

# AGENDA

## Marches Enterprise Joint Committee

Date: **Wednesday 13 December 2017**

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Time: **2.45 pm Please note new time**

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Place: **Plowden Room, Craven Arms Community Centre,  
Newington Way, Craven Arms SY7 9PS**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Sarah Smith on 01432 260176 or e-mail [sarah.smith1@herefordshire.gov.uk](mailto:sarah.smith1@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Marches Enterprise Joint Committee

## Members:

<b>Chairman</b>	Councillor AW Johnson	Herefordshire Council
	Councillor S Davies	Telford and Wrekin Council
	Councillor PA Nutting	Shropshire Council
<b>Non Voting Member</b>	Mr G Wynn OBE	Chairman of the Local Enterprise Partnership

## AGENDA

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive details of any Executive Member nominated to attend the meeting in place of the voting Member representing their Authority.	
<b>3. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by members of the Committee in respect of items on the agenda.	
<b>4. MINUTES</b> To approve and sign the Minutes of the meeting held on 18 July 2017.	5 - 6
<b>5. THE MARCHES AND MID WALES DRAFT FREIGHT STRATEGY</b> To advise members on the production of the Marches and Mid Wales Freight Strategy and seek Marches Enterprise Joint Committee endorsement of the Strategy.	7 - 18
<b>6. DRAFT MARCHES LEP CODE OF CONDUCT</b> To seek the views of MEJC Members on the draft Marches LEP Code of Conduct and Conflicts of Interest Policy.	19 - 32



**MINUTES of the meeting of Marches Enterprise Joint Committee held at Plowden Room, Craven Arms Community Centre, Newington Way, Craven Arms SY7 9PS on Tuesday 18 July 2017 at 4.00 pm**

**Present:** Councillor AW Johnson (Chairman)  
Councillors L Carter and N Laurens  
Non-voting member: Mr G Wynn OBE

**Officers:** Gill Hamer and Kathy Mulholland

**1. APOLOGIES FOR ABSENCE**

Apologies were noted from Councillor S Davies and Councillor P Nutting.

**2. NAMED SUBSTITUTES (IF ANY)**

Councillor L Carter attended for Councillor S Davies.

Councillor N Laurens attended for Councillor P Nutting.

**3. DECLARATIONS OF INTEREST**

None.

**4. MINUTES**

**Resolved that:**

**the Minutes of the meeting held on 14 June 2017 be confirmed as a correct record and signed by the Chairman.**

The LEP Director confirmed that the paper requested at the previous meeting on how the Marches Investment Fund would be managed had been drafted and would be presented to the next meeting of the LEP board.

**5. GROWTH DEAL 3**

It was confirmed that all members had had the opportunity to read the paper presented. The chairman asked for comments and questions.

A query was raised about the risks surrounding the NMITE project, in particular that the match funding might not be secured.

The LEP director confirmed that this risk was known and that work was ongoing to address this. Officers from the LEP, Shropshire and Herefordshire Councils had met with representatives of the Department for Education and the Department for Business, Energy and Industrial Strategy (BEIS) to discuss the project. A submission had been made to the secretary of state for £15m in match funding for the project. It was hoped that a decision on this would be made in the next two to three weeks.

It was noted that Herefordshire and Ludlow College had indicated it would be willing to act as the accountable body for the £8m Growth Deal allocation. The £15m match funding might also go direct to the college but this would depend on how the money was distributed from central government. If the match funds were made available as a Section 31 Grant then this would need to go through a council instead. Shropshire Council had indicated that it would not wish to take on accountability for non-LEP funds.

On the matter of potential additional funding, it was noted that although there had been a firm commitment of an additional £3m from Department for Communities and Local Government (DCLG) underspend the outcome of the general election and recent pressures on the government had put this in some doubt. A decision on this additional funding was not expected until parliament returned from its summer recess.

The chairman reported that Jesse Norman, MP for Hereford and South Herefordshire, was due to meet with the Secretary of State for Education and the Minister of State for Universities, Science, Research and Innovation to press the case for NMITE.

It was noted that there was a new LEP champion for the Marches, Richard Harrington MP, who was a junior minister at BEIS.

**It was resolved that:**

- (a) Single Local Growth Funding of a minimum of the value shown in column 3 of Table 1 be allocated to the named Growth Deal 3 projects, set out in Table 1; and**
- (b) Should additional funds for this purpose be forthcoming, funding of a maximum value of that shown in column 2 of Table 1 be allocated to the named Growth Deal 3 projects, set out in Table 1.**

The meeting ended at 4.12 pm

**CHAIRMAN**



<b>Marches Enterprise Joint Committee</b>	
<b>Meeting date:</b>	<b>13 December 2017</b>
<b>Title of report:</b>	<b>The Marches and Mid Wales Draft Freight Strategy</b>
<b>Report by:</b>	<b>Marches LEP Director</b>

## **Classification**

### **Open**

Notice has been served in accordance with Part 2, Section 5 (Procedures Prior to Private Meetings) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (Regulations) 2012.

## **Key Decision**

This is a non key decision.

## **Purpose**

To advise members on the production of the Marches and Mid Wales Freight Strategy and seek Marches Enterprise Joint Committee endorsement of the Strategy.

## **Recommendation(s)**

### **THAT:**

- (a)** Joint Committee members endorse the Marches and Mid Wales Freight Strategy.

## Summary

1. The Marches LEP produced a report called “Investing in Strategic Transport Corridors in the Marches” in May 2016. The LEP Board then agreed that a key area of further work identified in the Corridors Report should be the development of a Freight Strategy for the Marches area.
2. Following a Shropshire Council procurement process, MDS Transmodal Ltd (MDST) was appointed to develop the Freight Strategy. Members of the LEP Board’s Transport Officers Group (TOG) formed the Steering Group for the work. The Strategy was funded by the Department for Transport Excellence funds and contributions from the three local authorities. Partners in Wales then expressed a desire to extend the scope of the Strategy to include the area covered by the Growing Mid Wales Partnership (Powys and Ceredigion Councils), given that many of the issues relating to freight and transport in general exist cross-border. The Welsh Government made funding available and the contract with MDS Transmodal Ltd was extended to enable the creation of the Marches and Mid Wales Freight Strategy.
3. The Strategy has been developed to take advantage of the opportunities and strengths that emerged from the evidence base, and has highlighted weaknesses and constraints to freight movement that should be addressed. A SWOT analysis is included in the Strategy which details this process. The policy review, review of best practice, consultation work, discussions with the Steering Group and SWOT analysis fed into the consideration of investment and other interventions to address the weaknesses and constraints to freight movement.
4. An action plan is now being developed by the Marches LEP Transport Officers Group and partners from the Growing Mid Wales Partnership. A Strategy launch event is being planned for November/ December 2017 with key stakeholders from both sides of the border which will provide an opportunity to raise the profile of the recommendations in the Freight Strategy.

## Alternative options

5. The LEP could have continued to develop a Marches Freight Strategy just for the Marches. However, given the extent of the shared border between mid Wales and the Marches LEP area and the volumes of movement of freight across that border, it seemed sensible to work in partnership with colleagues in Wales to create a joint Strategy.

## Financial implications

6. It is anticipated that the cost of a launch event will be met by partners but the costs will be kept to a minimum.
7. No commitments have been made with regard to delivering the interventions and actions set out in the Strategy. The purpose of the Strategy is to provide the evidence base and reasoning for interventions. Once approved, the Strategy will be used both as a lobbying document to gain funding for the development of the various interventions

Further information on the subject of this report is available from Valerie Hastie, Project Development Officer, [valerie.hastie@marcheslep.org.uk](mailto:valerie.hastie@marcheslep.org.uk)



and to assist the LEP overall in delivery of its transport objectives.

## **Legal implications**

8. This strategy is a decision for the joint committee because in accordance with the functions of the committee it sets the priorities for the strategic economic investment across the Marches LEP.

## **Risks, opportunities and impacts**

9. There is a clear opportunity to use this document to lobby for funding to take forward the interventions and actions with both the transport authorities in both Wales and England. Cross border working will continue, and opportunities for cross border improvements to the freight network/transport network generally will be explored for mutual benefit.
10. The impact of this Strategy will be dependent upon the availability of funding and the will to make the improvements and changes identified.

## **Consultation**

11. A broad consultation was undertaken, including Town and Parish Councils, businesses, Midlands Connect, the LEP, Growing Mid Wales Partnership, and road hauliers. MDST Managing Director Chris Rowland met with the LEP Management Team, and consulted with relevant local authority officers.

## **Appendices**

Appendix 1 - The Executive Summary of the Marches and Mid Wales Freight Strategy.

The full strategy and technical annex can be made available from the Project Development Officer in the LEP Team and will be available from the Marches LEP website.

## **Background papers**

The 'Investing in Strategic Transport Corridors in the Marches' report, May 2016.





## THE MARCHES & MID WALES FREIGHT STRATEGY

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This strategy was commissioned by the following organisations:

Ceredigion Council

Growing Mid Wales Partnership

Gwynedd Council

Herefordshire Council

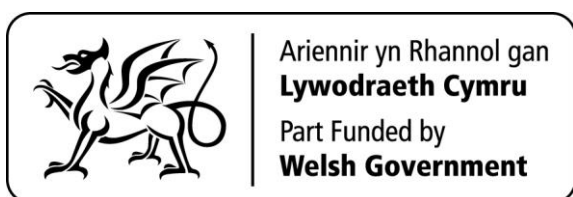
Marches Local Economic Partnership

Powys Council

Shropshire Council

Telford & Wrekin Council

Welsh Government



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## EXECUTIVE SUMMARY

### Strategic scope

The Marches Local Economic Partnership, the Growing Mid Wales Partnership, the Welsh Government, and Ceredigion, Gwynedd, Herefordshire, Powys, Shropshire and Telford and Wrekin Councils jointly commissioned this freight strategy. Its objective is to provide an evidence base to determine the interventions in the freight sector that will support the economic development and operational efficiency of businesses in the Marches and Mid Wales, while also seeking to enhance the quality of life of its residents and reduce environmental impacts from freight transport activity.

The commissioning and development of this strategy has been managed by a steering group of officers from the commissioning organisations.

### Aim of the strategy

The overall aim of the Marches and Mid Wales Freight Strategy is:

**To ensure the efficient movement of freight in the Marches and Mid Wales while minimising impacts on the environment and residents.**

In essence, the strategy should lead to a reduction in costs for the freight and logistics industry and its customers and at the same time reduce the negative impacts of freight movements on people who live and work in the Marches and Mid Wales.

### Key issues

The key issues that emerge for businesses in the Marches and Mid Wales are:

- The quality of the single carriageway road network and the resulting slow door-to-door journey times and lack of journey time reliability;
- Tailbacks and slower journey times due to the number of farm vehicles that use the network to access farms and fields;
- Levels of congestion at some junctions and through some towns and cities.

### Interventions

Some 33 interventions were identified and appraised, which would help the Marches and Mid Wales to meet its strategic objectives in relation to freight and logistics. The interventions were established following a review of best practice, discussions with the Steering Group and receiving

feedback from businesses through the stakeholder consultation programme. The business community stressed, in particular, the importance of interventions that would increase the capacity of the road network in the Marches and Mid Wales and reduce the impact of bottlenecks thereby increasing journey time reliability, as well as the need for improved maintenance of the road network.

The interventions were grouped into the following categories:

- **Highways management and maintenance:** defining, for the purposes of transport planning, a Freight Route Network (FRN) on which strategic freight movements are likely to be concentrated and upon which infrastructure enhancements can be focused. This also includes interventions on the FRN to maintain the existing highway network and ensure that it is fit for purpose for freight movements.
- **Highways enhancements:** specific schemes on the FRN that would reduce journey times and increase journey time reliability for the freight and logistics industry and their customers.
- **Planning and regulation:** interventions to ensure that development opportunities take account of the associated freight movements, to reduce emissions from HGVs and LGVs in areas of poor air quality and to ensure that HGVs are only using appropriate routes.
- **Rail freight:** potential interventions to encourage a switch of some traffic to rail.
- **Dissemination & liaison:** provision of accurate information to users of the road network to facilitate informed decision-making by transport operators alongside other soft' interventions to develop solutions to conflicts between the interests of road hauliers and their customers and local residents.

## Highways enhancements

The key interventions, which were also highlighted by the business community, relate to the need to reduce journey times and increase journey time reliability for freight movements to, from, within, and through, the Marches and Mid Wales area, while relying on an essentially single carriageway network. The strategy therefore includes several interventions that would provide opportunities for the overtaking of farm vehicles and slow-moving HGVs by other freight vehicles and cars. These interventions would also reduce driver frustration and increase safety on the network. The proposed interventions are:

- Short sections of '2 on 1' roads, Differential Acceleration Lanes (DALs) and crawler lanes to provide safe overtaking opportunities on otherwise single carriageway roads;
- Online enhancements, such as straightening, removing bends and widening of narrow sections at selected locations;
- A programme of enhancements to selected structures to allow 44 tonne HGVs to operate across the whole of the FRN.

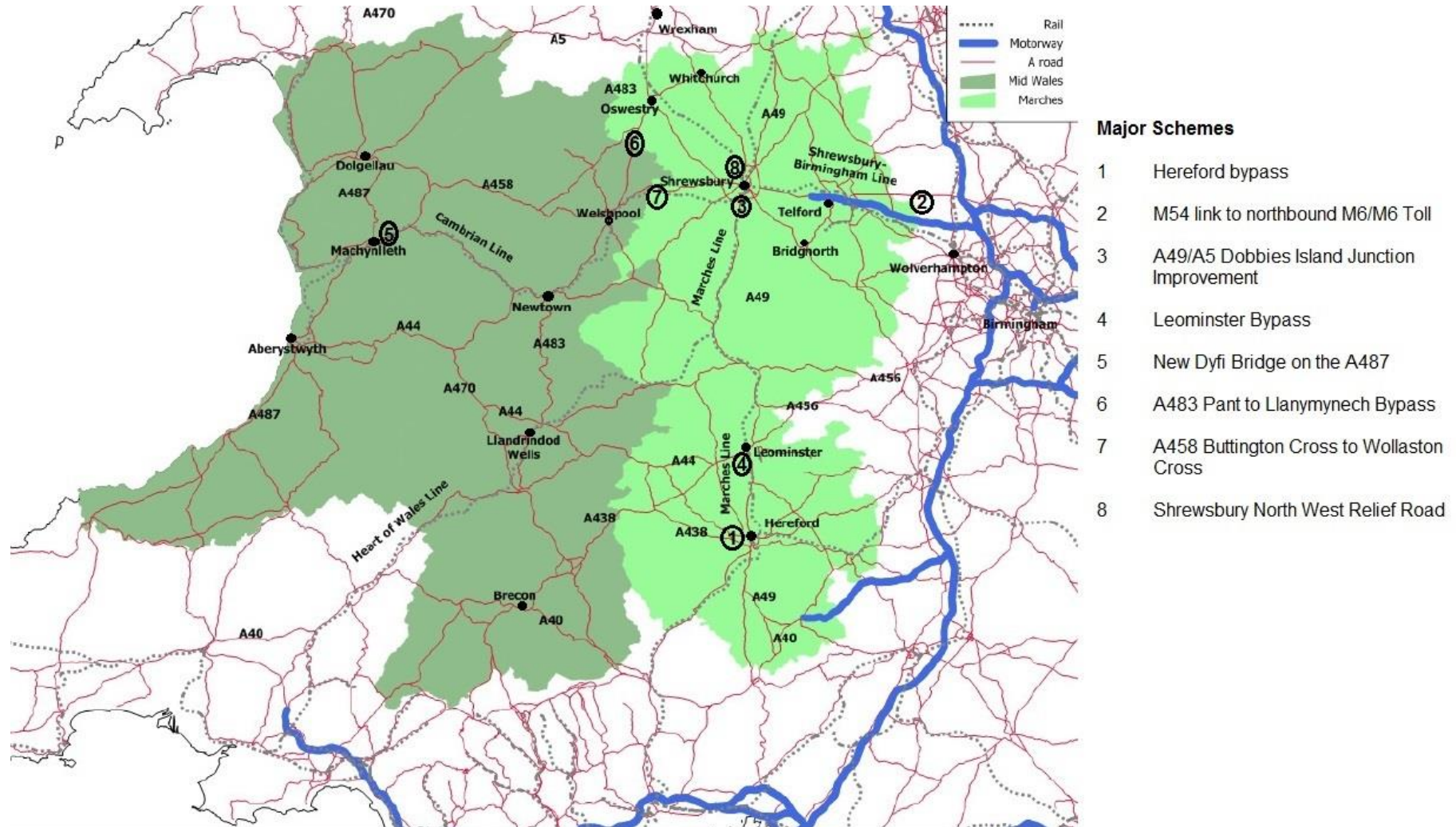
Schemes for increasing the number of opportunities for overtaking, online enhancements, and enhancements to selected structures, should be considered as part of route strategies on the FRN; this is likely to include the following routes in the Marches and Mid Wales: A49, A483, A470, A5, A487, A458, A44, A438, A456 and A40 as well as the M54 and M50 motorways.

There are also a number of major schemes which would reduce the impact of bottlenecks on the FRN, providing journey time savings and increased journey time reliability for freight movements. These are:

- Hereford Bypass and Southern Link: bypass to the west of the city with a new crossing of the River Wye, with the objective of removing north-south strategic traffic from the centre of the city.
- M54 link to northbound M6/M6 Toll: new motorway link so that northbound traffic on the M54 can access the M6 directly rather than via the A449; the scheme would also provide a direct link between the M54 and the start of the M6 Toll road.
- A49/A5 Dobbies Island Junction Improvement: enhancements to the junction to the south of Shrewsbury between the A49 north south route and the A5 Shrewsbury ring road.
- Leominster Bypass: a bypass to the southwest of Leominster allowing east-west traffic on the A44 to avoid the town centre.
- New Dyfi Bridge: a scheme to replace the bridge across the River Dyfi (which is prone to flooding) on the A487 to the north of Machynlleth.
- A483 Pant to Llanymynech Bypass: bypass of two villages on the A483 between Welshpool and Oswestry, which will reduce journey times between Mid Wales and Deeside and the North West of England.
- A458 Buttington Cross to Wollaston Cross: scheme to improve about 9km of sub-standard trunk road, which will reduce journey times between Mid Wales and the West Midlands via Shrewsbury and also improve the accident record on the route.
- Shrewsbury North West Relief Road: a scheme to complete the final section of the ring road around Shrewsbury to link the A49/A53 at Battlefield to the A5/A458 at Bicton Heath, which will reduce journey times between the west and the north of Shrewsbury.

The estimated benefits for HGV traffic from the implementation of the major highways projects included in the strategy are **£149 million**. This excludes benefits for vans and for passenger traffic. Most of these benefits for heavy freight traffic would be secured initially by the freight transport operators but would then be passed on to shippers and receivers of freight through competitive market forces. These benefits would also therefore help to reduce the cost base of businesses located in the Marches and Mid Wales and support the creation or retention of employment.



**Figure 1: The Marches & Mid Wales, identifying major schemes**





<b>Marches Enterprise Joint Committee</b>	
<b>Meeting date:</b>	<b>13 December 2017</b>
<b>Title of report:</b>	<b>Draft Marches LEP Code of Conduct and Conflicts of Interest Policy</b>
<b>Report by:</b>	<b>Marches LEP Director</b>

## **Classification**

### **Open**

Notice has been served in accordance with Part 2, Section 5 (Procedures Prior to Private Meetings) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (Regulations) 2012.

## **Key decision**

This is not a key decision.

## **Purpose**

To seek the views of MEJC Members on the draft Marches LEP Code of Conduct and Conflicts of Interest Policy.

## **Recommendation(s)**

### **THAT:**

- (a) The MEJC approves the LEP Code of Conduct and Conflicts of Interest Policy and this document be attached as an Annex to the LEP Accountability and Assurance Framework and be added as a download on the LEP website.**

## **Summary**

1. It was agreed at the Marches LEP Board away day in March 2017, following a briefing workshop delivered by Charlie Helps from the Centre for Public Scrutiny, that the LEP should have a more robust Code of Conduct and Conflicts of Interest Policy. Charlie Helps developed the attached document and the three Council legal teams have reviewed it to make sure it aligns with their respective Council policies on this issue.

## **Reasons for recommendations**

2. The LEP needs to have a robust and clear Code of Conduct and Conflicts of Interest Policy that stakeholders and Members of the public can review on its website. This policy will help stakeholders and members of the public alike understand how the LEP Secretariat, its Board Members and LEP sub-group Members manage declarations of interest, conflicts of interest and how LEP Board Members and Members of the LEP sub-groups have agreed to conduct themselves when supporting the work of the LEP.

## **Alternative options**

3. None

## **Financial implications**

4. None

## **Legal implications**

5. The approval of the Accountability and Assurance framework document is a function of this committee. A code of conduct for the LEP is not required by law but is recommended best practice. All elected members are already bound to comply with their own council's respective codes when acting as a councillor.

## **Risks, opportunities and impacts**

6. If the LEP does not have a clear policy on code of conduct and conflicts it is open to be challenged and criticised by both the Government and the general public on not being open and transparent and following good governance practises.

## **Consultation**

7. The Code of Conduct and Conflicts of Interest policy has been developed in consultation with the legal teams in the three local authorities and a specialist advisor who works for the Centre of Public Scrutiny, Charlie Helps.

## **Appendices**

Appendix 1 – The Marches LEP draft Code of Conduct and Conflicts of Interest policy

# Draft Marches LEP Code of Conduct & Conflicts of Interest Policy

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## 1. Introduction

- 1.1 Local Economic Partnerships (LEPs) are partnerships between Local Authorities and businesses. They are charged by government with setting the economic growth priorities for their areas, providing business-led solutions to meet the UK productivity challenge, through local investment in physical infrastructure, workforce skills & training and business innovation and enterprise.<sup>1</sup>
- 1.2 Local planning authorities should use LEPs as a key source of information and guidance on the economic and business dimension of their plans and policies. LEPs should be treated as formal consultees in the plan and policy-making process, including providing them access to planning expertise.
- 1.3 Due to the close-knit nature of the LEPs' engagement with local authorities, and the representation of local business on each LEP Board, they are exposed to the potential for conflicting interests to emerge during their work. These conflicts can arise both within the operations of the LEP, and those of local authorities and privately held businesses.
- 1.4 The "Local Enterprise Partnership National Assurance Framework"<sup>2</sup> has been developed to guide local decision making to support accountability, transparency, and value for money. It requires that:
  - 1.4.1 LEPs have clear arrangements in place which enable effective and meaningful engagement with local partners and the public;
  - 1.4.2 LEPs operate transparently, giving the public confidence that decisions made are proper, based on evidence, and capable of being independently scrutinised; and,
  - 1.4.3 have a published conflicts of interest policy, a published register of interests covering any decision makers, which is kept updated, and a published complaints policy.
- 1.5 This policy is to ensure that any conflicts of interest which may arise in the LEP's business processes are recorded and managed. This is to protect the integrity of the LEP and to give stakeholders confidence in the probity of the LEP's decision-making. Therefore, it helps to protect the reputation of the LEP and of its members.

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<sup>1</sup> <https://www.gov.uk/government/publications/2010-to-2015-government-policy-local-enterprise-partnerships-leps-and-enterprise-zones/2010-to-2015-government-policy-local-enterprise-partnerships-leps-and-enterprise-zones>

<sup>2</sup> <https://www.gov.uk/government/publications/local-enterprise-partnership-national-assurance-framework>

## **2. Applicability**

- 2.1 These arrangements apply to the LEP Board and its committees, groups, and any co-opted members or advisers to the LEP.
- 2.2 The principles also apply to the LEP's wider business membership or those purporting to speak for the LEP.
- 2.3 All participants in decision-making fora, including the Board and any of its subsidiary entities shall be required to abide by the 'Code of Conduct' set out in the LEP Board Terms of Reference.
- 2.4 Where other codes of conduct or policy arrangements apply to members in their respective roles outside of the LEP, the LEP's Code and Policy take precedence whilst that member is acting for the LEP.
- 2.5 For the Marches Enterprise Joint Committee (MEJC) , the constitution of Herefordshire Council for declaring and managing interests applies but the Members own Council's codes of conduct will apply when attending MEJC.
- 2.6 Interests in matters relating to the Agenda of any meeting shall be declared and noted at the beginning of each meeting.
- 2.7 All members of the LEP are required to conduct themselves in accordance with the 7 Nolan Principles of Public Life at Appendix A.

## **3. Definitions**

### **3.1 Interest**

- 3.2 An interest in a matter is where there is a reasonable likelihood of the person (or other parties as defined at 3.4 below) being affected by the decision, either directly, or indirectly. This may include both gain and loss to the person/ parties which would not have happened had the interest not existed.
- 3.3 Interests may be associated with, for example, employment, other appointments (including trusteeships, directorships, elected office), memberships (whether corporate or personal), investments, shareholdings, land and property, intellectual property, customer/client relationships, use of the LEP's services or anything else which could (or could be perceived to) impact on the member's ability to act fairly (independently, impartially, and in the public interest).

### **3.4 Relevant Parties**

- 3.5 The following parties should be considered when assessing the potential effect of a member's declared interest on any decision:
  - 3.5.1 the member, the member's family, including spouse or civil partner or any person living in the same household as the member;

3.5.2 a firm, business, or other organisation with which the member is connected.

### **3.6 Pecuniary Interest**

3.7 An interest through which the member or Relevant Party stands to gain or lose financially.

### **3.8 Non-pecuniary Interest**

3.9 An interest through which the member or Relevant Party stands to gain or lose in non-financial ways.

### **3.10 Conflict of Interest**

3.11 A conflict of interest is a situation in which one cannot make a fair decision on a matter because one may be affected by the result due to competing interests or loyalties.

3.12 Examples of conflicts of interest are included in Appendix B - Additional Guidance for Board Members.

## **4. Policy Statement**

4.1 Marches LEP Board (the Board) recognises the potential for actual or perceived conflicts of interest to arise throughout the conduct of its business.

4.2 The Board will support its members to conduct LEP business effectively, while minimising exposure to disadvantageous outcomes and criticism arising from such potential conflicts.

4.3 The Board further recognises and accepts that this requires the highest standards of conduct, integrity, accountability, transparency, openness, and probity at each stage of the LEP's business.

4.4 The Board shall act impartially, and in the public interest throughout the conduct of its business.

4.5 The Board will apply the standards and procedures set out in this document and any related local and national Assurance Framework provisions to address the circumstances in which actual or perceived conflicts of interest might arise.



## **5. Policy Provisions**

- 5.1 The Board will establish and keep up to date a Register of Members' Interests which shall be available to the public.
- 5.2 Members must declare any potential conflicts of interest at the start of the meeting and again when the relevant item is reached on the agenda, regardless of whether it is already included in the Register of Interests.
- 5.3 Declarations shall be recorded in the minutes of meetings.
- 5.4 Members may not participate in the discussion or determination of matters in which they have a pecuniary interest.
- 5.5 For non-pecuniary interests, the member must consider whether participation in the discussion or determination of a matter could cause a bias or be otherwise inappropriate.

## **6. The Register of Declarations of Interest**

- 6.1 The Secretariat will maintain the Register of Interests for all members of the LEP Board and sub-boards, as well as any other constituted LEP groups which make decisions on behalf of, or makes recommendations to the Board.
- 6.2 Members must declare their interests for inclusion in the Register immediately upon joining a constituted LEP group.
- 6.3 The Register of Interests shall be available to the public.
- 6.4 Members must update their declarations as and when interests change and annually.
- 6.5 The LEP shall use the Register to monitor its compliance, and the compliance of the individuals completing it, with the LEP's Conflicts of Interest Policy.

## **7. Managing Conflicts of Interest**

- 7.1 Where pecuniary interests are identified, and declared, the member shall absent themselves from the meeting and take no part in discussions or decisions.
- 7.2 Where interests other than pecuniary interests (see paragraph 5.5 above) are declared, the member is responsible for deciding whether they should:
  - 7.2.1 participate in the discussion of that matter;
  - 7.2.2 remain in the room for the discussion of that matter;
  - 7.2.3 Be counted in the quorum for that part of the meeting.

7.3 Where decisions or recommendations are made by written procedure, any member with a conflict of interest must immediately notify the Chair and take no part in the voting.

7.4 The Secretariat shall minute all such declarations and associated proceedings.

## **8. Code of Conduct**

8.1 A Board Member shall not use their position directly or indirectly, for personal gain.

8.2 Additionally, members must:

8.2.1 Support the aims and objectives of the LEP and promote the interests of the LEP within their local and business community.

8.2.2 Base their views on matters before the Board on an honest, reasonable, and defensible assessment of the available facts.

8.2.3 Cooperate with other members and officers in the best interests of the LEP and the public.

8.2.4 Support equal opportunities in the work of the LEP and make provision for it within the Strategic Economic Plan.

8.2.5 Acknowledge that they have no authority outside meetings of the LEP Board and its groups and committees.

8.2.6 Act honestly, diligently and in good faith, noting that to do so may require taking professional advice.

8.2.7 Resist any temptation or outside pressure to use the position of Board Member to benefit themselves or other individuals or agencies.

8.2.8 Not accept offers of money, gifts, or hospitality, or anything else that could be construed as an inducement or reward for any action or position adopted whilst serving as a member of the Board.

8.2.9 Acknowledge that differences of opinion may arise in discussion but once the Board has decided, to support implementation of the decision.

8.2.10 Understand that members do not have the right to make statements or express opinions on behalf of the Board unless specifically authorised to do so.

8.2.11 Respect the confidentiality of items of business which the Board decides should remain confidential (where permitted by law).

8.2.12 Honour the obligations on all members not to reveal to third parties the views expressed at meetings.

8.2.13 Have regard to the broader responsibilities as a Board including the need to promote public accountability for the actions and performance of the Board.

- 8.2.14 Take or seek opportunities to enhance their effectiveness as a member through participation in training and development programmes and by increasing their knowledge of the Marches economy and the LEP.
- 8.2.15 Give priority, as far as practicable, to attendance at meetings of the Board and its meetings and its committees or groups.
- 8.3 Any Board member who has or has had an interest in a company liquidation, receivership, or administration of a company, or who has been summonsed or convicted of a criminal charge, or who has been involved in any activity which might undermine public confidence in the LEP shall immediately inform the Chair and LEP Director.
- 8.4 If a Board Member becomes bankrupt, or makes arrangements with his/her creditors related to bankruptcy, he/she shall inform the Chair and the LEP Director.
- 8.5 Within 5 working days of receipt, notify the LEP Team in writing of any gift, benefit or hospitality with a value equal to or more than £50 which you have accepted as a member of the Board, from any person or body. The LEP Team will place your notification on a public register of gifts and hospitality.

## **9. Review**

- 9.1 The Board shall keep under review the provisions set out in its Accountability and Assurance Framework (AAF), including this document.
- 9.2 The Board will discuss and propose changes to the AAF as and when deemed necessary, and formally at least once a year.
- 9.3 The Board will keep their private sector representation under review, in accordance with the Terms of Reference for the LEP Board and each of its sub-groups.

## **10. Appendix A - Nolan Principles of Public Life**

### **Selflessness**

Act solely in the public interest.

### **Integrity**

Avoid placing yourself under any obligation to people or organisations that might try inappropriately to influence them in their work.

You must not act or take decisions to gain financial or other material benefits for yourself, your family, or your friends.

You must declare and resolve any interests and relationships.

### **Objectivity**

Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Be accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Act and take decisions openly and transparently.

Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Be truthful in your statements.

### **Leadership**

Exhibit these principles in your conduct.

Actively promote and robustly support the principles and be willing to challenge poor conduct wherever it occurs.

## **11. Appendix B – Additional Guidance for Board Members**

### **Examples of Potential Conflicts of Interest and Proposed Mitigation**

Example 1: A Board Member participates in the commissioning process for the purchase of a service for the LEP but he/she, a spouse or business associate has a financial interest in one of the organisations that is a candidate for funding.

Mitigation 1: The Board Member does not attend meetings where the purchase is under consideration and does not take a role in authorising such a purchase.

Example 2: A Board Member participates in the commissioning process for the purchase of a service for the LEP but he/she, a spouse or close business associate has a non-financial interest in one of the organisations that is a candidate for funding e.g. is a member of the Board of that organisation but receives no remuneration or other financial compensation for that role.

Mitigation 2: The Board Member is excluded from the process, and if it becomes known during the process, that the process is restarted without that individual's participation.

Example 3: A Board Member is in a meeting where the views of both the LEP and another organisation with which the Board Member has some association could be given. The views may be different for each organisation.

Mitigation 3: The Board Member should make the LEP aware in advance of such meetings where they think confusion around representation may occur. The LEP can then provide a briefing for the Board Member to follow, if that is appropriate. All Board Members should be clear in meetings in what capacity they are speaking and follow the LEP brief if available.

Example 4: A Board Member is corresponding with a LEP stakeholder where the views of either the LEP or another organisation with which the Board Member has some association could be given and may be different.

Mitigation 4: In all forms of communication where such circumstances arise, the Board Member must be clear who they are representing e.g. if corresponding by letter or e-mail make sure the appropriate letterhead or electronic signature is used and emphasise in the text of the correspondence which organisation's interests are being represented in any Board Member response.

Example 6: A Board Member can determine a policy or strategy for the LEP in such a way that will give another organisation with which they are associated an unfair advantage over its competitors.

Mitigation 6: The Board Member does not have sole responsibility for signing off such matters.

Example 7: A Board Member is also a Board Member of another LEP that is competing for the same funds, or where he/she or his/her spouse or his/her business can exploit an opportunity that the Marches LEP also wishes to exploit.

Mitigation 7: The Board Member does not attend meeting where the funding opportunity is discussed and does not take part in any decisions arising from those meetings.

Example 8: A Board Member has an historical connection to the potential beneficiary of a decision, sufficient to require the conflict to be declared.

Mitigation 8: The Board Member does not attend meetings where the decision is under consideration and does not take a role in authorising the decision.

## 12. Appendix C – Potential Sources of Interests

12.1 The following table sets out some potential sources from which interests can arise.

Subject	Description of interest
<i>Employment, office, trade, profession, or vocation</i>	<i>Any employment, office, trade, profession, or vocation carried on for profit or gain which you or the relevant party undertakes.</i>
<i>Sponsorship</i>	<i>Any payment or provision of any other financial benefit (other than from the LEP) made or provided in respect of any expenses incurred by you in carrying out duties as a member.</i>
<i>Contracts</i>	<p><i>Any contract which is made between you or the relevant party (or a body in which you or the relevant party has a beneficial interest) and the LEP –</i></p> <ul style="list-style-type: none"> <li><i>(a) under which goods or services are to be provided or works are to be executed; and</i></li> <li><i>(b) which has not been fully discharged.</i></li> </ul>
<i>Land</i>	<i>Any beneficial interest in land which you or the relevant party have and which is within the area of the LEP.</i>
<i>Licences</i>	<i>Any licence (alone or jointly with others) which you or the relevant person holds to occupy land in the area of the LEP for a month or longer.</i>
<i>Corporate tenancies</i>	<i>Any tenancy where (to your knowledge) the tenant or landlord is a relevant party</i>
<i>Securities</i>	<i>Any beneficial interest which you or the relevant person has in securities of a body where that body (to your knowledge) has a place of business or land in the area of the LEP.</i>

### **13. Works Cited**

- 13.1 Marches LEP Code of Conduct & Conflicts of Interest Policy. Web. 14 May 2017.
- 13.2 "2010 to 2015 Government Policy: Local Enterprise Partnerships (LEPs) and Enterprise Zones." 2010 to 2015 Government Policy: Local Enterprise Partnerships (LEPs) and Enterprise Zones - GOV.UK. Web. 14 May 2017.
- 13.3 "Local Enterprise Partnership National Assurance Framework." Local Enterprise Partnership National Assurance Framework - GOV.UK. Web. 14 May 2017.
- 13.4 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.