with local authority partner commitment to providing written confirmation detailing the capacity available within each authority.
- 6.17. **To Note** the need to maintain all 20+5 Board Director positions until the LEP is disbanded to ensure that quorate decisions can be made by the Strategic Board to see through the transition detailed above.
- 6.18. **To Agree** to adopt the SELEP Delivery Plan for 2023/24.
- 6.19. **To Note** the change in executive leadership of the LEP.

Item 7: AOB & Close

- 7.1. No Other Business.
- 7.2. As this is Adam Bryan's last meeting as CEO, Sarah Dance wished to pay tribute to his incredible and tireless work for the LEP. Sarah outlined that Adam's professionalism and dedication has helped navigate some tricky waters, his ability to build an equally dedicated team has been significant and on a personal note he will be missed. Adam Bryan reflected that it has been a privilege to have the role as CEO for SELEP, that it has been fantastic to build a team like that of the SELEP Secretariat and to engage with such a wide range of people across the region. Adam reiterated that he is excited for the next step in his career but will always look back fondly at his time at SELEP. Sarah took the opportunity to thank the rest of the team, and to welcome Helen



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Russell as the new CEO. Sarah Dance thanked the Board Directors for their commitment, and their significant contribution. She emphasised that it is imperative that partners continue to work cleverly and closely over the next while. The future looks challenging, but SELEP can continue to deliver for the people, the communities and the economy of the South East over the next few months. Sarah Dance closed the meeting.